STATE OF CONNECTICUT PUBLIC UTILITIES REGULATORY AUTHORITY Water Submetering Application Form

Date:		

Enclosed is the Application for Approval to Install and Use a Water Submetering System (Application). Filing instructions are also enclosed. In particular, please note that the Public Utilities Regulatory Authority (Authority) requires all filings to be submitted electronically in addition to hard copy.

When filing the Application, the following must be provided:

Hard copy: one (1) original and five (5) copies of the Application, including all Exhibits, Affidavits and any attachments; (Exception: if the entire application (including exhibits) is filed electronically, only the paper original need be submitted.)

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 further information, please call the Authority at (860) 827-1553.

If you need assistance in completing this application or with the application process, please contact the Authority's Ombudsman, Nick Neeley at (860) 827-2625 or email at nick.neeley@ct.gov.

Enclosed:

Filing Instructions
Application

FILING INSTRUCTIONS – WATER SUBMETERING APPLICATION FORM

- **I.** WHERE TO FILE: Applications should be sent to: Jeffrey R. Gaudiosi, Esq., Executive Secretary, Public Utilities Regulatory Authority, Ten Franklin Square, New Britain, CT 06051.
- II. WHAT TO FILE: Submit one original hard copy as well as one electronic copy of the Application, Exhibits, Affidavits and any other attachments. The Authority will accept electronic filings that are not complete (i.e., not all documents available electronically.) However, if the electronic copy is not complete, submit an additional five hard copies.

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: Place hard copies of any documents for which the applicant is seeking confidential treatment in a separate envelope marked "confidential," and include a motion for protective order, a proposed protective order, and an affidavit. Many examples of these documents can be found on our website under Docket Databases-Active Docket Database by searching for "protective order." Do not submit protected material in electronic form.
- IV. ELECTRONIC FILING. The preferred method is filing from our website:

 HYPERLINK "http://www.dpuc.state.ct.us/ElectronicFiling/RevDPUCElectronicFiling.nsf/
 Start%20Area?OpenForm" 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 IBM-formatted diskette(s) or a CD labeled with the company name, and filing date.

- V. QUESTIONS: Questions regarding filing procedures should be directed to Jeffrey R. Gaudiosi, Esq., Executive Secretary, at (860) 827-2679 or HYPERLINK "mailto:jeffrey.gaudiosi@ct.gov." jeffrey.gaudiosi@ct.gov.
- VI.GOVERNING LAW: The Authority will review applications for submeter installations and use pursuant to the criteria set forth in the Authority's May 16, 2001 Final Decision in Docket No.

00-05-26, <u>DPUC Review of Submetering of Water Service</u>, and in light of precedent established in the first submetering approval issued thereafter in the Authority's March 28, 2002 Final Decision in Docket No. 01-07-18, <u>Application of AvalonBay Communities for Approval to Submeter Avalon Grove Apartments</u>. The Authority modified specific requirements in the Docket No. 00-05-26 Final Decision and the

Water Submetering Application Form in its January 17, 2015 Final Decision in Docket No. 00-05-26RE01, <u>DPUC Review of Submetering of Water Service - Reopened</u>. As set forth in those Decisions, 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; and 16-11-89 of the Regulations of Connecticut State Agencies. All of these Decisions and the text of these Regulations are available on the Authority's web site. Applicants may wish to review other submetering decisions subsequent to the March 28, 2002 Final Decision referenced above to assure that they understand how these Regulations are to be interpreted and applied in the context of submetering.

State of Connecticut Public Utilities Regulatory Authority 10 Franklin Square New Britain, CT 06051 Phone: (860) 827-1553; Main Fax: (860) 827-2613

http://www.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 To	lankana				
	Address:			lephone:				
	Address:		web site	(if any):				
	Contact person/desi	ignated representa	ative for service	as to this Application:				
	Name:		Title:					
	<u>Company:</u>							
	Address:							
	<u>riaaress.</u>							
	Address:							
	Telephone:		Fax:					
	E-mail Address:							
	Applicant is the	landlord	owner	manager of the property				
(A-2)	If Applicant has off	řice(s) in Connect	icut, provide the	following information				
regard	ling Applicant's <i>Address:</i>	principal Connec	ticut office:					
	Telephone:		Fax:					
	F		=·					
(A-3)	Applicant's Federal	Employer Identi	fication Number	(FEIN): FORMTEXT				
FORM	MTEXT FORM	<u>MTEXT</u>						
	Applicant's Connec		cation Number: ₋	<u>FORMTEXT</u>				
<u>FORN</u>	MTEXT FORN	<u>MTEXT</u>						
(A =	A 1: (2.1. 1.0.	c 1:						
(A-5)	Applicant's legal for	orm of ownership:						

FORMCHECKBOX Corporation
FORMCHECKBOX LLC
FORMCHECKBOX Cooperative
FORMCHECKBOX Other: FORMTEXT

	Applicant v	vas formed or organize	ed on FORMTEXT	in <u>FORMTEXT</u>
on bel Facilit	nalf of the A	pplicant to provide n	Vendor" means a third neter reading and/or bi or purposes of this App	lling services at the
(A-7)	Vendor's le	gal name, address and	web site:	
	Name:			
	Address:		Main Teleph	one:
	<u>Address:</u>			
	Web site (if	any):		
Applic		ontact person/designat	ed representative for serv	vice as to this
	Name:		Title:	
	Address:			
	Address:			
	Telephone:		Fax:	
	E-mail Add	ress:	2 0000	
		as office(s) in Connec dor's principal Conne	ticut, provide the follow cticut office:	ing information
	Address:			
	Telephone:		Fax:	
` ,	Vendor's Fe ITEXT	ederal Employer Ident <u>FORMTEXT</u>	ification Number (FEIN): <u>FORMTEXT</u>
. ,	Vendor's Co	onnecticut Tax Identif FORMTEXT	ication Number: <u>FORM</u>	<u>TEXT</u>
(A-11)	Vendor's le	gal form of ownershir	ŗ.	

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

FORMCHECKBOX LLC FORMCHECKBOX Cooperative FORMCHECKBOX Other: FORMTEXT

(A-12) Vendor was formed or organized or	n <u>FORMTEXT</u>	in	FORMTEXT
, FORMTEXT .			

(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?

FORMCHECKBOX 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

FORMCHECKBOX 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?

FORMCHECKBOX 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

FORMCHECKBOX 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 SUBMETERING SYSTEM:

(B-1) the			llowing information regarding the multi-unit facility (hereinafter which the submetering system is to be installed and operated:
	Name	of Facil	ity (if applicable):
	Numbe	er of bu	ildings in the Facility:
	For each	ch build	ling 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.
each		d.	The number of floors in that building and the number of units on 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
Facilit	y, such	units	should be identified on the floor plan.
subme		e are no as well	n-residential units located in the Facility, will any such units be 1?
(B-2)	If the I	Facility	is new construction:
installe	a. ed as of		whether and to what extent the submetering system has been the date of this Application.
	b.	If the s	submetering system has not yet been installed, state the date on

which installation of the submetering system is anticipated to begin.

- c. State the anticipated date on which the Facility is expected to receive a Certificate of Occupancy.
- **(B-3)** If the Facility is not new construction:
- a. State whether and to what extent the submetering system has been installed as of the date of this Application.
 - b. If the submetering system has not yet been installed, state the date on which installation of the submetering system is anticipated to begin.
- **(B-4) Exhibit B-4:** Provide (2) complete sets of plumbing plans for the Facility to be submetered, showing all piping between the water utility's (master) meter(s) and the submeters in the individual units. The plans should identify all common usage fixtures, indicate the piping to all common usage fixtures and be in sufficient detail to clearly indicate what each meter is measuring. If the common areas are already separately metered, indicate on the plans where common area meters are located.

Note: When existing buildings are being converted to submetering, the Authority suggests that all common areas be metered before the unit is metered, in order to assure that common usage is not shifted to un-metered customers. The Authority will consider financial constraints in determining this issue on a case-by-case basis.

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. Be specific.

- (B-5) 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. Include as Exhibit B-5 all information received from the manufacturer regarding the specifications of the submeter and manufacturer instructions for installation, maintenance and testing of the submeter.
- **(B-6)** Provide as **Exhibit B-6** a diagram, drawing or other schematic showing a typical submeter installation, including but not limited to the location of the submeter relative to the riser pipe feeding that unit and the next downstream fixture in the unit.

(B-7) Provide the following regarding the plumber who installed (or will install) the submeters:

Name:	
Company Name:	
Address:	Telephone:
Address:	

CT Plumber's License #:

- **(B-8)** Describe the procedure by which the submeters will be read, including but not limited to the following information:
 - a. whether the submeter will be read "remotely;"
 - c. the frequency with which the submeter will be read;
 - d. the procedure for generating an invoice or bill to the tenant;
 - e. whether the tenant has access to the submeter and whether the tenant can "read" the meter.

Provide as **Exhibit B-8a** any written procedures or policies with respect to reading the submeter used by the Applicant.

Provide as **Exhibit B-8b** all forms, notices, reports, etc. that are generated by the Vendor and sent to the Applicant in connection with reading the meters for purposes of generating invoices or bills to the tenant.

Provide as **Exhibit B-8c** all notices or other written materials provided to the tenant which explain how the meters are read and bills or invoices generated.

C. COMPLIANCE WITH REGULATORY REQUIREMENTS GENERALLY

- (C-1) As to Section 16-11-55 of the Regulations:
 - a. State the name of the water utility supplying water to the Facility.
 - b. State whether the water utility bills the Applicant in cubic feet or gallons.
 - c. State whether the tenants will be billed on the basis of cubic feet or gallons.

- d. If the unit of measurement (e.g., cubic feet or gallons) used by the water utility differs from the unit of measurement used in the tenant's bill, state the conversion calculation used in determining the consumption for a submetered unit.
- e. State whether the water utility bills the Applicant on a monthly or quarterly basis for the Facility.
- f. State whether the tenants will be billed on a monthly or quarterly basis.
- g. 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, reading of 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	16-11-69 of	f the Regulations	;:
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- a. Provide as **Exhibit C-3a** a copy of a sample bill that will be sent to tenants.
- b. Provide as **Exhibit C-3b** a copy of a sample estimated bill that will be sent to tenants and any written materials that will be sent to a tenant regarding any such estimated bill.
- c. Describe the circumstances under which a tenant might be sent an estimated bill.

(C-4) As to Section 16-11-71 of the Regulations:

- a. Provide as **Exhibit C-4a** a copy of the Applicant's written procedures implemented to assure compliance with Section 16-11-71 of the Regulations (adjustments to bills).
- b. Provide as **Exhibit C-4b** all documents provided to the tenant informing them of their rights under Section 16-11-71 and who to contact with questions regarding their bills.
- (C-5) As to Section 16-11-77 of the Regulations: See Section (D) of this Application below.
- (C-6) As to Section 16-11-78 of the Regulations:
 - a. State whether Applicant employees whose duties include entering into a tenant's unit wear a "distinguishing uniform identifying [the person] as an employee of the [Applicant]" or display a photo identification card identifying the person as an employee of the Applicant or both.
 - b. Provide as **Exhibit C-6b** a copy of the Applicant's procedures governing entry of a tenant's unit by an employee of the Applicant, including but not limited to notice of any such entry provided to the tenant, which procedures should comply with the requirements of Conn. Gen. Stat. Sec. 47a-16.
 - c. Provide as **Exhibit C-6c** a copy of any notification or other letters sent to a tenant regarding entry into the unit by an employee of the Applicant.

d.	If Vendor emp	loyees enter	a tenant's u	nit, will they	be accomp	oanied by a	n
Applica	ant employee?		yes		no		

(C-7) As to Section 16-11-89 of the Regulations:

- a. Provide as **Exhibit C-7a** a copy of the Applicant's procedures implemented to assure compliance with Section 16-11-89 of the Regulations (testing the accuracy of a submeter upon the tenant's request).
- b. Provide as **Exhibit C-7b** all documents provided to the tenant describing the tenant's rights with respect to requests for tests of the accuracy of a submeter.
- c. Describe the testing procedure that will be used to test the accuracy of the water meter pursuant to Section 16-11-89 of the Regulations.

State whether the procedure used will be a "certified bench test."

If a certified bench test will be utilized, state whether Applicant will rely on a third party to provide the testing service and, if a third party will be used, state the third party's name, business address and telephone number.

If a certified bench test will not be utilized, describe the test that will be utilized and provide as **Exhibit C-7c1** documentation describing how that test will be performed and provide as **Exhibit C-7c2** all 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 submetering for tenants at the Facility. These materials should demonstrate compliance with the requirements of Section 16-11-77 of the Regulations, including but not limited to describing the Applicant's procedures with respect to:

water utility billing security deposits, if any;

complaint handling and dispute resolution, including but not limited to a statement as to whether the Applicant's on-site management or personnel; provide a written report of problems found, the remedy, and the cost of repairs to the tenant, if any, resulting, for example, from affirmative actions of the tenant which caused damage to equipment or property;

the collection process for overdue bills;

whether and the amount of any late fees a tenant can be charged when payment is not received when due, and evidence of compliance with Section 16-3-100(a)(5) of the Regulations;

notification to tenants that the installation of submeters will only occur where the Regulations do not require a water company or water utility to install such meters, pursuant to Section 16-11-55 of the Regulations;

maintaining records for 3 years of tenant complaints and inquiries concerning the submetering system and charges for water use by tenants;

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;

notification to tenants of their right to have the submeter tested, and the procedures for requesting a test of the submeter; and

notification to tenants of their rights pursuant to Sections 16-11-69 and 16-11-71 of the Regulations (with respect to adjustments to bills);

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)** Provide as **Exhibit D-2** samples of any materials that the Applicant provides to tenants promoting conservation generally and submetering as a method of promoting conservation.
- **(D-3)** 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.

Provide as **Exhibit D-3a** the Applicant's procedures with respect to monitoring tenant consumption, determining whether a deviation from the tenant's historical usage pattern might reflect a leak, notifying the tenant of an abnormal usage, investigating and resolving any such questions, and documenting these events, including but not limited to a statement as to whether the Applicant's on-site

management or personnel provide a written report of problems found, the remedy, and the cost of repairs to the tenant for any damage caused by the tenant.

Provide as **Exhibit D-3b** all reports, notices or other documentation sent by the Vendor to the Applicant regarding a change in the tenant's usage that might signal a leak.

Provide as **Exhibit D-3c** all notices or other information sent to the tenant regarding a change in the tenant's usage that might signal a leak.

- **(D-4)** Provide as **Exhibit D-4** an example of the log or record maintained by the Applicant with respect to tenant inquiries and complaints.
- **(D-5)** If the Applicant intends to rely on a Vendor to handle tenant inquiries and complaints, please provide the following information regarding the Vendor's customer service operations:
- a. How many customer service representatives does the Vendor currently employ for the purpose of responding to tenant inquiries and state how the Vendor determined that that staffing level was appropriate.
- b. What is the location and hours of operation of the Vendor's customer service center?
- c. How many telephone lines does the Vendor maintain for tenants to call in? Is a toll free number supplied to the tenant? How is the tenant notified of the existence of Vendor's service center and how to reach it?
- d. State whether the Vendor maintains statistics on telephone holding times and number of calls? State the average daily number of tenant inquiries received by the Vendor over the 90 days preceding the filing of this Application and the average holding time per call.
- **(D-6)** If the Applicant does not intend to utilize a Vendor for handling tenant inquiries and complaints, the Applicant should describe here its "customer service functions," including those aspects of the customer service function described in D-6 above.
- **(D-7)** Where can tenants pay their water bills?
- **(D-8)** 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.) and explain how this fee is calculated.

(D-9) Provide as **Exhibit D-9** an itemization of all potential fees a tenant can be asked to pay with respect to submetering, including but not limited to the service fee described in D-8 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 regarding the Applicant's submetering proposal.
- **(E-2)** Set forth below (or provide as **Exhibit E-2**) the specific provisions of the lease between Applicants and tenants at the facility which concern submetering for water service.
- **(E-3)** Provide as **Exhibit E-3** a copy of the contract between the Applicant and the Vendor for submetering service. The copy may be filed with proprietary pricing information redacted, provided that the redaction is clearly indicated on the copy, and subject to further review by the parties to the proceeding.
- (E-4) The Authority requires that, where the Applicant intends to begin submetering water service in a facility that is already occupied, the Applicant notify the residents of the facility that the Applicant has applied to the Authority for permission to submeter and that the Authority has opened a docket to review that application. On or before the tenth calendar day after the Applicant has received a notice from the Authority of the docket number that has been assigned to the application, the Applicant shall provide a notice to the residents of each unit in the facility stating, in plain language, the following: (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 and the anticipated time frame in which the Authority will conduct its review; (3) That if the resident has any concerns or objections about the Applicant's proposal to submeter, he or she (a) should first discuss those concerns with the Applicant and (b)may thereafter telephone the Authority or submit written comments to the Authority, such calls to be made or comments to be provided on or before the 30th calendar day after the date of the notice sent by the Applicant to the resident. The notice should identify the due date for those calls or comments, instruct the resident to state the Docket Number on their letter, and provide the Authority's address and the Authority's consumer assistance telephone number. The Applicant shall then submit as **Exhibit E-4** a sample copy of the notice that was provided to the residents, and a statement which describes how the notice was sent or delivered (e.g., first class mail, hand delivery, sliding under the door of the unit, etc.) to the tenants and the date on which it was sent or delivered.

AFFIDAVIT #1

"Veracity of Statements"

State of	:			
	: _	(Tow	n)	SS.
County of	:			
law, deposes and says that:	ing duly s	sworn/afi	firmed acc	cording to
He/she is the(Name of Applican	 ut);	(Office	of Aff	iant) of
That he/she is authorized to and does make	this affida	vit for sa	aid Applica	ant;
That, the Appleal false statement that all statements made submeter are true and complete and that it the application is pending if any substinformation provided in the application with the facts above set forth are true and conformation, and belief and that he/she expethe same at any hearing hereof.	e in the t will also tantial ch hin ten day	application amend in anges of anges of any anges of any anges of	on for apts applica ccur regar such char	oproval to tion while ording the age. nowledge,
Signature of Affiant				
Sworn and subscribed before me this		day of _.	Month	Year
Signature of official administering oath				

My commission expire	es		_•
Landlord's contact number		then the water compa	any.
	Form 05/00		
PAGE 12-			
1710E 12			