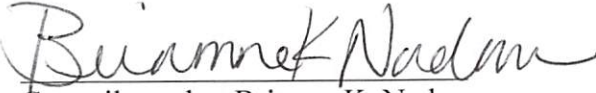


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2 Councilmember David Grosso



Councilmember Mary M. Cheh

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5 Councilmember Brianne K. Nadeau



Councilmember Brandon T. Todd

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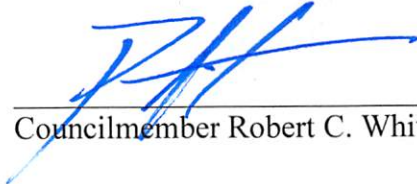
10 Councilmember Charles Allen



Councilmember Elissa Silverman

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14 Councilmember Anita Bonds



Councilmember Robert C. White, Jr.

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21 A BILL

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24  
25 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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28  
29 To amend the Water and Sewer Authority Establishment and Department of Public Works  
30 Reorganization Act of 1996 to require that DC Water provide a period for public  
31 comment after notice of the proposed establishment or adjustment of retail water and  
32 sewer rates, to require DC Water to post public comments received by the agency within  
33 5 days after the close of the public comment period, to require DC Water to transmit to  
34 the Mayor and Council and post to the DC Water website a copy of a Cost of Service  
35 study, to require DC Water to treat disputes to residential customers' bills made in  
36 writing and within 30 days as timely, to require DC Water to provide notice to residential  
37 customers of the requirement to dispute a contested bill in writing and within 30 days  
38 when contacted by a residential customer regarding a bill dispute in any manner other  
39 than in writing, to require DC Water to list contact information for the DC Water  
40 complaint line and the Office of the People's Counsel on water bills, and to prescribe  
41 annual reporting requirements regarding the Clean Rivers Impervious Area Charge Relief  
42 Assistance Fund; and to amend the Lead Service Line Priority Replacement Assistance  
43 Act of 2004 to prescribe annual reporting requirements regarding the lead water service  
44 line replacement assistance program.  
45

46 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this  
47 act may be cited as the “District of Columbia Water and Sewer Authority Transparency  
48 Amendment Act of 2020”.

49 Sec. 2. The Water and Sewer Authority Establishment and Department of Public Works  
50 Reorganization Act of 1996, effective April 18, 1996 (D.C. Law 11-111; D.C. Official Code §  
51 34-2201.01 *et seq.*), is amended as follows:

52 (a) Section 216 (D.C. Official Code § 34-2202.16) is amended as follows:

53 (1) Subsection (b) is amended as follows:

54 (A) Paragraph (1) is amended by striking the phrase “notice and public  
55 hearing” and inserting the phrase “notice, public comment period, and public hearing” in its  
56 place.

57 (B) A new paragraph (2A) is added to read as follows:

58 “(2A)(A) The Authority shall accept public comments on any establishment or  
59 adjustment of retail water and sewer rates beginning on the date of publication of the notice of  
60 the public hearing held pursuant to paragraph (1) of this subsection to the date that is 30 days  
61 after the public hearing held pursuant to paragraph (1) of this subsection.

62 “(B) Public comments submitted pursuant to this paragraph shall be  
63 considered by the Authority in acting upon any establishment or adjustment of retail water and  
64 sewer rates. The Authority shall not act on any establishment or adjustment of retail water and  
65 sewer rates until 30 days have passed since the end of the public comment period described in  
66 subparagraph (A) of this paragraph.

67                   “(C) Within 5 days after the end of the public comment period described  
68 in subparagraph (A) of this paragraph, the Authority shall post all public comments received  
69 during the public comment period on the Authority’s website.”.

70                   (2) A new subsection (b-2) is added to read as follows:

71                   “(b-2) Within 7 days after the completion of a Cost of Service study, the Authority shall  
72 transmit a copy of the study to the Mayor and the Council and post the study to the Authority’s  
73 website.”.

74                   (3) New subsection (f) and (g) are added to read as follows:

75                   “(f)(1) The Authority shall treat as timely challenges to a residential customers’ bill made  
76 in writing and received by the Authority within 30 business days after the residential customer’s  
77 receipt of the bill.

78                   “(2) If a residential customer’s challenge to a bill is timely, the Authority shall  
79 suspend the residential customer’s obligation to pay the disputed bill until the customer has  
80 received the result of the investigation in writing.

81                   “(3) Where a residential customer contacts the Authority regarding billing in any  
82 manner other than in writing, the Authority shall inform the customer of the requirement that a  
83 challenge to a residential customer’s bill must be made in writing and received within 30  
84 business days after receipt of the bill to be considered timely.

85                   “(g) The Authority shall include on residential customers’ bills and the Authority’s  
86 website the following:

87                   “(1) Information on a toll-free or local customer assistance and complaint  
88 telephone number and e-mail address for the Authority, with the hours of operation noted; and

89           “(2) The address, e-mail address, and customer assistance telephone numbers for  
90 the Office of the People’s Counsel, with the available hours noted.”.

91           (b) Section 216b(d) (D.C. Official Code § 34-2202.16b(d)) is amended as follows:

92           (1) The existing text is designated as paragraph (1).

93           (2) A new paragraph (2) is added to read as follows:

94           “(2) Within 60 days after the end of each fiscal year, the Authority shall transmit  
95 to the Mayor and the Council and publicly post on the Authority’s website a report that includes  
96 the following information from the preceding fiscal year:

97                   “(A) The total amount of funding remaining in the Clean Rivers  
98 Impervious Area Charge Assistance Fund (“Fund”);

99                   “(B) The number of nonprofit organizations that applied for financial  
100 assistance, the number of nonprofit organizations that received financial assistance, and the total  
101 amount of funding provided to nonprofits through the financial assistance program required by  
102 subsection (a) of this section;

103                   “(C) The number of residential customers that applied for financial  
104 assistance, the number of residential customers that received financial assistance, and the total  
105 amount of funding provided to residential customers through the financial assistance program  
106 required by subsection (b) of this section, broken down by the Customer Assistance Program  
107 income limits set by the Authority;

108                   “(D) The average impervious area charge for residential customers:

109                           (i) District-wide;

110                           (ii) By ward; and

111 (iii) By income level, broken down by 0-50% Average Median  
112 Income (“AMI”), 50%-60% AMI, 60%-80% AMI, 80-100% AMI, and 100% AMI or greater;

113 “(E) The average number of days the Authority took to process a  
114 residential customer’s application for financial assistance, from the date the Authority received  
115 an application for financial assistance from a residential customer to the date that the Authority  
116 provided the residential customer with either financial assistance or notice that they did not  
117 qualify for financial assistance; and

118 “(F) Efforts made by the Authority to publicize the availability of financial  
119 assistance through the Fund, including a description of the total amount of expenditures by the  
120 Authority on such efforts.”.

121 Sec. 3. The Lead Service Line Priority Replacement Assistance Act of 2004, effective  
122 December 7, 2004 (D.C. Law 15-205; D.C. Official Code § 34-2151 *et. seq*), is amended as  
123 follows:

124 (a) Section 6019b(f) (D.C. Official Code § 34-2158(f)) is amended to read as follows:

125 “(f)(1) DC Water shall publish on its website a list of approved contractors for residential  
126 property owners to use for the replacement of the portion of a lead water service line on private  
127 property. The list shall be updated at least once per fiscal year.

128 “(2) If a residential property owner seeks to use a contractor not on the list  
129 required by paragraph (1) of this subsection, the residential property owner shall first receive  
130 written approval from DC Water to use that contractor. If a residential property owner does not  
131 receive written approval from DC Water to use a contractor and the contractor is not on the list  
132 required by paragraph (1) of this subsection, any replacement costs incurred by the residential

133 property owner for work completed by the contractor shall not be eligible for financial assistance  
134 under the Program.”.

135 (b) A new section 6109d is added to read as follows:

136 “Sec. 6019d. Reporting.

137 “Within 60 days after the end of each fiscal year, DC Water shall transmit to the Mayor  
138 and the Council and publicly post on the DC Water website a report that includes the following  
139 information from the preceding fiscal year:

140 “(1) The number of property owners seeking financial assistance under the  
141 Program, broken down by their eligibility under section 6019b(b)(1);

142 “(2) The number of property owners receiving financial assistance under the  
143 Program, broken down by their eligibility under section 6019b(b)(1);

144 “(3) As of September 30 of the preceding fiscal year, the number of residential  
145 property owners with lead water service lines located on their private property where the portion  
146 of the water service line on public property is not a lead water service line;

147 “(4) The average number of days DC Water took to provide financial assistance to  
148 a residential property owner under the Program, from the date of the residential property owner  
149 notifying DC Water of the replacements costs to the date that DC Water provided financial  
150 assistance to the property owner; and

151 “(5) Efforts made by DC Water to publicize the availability of financial assistance  
152 through the Program, including a description of the total amount of expenditures by DC Water  
153 on such efforts.”.

154 Sec. 4. Fiscal impact statement.

155           The Council adopts the fiscal impact statement in the committee report as the fiscal  
156 impact statement required by section 4a of the General Legislative Procedures Act of 1975,  
157 approved October 16, 2006 (12 Stat. 2038; D.C. Official Code § 1-301.47a).

158           Sec. 5. Effective date.

159           This act shall take effect following approval by the Mayor (or in the event of veto by the  
160 Mayor, action by the Council to override the veto), a 30-day period of congressional review as  
161 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December  
162 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of  
163 Columbia Register.