

City of St. Marys
Deferred Payment Policy

The City of St. Marys in accordance with the Public Service Commission of West Virginia [Water Rule 4.8.a.10 and/or Sewer Rule 4.8.b.1 O], establishes a Deferred Payment Policy. The purpose of this policy is to assist customers who have either received a notice of termination for non-payment of [water and/or sewer bills] or who have demonstrated an ability to pay but only in installments and shall take effect_____

The Deferred Payment Agreement is a legal, binding agreement between City of St. Marys and the Customer of Record and is to be signed by both parties.

- 1) A customer who has been informed of termination of utility services for non-payment of the utility bill or who has an ability to pay but only in installments shall be given the opportunity of a deferred payment agreement. The customer must:
 - a) Demonstrate the ability to pay but only in installments or
 - b) Have extraordinary circumstances defined as:
 - i) A major water leak that results in a bill over and above the normal historic usage.
 - ii) Extended hospitalization, verified by documentation during the billing cycle in question
 - iii) Extended unemployment, verified by documentation, during the billing cycle in question
 - iv) Any other extenuating circumstances.
- 2) The customer shall be informed at the time a disconnect notice is issued of the availability of a reasonable payment plan and a customer may also request a deferred payment agreement prior to a bill becoming delinquent.
 - a) The customer shall provide documentation explaining how much he/she is able to pay in order to enter into a deferred payment agreement.
- 3) No more than one deferred payment agreement plan may be in effect at a time.
- 4) No verbal agreement will be granted.
- 5) Details of the deferred payment plan are to be negotiated between the City of St. Marys and the customer and may consider several factors, including but not limited to the following:
 - a) Amount and time of delinquency
 - b) Ability of the customer to pay
 - c) Payment history
 - d) Time the delinquency has been outstanding
 - e) Reasons for outstanding delinquency
 - f) Any other factors deemed relevant by the City of St. Marys
- 6) The deferred payment agreement shall include language informing the customer of the

right to challenge the reasonableness of the proposed payments to the Public Service Commission of West Virginia at 800-344-5113. During this time utility service will not be terminated as long as the customer pays the current bill on time and in full.

- 7) Payment under a deferred payment agreement must be received on/before the agreed dates or the account will be considered delinquent and shall be cause for immediate termination.
- 8) If the deferred payment is not received by the City of St. Marys in accordance with the terms of the agreement or if the customer's check is returned by the bank, utility services can be terminated in accordance to [Water Rule 4.8.a and/or Sewer Rule 4.8.b.] The City shall provide termination notice by personal contact, telephone, or First Class Mail five (5) calendar days (excluding holidays and weekends) prior to termination.
 - a) As with regular termination policy, if current bill is not paid on time and in full, a termination notice will also be issued by First Class Mail ten (10) calendar days prior to termination.
 - i) Both payments must be received to avoid termination.
 - ii) If the customer makes the delinquent payment within the notice period, service shall not be terminated.
 - iii) If the customer has had a returned check by the bank due to insufficient funds in the past twelve (12) months the City of St. Marys may refuse the customers check and immediately terminate service without additional service
- 9) It is the customer's responsibility to inform the City of St. Marys if the customer's financial condition significantly changes and the existing payment arrangement is no longer feasible. The City shall renegotiate the payment agreement provided the customer provides documentation to support this.
 - a) During renegotiations the customer is still required to pay the current bill ON TIME and IN FULL and make some payment on the delinquency.
- 10) Failure to comply with the terms of this agreement on the part of the customer shall be cause for termination pursuant to the Water and/or Sewer Rules and Regulations of the Public Service Commission of West Virginia.