

AGENDA
PORTLAND WATER DISTRICT

225 Douglass Street, Portland, Maine

Jeff P. Nixon Training Center

6:00 p.m. on Monday, November 25, 2024

<https://us06web.zoom.us/j/88232088949?pwd=gMNzyetD0pixc9EkIz2ZY7pFbjMxWL.1>

1. Convene Meeting with Pledge of Allegiance and moment of silence. President Lunt
2. Roll Call Clerk
3. Declaration of Election Results and Inauguration for the Trustees representing Cape Elizabeth/South Portland and Westbrook elected on November 5, 2024 Clerk
- 4a. Acceptance of Minutes of the Regular Meeting of October 28, 2024 President Lunt
- 4b. Acceptance of Minutes of the Workshop Meeting of November 12, 2024 President Lunt
5. Invitation for Public Comment President Lunt
6. Reports:
 - Operations Committee Reports Trustee Shattuck-Heidorn
 - Planning Committee Reports Trustee Crockett
 - Administration & Finance Committee Reports Trustee Willett
 - General Manager's Report Interim General Manager
7. New Business
 - A. **Order 24-028** adopting the 2025 Budget and Wastewater Assessments. Administration and Finance Committee
 - B. **Order 24-029** authorizing the final rate schedule for the water rate increase. Administration and Finance Committee
 - C. **Order 24-030** authorizing revisions to the District's Terms and Conditions Administration and Finance Committee
 - D. **Order 24-031** authorizing revisions to the Fee Schedule for Non-Water Tariff Services. Administration and Finance Committee
 - E. **Order 24-032** adopting the 2025-2029 Capital Improvement Plan. Administration and Finance Committee
 - F. **Resolution 24-014** declaring the Board's intent to issue debt to reimburse costs incurred for the Water fund, and the Wastewater funds for Cape Elizabeth, Cumberland, Portland, Westbrook, Gorham, and Windham projects identified in the 2025 CIP. Administration and Finance Committee
 - G. **Order 24-033** authorizing a Memorandum of Agreement with ecomaine. Operations Committee
 - H. **Resolution 24-015** adopting the Board of Trustees meeting schedule for 2025. General Manager
8. Other Business An item may be added to this agenda provided seven trustees vote to waive the rule regarding agendas. President Lunt
9. Second Invitation for Public Comment President Lunt
10. Trustee Comments President Lunt

OVER

11. Executive Session A motion may be made to go into Executive Session at any time during the meeting to discuss, pursuant to 1 M.R.S. §405(6)(A) personnel, 1 M.R.S. §405(6)(C) real estate, 1 M.R.S. §405 (6)(D) labor negotiations, or 1 M.R.S. §405(6)(E) legal matters. President Lunt
12. Adjournment President Lunt

Donna M. Katsiaticas
Clerk

Portland Water District
Board of Trustees Regular Meeting
November 25, 2024

New Business

Agenda Item 7A – 7H



BOARD OF TRUSTEES / AGENDA ITEM SUMMARY

Agenda Item: 7A Order 24-028
Date of Meeting: November 25, 2024
Subject: 2025 Wastewater Assessment and Billing Service Fee
Presented By: David Kane, Director of Administrative Services

RECOMMENDATION

The following proposed language is presented for Board of Trustee approval:

ORDERED, that the 2025 Budget and Wastewater Assessments as presented by the General Manager at the October 28, 2024, Regular Board meeting are accepted and adopted and shall be filed with the minutes of this meeting; and pursuant to Section 12 of the District's Charter, to assess for 2025 the participating municipalities for wastewater related costs as follows:

Town of Cape Elizabeth	\$2,474,052
Town of Cumberland	\$1,428,456
Town of Falmouth	\$314,112
Town of Gorham	\$1,712,484
City of Portland	\$17,609,172
City of Westbrook	\$4,111,872
Town of Windham	\$1,307,652

and to assess non-participating municipal corporations for billing-related costs as follows:

City of South Portland	\$248,760
Scarborough Sanitary District	\$18,348

BACKGROUND

PWD staff prepared the 2025 Comprehensive Budget Report and presented the report to the Board at the October 28, 2024 meeting. The Administration and Finance, Operations, and Planning Committees reviewed their respective areas of the budget at the November 12, 2024, Committee meetings. Incorporated in the proposed budget, the assessment amounts included provide funding to fully support the 2025 budgeted expenses.

LEGAL REVIEW

Corporate Counsel reviewed the proposed motion and approved it as to form.

CONCLUSION(S)

Staff recommends that the Board approve the proposed motion. The Administration and Finance, Operations, and Planning Committees reviewed and recommended forwarding these budgets to the full Board for their consideration.

ATTACHMENT(S)

None



BOARD OF TRUSTEES / AGENDA ITEM SUMMARY

Agenda Item: 7B Order 24-029
Date of Meeting: November 25, 2024
Subject: 2025 Water Rates
Presented By: David Kane, Executive Director of Administration

RECOMMENDATION

The following proposed language is presented for Board of Trustee approval:

ORDERED, that the final rate schedule for the water rate adjustment, attached hereto and incorporated herein by reference, is hereby adopted with an effective date of January 1, 2025.

BACKGROUND

The proposed 2025 Budget assumes a water rate adjustment with an average adjustment of 5.9% effective January 1, 2025. The adjustment includes a rate differential between residential and commercial/industrial rates resulting in an increase of residential customer rates by 5.5%, commercial customers by 6.7%, and industrial customers by 7.4%. Fire protection charges are increasing by 5.2%.

Pursuant to Board rules, a public hearing was held on November 12, 2024. All customers received notification of the meeting to review the proposed rate adjustment. Supporting documentation was posted to the District's website.

FISCAL REVIEW / FUNDING

The average 5.9% rate adjustment is projected to increase water revenue by \$1,819,020 in total. With the rate adjustment, water revenues in 2025 are expected to meet the projected expenses.

LEGAL REVIEW

Corporate Counsel reviewed the proposed motion and approved it as to form.

CONCLUSION(S)

Staff recommends that the Board approve the proposed motion.

ATTACHMENT(S)

A. Proposed Rate Schedule

PORTLAND WATER DISTRICT
SCHEDULE OF RATES

Effective date:
January 1, 2025 PWD Board of Trustees Order 24-029 on November 25, 2024

Treasurer

RATES FOR WATER TO METERED CUSTOMERS

Member Rate - Applies to Cape Elizabeth, Cumberland, Falmouth, Gorham, Portland, Raymond, Scarborough, South Portland, Westbrook and Windham

MONTHLY RATES:

For the first	100 cubic feet	included in minimum charge	
For the next	2,900 cubic feet	3.02 per 100 cubic feet	I
For the next	7,000 cubic feet	2.85 per 100 cubic feet	I
For the next	40,000 cubic feet	2.52 per 100 cubic feet	I
In excess of	50,000 cubic feet	1.45 per 100 cubic feet	I

SEASONAL RATES:

See meter size for the allowance included in the minimum charge

Excess up to	90,000 cubic feet	3.02 per 100 cubic feet	I
In excess of	90,000 cubic feet	2.52 per 100 cubic feet	I

MINIMUM CHARGES:

<u>MONTHLY RATES</u>			<u>SEASONAL RATES</u>			
<u>Meter Size</u>	<u>Minimum Charge</u>	<u>Allowance Cubic Feet</u>	<u>Surface Mains Min. Charge</u>	<u>Deep Mains Min. Charge</u>	<u>Allowance Cubic Feet</u>	
5/8	\$ 12.08	100	\$ 348.67	\$ 293.47	3,000	I
3/4	14.24	100	452.00	396.78	6,300	I
1	18.47	100	537.35	482.13	9,000	I
1 1/2	32.83	100	821.87	766.66	18,000	I
2	56.99	100	1,163.27	1,108.07	28,800	I
3	103.41	100	2,073.75	2,018.54	57,600	I
4	155.64	100	3,098.06	3,042.83	90,000	I
6	300.73	100	5,943.28	5,888.07	180,000	I
8	474.80	100	9,357.58	9,302.37	288,000	I
10	687.48	100	18,462.34	18,407.15	576,000	I
12	910.05	100	28,760.38	28,705.17	900,000	I
Low Income	3.02	100				I

Monthly Rates minimums are prorated to exact day in first and last month of service.
 Monthly rate customer on temporary water lines may not be billed for up to first 15 HCF.

January 1, 2025 PWD Board of Trustees Order 24-029 on November 25, 2024

Treasurer

RATES FOR WATER TO METERED CUSTOMERS

Nonmember Rate - Applies to Standish and Yarmouth

MONTHLY RATES:

For the first	100 cubic feet	included in minimum charge	
For the next	2,900 cubic feet	3.49 per 100 cubic feet	I
For the next	7,000 cubic feet	3.30 per 100 cubic feet	I
For the next	40,000 cubic feet	2.88 per 100 cubic feet	I
In excess of	50,000 cubic feet	1.68 per 100 cubic feet	I

SEASONAL RATES:

See meter size for the allowance included in the minimum charge

Excess up to	90,000 cubic feet	3.49 per 100 cubic feet	I
In excess of	90,000 cubic feet	2.88 per 100 cubic feet	I

MINIMUM CHARGES:

<u>MONTHLY RATES</u>			<u>SEASONAL RATES</u>			
<u>Meter Size</u>	<u>Minimum Charge</u>	<u>Allowance Cubic Feet</u>	<u>Surface Mains Min. Charge</u>	<u>Deep Mains Min. Charge</u>	<u>Allowance Cubic Feet</u>	
5/8	\$ 13.90	100	\$ 400.99	\$ 337.49	3,000	I
3/4	16.36	100	519.78	456.28	6,300	I
1	21.27	100	617.67	554.48	9,000	I
1 1/2	37.74	100	945.15	881.67	18,000	I
2	65.51	100	1,337.77	1,274.28	28,800	I
3	118.87	100	2,384.85	2,321.37	57,600	I
4	178.97	100	3,562.77	3,499.27	90,000	I
6	345.82	100	6,834.78	6,771.29	180,000	I
8	546.03	100	10,761.23	10,697.73	288,000	I
10	790.60	100	21,231.68	21,168.18	576,000	I
12	1046.53	100	33,074.46	33,010.97	900,000	I
Low Income	3.49	100				I

Monthly Rates minimums are prorated to exact day in first and last month of service.
 Monthly rate customer on temporary water lines may not be billed for up to first 15 HCF.

January 1, 2025 PWD Board of Trustees Order 24-029 on November 25, 2024

 Treasurer

MUNICIPAL FIRE SERVICE

There shall be paid monthly to the District by the municipalities an annual fire protection charge as follows:

<u>MUNICIPALITY</u>	<u>ANNUAL CHARGE</u>	<u>MONTHLY CHARGE</u>
Cape Elizabeth	\$ 120,564.96	\$ 10,047.08 I
Cumberland	98,622.24	8,218.52 I
Falmouth	160,336.92	13,361.41 I
Gorham	111,151.92	9,262.66 I
Portland	494,638.20	41,219.85 I
Raymond	8,353.08	696.09 I
Scarborough	223,969.56	18,664.13 I
South Portland	224,284.92	18,690.41 I
Standish	67,014.24	5,584.52 I
Westbrook	183,301.68	15,275.14 I
Windham	135,466.80	11,288.90 I
Total:		\$1,827,704.52

Rates for hydrants installed on or after the effective date shall be determined in accordance with Public Utilities Commission Rules and Regulations Chapter 690 as amended in Docket Number: 87-203.

There shall be no reduction in fire protection charges for fire hydrants removed.

January 1, 2025 PWD Board of Trustees Order 24-029 on November 25, 2024

Treasurer

PRIVATE FIRE SERVICE

For each private fire service connected to the District system there shall be paid to the District an annual fire protection charge as follows:

MONTHLY CHARGES

<u>SIZE OF CONNECTION</u>	<u>MEMBERS</u>	<u>NONMEMBERS</u>	
2"	\$ 4.89	\$ 5.62	I
3"	10.94	12.54	I
4"	19.49	22.42	I
6"	46.58	53.54	I
8"	77.98	89.63	I
10"	121.81	140.15	I
12"	175.38	201.71	I
16"	311.80	358.59	I

In cases where fire protection systems are supplied with water through metered connections, the quantity of water used for emergency extinguishment of fires will be estimated upon notification and deducted from the quantity registered by the meter before billing.

Monthly Charges are prorated to exact day in first and last month of service.

January 1, 2025 PWD Board of Trustees Order 24-029 on November 25, 2024

Treasurer



BOARD OF TRUSTEES / AGENDA ITEM SUMMARY

Agenda Item: 7C Order 24-030
Date of Meeting: November 25, 2024
Subject: 2025 Water Terms and Conditions
Presented By: David Kane, Executive Director of Administration

RECOMMENDATION

The following proposed language is presented for Board of Trustee approval:

ORDERED, that the revisions to the Portland Water District's Terms & Conditions of water service, attached hereto and incorporated herein by reference, are hereby adopted with an effective date of January 1, 2025.

BACKGROUND

The Water Terms and Conditions (T&C) are reviewed annually as part of the budget process, and the fees are updated to reflect actual costs. The last fee update was approved on November 27, 2023 (Order 23-040). Because the District was granted a waiver from the Public Utilities Commission from rate-related filings, the T&C changes need only Board approval.

The changes being proposed include the following:

- Updating fees to current costs. All fees include a new fee to cover supervisor and office-related costs.
- New Section 370: Ground wire attachments not allowed
- Section 340: A monthly fee for use of hydrant meter would be imposed.

FISCAL REVIEW / FUNDING

The changes will result in estimated water revenues and capital fees of \$284,488 and \$153,275, respectively. (See Attachment B for details)

LEGAL REVIEW

Corporate Counsel reviewed the proposed motion and approved it as to form.

CONCLUSION(S)

Administration and Finance Committee reviewed at their September 9, 2024 meeting and recommends forwarding the motion to the Board of Trustees.

ATTACHMENT(S)

- A. Terms and Conditions - Redlined with changes noted
- B. Summary of fees with the impact of the proposed changes

TERMS & CONDITIONS

Filed at the Office of the Public Utilities Commission
As Amended January 1, 202~~5~~⁴

PORTLAND WATER DISTRICT

225 Douglass Street, Portland, Maine

TERMS & CONDITIONS

These Terms and Conditions produced by the Portland Water District, and accepted by the Maine Public Utilities Commission will govern and guide the District in the operation of its business.

All District provision of service and credit and collection procedures in these Terms and Conditions will conform and be based upon rules of the Maine Public Utilities Commission except as hereinafter noted.

Except as explicitly provided herein, these Terms and Conditions are not intended to modify any rights or duties of the District or any customer or any authority of the Public Utilities Commission under any provision of Maine law, including Title 35-a of the Maine Revised Statutes Annotated or the rules and regulations of the Maine Public Utilities Commission.

REVISION TABLE

Date	PWD Motion	Sections	Description
4/1/22	Resolution 22-005	Entire Document	Restatement of T&C issued.
1/1/23	Order 22-046	Sheets 2,6,12,15-20	Updating fees to current costs
1/1/24	Order 23-040	Sheets 3, 7, 12, 14-20	Updating fees to current costs
<u>1/1/25</u>	<u>Order 24-XX030</u>	<u>Sheet 14</u>	<u>Add 370 Ground Wire Attachments, Modify Hydrant meter fees</u>
<u>1/1/25</u>	<u>Order 24-0430</u>	<u>Sheets 3, 7, 12, 14-20</u>	<u>Updating fees to current costs</u>

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SECTION 100 - GENERAL

Section 110. Appeals Process

Disagreements or disputes regarding the application of Terms and Conditions relating to water service standards, water line standards, or water main extension standards shall be decided by the District's Board of Trustees.

Disagreements or disputes regarding the application of Terms and Conditions or relating to Chapter 660 of the Rules of the Public Utilities Commission shall be decided by the Public Utilities Commission.

Section 120. Office Hours, Normal Business Hours, Other Hours and Emergency Hours

Office Hours are 8:00 a.m. to 4:30 p.m. Monday through Friday, excluding holidays. Office hours may change due to training, staffing, weather conditions, etc.

Normal Business Hours, for the purpose of charging disconnection, reconnection and damaged meter fees, are 7:30 a.m. to 4:30 p.m., Monday through Friday, excluding holidays.

Other Hours, for the purpose of charging disconnection, reconnection and damaged meter fees, are 4:30 p.m. to 7:30 a.m. Monday through Friday, holidays, Saturday and Sunday.

Emergency Hours are 24 hours a day, seven days a week.

Section 130. Access to Premises Served by PWD

Employees of the District, shall have free access at all reasonable hours to all premises served by the District by providing proper identification to either the customer or owner. The District's employees, with authority from the customer or the owner, will be permitted to inspect all plumbing and fixtures, to set, remove, or read meters, to ascertain the amount of water used and the manner of use, and to enforce these terms and conditions.

Section 140. Tampering With District Property

There shall be no tampering with District property. No District owned valve, shut-off, hydrant, or standpipe shall be opened, closed, or otherwise operated by any person other than District authorized persons.

Section 150. Unauthorized Use of Water

No customer shall supply water to another customer, nor shall water be used for any other purpose except normal domestic usage and fire protection without District approval. No unauthorized person shall obtain water from a hydrant or other District fixture without prior District consent.

Section 151. Unauthorized use/Theft of service Charge

If District personnel expend time investigating and documenting a diversion of water by a customer, the customer shall be responsible for all documented costs of investigation and adjustment incurred by the District, unless fees are otherwise recovered pursuant to 35-A M.R.S. § 2705. For purposes of this section, Diversion shall mean the diversion of flow around the meter to evade charges as well as the unauthorized reconnection of service by a customer or his/her representative after water has been shut off due to nonpayment.

Section 160. Liability

The District will only be liable for any damages arising from any claim by a customer to the extent liability is expressly provided in the Maine Tort Claims Act as set forth in Title 14, Chapter 741 of the Maine Revised Statutes Annotated. The District makes no representations or warranties about the suitability of any water provided by the District for any particular purpose.

Section 170. Water Supply Emergency

Customers who fail to implement mandatory water conservation and/or utilization restrictions during a District declared water supply will be subject to a fee on the customer's next water bill equal to twice the general reconnection fee, per the Portland Water District Board of Trustees Policy 620. Each 24-hour period for which the customer is not in compliance with the District's water conservation and/or utilization restrictions constitutes a separate violation. The District may disconnect customers for repeated violations of the water company's water conservation and/or utilization restrictions.

SECTION 200 - BILLING

Section 210. Billing and Payment Procedures

The due date of a bill must be at least 25 days after the bill is mailed or otherwise delivered to the customer. A bill is considered “mailed” on the date the bill is postmarked. If there is no postmark (as with an electronic bill) the District will send the electronic notification to the customer no more than 1 day after the bill date.

Bills may be rendered monthly, bimonthly, quarterly, or by the season at the option of the District. Metered minimum charges and private fire service charges, except for seasonal main charges, may be prorated for the exact number of days of service when service is open or closed.

The customer will be responsible for providing a correct billing address or email address if bill notification is received electronically. Failure to receive a bill does not relieve the customer of the obligation of its payment, nor from the consequence of nonpayment.

Applicants or customers may notify the District in writing if they wish to designate a Third Party to receive copies of customer bills and disconnection notices.

When a billing error is discovered, the District will have up to 90 days to correct the error.

Section 211. Seasonal Billing Procedures

A seasonal customer regularly takes service for only a portion of the year from either a surface or deep main. A seasonal customer will be subject to seasonal rules and rates. An initial bill will be generated and no additional charges will be assessed unless the consumption, upon closing the account, exceeds the usage allowed in the seasonal rate. When the account is closed the meter must be removed and the water service must be disconnected. Seasonal customers served by a surface main shall be provided water service between May 1 and October 15.

If a non-seasonal customer on a deep main vacates the premises for 3 months or less, and elects to remain on monthly rates, the District must be notified in writing. The account will be closed. The customer’s meter must be removed and the water service disconnected. Upon request to establish the service again, a reconnection fee pursuant to Section 3 of these Terms and Conditions will be charged.

Section 220. New Customer Activation Fee

The customer shall pay a ~~\$2100~~22.20 fee when the customer requests a change to an existing account causing an additional customer account record to be created.

Section 230. Late Payment Charges

Late payment charges are assessed for overdue water bills that are not paid within 25 days from the postmarked date, or 25 days from the e-bill notification date. The interest rate charged will be the interest rate established for delinquent taxes by the State Treasurer.

Section 231. Collection Charge for Past Due Bills

If District personnel visit the customer's premises to disconnect service for nonpayment and in lieu of actual disconnection, the customer pays or makes a payment arrangement for the entire balance due the District will charge a collection fee ~~\$2832~~.00.

Section 232. Lien Charges for Multi-Unit Properties

The District may enforce its lien rights in accordance with 35-A M.R.S.A, Section 6111-A to collect a past due water bill. A \$58.00 charge covering lien notification, preparation, filing, and processing will be added to the past due amount, and included as part of the lien filing.

Section 233. Disconnection of Multi-Unit Properties

Before disconnection of a single meter, multi-unit property, for non-payment of basic service, the District will:

- Mail a disconnection notice to the customer in accordance with Chapter 660 of the Maine Public Utilities Commission Rules guidelines.
- Post a disconnection notice at or near the front and rear entrances of the affected building(s), to inform tenants how service can be continued. The disconnection notice will be posted at least 10 days prior to disconnection of the water service.
- In lieu of filing a water lien, the District will notify the appropriate participating sewer municipality, if applicable, of the pending disconnection to provide it an opportunity to solicit payment from the owner. If the bill remains delinquent and the municipality does not relocate the tenants and seeks to have water restored, the District will restore the water either per a court order, or if the municipality pays the District for the delinquent water balance and accepts a transfer of the delinquent sewer balance.

The District may authorize separate metering of each dwelling unit at the landlord's expense, if the dwelling is disconnected for nonpayment of an overdue amount.

Section 234. Disconnection of Leased or Rental Single-Meter, Multi-Unit Dwellings

Pursuant to Chapter 660 of the Maine Public Utilities Commission Rules, before the Utility disconnects service to a leased or rented single meter, multi-unit dwelling, the Utility will:

- a) Apply any existing deposit to the current account balance,
- b) Assess against the landlord a collection fee of \$100.00 at the time the location is posted as required by Chapter 690. This fee is in addition to any applicable reconnection fee set forth in Section 3 of these Terms and Conditions.

Section 235. Disconnection Process for Overdue Combined Water and Municipal Sewer Balances

The following section outlines the Terms and Conditions related to the disconnection process for overdue combined water and municipal sewer balances

Section 235.1. Policy

The District, as sewer billing agent for participating municipalities, will issue a disconnection notice to delinquent customers that may result in the disconnection of water service pursuant to Section 34-D of these Terms and Conditions

Section 235.2. Definitions

- Service Classification - “Service classification” includes water and sewer services billed as residential, commercial, industrial, and governmental accounts.
- Total Amount Due - “Total Amount Due” means the total water and sewer amount owed by a customer that has been properly billed.
- Total Amount Overdue – For the purpose of issuing a disconnection notice, “Total Amount Overdue” means the total water and sewer amount billed to a customer that is greater than \$100.00 and more than 50 days old. For the purpose of assessing a late fee, “Total Amount Overdue” means the water and sewer balance that has not been paid within 25 days of the bill postmark date, or 25 days from the electronic notification date of the e-bill.

Section 235.3. Billing

Bills shall be issued in accordance with applicable sections of Public Utilities Commission Chapters, i.e. Chapters 660 and 870, and the Portland City Code, Section 24.

Section 235.4. Disconnection and Reconnection

A 14-day disconnection notice shall be issued to a delinquent customer when the Total Amount Overdue is greater than \$100.00 and more than 50 days old, the account is not on an active payment arrangement, and the account is not on dispute. A 3 business day disconnection notice shall be issued for the Total Amount Due when a customer does not comply with the terms of the established payment arrangement and the account is not on dispute

When a customer has received a 14 day disconnection notice and makes a partial payment that reduces the Total Amount Overdue to \$100.00 or less, the customer will be subject to disconnection until the Total Amount Overdue is paid in full, or the customer makes a payment arrangement. When a customer has received a 3 business day disconnection notice due to a broken payment arrangement, and makes a partial payment on the installment amount, the customer is subject to disconnection until the installment amount is paid in full.

Section 235.5. Payment Allocation

In the event that a payment is received by the District which does not clearly indicate whether the payment is for water or sewer, the payment shall be applied to the oldest outstanding basic service bills.

Section 235.6. Payment Arrangement

The District shall offer a Regular Payment Arrangement to customers who cannot pay the Total Account Balance in accordance with Chapter 660 of the Maine Public Utilities Commission Rules and these Terms and Conditions.

Section 235.7. Dispute Resolution

Disputes related to Chapter 660 of the Maine Public Utilities Commission Rules shall be resolved in accordance with the Rules of the Public Utilities Commission.

The District shall accept and respond to inquiries and complaints related to the amount or composition of charges. The appropriate municipality shall accept and respond to inquiries and complaints relating to the sewer collector system or the Municipality's Sewer Ordinance.

Section 240. Rebate Policy

The District may rebate a portion of a customer's bill for leakage. The rebate will only be available one time during a five-year period on each account. Proof may be required to substantiate the leakage and repair. The rebate will be based upon deducting one-half of the billing in excess of normal usage. In no event will the rebate apply to leakage that occurred more than one year prior to the time the customer notifies the District of the leakage.

Section 241. Time Period for “Make-Up” Bills for Previously Unbilled Service Due to Unauthorized Use or Fraud

For residential and commercial accounts, the District may issue a “make-up” bill for service that was previously unbilled because of unauthorized use or fraud by the customer for service that occurred up to six (6) years before the issuance of the “make-up” bill”.

Section 242. Charge for Payments Returned

A charge will be made to the account of any customer whose check is returned by the bank for reason of insufficient funds or incorrect bank information. The charge shall be the greater of \$5.00 or an amount equal to the actual bank charges. The utility will furnish the customer with proof of any bank charges in excess of \$5.00.

Section 243. Interruption of Service

The District will provide notice of any shut off to affected customers in accordance with Portland Water District Board of Trustees Policy 620(2)(G) and will make a prorate reduction in the customer’s bill as provided in that subsection.

Section 250. Deposits

The interest rate paid on all deposits will be in accordance with Chapter 870 of the Commission's Rules and Regulations.

The amount of the deposit will be based on the amount of the basic service in accordance with Chapter 660 of the Maine Public Utilities Commission Rules guidelines.

SECTION 300 - SERVICE STANDARDS

Section 310. Maintenance of Plumbing

To prevent leaks and damages, all customers shall maintain at their own expense the plumbing and fixtures within their own premises in good repair and protect them from freezing. In the event of a frozen service, the District will inspect and determine where the service line is frozen. All costs associated with inspecting and thawing a frozen service line on private property shall be borne by the customer. All costs associated with inspecting and thawing a frozen service line in the public right of way shall be borne by the District.

Section 311. Fluctuation of Pressures by Customer's Apparatus

No customer shall install or use a water consumption apparatus that will affect the District's pressure or operating conditions so as to interfere with the service of another customer. If a customer has, or proposes to install an apparatus which requires water in sudden and/or material quantities, the District reserves the right to require the customer to install devices or apparatuses, which will confine such fluctuations of demand or reduction of pressure within reasonable limits as determined by the District.

If the customer, after receiving written notice from the District, fails to present an acceptable remedial plan within a time limit set by the District, service will be discontinued pursuant to provisions of the Chapter 660 of the Maine Public Utilities Commission Rules.

Section 312. Isolation Valve

Every service must be equipped with operable isolation valves, with one valve above and one valve below the meter. The valves and meter shall be protected from freezing either within a building or inside a meter pit. All piping shall be arranged to prevent back siphonage and to permit drainage whenever necessary. The isolation valves shall be owned and maintained by the customer.

Section 313. By-Pass Valve

Effective February 1, 2008 customers desiring a by-pass valve must file an application for such valve with the District. Services shall be equipped with a by-pass valve only if the meter is 1.5-inch or larger, and if the applicant can document a need for business continuity to the satisfaction of the District. A by-pass valve shall be owned and maintained by a customer; it shall only be installed after the approval by the District, and shall be sealed shut. It can only be operated with the consent or approval of the District. In the event that the by-pass valve is unsealed or operated without the consent or approval of the District, the District, in its discretion, may require removal of the by-pass valve at the customer's expense.

Section 314. Safeguarding Direct Pressure Water Devices and Systems Supplied by Automatic Feed Valves

All customers having direct pressure water devices, including but not limited to booster pumps, hot water tanks, or secondary systems supplied by automatic feed valves, shall install and maintain at their own expense appropriate vacuum, temperature, pressure relief valves, and lower water cutouts in their water system to prevent damage., Water service supplied to any customer not providing such protective devices will be strictly at the risk of the customer, and the District will not be held liable for damage resulting from lack of or failure of such protective devices.

Section 315. Cross-Connections

No cross connection between the public water supply and any other supply will be allowed unless properly protected and supervised in accordance with the Department of Human Services rules, the District's formal Cross Connection Control Program, and the Portland Water District Board of Trustees Policy 620.

Section 316. Private Fire Protection

Customers requiring private fire protection should contact the District to determine the availability of fire service at their location. Fire service, if available, will be installed at the customer's expense within the bounds of the public way or right-of-way. The fire service line, after installation, will be owned and maintained in the public way or right-of-way by the District. The District does not guarantee any quantity of water or pressure available through a fire protection service. The owner of such service shall determine the adequacy of supply through the fire service by conducting tests of the private system. The District must be given timely notice so a representative of the District can be present to observe the test.

Section 320. Water Meters and Meter Reading Device

The District will install one meter per service line. Meters must be installed in a safe, clean, dry, warm area at the service entrance and must be readily and safely accessible to District representatives. Maintenance of all District meters is provided at the District's cost. If additional auxiliary, or memo meters are required by the customer for calculating subdivision of water supply, they shall be purchased, installed, and maintained by the customer.

The District shall install meter reading devices for meters owned by the District. The most beneficial location of this device, for efficient and safe meter reading purposes, will be determined by the District.

Section 321. Meter Maintenance and Accuracy

The District has a program that repairs, tests, and replaces(if necessary) all meter sizes on the following service periods:

5/8-inch through 2-inch:	20 Years
3-inch:	4 Years
4-inch:	2 Years
6-inch and larger:	1 Year

Meters are tested in conformance with Section 3G. of the District’s Water Service Standards Policy enacted by the Board of Trustees. Customer requests to test a water meter for accuracy are accommodated by the District without charge once every 18 months. More frequent tests of meters larger than two inch are at the customer’s expense based on the District’s actual costs. More frequent tests of meters two- inch or smaller are subject to a \$~~178~~154.00 charge. It is recommended that the customer witness the meter test. If a meter is determined to be malfunctioning, the customer bill shall be adjusted according to the average historical usage.

Section 322. Meter Pit Policy

The District may require the customer of a property to supply, install, and maintain a meter pit(s) to District specifications at the customer’s expense as a condition of service when:

- a. The actual laying length of the service pipe measures over 300-feet from the street line.
- b. The service location makes discovery of a possible leak unlikely.
- c. The use of service pipe deemed by the District to be inferior makes the possibility of a leak likely. (Copper pipe must be type K; plastic pipe must be rated 160 PSI.)
- d. A single service supplies two or more units with no suitable common area (accessible independently of any individual tenant/owner) in which to install the meter.
- e. A property of two or more units is supplied through multiple services, any one of which is located in front of, or enters a unit other than, the one it serves.
- f. The customer does not provide a clean, warm, dry, and safely accessible location for the meter and its appurtenances.
- g. The customer does not furnish an otherwise suitable location for a meter inside the customer’s building.

All meter pits shall be installed on the customer’s property and installed as follows:

- a. In such manner to keep the meter pit clean and dry at all times.
- b. In such manner to allow District representatives to have access to the meter pit.
- c. In such manner that all confined space entry equipment can be safely utilized in accordance with OSHA standards for confined space entry.
- d. In such manner to conform to District Standards and Specifications.

The customer shall be responsible for maintaining the meter pit at its cost such that it can accommodate the District's meter.

Section 330. Application for New Water Service

To qualify for new water service, all applicants must demonstrate a need for water service that meets the conditions contained herein.

The application for a new water service shall include at a minimum:

- A project description (i.e., type of use, project location, project schedule, etc.).
- A site plan showing the location of the proposed service.
- An inventory of all water fixtures in the building to be served.

Section 331. Conditions for Water Service

- (a) All water service lines must conform to Portland Water District Board of Trustees Policy 620. New water service must be established from a water main having direct frontage to the lot or building being served.
- (b) Multiple buildings on a single lot all owned by a single entity may be served by a single water service with a single meter installed in accordance with other provisions herein. When there are multiple detached buildings on one lot served by one service line, PWD may require a covenant to be recorded in the Cumberland County Registry of Deeds affirming that if the lot is ever subdivided, an independent water service shall be installed and operational for each building.
- (c) If a single building is ever split into more than one unit, utilizing a party wall, each unit will be required to have an independent water service at the time that the split occurs and the additional units are created. If the split has occurred prior to service being provided (i.e., duplex construction), an independent water service must be established to each individual unit prior to new service activation.
- (d) If water service to a new building or lot cannot be obtained without crossing the property of another then one or more permanent easements for water facilities, having terms acceptable to the District, must be created and recorded in the Cumberland County Registry of Deeds, for the benefit of the District and all new owners. Granting water service through an easement shall be at the discretion of the District.

~~(e)~~ The District may require, in its discretion, that customers bring their service into conformance with current District standards if the following occurs:

~~(e)~~

1. Changes in water demand or use that necessitate a change in service line or meter size changes.
2. The addition of an irrigation system to an existing domestic service lines.
3. The installation or upgrade of a fire sprinkler system or the addition of a private hydrant to an existing service line

(f) Customers shall comply with the Portland Water District Board of Trustees Policy 620. The District reserves the right to suspend water service to a customer until the service line setup meets current District standards.

Section 340. Fire Hydrants

Fire hydrants may not be used for any purpose other than extinguishing fires, training purposes, or for such other purposes as may be agreed upon by the District and the municipality or owner of a private hydrant. In no case shall fire hydrants be operated by a person other than an agent of the District, except when used for fire protection or training purposes.

If the District approves a request for a hydrant meter, unless otherwise authorized, the District will install and will assess a fee of ~~\$227+57.00~~ if installed and removed during normal business hours and ~~\$385+303.00~~ if installed during non-business hours. The \$227 fee includes up to one month of hydrant meter use. A monthly fee of \$45 will be charged for each additional month of use.

Section 350. Size of Water Distribution Mains

The District provides water for domestic and fire protection purposes. The District requires all distribution water mains be adequately sized in accordance Portland Water District Board of Trustees Policy 650: Water Main Extension and Service Line Rule enacted by the Board of Trustees.

Section 360. Winter Construction

No new public water mains or services will be installed during winter conditions unless specifically approved by the District. The customer assumes all extra expenses over the ordinary construction expense.

Section 370. Ground Wire Attachments

TERMS & CONDITIONS

All customers are prohibited to attach any ground wire or wires to any plumbing which is or may be connected to a service connection or main belonging to the Authority District, and the Authority District will hold the customer liable for any damage to its property and change in water quality occasioned by such ground wire attachments.

SECTION 400 - SERVICE PROVISIONS

Section 410. New Meter or Service Fees and Deposits

This Section defines the fees and deposits associated to requests for new water services. Fees and deposits are dependent on the scope of the new water service project and shall be determined by the District. Fees and deposits are required to be submitted with a completed Application for New Service. Deposits related to Service Inspection shall be reconciled by the District at the time of service installation, and deposits related to Service Activation shall be reconciled by the District at the time of Service Activation.

- **Service Administration Fee.** All services in a New Service project shall carry a non-refundable \$~~11898~~.00 application fee.
- **Planning and Engineering Fee (New Service Project).** Applicants for new service projects shall be responsible for a Planning and Engineering fee equal to \$~~126106~~.00 per service.
- **Inspection Fee/Deposit.** The Applicant shall provide a deposit for the cost of inspection of the installation of the new service. Depending on the size of the new service, and how many services are be installed in the project, the fee will either be a flat rate or actual cost, as defined below.
 - **Flat Rate (Fee).** All new services that are 2-inches or less in diameter and that are the only service installed in a project will carry a Flat Rate fee of \$~~346293~~.00 for inspection.
 - **Actual Cost (Deposit).** All new services that are greater than 2-inches in diameter and/or those that are one of multiple services installed as part of a project shall be inspected at actual cost. Actual cost will be calculated by taking the actual number of hours multiplied by \$ **85**. This shall also apply to projects where an existing service must be retired as a condition of service installation.
- **Meter Fee.** The Applicant shall provide the cost of the new meter associated to a new domestic service. The cost of the water meter is defined as the meter cost, ERT (remote reader) cost, typical plumbing fitting costs, and a \$25.00 inventory overhead fee.
 - **Existing Meters.** In a situation where a new domestic service is installed to a Lot, and that Lot has previously had a domestic water service and a meter that has since been recovered in good working condition by the District, the cost of that existing meter shall be accounted for in the Meter Fee for the new service. When determining the cost of the existing meter, current meter prices will be used.

- **Meter Installation Fee/Deposit.** The Applicant shall provide a fee or deposit for the cost of installing the meter for all new domestic services where the meter is not to be installed in a small diameter meter pit. The size of the new meter shall determine if a fee or deposit is required.
 - **Flat Rate (Fee).** All new meters that are 2-inches and smaller and that are not being installed in a confined space meter pit/vault will carry a Flat Rate fee of ~~\$6353~~.00 for installation.
 - **Actual Cost (Deposit).** All new meters that are greater than 2-inches and/or those that are being installed in a confined space meter pit/vault shall be installed at actual cost. If the meter is to be installed in a large diameter meter pit or vault, inspection of that pit/vault prior to meter installation shall be included in the actual cost time.
- **Water Sample Fee.** New domestic services that are 2-inches or greater in diameter require a water sample. This also applies to domestic services installed in a parent/child configuration (i.e., a new domestic service that takes from a fire service rather than a water main). The cost of that water sample shall be ~~\$11093~~.00, to be provided by the Applicant.
- **Small Meter Installation in Small Diameter Meter Pit Fee.** All new domestic services that require a small diameter (2-inches and smaller) meter to be installed in a small diameter confined space meter pit shall carry a ~~\$153429~~.00 fee to install the meter. This fee shall include the inspection of the meter pit prior to installation of the meter.
- **Fire Service Activation Fee.** All new fire services that are installed carry a ~~\$136420~~.00 fee to activate the service.
- **Private Hydrant Inspection Deposit.** New private fire hydrants installed on fire services must be inspected by the District prior to activation of the hydrant. This inspection time shall carry a fee of ~~\$6353~~.00.
- **Initial Backflow Inspection Fee.** All new Backflow Prevention Devices must be inspected prior to service activation. The District will perform the initial test of the device at the time of service activation and meter set. The inspection shall carry a fee of ~~\$6353~~.00.

- **Maine Department of Transportation (DOT) Highway Opening & Utility Location Permit Fee.** All fees associated to permits required to install a new water service in a State Highway shall be assessed by the District to the Applicant
- **Inspection of new Public Infrastructure Deposit.** Occasionally a new service project will include the installation, removal, or relocation of public infrastructure (e.g., relocation of an existing hydrant). Inspection of this portion of a project is tracked separately and is assessed at actual cost. Actual cost will be calculated by taking the actual number of hours multiplied by \$ ~~8685~~.
- **Installation of Services as Part of a District Renewal Project Fee.** During a District organized water main renewal project, property owners who have frontage on the water main being renewed may request new services to their properties be added to the project. Addition of these services to the project is at the discretion of the District and their Contractor. If these services are added to the project, the cost of installation shall be determined by the District's Contractor and assessed to the Applicant through the Application.
- **Customer Contribution Fee.** As outlined in Portland Water District Board of Trustees Policy 650, new services installed on water mains that are less than 10-years old carry a Customer Contribution Fee. This fee is to be determined by the District per Policy 650 and assessed to the Applicant, to then be conveyed back to the original Developer of the water main.

When submitting an Application for new service, the Applicant shall be considered the owner of the building or Lot to be served. The Application shall be signed and dated by the Applicant.

A deposit for the required fees associated with that Application may be provided by the Applicant or a separate entity in their project team. If an entity other than the Applicant provides the required deposit, that entity must sign the Application as the Depositor. Reconciliation of all deposits will be processed with the Depositor.

Section 411. New Main Extension Application Fees and Deposits

This Section defines the fees and deposits associated with requests for new water main extension projects. Fees and deposits are dependent on the scope of the project and shall be determined by the District. Payment for fees and deposits are required to be submitted with a completed Main Extension Agreement. All deposits shall be reconciled by the District at the time of Final Completion.

- **Main Extension Administration Fee.** All new main extension projects shall carry a non-refundable \$~~1,4014,177~~.00 application fee.

- **Planning and Engineering Fee (Main Extension Project).** Applicants for main extension projects shall be responsible for a Planning and Engineering fee equal to ~~\$638590.00~~ per work day spent assisting in the design and plan review of the project.
- **Service Line Admin Fee (Main Extension Project).** All new services in a Main Extension project shall carry a non-refundable ~~\$2622.00~~ admin fee.
- **Inspection Deposit.** The Applicant shall provide a deposit for the cost of inspection of the main extension installation. The deposit shall be assessed against actual cost. Actual cost will be calculated by taking the actual number of hours multiplied by ~~\$8685.00~~.
- **Valve Box Deposit.** Applicants shall provide a \$25.00 deposit for each valve box installed as part of a main extension project, to be returned at final inspection if the valve boxes are appropriately raised.
- **Fire Protection Deposit.** Applicants shall provide a Fire Protection Deposit related to the portion of the water main installed without a public hydrant. The Deposit shall be \$8.00 per linear foot in Scarborough and Raymond, and \$4.00 in all other municipalities in the PWD Service Area.

Section 420. Disconnection/Restoration of Service

The District will charge a customer a fee to disconnect or restore service at the customer's premises if service was disconnected for nonpayment of bills, violation of the Terms and Conditions, fraudulent use of water, dangerous conditions on the customer's premises, violation of Commission rules, or at the customer's request, including requests to have the curb stop operated to enable work to be done on private property.

When the District is notified during Normal Business Hours¹ to disconnect or restore service or is requested to restore service during Normal Business Hours, a fee of ~~\$4841.00~~ will be charged.

When the District is notified during Other Hours¹ to disconnect or restore service or is requested to restore service during Other Hours, the charge is ~~\$5452.00~~ per hour with a minimum charge of ~~\$12744.00~~.

The District will make a reasonable effort to reconnect service during Normal Business Hours on the same day the request to reconnect is received. At the latest, reconnection must be made by 5:00 p.m. the following business day after the request.

¹ - Refer to Section 120 for definition of Normal Business Hours and Other Hours

Section 430. Charges for Replacement of Damaged Water Meters

The charges to customers for costs incurred for the replacement of meter(s) two inch or less damaged due to improper care by customers are as follows:

Meter Size	Charges to Replace During Normal Business Hours ¹	Other Hours ¹²
Meters up to 2 inch		
Not in Pit	\$ 5363 .00 + cost of meter	\$ 185160 .00 + cost of meter
In Pit	\$ 129153 .00 + cost of meter	\$ 503451 .00 + cost of meter

¹ - Refer to Section 120 for definition of Normal Business Hours and Other Hours

² - Reflects minimum three-hour call out and overtime rate.

All meters that are greater than 2-inches and/or those that are being installed in a confined space meter pit/vault shall be installed at actual cost.

Section 440. Closing Metered Accounts

To close an account, the District may require the meter to be removed and the service shut at the curb stop.

Upon closing the account, the customer requesting the account be closed shall pay for the cost of removing the meter if no one else is taking responsibility for billing and if the District is not provided access to retrieve the meter or the meter cannot be located on the customer premises. The fee charged shall be the fees noted in section 430 of these Terms and Conditions. If the customer does not have the ability to provide access to the meter, the fee shall not be charged. The fee shall be refunded to the customer if another customer takes responsibility for the account or the meter is retrieved subsequently.

When the customer requests the District to close the account, and there is no new customer taking service, the outgoing customer is responsible to make arrangements for removal of the meter. Failure to obtain the meter will result in billing the outgoing customer the fees noted in Section 430 of these Terms and Conditions. The fee will be refunded if the meter is subsequently obtained and is not damaged.

Section 450. Temporary Water Service

A customer can apply for temporary water service in support of project delivery. Temporary service will be established from the customer's domestic water service line only. The District will supply the temporary service assembly for the customer to install and maintain once service line installation and passing of pressure and purity tests is complete. The customer will be charged for the water consumption in addition to an inspection fee of ~~\$120~~136.00 for each installation of the temporary service assembly. Temporary water service shall be granted on a limited basis depending on the availability of temporary service assemblies and the requested duration of use. Details of the temporary water service can be acquired from Customer Service.

Section 460. Charges to Perform Flow Tests on Hydrants

For a hydrant flow test to generate the static pressure, residual pressure and the water flow for a single hydrant, the charge is ~~\$281~~241.00. For each additional hydrant flow test concurrently administered at the same site, an additional ~~\$51~~59.00 will be charged.

Section 480. Low-Income Customer Assistance Program

The following section outlines the District's Low-Income Customer Assistance Program.

Section 480.1. General Program Description

The District is supporting, in conjunction with City of Portland (COP) a program to provide financial assistance to low-income residential customers for the purpose of taking positive steps towards reducing water consumption to make water more affordable.

The District has authorized COP to administer a program to repair, replace or install plumbing fixtures and water saving devices with regard to the following:

- Leaking or broken water pipes
- Toilets
- Hot water tank
- Kitchen faucets
- Bathtub faucets
- Showerheads
- Outside faucets
- Toilet dams
- Low-flow devices

This program will be offered to all qualified residential customers of the District.

Section 480.2. Program Participation Requirements

A qualified residential customer must:

- Own and occupy a year-round residence within the District service area.
- Be low-income qualified, by showing evidence of having an annual household income that is 80% of area median income (AMI) as defined by US HUD.
- Demonstrate through a home audit provided by COP, a need for the program's services.

Section 480.3. General Provisions

The dwelling unit owner must agree to leave in place at the premises any water saving measures installed under this program.

COP will determine customer eligibility, complete a home audit, develop a remediation plan, subcontract work to be completed, and inspect completed work.

Qualified applicants will be assisted on a first come, first served basis up to the allocated amount provided to the program by the District. Exceptions will be made at the discretion of COP for emergency situations that jeopardize health or safety.

The District will fund this program on an annual basis and reserves the right to discontinue program support at any time.

Section 480.4. Miscellaneous

The District along with municipalities, COP Central Intake and Outreach staff, Human Service organizations, and the public at large, will refer homeowners to COP for qualification.

All specific services provided by this program will be delivered to qualified participants at no cost to the participant.

Portland Water District
Terms and Conditions Fee Changes

<u>T & C Section</u>	<u>Description</u>	<u>Qualifier</u>	<u>2024</u>	<u>2025</u>	<u>2024 # Estimate</u>	<u>Revenue Change</u>	<u>Total Revenue 2025</u>
2 - 231	Collection Charge for Past Due Bills		\$ 28.00	\$ 32.00	806	\$ 3,224	\$ 25,792.00
2 - 234	Collection Charge for Tenant Postings	Flat - not cost based per PUC	\$ 100.00	\$ 100.00	886	\$ -	\$ 88,600.00
3a - 420	Restoration of Service: TOBH	Customer Contacted PWD During Normal Business Hours of 7:30am to 7:00pm to Turn On Service	\$ 41.00	\$ 48.00	812	\$ 5,684	\$ 38,976.00
3b - 420	Restoration of Service: TOAH, Other Hours that Exceeds Minimum Charge	other hours with minimum of \$105.00	\$ 52.00	\$ 54.00	0	\$ -	\$ -
3b1 - 420	Restoration of Service: TOAH	Customer Contacted PWD After Normal Business Hours of 7:30am to 7:00pm to Turn On Service	\$ 111.00	\$ 127.00	88	\$ 1,408	\$ 11,176.00
4 - 232	Lien for Multi-unit		\$ 58.00	\$ 58.00	0	\$ -	\$ -
7 - 242	Charge for Returned Check, including incorrect bank information	greater of actual charge or \$5	\$ 5.00	\$ 5.00	1698	\$ -	\$ 8,490.00
7 - 242	Incorrect Bank information		\$ 5.00	\$ 5.00	145	\$ -	\$ 725.00
8a - 410J	Cross Connection Backflow	single	\$ 53.00	\$ 63.00	13	\$ 130	\$ 819.00
Eliminated		Eliminated	\$ -	\$ -	100	\$ -	\$ -
9a - 460	Hydrant Flow Test	single	\$ 241.00	\$ 281.00	35	\$ 1,400	\$ 9,835.00
9b - 460	Replace Meter (admin fee not including meter cost)	each additional	\$ 50.00	\$ 51.00	4	\$ 4	\$ 204.00
10p - 430 same as 410 E	2 in and less	Business Hours	\$ 53.00	\$ 63.00	10	\$ 100	\$ 630.00
10p - 430 same as 410 E	2 in and less	Other Times	\$ 160.00	\$ 185.00	0	\$ -	\$ -
10p - 430 same as 410 G	small meter in pit	Business Hours	\$ 129.00	\$ 153.00	10	\$ 240	\$ 1,530.00
10p - 430 same as 410 G	small meter in pit	Other Times	\$ 451.00	\$ 503.00	0	\$ -	\$ -
24 - 321	Meter tests <2" meter		\$ 154.00	\$ 178.00	5	\$ 120	\$ 890.00
25	Close meter - same as 10 replace meter		\$ -	\$ -	\$ -	\$ -	\$ -
29 - 340	Hydrant Meter Set - Business Hours		\$ 157.00	\$ 227.00	47	\$ 3,290	\$ 10,669.00
29 - 340	Hydrant Meter Set - Non- Business Hours		\$ 303.00	\$ 385.00	0	\$ -	\$ -
29 - 340	Hydrant Meter - More than 30 days Monthly Fee		\$ -	\$ 45.00			
36 - 220	New Customer Activation Fee		\$ 21.00	\$ 22.00	3916	\$ 3,916	\$ 86,152.00
Operating Revenue					\$ 19,516		\$ 284,488
New 410B	New Service(s) - Planning & Engineering Fee						
37 - 411	New Main Extension Fee Application		\$ 1,177.00	\$ 1,401.00	20	\$ 4,480	\$ 28,020.00
38 - 410A	New Service Line Application		\$ 98.00	\$ 118.00	400	\$ 8,000	\$ 47,200.00
38a	2" and under Service Inspection	Service Inspection	\$ 293.00	\$ 346.00	150	\$ 7,950	\$ 51,900.00
38d - 410 E	2" and under Meter Admin not inc meter	Meter	\$ 53.00	\$ 63.00	300	\$ 3,000	\$ 18,900.00
38G - 410	Water Quality Samples		\$ 93.00	\$ 110.00	35	\$ 595	\$ 3,850.00
41 - 450	Temporary Water Service		\$ 157	\$ 227.00	15	\$ 1,050	\$ 3,405.00
410	Fire Service Activation		\$ 120	\$ 136.00	50	\$ 800	\$ 6,800.00
411	Planning & Engineering		\$ 590	\$ 638.00	20	\$ 960	\$ 12,760.00
411	Valve Box		\$ 25	\$ 25.00	75	\$ -	\$ 1,875.00
411	Fire Protection - Scarborough/Raymond		\$ 8	\$ 8.00	0	\$ -	\$ -
411	Fire Protection- All others		\$ 4	\$ 4.00	0	\$ -	\$ -
410B	Planning & Engineering -new service project		\$ 106	\$ 126.00	150	\$ 3,000	\$ 18,900.00
410F	Small Meter Installation in Pit		\$ 129	\$ 153.00	25	\$ 600	\$ 3,825.00
410H	Private Hydrant Initial Inspection		\$ 120	\$ 136.00	20	\$ 320	\$ 2,720.00
411C	Main Extension - Service Line Admin		\$ 22	\$ 26.00	250	\$ 1,000	\$ 6,500.00
410	Inspection Fee/Deposit hour rate		\$ 85.00	\$ 86.00	1000	\$ 1,005	\$ 86,000.00
410	Inspection of new Public Infrastructure hour rate		\$ 85.00	\$ 86.00	24	\$ 24	\$ 2,064.00
Capital Fees					\$ 25,075		\$ 153,275



BOARD OF TRUSTEES / AGENDA ITEM SUMMARY

Agenda Item: 7D Order 24-031
Date of Meeting: November 25, 2024
Subject: 2025 Non-Water Tariff Services
Presented By: David Kane, Executive Director of Administration

RECOMMENDATION

The following proposed language is presented for Board of Trustee approval:

ORDERED, that the revision to the Fee Schedule for Non-Water Tariff Services, attached hereto and incorporated herein by reference, is hereby adopted with an effective date of January 1, 2025.

BACKGROUND

Starting in 2022, PWD reviews the Fee Schedule for Non-Water Tariff Services annually and updates the fees to reflect current costs as part of the budget review. The Fee Schedule for Non-Water Tariff Services schedule of fees outlines miscellaneous fees not included in the Water Schedule of Rates and Terms & Conditions. Staff is requesting no changes except for a 4% increase in the septage fee and a \$1 increase in the submeter fee.

FISCAL REVIEW / FUNDING

Septage waste fee and sewer submeter revenue is estimated to increase by \$9,000 and \$10,000, respectively, a year. The proposed increased revenue was included in the proposed 2025 Budget.

LEGAL REVIEW

Corporate Counsel reviewed the proposed motion and approved it as to form.

CONCLUSION(S)

Staff recommends that the Board approve the proposed motion.

ATTACHMENT(S)

A. Fee Schedule for Non-Water Tariff Services

A. Water	Description	Fee
1. Winter hydrant inspection	Inspection of private hydrants to verify the operability of hydrant during winter months	\$4 per month on monthly water bill. Cost covers the average cost to inspect hydrant.
2. Damage Hydrants	Repair of hydrants damaged by customers	Costs to repair including labor, benefit overhead, stock items with normal markup (25%), third-party expenses and \$7 finance department administrative fee
B. Wastewater		
1. Industrial pretreatment permit	Initial and periodic review of the customer premises to assure compliance with IPT regulations	\$300 for initial and every 3-year renewal.
2. Septage and Holding Tank Waste	Qualifying haulers may deliver septage, holding tank and other waste to PWD treatment facilities (adopted Board Order 22-038)	<p>The fees for septage will increase from \$137/1000 gal to \$142/1000 gal.</p> <p>The fee for holding tank waste will increase from \$60/1000 gal to \$62/1000 gal.</p> <p>The administration fee will increase from \$62/1000 gal to \$64/1000 gal.</p> <p>The fee for other waste will be determined based on the relative strength of the waste compared to the most current rates for holding and septage</p>
3. Submeter Fee - Monthly	Covers the operating and capital cost of the submeter program	\$2 per month at the request of Cumberland, Gorham, South Portland and Westbrook
4. Submeter Fees -Other	The cost to investigate why a submeter cannot be read after the initial installation of meter/Encoder Receiver Transmitter (ERT).	Sub meter verification fee from \$20 to \$21
5. Submeter Fees – Portland Only	Costs or replacing submeters for Portland residents.	Submeter Replacement ERT & Meter \$150 Submeter ERT Only Upgrade fee \$105 Fees are per City’s request.
6. Sewer Manhole/Main Inspection Fees	Applicants installing sewer main infrastructure shall be responsible for the cost of inspection of all manholes installed as well as CCTV inspection of all new sewer mains to NASSCO Standards. (adopted Board Order 22-010 3/28/2022)	These fees are to be determined at the time of Main Extension Agreement development.
C. General		
1. Purchases from Stock Room	Qualified third-parties and employees may purchase items from the stockroom – see policy 7.15-02.	Inventory value plus a 50% mark up (See Policy 7.15-02).
2. Freedom of Information Request	Members of the Public requesting access to public records	Per state law (\$1 for first page, \$0.50 for each additional page, optional \$15/hour to compile data.) Payment in advance may be required.



BOARD OF TRUSTEES / AGENDA ITEM SUMMARY

Agenda Item: 7E Order 24-032
 Date of Meeting: November 25, 2024
 Subject: 2025 Capital Budget
 Presented By: David Kane, Executive Director of Administration

RECOMMENDATION

The following proposed language is presented for Board of Trustee approval:

ORDERED, the 2025-2026 Capital Improvement Plan is hereby adopted and the General Manager is authorized to solicit bids or proposals for the 2025 projects; except CIP# 182, project 3241\North Windham Wastewater system, and to authorize the General Manager to award contracts for approved projects to the lowest bidder if the bid is within the project budget and meets qualifications; and

BE IT FURTHER ORDERED, the General Manager shall solicit bids or proposals and partner with municipalities, Maine Department of Transportation (MDOT), and developers for the replacement and extension of water mains, services, valves, and hydrants as outlined in the Water Distribution Systems Program and to authorize the General Manager to award and enter into contracts if the bid or partnering proposals are within the overall program budget.

BACKGROUND

PWD staff prepared a detailed five-year capital plan (see pages 271 to 378 of the 2025 Comprehensive Budget Report). At the November 12, 2024 Board workshop, the Board of Trustees received a presentation outlining the proposed projects and recommended funding. The five-year total is over \$201M (see table below).

	- 2025 -	- 2026 -	- 2027 -	- 2028 -	- 2029 -
Comprehensive Planning	\$700,000	\$400,000	\$900,000	\$400,000	\$400,000
SCADA & Technology	\$1,120,000	\$1,445,000	\$445,000	\$445,000	\$445,000
Vehicle/Equipment Replacement	\$480,000	\$400,000	\$400,000	\$400,000	\$400,000
Water Distribution System	\$25,575,000	\$10,375,000	\$12,375,000	\$13,375,000	\$30,375,000
Water Facilities Program	\$6,130,000	\$10,190,000	\$1,850,000	\$2,700,000	\$500,000
Water Supply	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000
WW Collection & Pumping	\$2,620,000	\$11,410,000	\$3,910,000	\$2,135,000	\$1,475,000
WW Treatment	\$17,965,000	\$12,580,000	\$15,990,000	\$4,615,000	\$5,615,000
Grand Total	\$54,615,000	\$46,825,000	\$35,895,000	\$24,095,000	\$39,235,000

FISCAL REVIEW / FUNDING

The fiscal impact of the five-year plan is included in the 2025 Comprehensive Budget Report (for the PWD as the whole on page 398).

LEGAL REVIEW

Corporate Counsel reviewed the proposed motion and approved it as to form.

CONCLUSION(S)

Staff recommends that the Board approve the proposed motion. The Committee made no requests to change the proposed budget.

ATTACHMENT(S)

None



BOARD OF TRUSTEES / AGENDA ITEM SUMMARY

Agenda Item: 7F Resolution 24-014
Date of Meeting: November 25, 2024
Subject: 2025 Intent to Borrow
Presented By: David Kane, Executive Director of Administration

RECOMMENDATION

The following proposed language is presented for Board of Trustee approval:

RESOLVED, the Board of Trustees hereby declares its intent to issue debt to reimburse costs incurred by the Portland Water District for the Water fund and the Wastewater funds for Cape Elizabeth, Cumberland, Portland, Westbrook, Gorham, and Windham projects identified in the 2025 CIP. The full form of the resolution is attached hereto and incorporated herein by reference, and shall be part of the minutes of this meeting.

BACKGROUND

The proposed 2025 Budget includes over \$54 million of capital projects. In compliance with Internal Revenue Service (IRS) regulation, an 'intent to borrow' motion must be approved by the Board before expenditures are incurred on a project that may be financed with tax-exempt financing. Resolution 24-014 indicates the intent to borrow motion for all funds. Before a bond is actually authorized or issued, a public hearing will be held. Subsequent to the hearing, the Board will consider authorizing the bond.

FISCAL REVIEW / FUNDING

Tax-exempt financing has a 20 to 40 percent lower interest cost than conventional taxable bonds. The proposed motion enables PWD to borrow at a lower cost.

LEGAL REVIEW

Corporate Counsel reviewed the proposed motion and approved it as to form.

CONCLUSION(S)

Staff recommends that the Board approve the proposed motion. The Committee unanimously recommended the motion be forwarded to the Board for its consideration.

ATTACHMENT(S)

A. Full Form of the Motion

Resolution 24-014
DECLARATION OF OFFICIAL INTENT PURSUANT TO
TREASURY REGULATION §1.150-2

WHEREAS, the Portland Water District (the “Issuer”) intends to proceed with the projects described in Section 2 below (the “Projects”); and

WHEREAS, the Issuer intends to finance some or all of the costs of the Projects through the issuance of tax-exempt bonds or notes in anticipation thereof; and

WHEREAS, the Issuer may incur certain of the costs of the Projects prior to the issuance of such bonds or notes and the Issuer expects to be reimbursed from the proceeds thereof; and

WHEREAS, Treasury Regulation §1.150-2 requires that the Issuer declare its official intent to reimburse itself for such expenditures with the proceeds of such bonds or notes.

NOW, THEREFORE, the Issuer does hereby declare its official intent as follows:

1. **Declaration of Intent.** The Issuer reasonably expects to reimburse itself for expenditures made on the Projects with the proceeds of tax-exempt bonds or notes in anticipation thereof to be issued by the Issuer to finance the costs of the Projects in the maximum principal amount of \$54,615,000.
2. **General Description of Property to which Reimbursement Relates.** The following is a reasonably accurate general functional description of the type and use of the property with respect to which reimbursements will be made:

Water Fund CIP Projects

- Construction or installation of new water mains, valves, hydrants, services and meters;
- Acquisition of vehicles, leak detection and related equipment;
- Renovation of various water facilities, including the Sebago Lake Treatment chemical storage facilities;
- Acquisition and installation of various computer and other IT-related equipment; and
- Building improvements at the Douglass Street facilities including but not limited to the HVAC system and roof.

Cape Elizabeth Wastewater Fund CIP Projects

- Renovation of the Cape Elizabeth Treatment Facility’s aeration and clarification system; and
- Replacement of obsolete assets at various pump stations, including but not limited to Broad Cove pump station.

Cumberland Wastewater Fund CIP Projects

- Replacement of obsolete assets at various pump stations.

Portland Wastewater Fund CIP Projects

- Renovation, repair and replacement of machinery and equipment and facilities at the East End and Peaks Island Wastewater Treatment Facility, including but not limited to projects related to the dewatering & solids handling system, HVAC upgrades and primary clarifier equipment;
- Renovation, repair and replacement of the primary gallery and secondary clarifier; and
- Replacement of obsolete assets, machinery and equipment or installation of new machinery and equipment and force mains at various pump stations, including but not limited to the India Street pump stations.

Westbrook, Gorham and Windham Wastewater Funds CIP Projects

- Construction and equipping of a new wastewater treatment plant and related infrastructure in the North Windham area of Windham,
- Construction of a combined sewer overflow storage conduit, and
- Renovation, repair and replacement of machinery, equipment and facilities at the Westbrook Regional Treatment Plant and various pump stations in Gorham, Westbrook and Windham.

3. **Public Availability of Official Intent.** This Declaration of Official Intent shall be maintained as a public record of the Issuer.
4. **Treasury Regulations.** This is a declaration of official intent pursuant to the requirements of Treasury Regulations § 1.150-2.
5. **Authority for Declaration.** This declaration is adopted pursuant to the following action of the Issuer: Resolution adopted by the Portland Water District Board of Trustees.



BOARD OF TRUSTEES / AGENDA ITEM SUMMARY

Agenda Item: 7G Order 24-033
Date of Meeting: November 25, 2024
Subject: Memorandum of Agreement Between ecomaine and Portland Water District
Presented By: Scott Firmin, Director of Wastewater Services

RECOMMENDATION

The following proposed language is presented for Board of Trustee approval:

ORDERED, the General Manager is hereby authorized to execute the Memorandum of Agreement with ecomaine in substantial form as attached hereto, related to the possible siting of a Regional Biosolids Processing Facility at the ecomaine site.

BACKGROUND ANALYSIS

The Portland Water District has been actively seeking a long-term biosolids management strategy in the wake of the challenges presented by recent legislative and regulatory restrictions placed upon biosolids management related to PFAS concerns. The consultant Brown and Caldwell have completed the initial Biosolids Master Plans and are currently refining them.

Current efforts of PWD seek to address biosolids management at PWD and possible economies of scale with other similar wastewater utilities in Maine. This Memorandum of Agreement allows for the continued investigation and possible siting of a biosolids at the ecomaine site.

This Memorandum of Agreement was approved by the ecomaine Board in October 2024.

A significant challenge for any such facility will be affordability concerns and this may require significant financial support.

FISCAL REVIEW/FUNDING

The current study, in the amount of \$286,996, is being funded by CIP Project 2024-21/3204 (\$11,000,000).

This effort will not significantly increase the current project costs. Any future plans will be incorporated into future CIPs.

LEGAL REVIEW

Corporate Counsel has reviewed the proposed order as to form.

CONCLUSION(S)

Staff recommends the Memorandum of Agreement be executed with ecomaine. The Committee voted 3-0 to forward the item to the full Board for their consideration.

ATTACHMENT(S)

Draft MOA with ecomaine.

**MEMORANDUM OF AGREEMENT
BETWEEN THE
ECOMAINE
AND THE
PORTLAND WATER DISTRICT**

This Memorandum of (the “Agreement”) is made this ____ day of ____, 2024, by and between the Portland Water District, a quasi-municipal corporation with a business address of 225 Douglass Street, Portland, Maine, (“PWD” or the “District”); and ecomaine, a non-profit, quasi-municipal corporation with a business address of 64 Blueberry Road, Portland, Maine, (“ecomaine”).

WHEREAS, PWD and ecomaine are both public organizations committed to environmental stewardship and providing essential public services for municipalities, and whose customers would benefit from collaborative services; and

WHEREAS, biosolids management is a critical component of PWD’s wastewater operation that is becoming increasingly more tenuous and expensive with limited disposal options, partially as a result of recent regulatory and legislative changes; and

WHEREAS, solids waste management is the key mission of ecomaine in the service of its Member and Contract Communities; and

WHEREAS, the construction and operation of a regional biosolids management facility (“Facility”) is in the public interest; and

WHEREAS, ecomaine has potential sites of sufficient size at its landfill and its waste-to-energy properties within 10 miles of PWD’s major wastewater facility that potentially could be a site for a Facility, and ecomaine has an landfill that may have capacity and potential permitting capability to receive processed biosolids; and

WHEREAS, it is anticipated that PWD will be responsible for acquiring the necessary property interests for the construction of a Facility; and

WHEREAS, ecomaine is interested in providing a site to process biosolids and landfill on site; and

WHEREAS, PWD and the ecomaine desire to memorialize an agreement defining responsibilities of each party for the potential design, construction, permitting, siting, operation, funding, and construction of a Facility;

NOW THEREFORE: In consideration of the foregoing and the promises and material obligations contained herein, ecomaine and PWD agree as follows:

1. PWD, with input from ecomaine, will work in good faith on a Request for Proposals (RFP) for any combination of design, construction, permitting, siting, operation, funding, and construction services related to the development of the Facility;
2. PWD and ecomaine will work collaboratively and in good faith on finding a suitable site on ecomaine property of approximately 5 acres in size for the Facility;
3. PWD and ecomaine will develop a compensation model and plan that fairly and reasonably reimburses ecomaine for any property leased or purchased that is apportioned for the Facility, as well as for any services provided by ecomaine, such as the disposal of dried biosolids or other related treated products;
4. In conjunction with the pursuit of the Facility, PWD shall undertake the following actions:
 - a. Develop at its cost, in collaboration with a consultant, a Request for Proposal from qualified firms and partnerships for the design, construction, permitting, siting, operation, funding, and construction of a Facility (the “Project”).

P.O. Box 3553
Portland, Maine 04104
Email:

To ecomaine: Kevin Roche
ecomaine
64 Blueberry Road
Portland Maine 04102
Email: roche@ecomaine.org

Changes in the respective addresses to which such notices may be directed may be made from time to time by any party by written notice to the other parties.

9. The waiver by any party of a default or of a breach of any provision of this Agreement by any other party shall not operate or be construed to operate as a waiver of any subsequent default or breach.
10. The provisions of this Agreement shall constitute the entire agreement between the parties, and may be modified only by written agreement duly executed by both parties.
11. This Agreement may be terminated at any time by either party upon a 30 day written notice.
12. In the event that the parties proceed to site and construct the Facility as contemplated by this Agreement, further agreements shall be negotiated and shall be subject to approval by the respective governing bodies of the parties; provided that this Agreement shall in no way obligate either party to enter into any further agreements.

IN WITNESS WHEREOF, the parties hereto have caused this Memorandum of Agreement to be executed by their duly authorized representatives as of the day and year first written above.

For ecomaine:

ECOMAINE

By: _____
Name: Kevin Roche
Title: Executive Director

For the District:

PORTLAND WATER DISTRICT

By: _____
Name:
Title: General Manager



BOARD OF TRUSTEES / AGENDA ITEM SUMMARY

Agenda Item: 7H Resolution 24-015
Date of Meeting: November 25, 2024
Subject: Board's Meeting Schedule for 2025
Presented By: Christopher Crovo, Interim General Manager

RECOMMENDATION

The following proposed language is presented for Board of Trustee approval:

RESOLVED, to adopt the proposed Board of Trustees meeting schedule for 2025, attached hereto and incorporated herein by reference.

ATTACHMENT(S)

Proposed 2025 Meeting Schedule

Portland Water District
Board of Trustees' 2025 Meeting Schedule

<u>Month</u>	<u>Day</u>	<u>Meeting</u>	<u>Time</u>
January	13	Standing Committees Workshop	5:30 p.m. 6:30 p.m.
	27	Regular Meeting	6:00 p.m.
	February	10	Standing Committees Workshop
	24	Regular Meeting	6:00 p.m.
March	10	Standing Committees Workshop	5:30 p.m. 6:30 p.m.
	24	Regular	6:00 p.m.
April	14	Standing Committees Workshop	5:30 p.m. 6:30 p.m.
	28	Regular Meeting	6:00 p.m.
	May	12	Standing Committees Workshop
(Tues.) 27		Regular Meeting	6:00 p.m.
June		16	Standing Committees Workshop
	23	Regular Meeting	6:00 p.m.
	July	14	Standing Committees Workshop
28		Regular Meeting	6:00 p.m.
August		11	Standing Committees Workshop
	25	Regular Meeting	6:00 p.m.
September	8	Standing Committees Workshop	5:30 p.m. 6:30 p.m.
	29	Regular Meeting	6:00 p.m.
October	(Tues.) 14	Standing Committees Workshop	5:30 p.m. 6:30 p.m.
	27	Regular Meeting	6:00 p.m.
November	10	Standing Committees Workshop	5:30 p.m. 6:30 p.m.
	24	Regular Meeting	6:00 p.m.
December	8	Standing Committees Workshop	5:30 p.m. 6:30 p.m.
	22	Regular Meeting	6:00 p.m.

Industry Conferences:

AWWA	June 8 – 11	Denver, Colorado
WEFTEC	Sept. 27 – Oct. 1	Chicago, Illinois
Rosh Hashanah	Sept. 22 – 24	
Yom Kippur	Oct. 1 – 2	