



Connecticut  
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Water  
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February 5, 2015

## Proposed Bill #5519 – An Act Concerning Sewer Use Charges

The Connecticut Water Pollution Abatement Association (CWPA) and the Connecticut Association of Water Pollution Control Authorities (CAWPCA) strongly oppose proposed House Bill 5519, “An Act Concerning Sewer Use Charges”. CWPA is a statewide organization that primarily represents the paid professionals that manage, operate and maintain municipal wastewater collection and treatment facilities. CAWPCA is also a statewide organization. It represents the interests of the municipal volunteers that are appointed to serve on local and regional water pollution control authorities (“WPCAs”), with the charge to oversee and manage the operation of the wastewater facilities in their respective municipalities. Collectively, these organizations represent millions of constituents served by wastewater collection and treatment systems.

House Bill 5519 proposes that Chapter 103 of the Connecticut General Statutes be amended to require that summer sewer use charges be based on the average sewer use of the remaining three quarters of the year and not based on summer water usage. The stated purpose of this bill is to prevent sewer authorities from charging sewer use charges for summer water use. CWPA and CAWPCA oppose this bill because it is redundant, unworkable and unnecessary.

This bill is redundant because the current and longstanding framework provides the authority and flexibility for a WPCA to establish and revise sewer user charges based on a number of factors. Specifically, Section 7-255 of the Connecticut General Statutes provides, in part, that a WPCA may “establish and revise fair and reasonable charges for connection with and for the use of a sewerage system.” It requires WPCAs to provide notice of proposed charges and to conduct a public hearing prior to finally establishing such charges. It also provides the right for aggrieved parties to appeal the established sewer user charge to the Superior Court. Further, the statute gives broad authority to the WPCA to consider any factors “relating to the kind, quality or extent of use of any such property or classification of property or users...” Under this framework, WPCAs have historically successfully regulated and implemented sewer user fees as deemed prudent and feasible to address the particular variables unique to the municipality.

The proposed bill is unworkable, in part, because less than 30% of Connecticut’s WPCA’s utilize water consumption to bill for sewer usage. The majority use flat fee systems. Billing methods are a business choice for each WPCA and each WPCA will have different and specific reasons for selecting one methodology for setting rates over another. Further, many consumption based WPCAs already include summer water adjustments. Those that do not may change their billing method anytime, usually on an annual basis. Additionally, many utilities allow deduction type meters which customers can install to accurately account for irrigation and pool use.

In any case, WPCAs need to generate sufficient monies to fund operations, debt service and capital reserves. Should the legislature change the summer consumption calculation method, it will have absolutely no effect on the funds a WPCA needs to generate. If the summer calculation is changed to deduct anomalies such as pool and irrigation use, WPCAs will be forced to increase the billing rate to



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make up for the lost revenues. This adjustment will only benefit those customers with pools and green lawns for the near term, but the rate increase to recoup the lost summer revenue will be spread amongst all system users. Therefore, the proposed bill will fix nothing and will only benefit a small group of customers to the detriment of the majority of sewer customers.

Finally, the proposed bill is unnecessary because a process already exists that allows a party to voice concerns about a proposed rate structure at a public hearing and to appeal a final rate to the Superior Court. Each WPCA must remain responsible for their individual sewer use billing system. If there is a town-specific situation that requires a remedy, it should be addressed by the local WPCA, not by promulgating a broadly implemented, overly-specific law imposed on every WPCA in the state. Doing so will result in significant adverse impacts on a WPCA's ability to generate revenues in a manner that best suits the needs of the WPCA and its customers.

We would be pleased to discuss this with you in greater detail if you have any questions or require additional information. Thank you for your careful consideration of these comments.

Sincerely,

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CWPA President

Superintendent of Sanitation  
Town of Glastonbury

Thomas V. Sgroi, PE  
CAWPCA President

Director of Engineering  
Greater New Haven WPCA

*The Connecticut Water Pollution Abatement Association (CWPA) is the local affiliate of the New England Environmental Association (NEWEA) and the Water Environmental Federation (WEF). The CWPA represents Connecticut's 80+ Water Pollution Control Facilities and a network of over 500 certified operators serving more than 2,000,000 Connecticut residents.*

*The Connecticut Association of Water Pollution Control Authorities (CAWPCA) is a group of members dedicated to improving, enhancing knowledge and understanding the interests of publicly owned/operated WPCA's or wastewater management entities within the State of Connecticut. The CAWPCA represents its members as well as the 150+ Connecticut WPCAs serving more than 3,000,000 sewered and non-sewered residents.*