

STATE OF CONNECTICUT
PUBLIC UTILITIES REGULATORY AUTHORITY
Water Submetering Application Form

Date: _____

The following is the Application for Approval to Install and Use a Water Submetering System (Application). Filing instructions are also included below. The Public Utilities Regulatory Authority (Authority) requires all filings to be submitted electronically.

When filing the Application, the following must be provided:

- Electronic: one (1) copy of the Application, including all Exhibits, Affidavits and any attachments.

Not more than 30 days after the Application is filed, the Authority will notify Applicant whether the Application is complete and accepted, or whether Applicant must submit additional information. The Authority will make reasonable efforts to issue its Decision regarding the Application no later than 90 days after the Application is accepted. **In no event shall failure of the Authority to act in such period be deemed an automatic approval of the application.**

If you need assistance in completing this application or with the application process, please contact the Office of Education, Outreach and Enforcement (EOE) via:

Toll Free Number (in Connecticut) 1-800-382-4586
Toll Number Outside Connecticut 1-860-827-2622
Email: pura.information@ct.gov

Enclosed:

Filing Instructions

Application

FILING INSTRUCTIONS – WATER SUBMETERING APPLICATION FORM

I. ELECTRONIC FILING. The preferred method is filing from our website: <http://www.dpuc.state.ct.us/ElectronicFiling/RevDPUCElectronicFiling.nsf/Start%20Area?OpenForm>
Advance online registration is required (click on the link above, then Initial Registration.) Alternatively, e-mail the files to Pura.executivesecretary@ct.gov or submit IBMformatted diskette(s) or a CD labeled with the company name, and filing date.

II. WHAT TO FILE: Submit one electronic copy of the Application, Exhibits, Affidavits and any other attachments.

All attachments, including Exhibits and Affidavits, should be clearly identified. All

pages should be numbered and attached in sequential order, except for material for which protected treatment is sought (see below).

III. PROTECTED MATERIAL: Submit copies of protected material to Jeffrey R. Gaudiosi, Esq., Executive Secretary, Public Utilities Regulatory Authority via email at Pura.executivesecretary@ct.gov. Include in the email a motion for protective order, a proposed protective order, and an affidavit. The same motion, proposed order, and affidavit should also be filed separately in the docket. Please do not file the confidential material electronically in the docket. Many examples of these documents can be found on our website under Docket Databases-Active Docket Database by searching for “protective order.”

IV. QUESTIONS: Questions regarding filing procedures should be directed to Jeffrey R. Gaudiosi, Esq., Executive Secretary, at (860) 827-2679 or Pura.executivesecretary@ct.gov.

V. GOVERNING LAW: Entities providing submetering service are required to comply with Sections 16-11-67 (1), (2) and (3); 16-11-69; 16-11-71; 16-11-77; 16-11-78; 16-11-55; 16-11-88; and 16-11-89 of the Regulations of Connecticut State Agencies.

State of Connecticut
Public Utilities Regulatory Authority
10 Franklin Square
New Britain, CT 06051
Phone: (860) 827-1553; Main Fax: (860) 827-2613
<https://portal.ct.gov/pura>

APPLICATION FOR APPROVAL TO INSTALL AND USE A WATER SUBMETERING SYSTEM

A. Applicant information:

The term “Applicant” refers to the landlord or owner or manager of the property at which the submetering system will be installed.

(A-1) Applicant's legal name, address and web site:

Name:

Address:

Main Telephone:

Address:

Web site (if any):

Contact person/designated representative for service as to this

Application:

Name:

Title:

Company:

Address:

Address:

Telephone:

Fax:

E-mail Address:

Applicant is the _____ landlord _____ owner _____ manager of the property.

(A-2) If Applicant has office(s) in Connecticut, provide the following information regarding Applicant's principal Connecticut office:

Address:

Telephone: _____ *Fax:* _____

(A-3) Applicant's Federal Employer Identification Number (FEIN): _____

(A-4) Applicant's Connecticut Tax Identification Number: _____

(A-5) Applicant's legal form of ownership:

Corporation

LLC

Cooperative

Other: _____

(A-6) Applicant was formed or organized on _____ in _____, _____.

As used in this Application, the term "Vendor" means a third party retained by or on behalf of the Applicant to provide meter reading and/or billing services at the Facility on behalf of the Applicant. For purposes of this Application, each such Vendor is deemed a co-applicant.

(A-7) Vendor's legal name, address and web site:

Name: _____

Address: _____ *Main Telephone:* _____

Address: _____

Web site (if any): _____

Vendor's contact person/designated representative for service as to this Application:

Name: _____ *Title:* _____

Address: _____

Address: _____

Telephone: _____ *Fax:* _____

E-mail Address: _____

(A-8) If Vendor has office(s) in Connecticut, provide the following information regarding the Vendor's principal Connecticut office:

Address: _____

Address: _____

Telephone: _____ *Fax:* _____

(A-9) Vendor's Federal Employer Identification Number (FEIN): _____

(A-10) Vendor's Connecticut Tax Identification Number: _____

(A-11) Vendor's legal form of ownership:

Corporation

LLC

Cooperative

Other: _____

(A-12) Vendor was formed or organized on _____ in _____, _____.

(A-13) Is Applicant currently under investigation, or has Applicant ever been fined, sanctioned or penalized, in any state for violation of any consumer protection law or regulation?

Yes _____ If yes, provide **Exhibit A-13: "Violation of Consumer Protection Law."**

For each current investigation, provide all of the following: name of the state and agency conducting the investigation; date on which investigation began; description of the nature of the alleged violation; and status of the investigation. For each fine,

sanction or penalty, provide all of the following: date of the fine, sanction or penalty; name of state and agency imposing the fine, sanction or penalty; description of the violation; description of the fine, sanction or penalty, including monetary amounts, if applicable; and copy of the order imposing the fine, sanction or penalty

No

(A-14) Is Vendor currently under investigation, or has Submetering Contractor ever been fined, sanctioned or penalized, in any state for violation of any consumer protection law or regulation?

Yes If yes, provide **Exhibit A-14: "Violation of Consumer Protection Law."**

For each current investigation, provide all of the following: name of the state and agency conducting the investigation; date on which investigation began; description of the nature of the alleged violation; and status of the investigation. For each fine, sanction or penalty, provide all of the following: date of the fine, sanction or penalty; name of state and agency imposing the fine, sanction or penalty; description of the violation; description of the fine, sanction or penalty, including monetary amounts, if applicable; and copy of the order imposing the fine, sanction or penalty

No

(A-15) Describe the Vendor's experience with submetering, the size and scope of its operations and any other information that would be helpful in assisting the Authority to determine whether the Vendor has the capability to provide submetering services.

For purposes of the remaining sections of this Application, the term "Applicant" is deemed to include a Vendor where and as applicable.

Where necessary, the responses to the questions in the remaining Sections of the Application may be made on attached sheets, provided that each sheet and each response is clearly labeled and the pages are sequentially numbered.

B. FACILITY TO BE SUBMETERED AND TECHNICAL ASPECTS OF THE S U B M E T E R I N G SYSTEM:

(B-1) Provide the following information regarding the multi-unit facility (hereinafter the "Facility") at which the submetering system is to be installed and operated:

Name of Facility (if applicable): _____

Number of buildings in the Facility: _____

For each building in the Facility provide:

- a. The Applicant's designation of the building (e.g., "Building A")
- b. The street address of the building.
- c. The mailing address of the building.
- d. The number of floors in that building and the number of units on each floor.
- e. The number of units in that building.
- f. The number of submetered units in that building.
- g. Attach as **Exhibit B-1** a floor plan of each building. If there are non-residential units (e.g. a doctor's office) in the Facility, such units should be identified on the floor plan.

If there are non-residential units located in the Facility, will any such units be submetered as well? Yes No Not Applicable

If the submetering system has not yet been installed, state the date on which installation of the submetering system is anticipated to begin. _____

(B-2) Will common areas be separately metered?

Yes

No. If No, describe how the Applicant will assure that residents will not be charged for water used in the common areas or in any other part of the premises that is not within the exclusive control of the resident.

(B-3) Exhibit B-3: Provide a complete set of a schematic rendering of metering plans for the Facility, clearly identifying (1) the master meter(s), (2) metered common areas. and (3) units that Applicant proposes to submeter. The schematic must clearly indicate what each meter is measuring.

The purpose of this rendering to verify that each proposed submeter will measure only the water used exclusively by the tenant's unit and will not measure water supplied to common areas or any other portion of the property behind the water company's master meter. PURA will NOT perform an engineering review of the submitted renderings/plans for compliance with plumbing and water engineering codes and safety standards. The Applicant remains responsible for obtaining review and approval for any applicable engineering and safety standards as required by state and municipal laws, building codes, or other relevant regulations.

(B-4) Identify the make, size and model number of the submeters that will be used in the submetering system and provide information that shows that the submeters have been certified as meeting the minimum standards established by the American Water Works Association for this type of meter.

(B-5) Provide the following regarding the plumber who installed (or will install) the submeters:

Name: _____

Company Name: _____

Address: _____ Telephone: _____

Address: _____

CT Plumber's License #: _____

C. COMPLIANCE WITH REGULATORY REQUIREMENTS GENERALLY

(C-1) As to Section 16-11-55 and 16-11-69 of the Regulations:

a. State the name of the water utility supplying water to the Facility.

b. Provide a sample bill as **Exhibit C-1b(1)** showing how tenants will be billed for consumption. If estimated bills will be used, explain why and provide a copy of the estimated bill as **Exhibit C-1b(2)**.

c. If the water utility bills the Applicant on a quarterly basis and tenants are billed on a monthly basis, state how the tenant's monthly consumption is determined and describe the mechanism for truing up or reconciling the tenant's charges.

(C-2) As to Sections 16-11-67(1)-(3) of the Regulations:

a. Describe the Applicant's procedures with respect to tenant inquiries concerning the submetering system, the operation of the submetering system, reading of submeters, and

bills sent to the tenants for payment. Provide as **Exhibit C-2a** a copy of these procedures.

b. Provide as **Exhibit C-2b** all documents provided to the tenant describing the tenant's rights under Sections 16-11-67(1)-(3) and the procedures with respect to tenant inquiries concerning the submetering system, the operation of the submetering system, submeters and billing for water service.

c. Provide as **Exhibit C-2c** a copy of the Applicant's procedures for notifying tenants of changes in rates or rate classification for water service provided to the Facility by the water utility, including copies of any notices or other written material that will be used to notify the tenant of any such changes.

(C-3) As to Section 16-11-71 of the Regulations:

a. Provide as **Exhibit C-3a** a copy of the Applicant's written procedures implemented to assure compliance with Section 16-11-71 of the Regulations (adjustments to bills).

(C-4) As to Section 16-11-77 of the Regulations:

a. Applicant understands and agrees to comply with 16-11-77 of the Regulations by making a prompt and complete investigation of all billing inquiries or complaints received and advise the customer thereof. Applicant shall keep a record of each such inquiry or complaint for a period of three years after the final resolution of the inquiry or complaint and shall show the name and address of the customer, the date and nature of the inquiry or complaint, and the adjustment or disposition thereof.

Yes

See also Section (D) of this Application below.

(C-5) As to Section 16-11-78 of the Regulations:

a. Applicant agrees that any employee of the Applicant or Vendor whose duties require him to enter the customer's premises shall wear a distinguishing uniform identifying him as an employee of the Applicant or Vendor, or carry on his person a badge or other identification prominently displayed which will identify him as an employee of the Applicant or Vendor, respectively. Yes

(C-6) As to Section 16-11-88 and 16-11-89 of the Regulations:

- Applicant agrees that Applicant will comply with Sections 16-11-88 and 16-11-89 of the Regulations (periodic and routine tests (16-11-88) and testing the accuracy of a submeter upon a tenant's request (16-11-89)). Yes
- Describe the testing procedure that will be used to test the accuracy of the water meter pursuant to Sections 16-11-88 and 16-11-89 of the Regulations in **Exhibit C-6b(1)**. If a "certified test bench" will not be utilized, provide as **Exhibit C-6b(2)** water industry literature or an affidavit from an appropriately qualified and licensed engineer to support that the test procedure used conforms with prudent utility practice. As **Exhibit C-6b(3)** provide written material regarding the test procedure that will be provided to the tenant.

D. COMPLIANCE WITH REGULATORY REQUIREMENTS REGARDING CUSTOMER SERVICE AND COMPLAINT HANDLING:

(D-1) Provide as **Exhibit D-1** a copy of the Applicant's customer service procedures with respect to:

- notification to tenants as to how to contact the Applicant with respect to concerns, issues or complaints as to submetering, including but not limited to billing for water service and testing the

accuracy of the submeter upon the tenant's request;

- notification to tenants stating, that all questions regarding pressure, volume, taste, odor, or other water quality issues should be directed first to the landlord. The notice should include, in bold type, the landlord contact information for normal business hours and after-hours. In addition, the notice should instruct tenants to: (a) contact the local water utility if they are unable to reach the landlord in an emergency, or if they are dissatisfied with the landlord's response to a call, and (b) contact the Department of Public Health (DPH) if they are not satisfied with the response of the landlord or the local utility. The notice should include contact information for the local utility and the DPH.
- notification to tenants that submetering must be approved by the Authority and providing the tenant with information as to how to contact the Authority when they have complaints, issues or concerns that they believe have not been adequately addressed by the Applicant pursuant to Section 16-11-55(4) of the Regulations.

(D-2) Describe the procedures for monitoring a tenant's consumption for the purpose of identifying abnormally high usage or other usage patterns that could reveal the existence of a leak affecting that tenant's monthly bills.

(D-3) Is the tenant charged a service fee for submetering? If so, state the total fee, state the frequency the fee is billed (e.g., monthly, quarterly, etc.).

(D-4) Provide as **Exhibit D-4** an itemization of all potential fees a tenant can be asked to pay with respect to submetering, including, but not limited to, any **late fee** and/or service fee described in D-3 above. The itemization should describe the nature and amount of the fee.

E. ADDITIONAL INFORMATION

(E-1) Provide as **Exhibit E-1** a comment letter from the water utility confirming the water utility has reviewed the application and whether or not it opposes the Applicant's submetering proposal.

(E-2) Provide as **Exhibit E-2** the portion of the lease agreement with the tenant that describes and informs the tenant will be liable for fees with respect to water submetering including, but not limited to, any late fee and or service fee described in D-3 and D-4 above.

(E-3) Applicant agrees that they cannot terminate a tenant's water service for any reason. Yes

(E-4) The Applicant understands it must notify the residents of the facility that the Applicant has applied to the Authority for permission to submeter, and include the following information: (1) That the Applicant has submitted an application to the Authority for approval to submeter water service in the facility; (2) The docket number of the proceeding in which the Authority will review the application; (3) That if the resident has any concerns or objections about the Applicant's proposal to submeter, he or she may submit written comments, referencing the docket number, to the Authority via the Executive Secretary at email Pura.executivesecretary@ct.gov. Please confirm the Applicant provided such notice by checking the box. Yes

F. acknowledgement OF the Authority's jurisdiction

(F-1) By seeking to submeter customers and perform the responsibilities ordinarily performed by a regulated water company with respect to metering, billing, and customer service, the Applicant and all Co-Applicant(s) agree that they will be subject to the Authority's jurisdiction with respect to their submetering activities in the same manner as a regulated water company, including but not limited to the Authority's ability to revoke submetering approvals, and/or order

the immediate cessation of submetering pursuant to Section 16-11-55(4) of Regulations of Connecticut State Agencies, and/or impose fines pursuant to Conn. Gen. Stat. §16-41. Yes

AFFIDAVIT #1

"Veracity of Statements"

State of _____ :

_____ ss.
(Town)

County of _____ :

_____, Affiant, being duly sworn/affirmed according to law, deposes and says that:

He/she is the _____ (Office of Affiant) of _____ (Name of Applicant);

That he/she is authorized to and does make this affidavit for said Applicant;

That _____, the Applicant herein, certifies under penalty of false statement that all statements made in the application for approval to submeter are true and complete and that it will also amend its application while the application is pending if any substantial changes occur regarding the information provided in the application within ten days of any such change.

That the facts above set forth are true and correct to the best of his/her knowledge, information, and belief and that he/she expects said Applicant to be able to prove the same at any hearing hereof.

Signature of Affiant

Sworn and subscribed before me this _____ day of _____, _____.
Month Year

Signature of official administering oath

Print Name and Title

My commission expires _____.