# FGUA Customer Service Policies and Procedures

## Contents


Introduction ..... 4
Office Hours ..... 5
In-Person Protocol ..... 6
Phone Protocol ..... 6
Email Protocol ..... 7
Escalation Procedures ..... 7
Activity Log Notes ..... 9
Service Orders ..... 9
Customer Trending ..... 9
Service Initiation ..... 9
Transfer of Service ..... 11
Account Deposit ..... 11
FGUA Customer Letter of Credit ..... 12
Base Utility Fees ..... 12
Inactive Account Fees ..... 13
Mandatory Sewer Connection Fees ..... 13
Meter Accessibility ..... 13
Billing Cycle ..... 14
Meter Tampering/Utility Theft ..... 14
Meter Access ..... 15
Sewer Backup ..... 15
Bills & Payment ..... 15
Billing Adjustments ..... 18
Service Termination or Turn-Off for Non-Payment ..... 22
Service Termination or Turn-Off for Non-Payment ..... 23
Service Reactivation ..... 23
Account Liens/Write-Offs ..... 24
Restorations in the Right-of-Way ..... 24
Miscellaneous Services ..... 25
Acceptance of Service of Process and other Legal Filings ..... 26
Bankruptcy Policy ..... 26
Release of Information Concerning Customers ..... 28

New Commercial or Residential Development ..... 30
Boil Water Notifications ..... 31
FGUA Special Notices ..... 33
FGUA Customer Appeals Process ..... 36

## Introduction

The following Policies and Procedures pertain to any applicant or customer applying for or supplied with utility service by the Florida Governmental Utility Authority (FGUA) and apply to all systems[1] unless otherwise noted. Customers are subject to, and required to, comply with the utility-specific Policies and Procedures for each service received from the FGUA.

The FGUA will endeavor to provide utility services without discrimination and in accordance with sound utility business principles, with rates reasonably uniform to all customers within classification and utility services pricing that will be based on providing competitive rates to all customers and within full compliance with utility bond covenants.

These policies and procedures provide efficient, safe, and customer responsible utility service, and may be updated or amended as needed and as approved by the FGUA Board.

[1] FGUA Enterprise Systems: Aqua, Consolidated, Dunnellon, Flagler, Lehigh Acres, Nassau Amelia, North Fort Myers, and Pasco (Aloha Gardens/Seven Springs) Systems.

## Office Hours

The FGUA Customer Service Offices are open from 8 a.m. to 5 p.m., Monday through Friday. Observed holidays are listed on the FGUA website (www.fgua.com) and related closings will be posted on the website and the doors at all customer service office locations. The regular customer service office numbers will be answered for customer emergencies such as line breaks, noticed lights or sirens on lift stations, etc. Customers may also call the regular customer service line after hours and on weekends to report emergencies.

| Office Location | Counties Served | Phone |
|---|---|---|
| Pasco | Flagler and Pasco | Flagler: (904) 990-1441<br>Pasco: (727) 372-0115 |
| Fort Myers | Hardee and Lee | Lehigh Acres: (239) 368-1615<br>North Fort Myers: (239) 543-1005 |
| Lady Lake | Alachua, Citrus, Lake, Marion, Orange, Polk, Putnam, Seminole, and Volusia, | (877) 657-8889 |
| Fernandina Beach | Nassau | (904) 990-1441 |

**The following terms may be used interchangeably throughout the remainder of the Customer Service Policies and Procedures**

| Position | Abbreviations |
|---|---|
| Customer Service Representative | Rep |
| Customer Service Lead | CSL |
| Customer Service Supervisor | CustSS |
| Customer Service Billing Supervisor | CustBS |
| Customer Service Billing Lead | CustBL |
| Customer Service Manager | CustSM |
| Communications Coordinator | CC |
| Community Services Coordinator (Ombudsman) | CSC |
| Community Services Representative (Ombudsman) | CSR |
| Assistant Community Services Manager | ACSM |
| Community Services Manager | CSM |

## In-Person Protocol

All representatives of the FGUA must always be courteous and provide high levels of customer service.

The Customer Service Representatives (Reps) must welcome the customer visiting the office with the following language:

*"Thank you for visiting the FGUA. How may I assist you today? To better assist you, may I have your account number or service address?"*

Customer Service will then confirm and/or obtain the following:

- Request and review the customer's government-issued Photo ID and then confirm the following:
    - Last four of social security number
    - Tenant (non-owner) or property owner
    - Mailing Address
    - Telephone number and/or alternate telephone number
    - Seasonal or occupied year round
    - Email Address

## Phone Protocol

Customer Service Representatives (Reps) must always be courteous and should answer the phone with the following language:

*"Thank you for calling the FGUA, this is (Rep's name). To better assist you, may I have your account number or service address?"*

*Confirm and/or obtain the following:*

- Last four of social security number
- Tenant (non-owner) or property owner
- Mailing Address
- Telephone number and/or alternate telephone number
- Seasonal or occupied year round
- Email address

Customers placed on hold, will be picked up as quicky as possible. Wait times should be generally no longer than thirty seconds and no more than three minutes under extremely busy work conditions. This standard applies to incoming calls as well as calls answered and placed on hold.

During calls, Reps will help customers and remain calm and respectful throughout the call. However, if a customer is using abusive or vulgar language, Reps may politely notify the customer they will disconnect the line if they continue using similar language. Threats made to Reps may be handled the same way and should be reported to the Customer Service Manager and reported to the local police department. All threats should be handled similarly, regardless of how they may be received (via phone, email, etc.).

## Email Protocol

All representatives of the FGUA must provide high levels of customer service and clear and consistent communication. Reps must make every effort to respond to emails within 24 hours. Emails sent from Reps should address the customer as follows:

*"Dear Mr. ___ or Dear Ms. ___"*

(If the customer's name is unknown, email should be addressed to "*Dear Customer*")

The body of the email should start with the following:

*"Thank you for your email. I am happy to assist you regarding ____ (i.e., your concern about your water bill, your question about our refund policy, etc.)"*

The email should end with the following sentence:

*"Please let me know if I can be of any further assistance."*

The email should also contain an auto-signature of the Rep with contact information for the local office. That information and all of the above should be set up to automatically generate each time a new email is created. For safety reasons, the Rep need not disclose their last name.

Anytime a Rep is scheduled to be out of the office, an automated response must be set. The auto response should include information as to when the Rep will be available to provide a response and alternate contact information in case of an urgent matter or emergency.

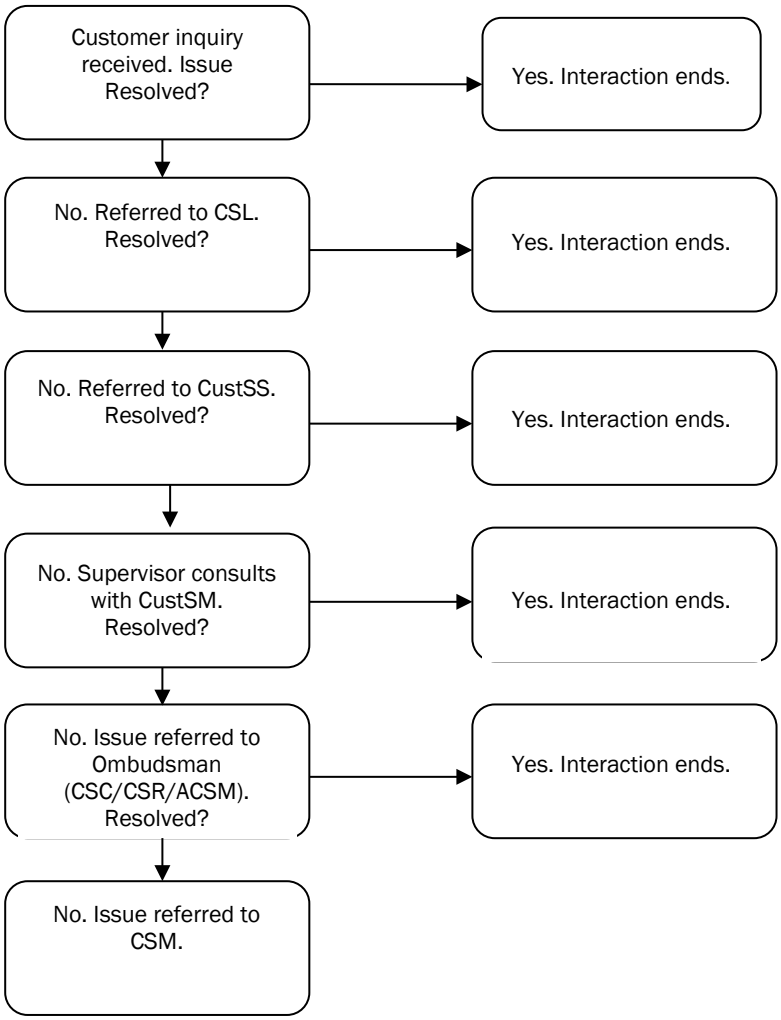
## Escalation Procedures

Reps receive training to handle common customer issues. Reps should consult with and/or refer any unknown or escalated issues to their supervisor. The chart below outlines the management structure and different roles each individual has.

It is imperative that Reps do not guess on an answer or authorize credits, waive deposits, etc. unless explicitly authorized in the policy manual.

The Rep must advise customers that they will find the answer and return their call within 48 hours. Reps unable to secure an answer must call or email the customer (whichever the customer has requested) within 48 hours to give the customer an update. If unable to meet this timeframe, they should alert someone and ask for assistance so that the customer receives a response. *(See escalation chart on following page). Customer issues escalated to the CustSM must be reviewed with a response provided to the customer within two business days.*

## Escalation Chart




In the event of a time-senstive escalated customer concern, the CSL may bypass the CustSS and CustSM and consult with the Ombudsman for guidance or assistance.

## Activity Log Notes

All interactions with customers or situations relating to a customer issue must be documented with a note. All notes will be given a label in the Customer Information System. Failure to do so may result in disciplinary action.

Notes should be:

- Brief
- Professional
- Detailed (facts alone)
- Caller name, call back number & status

## Service Orders

All service orders must be completed or updated the same business day as the scheduled service order. Failure to do so may result in disciplinary action.

Notes should be:

- Brief
- Professional
- Detailed (facts alone)
- Provide notes on possible follow-up or review measures

## Customer Trending

Rep(s) who notice a particular issue or pattern of recurring customer requests (that is creating high customer volume) must advise management. If possible, the FGUA will deploy useful customer education, or a potential service could be added to reduce the customer's need to call and/or visit the office.

Monthly Activity Reports (customer tracking) will be generated within 5 business days of month end and provided to FGUA Management.

## Service Initiation

To establish service a customer must provide the following:

- Last 4 digits of the social security number
- Legal Government issued ID (including driver's license, passport, military ID, green card or other Governmentally issued ID)
- Billing address and a mailing address if different from billing
- Proof of authorized occupancy (closing forms, title deed, lease)*
- Telephone number if available
- Email address

**If the owner of the property comes to the customer service office with a new tenant (non-owner) and can provide proof of authorized occupancy and identification, he/she may sign the service initiation form authorizing a tenant/non-owner to open an account. In this circumstance the non-owner would*

*not be required to present proof of authorized occupancy.*

A complete Application must be submitted with deposit and new account fee. Account deposits may be waived for new accounts with a good payment history. A note on the account must indicate the reason deposit waived. (*See **Account Deposit** Information*)

An incoming owner is responsible for a previous owner's outstanding balance(s) associated with the same service address (Florida statutes 159.17 and 153.67). A new tenant (non-owner) or property owner may not BY LAW be held responsible for unpaid water or wastewater fees incurred by a prior tenant (non-owner) who contracted for services with the FGUA (Florida Statutes 180.315)

For this reason, it is critical that no new account is opened without following the procedure below:

At service initiation determine the following:

- Previous account holder owner or tenant (non-owner)
- Verify previous owner through property appraiser's office
- Delinquent owner balance related to the service address

Delinquent in this case speaks to any balance that is due at the time new service is requested.

- If "yes," then the account cannot be opened until the owner balance is paid in full

In cases where the account was in the property owner's (or the prior property owner's) name, the applicant must be informed that there is an outstanding delinquent balance on the property/account and that the new service cannot be initiated until full payment is made. This includes liens and writes off balances.

The delinquent balance must be taken care of before a new account can be opened. Below are some possible Q&A for reference.

*Note: Any delinquent non-owner balance is pursued through collections against the prior account holder.*

**Customer Q:** Why am I responsible for someone else's account?

**Representative A:** In the state of FL, a delinquent utility bill from a property owner (or previous property owner) is effectively a lien on the property even if a lien has not been officially filed. As a bonded utility, the FGUA is not permitted to initiate new service until that delinquent balance has been paid (Florida Statutes 159.17 and 153.67).

**Customer Q:** Who can I contact about this?

**Representative A:** If you purchased the property and were not aware of the delinquent balance, you should contact your title company or seller.

If renting, contact the landlord or the property owner and advise them of the delinquent balance preventing service initiation.

A customer needs to submit a "Request to Terminate" form or contact Customer Service to close an

active account. When a customer terminates service, the account balance may be transferred to another open account if the account holder has an additional account in the FGUA service area and the identity can be verified.

Owner Account: If an owner of a property requires that utility services be placed in the name of a non-owner, the owner will ensure that an account has been opened in the name of the non-owner before the lease is signed. All discrepancies resulting in billed services regarding when a non-owner occupies or vacates a property will be considered a civil matter and must be addressed between the property owner and the non-owner occupant.

Metered Multi-Residential Properties: All meters in apartment complexes will be in the account name of the property owner/owner designee or complex.

## Transfer of Service

Utility service may be transferred from a customer's existing account in good standing to a new account upon termination of service. A customer must submit a new account form and new deposit (if applicable). The old account will be closed, and a final bill will be generated. The deposit on the old account is used to pay the final bill, and any remaining credit is sent to the customer via check.

A customer may be eligible to have their deposit transferred, but at a minimum, the old account must have been open for 12 months and have a good credit history/good standing. Any outstanding balance from the closed account will be transferred to the active account. The outstanding balance will become due on the next month's bill along with the current charges. Verification of identity is done through the social security number (last 4 digits) or driver's license number on record to ensure no balance is transferred to an individual not responsible for the usage. The customer would still be responsible for the final billing from the old account.

The FGUA reserves the right to obtain occupant and/or owner information from either the Property Appraiser's file or other public sources of information for the purpose of complying with the billing requirements.

## Account Deposit

A new customer's deposit may be waived if they obtain a letter of credit or an account ledger from a previous utility company on official letterhead or have had a previous account with the FGUA in good standing. The letter or ledger must include the customer's last 12 months' history with no late payments. The letter or ledger must be submitted with the application for the deposit to be waived. Customers who submit a letter of credit or ledger within 60 days from date of service may be eligible to have the deposit credited to the account.

If a customer defaults on any account with no deposit (more than three late payments, one disconnection, or returned payment of any kind) in any consecutive twelve-month period, the utility reserves the right to reinstate the account deposit requirement.

Customers who have been disconnected for nonpayment must pay a deposit on the account before service is reinstated, regardless of whether it may have been waived or refunded previously.

Upon account termination or account closure the deposit will be used toward payment of the final balance. If the final balance due is less than the deposit, the remainder will be refunded via check within 6-8 weeks of final bill.

Residential service deposits are based upon current FGUA Rate Resolutions for each utility system. Please refer to the current Rate Resolution, or visit the FGUA website at: https://www.fgua.com/customers/rates-fees/ for a search tool lookup for applicable deposits for each system.

Commercial deposits are determined by reviewing the previous 12-month historic average consumption of the most recent active account with consumption, multiplying the consumption for three months, and determining the consumption charges for the three-month period. Deposits are determined by the rate class and services provided.

## FGUA Customer Letter of Credit

When an FGUA customer requests a letter of credit to provide to their new utility company a 12-month review shall be done of their account. Number of late payments, disconnects for non-payment, returned checks shall be noted along with whether or not a deposit was placed on the account and the date of last bill. This information shall be provided on FGUA letterhead.

## Base Utility Fees

Upon service activation, customers are obligated to pay minimum monthly fees for service availability, regardless of usage. Consumption is billed in addition to the base utility fees.

Base utility fees cover the fixed costs of the utility such as line maintenance, plant operations, acquisition, capital improvements, and debt service and are applied to all customer accounts to keep costs equitable.

Customers may only permanently disconnect from the FGUA system (and thereby not subject to Base Utility Fees) if they have an alternative legal water source, or the property is no longer “ready to serve.” Customers with an alternative legal water source must provide proof of a permitted well from the local host government and meet any current local or state inspection processes. Properties that are no longer “ready to serve” are those that are deemed no longer habitable, where the living structure has been removed or demolished, or where the device using the service has been removed. Customers must submit a Request to Terminate Service Form, and provide proof by that the location is no longer “ready to serve”, such as government-issued condemnation order, demolition notice, or, in the event of an irrigation system removal, a note from the plumber or irrigation company that the irrigation system has been removed.

The utility may also determine a property no longer “ready to serve” if the structure is no longer present or habitable.

Base fees will stop being billed in the event that the meter is pulled due to tampering.

State law requires that a customer must be connected to sewer lines if they are available.

## Inactive Account Fees

*Applies to Aqua, Pasco, Consolidated, Flagler, Lehigh Acres, Nassau, and North Fort Myers Systems.*

The FGUA board approved a fee for all ready to serve properties serviced by the utility without an active account. An inactive account fee is equal to the base utility fees for water and/or sewer service paid by open account holders and is billed monthly to every property owner.

When a utility account is opened at the property, either by the owner or a non-owner, the account holder will pay the base fees and usage instead of the inactive fee. If a non-owner vacates a property, the owner will be charged inactive fees.

The utility will cease charging inactive account fees if the property is determined that it is no longer "ready to serve" may also determine a property no longer "ready to serve" if the structure is no longer habitable or present with proof provided by the customer through condemnation notice, demolition notice, proof from a plumber or irrigation company that the irrigation system has been removed and a request to terminate service form.

When customers request termination of service, they must be advised of the "FGUA's Readiness to Serve (Inactive Account) policy."

## Mandatory Sewer Connection Fees

Florida State Law requires that a customer must be connected to sewer lines if they are available unless otherwise exempted pursuant to local ordinances. Customers who fall into this category must undergo the process to become connected to the FGUA's system. In these cases, customers are notified by mail and have 365 days to complete the process. (Refer to the FGUA Mandatory Connection Policies for more information).

For questions regarding this policy or to obtain a customer payoff, contact the FGUA finance department in Orlando.

## Meter Accessibility

The utility is required by state law to read the meter and use the measurement to formulate a bill. Proactive efforts will be made to secure permanent access for inaccessible meters. Inaccessible meters may occur due to locked gates, bees in the meter box, something in the meter, etc.

Upon the first reported incident in a 12-month period:

- A door tag with an access letter will be posted on the property. The letter requests secured access to the meter, the FGUA may send an estimated bill based upon historic consumption, assessing a premise visit fee on each occurrence.
- Service Technician will take photographs of the access concern, which will be attached to the customer's account.
- The utility may send an estimated bill.

- The utility shall assess a premise visit fee.

Upon a second meter access incident in a 12-month period:

- The connection will be removed at the main. A door tag will be left advising the service has been removed and to contact the local Customer Service Office.
- The utility will cease billing new base charges until service restoration and all applicable charges and fees are paid. Late fees shall continue to accrue on any past due balance.

In cases where the customer does not respond, the utility may send an estimated bill. The charges will be an average usage over the last twelve months. If the customer has not had an account for the last twelve months, available history will be used to determine the average. The bills will show the word "Estimate," and when the meter can be read again, any difference in usage will be charged or credited to the account. Any usage exceeding the de minimis amount will either be credited or charged to the account.

## Billing Cycle

Each account shall be billed twelve times per year, with a meter reading and billing cycle between 28 and 32 days. Accounts with more than one meter are combined on the billing statement.

The FGUA must receive payment by the bill due date. This date is indicated for the customer on the bill and is 20 days after the billing date to ensure proper credit to the account prior to the next bill. Any unpaid balance that is on the account prior to the next billing period becomes a past-due balance, subject to a late fee on the 21st day and a final notice bill will be generated. If payment is not received within the following 10 days, the account is eligible to have its service turned off.

See chart below:

| Measured in Days | | | | |
|---|---|---|---|---|
| **Meter Read** | **Billed within** | **Bill due** | **Late Fee Applied** | **Service Disconnection** |
| 1 | 15 | 20 | 21 | 31 |

The only exception to the billing cycle occurs during observed FGUA holidays and the week of Christmas and New Years when service disconnection are suspended.

As a courtesy, late fees may be adjusted off an account once in a 12-month period at the customer's request.

Customers are responsible for updating their mailing address and contact information with the FGUA and non-receipt of bills does not release or diminish the obligation of the customer to pay the balance.

## Meter Tampering/Utility Theft

Unauthorized connection or tampering with the water meter is against the law. The FGUA

Representative will take a photograph with proof of the tampered meter and will place a door tag with a Meter Tampering Letter attached advising the customer that only FGUA and its representatives may operate meters, a $100 first-time meter tampering fee will be assessed, and advising the next unauthorized tampering of the meter will lead to removal of the meter, and a minimum $300 tampering fee, or the total costs to repair the service connection, will be billed to the customer's account.

Tampering must be documented in the field with a photo followed by a note added to the customer's account. Tampering fees exceeding $300 should be detailed and included in the customer's account. Tampering by the customer may result in the case being reported to local law enforcement and possible citation and prosecution.

Following a second reported instance of tampering by a non-owner account, the non-owner's account will be closed, and an account opened in the owner's name. Any tampering on the owner's new account will receive a first-time $100 tampering fee, followed by a minimum $300 tampering fee, or the total costs to repair the service connection.

Every Owner will be held fully responsible and liable by and to the Authority for all that is done or omitted on, in or about the premises by any agent or Customer or other Persons not in the employ of the Authority, who may gain access thereto.

Prior to creating a new account for a non-owner, Customer Service shall review billing systems to ensure no outstanding balances and tampering fees are owed before establishing service.

## Meter Access

Customers at all times will ensure FGUA access to its meters and devices. Customers not permitting access to FGUA meters and devices will receive a Meter Access Lette) on an FGUA door hanger, requesting continual access to the meter and that a second access issue will lead to removal of the service connection at the main and all costs for the removal of the connection will be billed on to the customer's account. The letter will also state that service will not be restored until current charges, service removal and service line restoration charges are paid in full.

## Sewer Backup

FGUA is responsible for wastewater pipes under the street right-of-way, or easements. FGUA shall investigate any sewer backups reported by customers to determine if a sewer backup is on FGUA's side of the sewer connection before advising a customer to contact a plumber.

## Bills & Payment

### *Billing Delivery Options – Mail or Email*

Customers may elect to receive their bills by U.S. Mail or through E-Billing (bill through email). Customers are responsible for updating their email address and/or mailing address with the utility and non-receipt of bills does not release or diminish the obligation of the customer to pay the balance due for service. The utility may opt to utilize a third party, such as the USPS to update forwarding addresses.

If the customer requests their account be set up for E-Billing the customer shall submit a Request for E-Billing form electronically through the FGUA Website.

### *Payments & Cashiering*

Payments can be made by cash, check, money order, cashier's check or via EZ Pay automatic payment withdrawals. To protect the security of customer information, Customer Service Representatives may not process phone payments, and debit and credit card information is not maintained for online or Pay-by-Phone payments. Customer Service Representative may assist customers with Pay-by-Phone service through Associate-Assisted Interactive Voice Response (IVR) if customers are experiencing challenges navigating the Pay-by-Phone system upon customer request. Credit and debit card payment can be accepted through the automated Pay-by-Phone option at 1-855-396-1256. Credit and debit card payments can also be made online at www.fgua.com.

The customer is responsible for ensuring timely payment and identifying their account at the time payment is rendered. The FGUA is not responsible for researching misapplied statements due to customer error.

During regional or national health and safety emergencies, Customer Service Offices may be closed with counter payments not possible. Customers should call their local Customer Service Office or visit the FGUA website to determine if their office is open to the public. Customers may drop off payments at the drop box locations at the local Customer Service Office. The list of Customer Service Office locations is listed at: https://www.fgua.com/support-center/hours-locations/.

Customers may also make payments through arrangements with current third-party companies, or using the online bill pay system.

### *Counter Payments:*

All Customer Service Reps must:

- Identify tender (cash, check, etc.)
- Locate account by account number or site address
- Verify and enter payment
- Verify phone number, owner, or tenant (non-owner) and request email address
- Provide customer receipt of payment

Close of shift Reps must balance their own cash drawer; ***there is no sharing of cash drawers***.

### *Drop Box and Mailed Payments:*

Dropbox must be checked:

- Start of business
- Close of business (optional)

Mail delivered by United States Postal Service (USPS) must be processed daily.

Payments must be*:*

- Posted using quick pay

### *Daily Cashiering and Balancing*

At start of shift, the Customer Service Supervisor or designee will:

- Unlock safe
- Assign cash drawers ($50.00 starting balance)
- Count drawer and confirm tape from previous shift
    - Date and initial tape
- Assignee must re-count drawer and confirm starting balance ***before accepting***
    - Date and initial tape
- Leave both tapes in drawer

### *Sharing of cash drawers is NOT permitted*

At end of shift, the assigned team member will:

- Count down drawer to starting balance
- Payment (coins and currency) totals must match Daily Cash Report
    - Deposit slips completed
- Drawer must be recounted by supervisor or designee.
- Payments (coin and currency) must be recounted by supervisor or designee
- Each party must sign and/or initial daily reconciliation sheet for tracking purposes

Supervisor or designee must:

- Secure deposit slip and deposit in a deposit locked bank bag. Deposit locked bag and locked safe.

### *Payment Extension*

A customer may call and request an extension of their payment due date. The extension shall not exceed 21 days from the billing statement due date. The customer will not be granted a second extension of the same payment. Failure to pay as agreed upon means the customer is subject to service shut-off and any other applicable late fees/penalties.

The account must be suspended from disconnection for the period of the extension to exclude the customer from delinquent turn off.

### *Payment Arrangement*

The FGUA may provide the customer the opportunity for a payment arrangement in circumstances where the customer is experiencing hardship. The CSL, CustSS, or CustSM may authorize payment arrangements of up to 24 months. Payment plans exceeding 24 months may be reviewed for approval by the CSR. An earnest payment must be collected, and accounts will be exempt from late charges during the payment plan period. In addition to an earnest payment, all penalties and fees incurred, excluding late fees, must be paid in full before service will be restored. Failure to pay in accordance

with the plan will result in the balance being due in full and/or immediate discontinuation of service. A customer will not be eligible for a payment plan more than once in any 12-month period and is not eligible for an additional payment plan if the customer is on an existing payment plan. If a payment is returned, the payment arrangement will be broken, and the account will be eligible for disconnection unless the past due balance owed on the arrangement is paid.

Payment arrangements for owner balances are subject to lien for outstanding balances 60 days or greater. Customers will be notified that lien collections fees will not be assessed if the terms of the payment arrangement are met, and balance paid in full.

First payment by the customer of a discussed payment arrangement serves as acceptance of payment arrangement and the terms (in lieu of signed agreements).

### *Returned Items*

Checks will not be accepted as payment on an account after two returned payments of any kind have been received unless approved by the Customer Service Supervisor. Returned items and associated fees will be posted to the customer's account within 2 days of notification.

## Billing Adjustments

Billing adjustments may be made to accounts due to meter error, billing error, leaks at the meter or damage caused by acts of nature. Customers who suspect an error to their bill or inaccuracy to their meter should contact their local office as quickly as discovered. Credits may be made if the utility is found to be at fault. If it is unclear and further testing is unable to be performed (due to disposed meter, etc.), a credit may be given at CSM discretion up to three months as a courtesy and if normal usage patterns seem to indicate a recording or meter error.

Customers are responsible for all plumbing-related leaks and leaks on their side of the meter except as provided below.

**NOTE: Any customer who receives a credit for any reason, etc. is still responsible for late fees and other associated charges such as service reactivation except during investigation period and unless an exception is made and documented. Exceptions to charging late fees after billing correction may be provided when the correction causes economic hardship and the customer accepts and receives a payment extension or payment arrangement. Service reactivation charges or associated miscellaneous charges following a billing correction may also be included in the balance of any payment extension or arrangement.**

### *Adjustment of Bill for Meter Error*

When a meter accuracy test is requested, a portable meter test will be provided free of charge. This test runs five gallons of water through the meter at "high" flow and then runs five gallons at the "low" flow level and recording a meter reading before and after each test to verify the meter is measuring consumption accurately.

If additional testing is requested, and the meter is sent to a lab for further testing (such as a "meter calibration" or "bench test"), the customer would be responsible for related costs if the meter tests

accurately.

Meter accuracy test and Bench tests and the average meter error are performed in accordance with American Water Works Association (AWWA) Standards.

Fast Meter
Whenever a meter tested is found to register fast in excess of the tolerance provided in the AWWA standards, the FGUA shall credit the customer's account to the historic average consumption before the increase in usage occurred; said period not to exceed six (6) months except if it can be shown that error was due to some cause, the date of which can be determined. The overcharge shall be computed back to but not beyond such date. The credit shall be exclusive of any minimum fee and/or Base Facility Fee.

Slow Meter
Whenever a meter tested is found to register slow in excess of the tolerance provided in the AWWA standards, the FGUA will not back bill the customer for the lost revenue unless it can be shown that the customer tampered with the water meter.

A new meter will be installed in place of the fast/slow registering meter to measure accurate consumption.

Non-Registering Meter
In the event of a non-registering meter, the customer may be billed on an estimated basis on similar usage until such time that the meter can be repaired or replaced.

### *Adjustment of Bill for Billing Error*

The FGUA will provide customer account adjustments for services which were provided but were not billed to the customer. Said account retroactive adjustments that are the fault or oversight of the FGUA will not exceed one (1) year except for unauthorized connection, use (including obvious consumption without notice), or tampering by the customer. This procedure and time limit follows the recommendations of the Public Service Commission and applies to all residential accounts. Commercial accounts are assessed on a case-by-case basis.

In instances where the utility finds cause, account adjustments will be made from the date the services were first provided but not billed. In either event, the account adjustments will be limited to the current customer's account.

The FGUA will also provide customer account adjustments for the services which were billed but were not provided to the customer. Said account adjustments will not exceed three (3) years and will be further limited to the current customer's account. Commercial accounts are assessed on a case-by-case basis.

### *Adjustment of Bill for Leak at the Meter*

The customer shall not be responsible for leaks at or within three feet of the meter box if the meter has been changed out or repaired by the utility within the proceeding three months and the cause of the leak cannot reasonably be attributed to actions by the customer.

If the leak is before the meter, it will not register on the meter as usage. After the meter, the customer

is responsible unless there is a failure of utility supplied connection parts.

If the utility finds fault, adjustments will be made based on the customer's historical average. After review of a twelve-month history, the usage will be averaged and used as a baseline for establishing a credit. If a customer does not have a twelve-month history, but has over three months, the same rule would apply. If a customer has less than three months, the customer must call and request the adjustment after three months usage has accrued to request an adjustment. In this case the customer would still be responsible for their current bill(s) to pay.

The FGUA recognizes that there may be cases where a leak creates a bill of excessive proportions. In this case, a customer may request a credit. The customer must produce a plumber's receipt evidencing that a leak existed and that the leak was repaired, the receipt for parts for the repair if the customer made repairs, or a letter advising repairs occurred from available materials. A customer is not eligible for more than one reported leak per 12-month period, and no more than two consecutive months of a credit. The following guidelines will be used in establishing the credit:

*Residential Customer:*

Water/Sewer customer:

Credit will be given for 50% of difference between billed usage and 12-month average usage for both water and sewer, taking into account any necessary adjustments due to a tiered rate bill system.

Water/Sewer customers (without a sewer cap)
*Dunnellon and Flagler Systems:*

Water adjustment: Credit will be given for 50% of difference between billed usage and 12-month average usage for water service, taking into account any necessary adjustments due to a tiered rate bill system.

If a sewer cap does not apply (such as in the case of a master metered community or system without a residential sewer cap), the credit would be the difference between the billed usage and the cap that applies to the surrounding or nearest FGUA system.

The cap for the nearest system to the Dunnellon System is the Aqua Unified System, with a 6,000 gallon/month sewer cap.

Sewer-only customer:
*North Fort Myers Customers*
Sewer customers may be given a credit consideration based on the data supplied by the utility that is reading the meter and verification that a leak existed.

If a sewer cap exists (limiting the amount the customer can be billed) then the credit would be the difference between the sewer cap and the average usage of the customer.

If a sewer cap does not apply (such as in the case of a master metered community or system without a residential sewer cap), the credit would be the difference between the billed usage and the cap that applies to the surrounding FGUA system. Written authorization would be needed from the managing utility/company in these cases that the credit provided to them would be passed along to the end

customer.

### *Commercial Customer:*

Commercial accounts are assessed on a case-by-case basis by the CustSS. If approved, credit will be given for 25% of difference between billed usage and 12-month average usage for both water and sewer.

### *Adjustment for Damage due to Acts of Nature:*

The FGUA may credit the customer for high usage due to acts of nature. The customer would pay the full cost of the average usage plus the lowest tiered rate for any additional gallons above his average use (if applicable). The customer must provide documentation such as a copy of the insurance claim for water damage caused by a broken line, pictures of an uprooted tree, etc., resulting from acts of nature.

### *Adjustment for Damage due to FGUA/Contractors:*

If a customer contacts the office and believes their personal property (lawn, sprinkler, car, home, etc.) has been damaged as a result of FGUA (or representatives of the FGUA) action, the customer should be directed to the CSS/CSR. The CSS/CSR will discuss the details with the customer and forward the information to the CSM/CFO.

Depending on the circumstances, the customer may be given a credit on their account or submitted to the FGUA insurance company as a claim. The CSM/CFO may authorize a credit up to $2,500 but if it is unclear who is at fault, the amount exceeds $2,500, or the customer is specifically requesting a check reimbursement, the case may be submitted to the FGUA insurance company as a claim. In all cases, the CSM will inform the CFO of the incident. A claim must be accompanied by a brief summary of the incident, a damage report with an estimate to fix the issue and pictures of the damage if possible (this information can be compiled by the CSS/CSR from the customer and/or with assistance from the FGUA contractors). These items should be forwarded to the CSM/CFO.

### *Adjustment for Utility Theft:*

A customer may be the victim of utility theft. In these cases, customers must file a police report and provide it to the FGUA for consideration. If a police report is supplied and a review of the customer's historical usage indicates utility theft occurred, a credit will be given based on the customer's 12-month history. The usage will be averaged and used as a baseline for establishing a credit. If a customer does not have a 12-month history, but has over 3 months, the same rule would apply. If a customer has less than three months, customer may call and request the adjustment after 3 months usage has accrued to request an adjustment.

### *Adjustment for Pool Filling:*

Customers filling pools due to a new pool build, maintenance, or repairs may request a one-time pool filling adjustment. The customer shall submit a copy of the receipt from the pool repair company including the amount of gallons used to refill the pool. The adjustment will be provided on any sewer consumption in excess of the historic 12-month sewer average consumption, up to the sewer consumption cap (where applicable). If a customer does not have a twelve-month history, but has over

three months, the same rule would apply. If a customer has less than three months, the customer must call and request the adjustment after three months of usage has accrued to request an adjustment. In this case the customer would still be responsible for paying their current bill(s).

### *Administrative Adjustments*

At the discretion of the FGUA, credits may be applied to accounts based on unusual and extenuating circumstances which shall be explained in the account comments. These credits must not exceed $2,500 and must be approved by the CSM/CFO. The CSM/CFO may also authorize a one-time billing statement adjustment and bill all water and sewer consumption charges to the lowest rate tier. Under its covenants to bondholders and rate resolutions, the FGUA is not able to provide free service of any kind.

For customers in systems without a sewer cap, FGUA may also provide a one-time per account sewer adjustment for any unintended water usage in excess of their historic average sewer consumption. Such instances may include an open hose bibb, such as water left on following hand watering, car washing, or pool filling. The CSC, CSR, ACSM, or CSM may authorize this adjustment.

### Sod Replacement / Installation

Customers installing or planting new sod, grass or landscaping (water landscaping), may request a one-time sewer adjustment in excess of the historic average consumption — not to exceed consumption from two billing statements. The customer must submit a receipt for sod and/or landscaping installation as well as watering instructions if services were provided by a licensed landscaping company. The sod replacement adjustment may be approved by the CSL, CustSS, CustSM, CSC, CSR, ACSM, or CSM.

### Service Termination or Turn-Off for Non-Payment

*All systems except North Fort Myers*

An account becomes past due after 20 days. At that time, the customer is sent a past due bill, called a “Final Notice” and given 10 days to make payment. This notifies the customer in writing of the amount past due, the notice date, the due date, and the fact that service could be disconnected if payment is not received within 10 days. On the 21st day late charges are incurred.

Accounts past due are subject to disconnect and will be charged a reconnect fee according to the resolution. Disconnected accounts will also be charged a deposit if a deposit is not on file.

Delinquent non-owner accounts with balances over 90 days are eligible to be closed regardless if there is usage or not. At that time, an account will be opened in the owner of record’s name.

### *Process:*

After each billing, the meter reading /credit clerk will run a Past Due Report for the appropriate billing cycles which is used to review the customers that are subject to having their services terminated due to non-payment. Customers on this report who will not be shut off are those with an account balance under $60, or if the customer is participating in a payment arrangement. All delinquent customers on the Past Due Report who do not fall into the above categories will be shut off; there will be no shut offs on observed FGUA Holidays, as well as the recognized holiday weeks of Thanksgiving and Christmas. The processing of the shut offs are coordinated by billing cycle and service area.

A report of accounts which are subject to shut off is generated, before any accounts are shut off. This report is generated by cycle, and service area. This report is reviewed by the customer service staff member assigned to determine if customers are on a payment arrangement or are involved in any billing disputes, and thus exempt from shut off. Before service is disconnected in the field, the office makes sure that all cash is posted, and no customer is cut off who has made payment. The selected accounts subject to termination are used to create service orders which are printed and then distributed to field personnel.

In some systems this process is automated following the rules of the billing cycle where delinquent customers are eligible for disconnection after 30 days of non-payment.

Shut offs should be completed by approximately noon, in order to allow for reconnection on same day for those customers who make their payment by 1 PM.

The utility service personnel will turn off water service and leave a door hanger indicating the reason for the shut off. Utility service personnel are not allowed to accept any payments in the field. Customers may choose to make payment utilizing credit card online, or automated Pay-by-Phone, or they may bring payment into the customer service office (cash, credit card, debit card, or certified funds).

Additional measures may be taken to ensure customers are not using water prior to making a payment, including removing the meter completely.

When a past due account balance is brought current after a turn off for nonpayment service order has already been dispatched and arrived at the premise, but not yet completed, a premise visit fee will be applied. This fee reflects the operational efforts already undertaken to carry out the service interruptions.

<u>Service Termination or Turn-Off for Non-Payment</u>
*North Fort Myers*

Because the majority of North Fort Myers customers receive water from Lee County, an agreement with the county ensures customers will be shut off for non-payment. This is coordinated by Customer Service sending a report to the Rep at Lee County and in turn, Lee County disconnecting service.

Accounts that are past due are subject to disconnect and will be charged a reconnect fee according to the resolution. Disconnected accounts will also be charged a deposit if a deposit is not on file. There will be no shut offs on observed FGUA Holidays, as well as the recognized holiday weeks of Thanksgiving and Christmas.

Delinquent non-owner accounts with balances over 90 days are eligible to be closed regardless if there is usage or not. At that time, an account will be opened in the owner of record's name.

When a past due account balance is brought current after a turn off for nonpayment service order has already been dispatched and arrived at the premise, but not yet completed, a premise visit fee will be applied. This fee reflects the operational efforts already undertaken to carry out the service interruptions.

<u>Service Reactivation</u>

Reactivation of service to a customer will occur after all past due amounts, current charges, reconnection fees, required deposits or other miscellaneous fees are paid. Although every effort is made to restore service as quickly as possible, customers must pay by 1pm to ensure reactivation occurs the same business day. If payment is made after 1pm but same day service reconnection is required and must be guaranteed, customers must pay the after hours turn on fee. This approval must be documented in the customer account.

## Account Liens/Write-Offs

The write-off/collection report indicating all the finalized accounts is run at the beginning of the month. When any portion of a bill appears in the 60-day column of the write-off collection report, the account becomes subject to collections and lien proceedings. Non-owner accounts may be written off and sent to collections while owner accounts may remain subject to lien filing. Owner accounts in the 60-day column are subject to receive a letter of Notification of Potential Lien Filing and are subject to Notice of Lien 30 days from the date of letter.

During the notification of lien process, the owner's name as provided with the Customer's Request for Service or as available in the public record, will be added to the account name.

At month end a write-off report is submitted to the FGUA Finance Office, and to the collection agency. Any account less than $60
is not turned over to the collection agency. All write-off accounts are filed. The CFO approves the debit/credit form for write-offs. New connections have a name and driver's license number search performed to see if the account had been previously written-off. Name, address, and DL# should all be checked for duplicates.

All money received from bad debts is deposited and recorded on the daily cash report. When payment is received at a local customer service office for an account that is written off, payment is immediately applied to that receivable. It should be noted on the daily cash report and then it can be removed from collections by Orlando accounting staff.

## Restorations in the Right-of-Way

Occasionally, the FGUA may impact an area as a result of system maintenance or repairs. Although attempts may be made to restore sod and/or irrigation systems and driveways, the property owner takes all risk for plantings, trees, irrigation systems, etc. within the right-of-way. The FGUA does not assume liability for any damage caused to these areas and cannot provide compensation for items that may have been in the way of necessary repairs, nor will any restoration efforts include any items that might cause direct interference with FGUA pipes or systems. If the FGUA is able to make reasonable attempts to restore property in the right-of-way, consideration will be given to make such replacements with like materials (such as concrete with concrete, pavers with pavers, similar sodding for the area etc.)

The FGUA will not be responsible for the repair of any private streets, private sidewalks, or private landscaped areas as a result of its utility maintenance obligations unless the FGUA determines it is in the Utilities best interest to impact such private facilities with the consent of the property owner.

## Miscellaneous Services

### *Temporary Disconnection*

A temporary disconnection will be honored if the customer so requests, but said customer will be billed and must pay monthly Base Utility Fees. In addition, an account reactivation fee may be assessed when full service is restored.

### *Temporary Connection*

There may be instances where utility service is needed temporarily, but where an established account is not required (home inspection required for transfer of ownership). A responsible party must sign the required form to assume liability. This policy is intended for realtors and/or representatives related to home inspection for the purpose of a property sale. Any new non-owner/owner or resident of a property must complete a service application and would not be eligible for a temporary connection.

The Responsible Party will be liable for any usage (over 1,000 gallons) that occurs during the 48-hour period that service is on. The FGUA is not responsible for usage that occurs as a result of a leak, water theft, or any other event outside of the normal inspection/site visit.

Unpaid usage/account balance incurred as a result of a property owner is considered a lien against the property, even if not filed and a turn on and turn off in this situation does not alleviate or dismiss any account charges that are due to the utility that must be collected before a new account can be opened.

### *Withholding of Service*

Except as otherwise provided by law, the FGUA may withhold or discontinue service until all past due amounts, past due fees, account reactivation fees, current charges, miscellaneous fees and required deposits which are owed to the utility have been paid in full. In the event the utility discovers private facilities adversely affecting the utility's facilities, service may also be withheld until such situation is corrected. In general, and unless otherwise stated herein, five days' notification of proposed termination will be provided to allow the customer adequate time to respond and correct such deficiency unless more immediate action is justified in the interest of public health, safety, or welfare.

### *Estoppel requests*

Estoppel requests must be received in writing or electronic request as implemented by the utility and accompanied by accepted payment methods. Written requests will be responded to in writing within five business days. The fillable form is available at www.fgua.com or by calling any customer service office.

### *Public Records Requests in lieu of Estoppel Requests*

Information that is intended for use in property title research or for purposes of the closing of real estate transactions:

It is strongly recommended that the requesting individual or party submit a formal request for an Estoppel letter using the designated FGUA form. While there is a fee of $75 associated with the Estoppel letter request form, the Estoppel letter guarantees an accurate statement of the account

balance, and any liens filed by FGUA and serves to prevent any potential disputes or liabilities related to utility charges at the time of or after closing.

The FGUA does not guarantee and will not be liable for the accuracy of information furnished without estoppel review as inaccuracies, disputed usage amounts, and other factors may affect the account balance.

## Acceptance of Service of Process and other Legal Filings

In the event a process server arrives at a local Customer Service Office to serve the FGUA with service of process to initiate a lawsuit, all Local Customer Service Office Staff must advise the process server that service of process must be made at the FGUA Orlando Office. Each Customer Service Office and the FGUA website will contain posted notices that shall direct process servers to the FGUA Orlando Office, care of the assigned Risk Management Officer.

In the event other legal filings are received by mail or other means at a local Customer Service Office, all filings must be received promptly by the local Community Services Team member, who must immediately provide the documents by electronically scanning and emailing the documentation to the FGUA Orlando Office, care of assigned Risk Management Officer with copies to FGUA General and Utility Counsel. Original documents must be sent to the designated point of contact as assigned by FGUA Counsel.

## Bankruptcy Policy

When court recorded bankruptcy papers are received at the local office, the designated Rep will scan and email a copy of the paperwork to the Orlando Finance office and include the customer account number(s). Electronic copies must also be immediately sent electronically to the local Community Services Team member, who will then promptly forward the copies to FGUA General and Utility Counsel. The original documentation is kept at the receiving office.

If bankruptcy papers are received in the Orlando Finance office (either paper or electronic), those documents will be forwarded to the local customer service office within 1 business day of receipt.

Using the information provided on the bankruptcy papers, the Rep will determine the customer account number(s) that are impacted by the bankruptcy.

- If a customer has more than one account, all pre-bankruptcy accounts should be closed.
- It is important to search all systems and all names that the debtor has filed bankruptcy under (i.e., if last names have changed, accounts may be in both last names).
- If unable to determine which customer in the database matches the customer named on the bankruptcy filing papers (i.e., due to lack of social security number and / or a very common name), contact the Orlando Finance office for assistance.

The “file date” is a very important date in the bankruptcy process. If that date is unable to be determined, the Rep will contact the Orlando Finance office for assistance.

The old customer account(s) as of the date of bankruptcy filing must be closed with a note indicating that the account is in bankruptcy.

No additional bills, statements, notices, or other attempts to collect this amount may be communicated to the customer.

Customer utility service cannot be turned off due to non-payment of a bankruptcy account. No additional charges should be added to this account.

A billing suppression code must be added to bankruptcy account so that no additional bills, notices, or statements are mailed to the customer on pre-petition accounts.

A new account will be opened as of the same date (filing date). All new charges from after the bankruptcy filing date must be charged to this new account and the customer is responsible for timely payment on this new post-bankruptcy account.

If charges and fees must be split between the old account and the post-bankruptcy account, late fees must be recalculated so that the new account is not charged late fees on the old account’s balance.

A new deposit should be collected on the new post-bankruptcy account(s). The deposit should be billed on the customer’s first post-bankruptcy billing. The utility service provision of the Bankruptcy Code allows a utility to alter, refuse, or discontinue service if the debtor or the trustee does not furnish adequate assurance of payment in the form of a deposit or other security within 20 days after the date of the order for relief. The statute defines “assurance of payment” as a cash deposit, a letter of credit, a certificate of deposit, a surety bond, a prepayment of utility consumption, or another form of security that is mutually agreed on between the utility and the debtor or the trustee.

Upon receiving bankruptcy papers, a letter must be mailed to the customer explaining that they are required to pay an additional deposit on their new ‘post-bankruptcy’ account to avoid service termination. This deposit should be billed on their first ‘post-bankruptcy’ account billing and must be paid in full by the billing due date in order to avoid service termination. This is a time-sensitive matter, so the letter should be sent to the customer as quickly as possible after receiving notification of bankruptcy.

The automatic stay which is invoked when the debtor files a petition under any of the applicable Bankruptcy code provisions only prohibits communication regarding accounts that arose before the commencement of the case. Communications regarding post-bankruptcy accounts are not prohibited.

Deposits remaining on pre-bankruptcy accounts will not be transferred to post-bankruptcy accounts. The utility service provision of the Bankruptcy Code allows a utility to recover or set off against a prepetition security deposit without notice or order of the court.

The Rep handling the account should provide customer account numbers (old and new) for each bankruptcy claim to the Orlando Finance office so any account number in question can be researched and any collections process stopped. This is important, as the bankruptcy court or trustee may fine the FGUA for continuing to collect a debt that is in bankruptcy.

The Rep will fill out Proof of Claim (POC) form for each new bankruptcy filing received. Only one proof of claim needs to be filled out for each bankruptcy, regardless of how many documents received for that customer. The form must be completed with any necessary documentation and are forwarded to the Orlando Finance Team for signature by the FGUA's Chief Finance Officer. The form and supporting documentation will be mailed by Orlando Finance after it has been signed with a copy retained in the customer's individual record.

Please note: if the bankruptcy is denied, then the old account balance must be transferred back into the new account, as the customer is now responsible for the amount due on their old bankruptcy account.

Foreclosures do not have the same legal protection that bankruptcy does. Customers whose homes are in foreclosure do not follow the procedures above, and must continue to pay their account on a timely basis to avoid service termination.

## Release of Information Concerning Customers

With very limited exceptions, the records of FGUA customers are open records and not exempt from disclosure (per Florida Statues, Chapter 119). If information is requested and readily available, Community Services Team (CST) and supporting staff must provide details as requested (refer to *Estoppel Requests* for research requests related to property transfers and/or lien payoffs).

If information is requested and provided verbally (i.e., current account balance by phone), CST should inform requestor that this is the "current information available on their system as of the current date." If additional information is requested *in writing*, that may require research beyond what is readily available, CST should escalate the inquiry to the Community Services Manager for assistance.

The requestor name is not required but should be added to the account note if provided.

The following chart provides examples of certain information that the CST may be asked for and any applicable exemptions. For questions regarding this policy, please contact FGUA management in Orlando.

| Requested Information | Exempt from Open Records | Notes |
|---|---|---|
| Customer/Company Name | No | |

| | | |
|---|---|---|
| Customer Social Security Number (partial or full) | **YES** | **Do not provide** |
| Billing Address (see footnote 1 below) | No | |
| Mailing Address (see footnote 1 below) | No | |
| Proof of Authorized Occupancy | No | |
| Bank Account/Credit Card Numbers | **YES** | **Do not provide** |
| Telephone Numbers | No | |
| Email Address | No | Public Records Disclaimer provided on Privacy Policy page at FGUA.com (https://www.fgua.com/legal/privacy-policy/) |
| Payment Plans | No | Without bank account/CC information |
| Driver's License Number (partial or full) | **YES** | **Do not provide** |
| Previous Write Off Information | No | Without bank account/CC information |
| 12 Month History (Usage-Meter Derived Data and billing information | No | May only be given in monthly increments, and not partial monthly increments. Disclaimer language may be needed |
| Past Due Report (disconnect list) | No | |
| Construction/Developer Plans | No | |
| Name of Property Owner(s) | No | |
| Applicant Signature | No | |
| Customer Forwarding Address | No | |
| Name and Address of New Property Buyer | No | |
| Building plans, blueprint drawings and diagrams depicting internal layout or structural elements of government buildings | Maybe | May be exempt, management will refer to General Counsel for review |
| Security plans, diagrams, studies, or info. relating directly to the physical security of a building; any info relating to security of technology, or practices designed to protect networks, computers, programs and data from attack, damage, or unauthorized access which would impact safety, or operation of utility. | **YES** | **Do not provide** |

1.The Florida Statutes also provide exemptions for the home address, telephone numbers, photographs, names of spouse and children whether minor or adult, day care center of children, school of children, and other information for all current Federal, state, and locally elected officials, current or former law enforcement personnel, and first responders of various kinds, investigators and numerous other officials and persons who could be subject to harassment, retaliation or violence because of decisions made in their jobs as public officials. The exemptions are extensive but a partial list of those eligible for the exemption includes law enforcement officials, judges, hearing officers, guardian's ad litem, public defenders, states attorneys, probation and correctional officers, firefighters, abuse investigators, personnel of the department of health, child support enforcement officers, county attorneys, and other officials. Again, this is only a partial list. See 119.071(4)(d)2. In order to exempt this information, the officer or public official must request this information be kept confidential by the public agency. The request must be made in writing by the public officer or official by submitting a Utility Customer Public Records Exemption Request. Should FGUA receive a request, from a public

officer or official, in writing, asking that information be kept confidential, the utility account should be set up with a warning that the account information is not a public record and FGUA should seek further advice from the Office of the General Counsel on the redaction of information and any response to a public records request.

2. When requested by Realtors, lien companies, title companies, other agencies (except utilities collection agencies and other authorized agencies) a customer's personal financial information, not otherwise exempt, shall be released. If a hard copy of the amounts owed on an account is requested by any of the above, the name(s), address and phone number may be released but any personal financial information or other exempt information must be blackened out prior to being released. The 2024 legislature passed a law, exempting from public records disclosures, "customer meter-derived data and billing information in less than monthly increments." (See. S. 119.0713(5)(a)3., Fla. Statutes). If an individual, requesting information on an account, states he or she is the account owner, the customer service representative must verify the identity, and the customer may be asked specific security questions prior to any personal financial information being released. Title company requests may need added disclaimer information included in the FGUA response regarding billing information.

## New Commercial or Residential Development

In order to begin a commercial or residential development project, the developer, or their agent (generally an engineering firm) must contact the FGUA to determine if service is available within the vicinity of their property. The applicant must complete and submit FGUA's Online Application for Developer/Commercial Service Availability, along with the appropriate application fee for further processing. If service is available, a formal Letter of Availability and Locate Map is provided to the applicant with information regarding line locations and the next steps to take in order to move forward with their project.

Once a developer decides to move forward with their project, they are required to schedule a Preapplication Meeting and submit a preliminary site plan on the online portal. After the Preapplication Meeting they will make a formal submittal, including utility construction plans, to the Development Team for review also on the online portal. The plans are reviewed, and based upon the details provided, a Fee Statement including the capacity connection fees (formerly termed as impact fees) and the Utility Infrastructure Conveyance and Service Agreement ("CSA") are returned for action by the developer.

### *FGUA Capacity Connection Fees for Commercial Projects*

The capacity connection fees are calculated based upon either the meter size, or in some cases the proposed usage associated with the development as shown in the construction drawings submitted to the Development Team. The proposed usage is converted into flow estimates based upon the guidelines set for each system. It is important to note that the local customer service office is not responsible for determining these fees so any questions should be directed to the Development Team in the Orlando Operations office.

FGUA policy requires the developer to pay the capacity connection fees in full, which may include plan review fees and inspection fees as applicable, prior to the approval of the CSA and the approved

Construction Plan being released. These fees are to be paid only by check being mailed into the Orlando Operations office. A developer may occasionally send capacity connection fee payments to the local office. If this occurs, Reps must forward it to the Orlando Operations Office for processing. Once the fees are paid, the FDEP construction permit(s) are signed, and the approved Construction Plans are released.

### *Project Closeout, Meter Installation & Opening an Account*

After the utilities have been installed, the developer is required to complete a closeout process with the FGUA to convey all necessary property (real and/or personal) in order to obtain their FDEP construction clearance approval. Once the closeout criteria is fully met, the Development Services Team issues a Meter Release Letter or Wastewater Connection Authorization Letter to the developer with a copy to the appropriate FGUA contract operator, directing them to contact the FGUA local office and complete the paperwork to initiate meter installation (if necessary) and begin utility service. At that time, the applicable meter hook-up fee and connection fee from the developer will be collected by the local office and service will be initiated. The cash receipt is issued by the customer service office, deposited with the daily transactions as stated above. The forms filled out by the developer are sent to FGUA as back-up to the daily cash reports.

Developers may pick up a packet of information at their local customer service office or online at www.fgua.com that includes an outline of the process, timelines, necessary forms and contact information.

### *FGUA Capacity Connection Fees for NEW Individual Residential Customers*

When the building structure is ready for utility service the property owner is required to complete and submit the relevant forms to initiate utility service. At that time, the FGUA customer service office should determine if there are capacity connection fees due on the property by consulting with the Development Team in the Orlando Operations Office. **If there is a capacity connection fee balance due on the property, it must be collected prior to initiating utility service**. The capacity connection fees collected should be forwarded to the Orlando Operations Office for processing. In addition to any applicable capacity connection fees, the customer will be required to pay any other necessary fees prior to initiating service. The cash receipt is collected and processed as stated above. The forms filled out by the property owner are sent to FGUA each month as back-up to the daily cash reports sent daily.

### Boil Water Notifications

Upon discovering the need to issue a precautionary boil water notice (BWN), the FGUA contractor (Contractor) should follow standard notification procedures for emergencies as outlined in the "FGUA Notification" policy.

In addition, action should be immediately taken to notify customers simultaneously in the field and by the Community Services team.

If the number of affected customer connections is **LESS than 300**, the following measures must be initiated as soon as possible but no later than 12 hours following a BWN event (notices should begin going out concurrent with the outage event if possible).

CONTRACTOR:

- Door hangers placed on affected customers' homes.
- Customer service staff alerted and kept updated.
- Phone messaging updated (where available by office).
- After hours phone contractor notified.

COMMUNITY SERVICES TEAM:

- Automated phone call with voice recording using Reverse 911 system to all affected customers.
- Text message to customers' cell phone numbers on record, referring to FGUA outages and notice page for more details.
- Online message created and uploaded to www.fgua.com. Message should be updated as needed, such as service restoration, change of number of affected customers, and rescission.
- Messaging created and sent to local Board representative(s).

The following information must be included and updated for outages and notices provided by the FGUA Contractor and be provided on outages and notices by the Community Services Team as details become available:

- FGUA System.
- Type of Outage.
- Status of Outage or Notice.
- Cause of Outage or Notice.
- Effective date or scheduled interruption of service (if applicable).
- Time outage was first reported and/or time of service interruption.
- Time Contractor was dispatched or arrived and started repairs.
- Anticipated time service will be or was restored (If and when applicable).
- Precautionary Boil Waer Notice Advisory Rescission Date (if and/or when applicable).
- Number of Customers Impacted.
- Affected Address Ranges.
- Day and Time of Any Updates.
- Customer Notices will be rescinded approximately 2 to 3 business days following water samples taken to an independent, Florida Department of Health-certified laboratory.
- Customer Service Office phone number for related customer concerns.

Online, messages should be updated as needed, such as service restoration, change of number of affected customers, and rescission. *For system-wide outages under 300, media advisories are not required but will be created at discretion of the Community Services team with management input.*

If affected customer connections are MORE than 300, the following measures must be taken with twenty-four (24) hours of BWN.

CONTRACTOR:

- Customer service staff alerted and kept updated.
- Phone messaging updated (where available by office).
- After hours phone contractor notified.

COMMUNITY SERVICES TEAM:

- Automated phone call with voice recording using Reverse 911 system to all affected customers.
- Text message to customers' cell phone numbers on record, referring to FGUA outages and notice page for more details.
- Messaging created and sent to local FGUA Board representative(s).
- Online message created and uploaded to www.fgua.com. Message should be updated as needed, such as service restoration, change of number of affected customers, and rescission.
- Local media advisories created and distributed to media outlets and HOA/community contacts.

## FGUA Special Notices

Upon discovering the need to issue a special notice, the Contractor should follow standard notification procedures as outlined in the "FGUA Notification" policy, and when applicable Florida Department of Environmental Protection (FDEP) Policy

### Tier 1 Public Notices:

The FGUA must provide notice to customers served as soon as possible, but not more than 24 hours from learning of the violation. The Contractor must provide notice to the FDEP and local health department. The Contractor will draft the notice for the FGUA Community Services Team Review. Once approved, the draft will be submitted by the Contractor for final approval of the notice upon receipt from the FDEP.

The Community Services Team must use one or more of the following methods to deliver the notice to the customer:

- Hand or Direct delivery (Preferred Method): Reverse 911 Recording of the Full Message is compliant with FDEP requirements.
- Radio Notice.
- Television Notice.
- Posting in conspicuous locations.

The Community Services Team will also provide notification through the additional channels:

- Online message created and uploaded to www.fgua.com. Messages should be updated as needed, such as when the additional water samples are clear.

- Automated phone call with voice recording using Reverse 911 system to all affected customers.
- Text messages to customers' cell phone numbers on record, referring to FGUA outages and notice page for more details.
- Messaging created and sent to local FGUA Board representative(s).

Proof of completed customer notification efforts on Tier 1 notices must be provided to the Contractor as soon as the campaign is complete. In addition, when samples are clear, these above customer notification processes must be repeated and provided to the Contractor.

System Maintenance/System Flushing/Change of Disinfection Notices

The Contractor will provide notice to the Community Services Team concerning scheduling of any system maintenance or flushing events that will require customer notification. As required by FDEP, FGUA must provide written notice and legally advertised notice to all affected customers in a utility system at least 48 hours prior to a change of disinfection and system flushing, as the change of disinfection may affect customers on dialysis or stores and restaurants with aquatic life that may be affected by a change of water disinfection.

The Contractor will provide the following details to the Community Service Team:

- Start and End date of the system maintenance.
- Utility System affected.
- Verbiage advising what customers can expect, care that dialysis patients or aquarium owner can maintain during the temporary change of disinfection.

Once received by the Contractor, the Community Services Team must initiate and complete the following notification processes no later than 48 hours before the scheduled maintenance begins:

- Correspond with the Contractor (Compliance and Billing Department) to ensure the approved notice is delivered to customers with their monthly billing statements no less than two days before system maintenance begins.
- Automated phone call with voice recording using Reverse 911 system to all affected customers.
- Text messages to customers' cell phone numbers on record, referring to FGUA outages and notice page for more details.
- Online message created and uploaded to www.fgua.com. Message should be updated as needed, such as service restoration, change of number of affected customers, and rescission.
- Email message created and sent to local FGUA Board representative(s).

System Maintenance/Service Improvements (Non-Emergency)

The Contractor will provide notice to the Community Services Team at least one week before

any scheduled maintenance that may cause a temporary change of water quality or service to customers. The following is a list of service improvements or system maintenance that may occur and affect service:

- Backflow prevention device installation or maintenance.
- Reclaimed water main maintenance or drought conditions limiting supply or water pressure.
- Sewer lift station maintenance.
- Wastewater Treatment Plant Capital Improvements or maintenance.
- Water Treatment Plant service improvements or maintenance.

The following information is provided by the Contractor to the Community Services Team:

- Utility System affected.
- Type of maintenance and improvements.
- Scheduled start and end date of the system maintenance or improvements.
- Time of day when maintenance will occur and service affected.
- Number of customers impacted.
- Affected address ranges.

The Community Services Team will initiate and complete the following customer notification processes within 48 hours of the start of maintenance or improvements:

- Automated phone call with voice recording using Reverse 911 system to all affected customers.
- Text messages to customers' cell phone numbers on record, referring to FGUA outages and notice page for more details.
- Online message created and uploaded to www.fgua.com. Message updated as needed.
- If scheduling permits, notice sent on FGUA Letterhead to Contractor (Billing Supervisor) for including with monthly customer billing statement or letter is provided to Contractor attached to FGUA "We Visited Today" door hangers for distribution by Contractor before work begins.

## FGUA Customer Appeals Process

### Purpose

Provide customers a formal, orderly opportunity to appeal a staff-level determination (e.g., billing adjustment denial, service determination, or policy application) to the Florida Governmental Utility Authority Board of Directors.

### Eligibility

Current FGUA customers shall have the right to request a hearing before the FGUA Board of Directors for review of a staff-level determination concerning the customer's utility account. Such hearing must be requested by the customer within thirty (30) calendar days of the staff determination to be appealed. If not timely requested then staff's decision shall be deemed final and not subject to review.

The request for hearing shall be filed with the Board Cler and contain the following:

1. Name, address, contact information, and account number of the customer.
2. A statement of the grounds for the appeal, including, as applicable, any statutes, laws, ordinances, or other legal authorities which the customer deems applicable to such grounds, and specifically request the relief to which the customer deems itself entitled.
3. Any documentation the customer would like to offer as back-up regarding the matter.

Upon receipt of a timely filed request for hearing, a hearing shall be scheduled before the FGUA Board of Directors at the next available FGUA Board meeting to be held within sixty (60) calendar days of the receipt of the timely filed and complete request for hearing. The customer shall be provided with notice of the date, time, and process for attending the hearing.

Such hearing shall be conducted in a manner designed to obtain all information and evidence relevant to the requested hearing. Formal rules of civil procedure and evidence shall not be applicable; however, the hearing shall be conducted in a fair and impartial manner with each party having an opportunity to be heard and to present information and evidence.

### Placement on the Agenda

After Public Comment and before Consent Agenda. This ensures any customers requesting to address the board may do so before regular agenda items.

### Proceedings

1. System Manager Announces the specific appeal by customer name or account reference. States that the Board is hearing a customer appeal and that testimony will be time-limited.
2. Staff presentation
    a. Five to ten minutes (if needed)
    b. Staff summarizes the original customer request, applicable FGUA customer service policy or procedure.

c. Prior administrative decisions made by the Board
d. Supporting documentation is entered into the public record. Exemptions from public disclosures listed under "Release of Information Concerning Customers" of the FGUA Customer Service Policies and Procedures will not be included. If possible, this documentation will be provided to the Board as part of their Electronic Board Book, or send as a supplementary item prior to the Board Meeting.

3. Customer testimony: Customer or designated representative will be introduced and may address the Chair and Board up to five minutes. Customers who are unable to attend may provide in writing to FGUA System Management their appeal, which may be provided to the Board before the Board meeting in the Board Books, as a supplement, or read by staff during the appeal.
4. Board may then engage with staff and seek additional information or clarification.
5. Board members may then deliberate and render a decision, which may include motion to:
    a. Uphold staff decision
    b. Modify staff decision
    c. Continue appeal for more information, and reintroduce appeal at next monthly Board of Directors Meeting.
6. Important Details
    a. Board will vote with a majority of Board members motion being carried.
    b. The Board Motion will be recorded with the specific decision in the Meeting Minutes for the public record.
    c. Staff will enact the motion approved by the Board following the meeting.

7. Speaker & Decorum Rules
    a. Customer is limited to five minutes.
    b. Remarks must be relevant to the appeal.
    c. Address all comments to the Chair and Board.
    d. No applause, interruption or crosstalk from other remote or present attendees.
    e. Any rude or offensive comments may be ruled out of order and after one verbal warning by the Board Chair, the customer may be muted with the Board deliberating and making a decision without further customer comment.

<u>Recommended Spoken Script for introduction to Customer Appeals by the FGUA Board Chair</u>

We will now move to the Customer Appeals section of the agenda.

This portion of the meeting is set aside to hear appeals from customers regarding specific administrative determinations made by FGUA staff following existing FGUA policy. The Board's role is to review the information presented, ensure applicable FGUA policies were applied appropriately, and take action as authorized.

For each appeal, staff will first provide a brief summary of the matter. The appellant, or their authorized representative [will then be given up to three minutes to address the Board. Please state your name and address for the record and direct all remarks to the Chair and the Board. A chime will occur with one minute remaining, a final chime will occur when the three minutes have expired.

To ensure a fair and orderly process, comments should be limited to the appeal item under consideration. While the Board may ask staff questions for clarification, this is not a back-and-forth discussion with the appellant.

We ask that all participants remain respectful and concise so the Board can properly consider each appeal and maintain a clear record of the proceedings. Appellants who provide rude or offensive remarks may be muted and the Board will then deliberate with possible questions to staff.

Once a decision is rendered, staff will follow up with the appellant for any required follow up.

With that, we will begin with the first customer appeal.