

## DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

NOTICE OF PROPOSED RULEMAKING

The Board of Directors of the District of Columbia Water and Sewer Authority ("the Board"), pursuant to the authority set forth in Section 216 of the Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996, effective April 18, 1996 (D.C. Law 11-111, §§ 203(3), (11) and 216; D.C. Code §§ 34-2202.03(3), (11) and 34-2202.16, Section 6(a) of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1206; D.C. Code § 2-505(a), and in accordance with 21 DCMR Chapter 40, hereby gives notice of its intention to amend Title 21 of the District of Columbia Municipal Regulations (DCMR) Chapter 41, Retail Water and Sewer Rates by revising Section 4101.1, to the existing Section 4101, Rates for Sewer Service.

The Board expressed its intention to amend the DCMR through the addition of these Sections at its regularly scheduled Board meeting held January 8, 2009 pursuant to Board Resolution # 09-23. Final rulemaking action shall be taken in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*.

Comments on these proposed rules should be submitted, in writing, no later than thirty (30) days after the date of publication of this notice in the *D.C. Register* to, Linda R. Manley, Secretary to the Board, District of Columbia Water and Sewer Authority, 5000 Overlook Ave., S.W., Washington, D.C. 20032.

**In addition, the Board will also receive comments on these proposed rates at a public hearing to be held at a later date.**

**I. Timing of Final Action on Proposed Rulemaking**

No final action will be taken on the Rulemaking Proposal described in this notice until after each of the following events has occurred:

1. A public hearing is held to receive comments on the proposed rulemaking. The public hearing notice is published in this edition of the District of Columbia Register.
2. The public comment period on this rulemaking expires; and
3. The Board of Directors takes final action after public comments are considered.

**II. Rulemaking Proposal**

The following rulemaking action is proposed:

**Title 21 DCMR, CHAPTER 41 RETAIL WATER AND SEWER RATES, Section 4101 RATES FOR SEWER SERVICE, Subsection 4101.1 is amended to read as follows:**

**4101 RATES FOR SEWER SERVICE**

4101.1 The retail rate for sanitary sewer service of Three Dollars and Forty–Seven Cents (\$3.47) for each One Hundred Cubic Feet (Ccf) of water used shall be:

- (a) Effective May 1, 2009, decreased to Three Dollars and Thirty-One Cents (\$3.31) for each One Hundred Cubic Feet per Ccf; and
- (b) Effective May 1, 2009, an Impervious Surface Area Charge of One Dollar and Twenty-Four Cents (\$1.24) per month per Equivalent Dwelling Unit (ERU) shall be implemented.