



# Public Service Commission of Wisconsin

Rebecca Cameron Valcq, Chairperson  
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Public Service Commission of Wisconsin  
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July 16, 2020

Mr. Travis Kloetzke, General Manager  
Fond du Lac Water Utility  
PO Box 150  
160 S Macy Street  
Fond du Lac, WI 54935

Re: Application of the City of Fond du Lac, as a Water Public  
Utility, for Authority to Implement a Financial Assistance  
Program for Customer-Side Lead Service Line  
Replacement, in the City of Fond du Lac, Fond du Lac  
County, Wisconsin

2010-LS-100

Dear Mr. Kloetzke:

Commission staff reviewed Fond du Lac Water Utility's (Utility's) tariff request in the docket identified above, and created two new tariff provisions on Schedule LSL-1 and LSL-2 of the Utility's water tariff. A copy of the new LSL-1 and LSL-2 schedules, the contents of which were confirmed in emails and subsequent phone calls between the Utility and the PSC, are enclosed for reference. The new tariff has been filed at the Commission under Amendment Number 38 with an effective date of July 17, 2020.

Please note that the Utility shall make these tariff changes available to the public at locations where customer payments are accepted, on the Utility's website, or in a form and place that is otherwise readily accessible to the public, pursuant to Wis. Stat. § 196.19. If a copy of the new tariff is not made available to the public by one day before the effective date, the new tariff provisions shall take effect one day after the date they are made available to the public.

Please update the Utility's current tariff by inserting printed copies of the new tariff sheets into the current tariff books. The Utility's current rates and rules must be available for public inspection and review at all of the Utility's bill payment stations and at area libraries, pursuant to Wis. Admin. Code § PSC 185.22.

This filing is made with the understanding that it does not result in an unauthorized rate increase or service restriction.

Mr. Travis Kloetzke  
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If you have any questions, please contact me by phone at (608) 266-7093 or via email at [Richard.Pirel@wisconsin.gov](mailto:Richard.Pirel@wisconsin.gov).

Sincerely,

A handwritten signature in black ink that reads "Denise L. Schmidt". The signature is written in a cursive style with a large, looped initial "D".

Denise L. Schmidt  
Administrator  
Division of Water Utility Regulation and Analysis

RJP:ggl DL:01753463

Docket 2010-LS-100

**Fond du Lac Water Utility**

**Water Rate File Changes**

**New or Amended**

LSL-1

LSL-2

**Fond du Lac Water Utility**

**Financial Assistance for Replacement of Customer-Side Service Lines Containing Lead**

The Utility has established a financial assistance program for the removal and replacement of customer-side service lines made of lead or galvanized material (SLCL) within and connected to its water distribution system. For purposes of the financial assistance program, the customer-side SLCL is the portion of the service line from the curb stop to the property’s water meter.

**A. Utility Inspection and Inventory**

Upon notice from the Utility, a property owner or customer who exercises control over a property connected to the Utility’s distribution system will schedule an inspection of the customer-side service line by an authorized Utility staff operator in order to allow the Utility to confirm the service line’s material of construction.

In the event a property owner refuses or fails to provide access to the premise’s interior in order to accomplish such inspection, the Utility may take the steps necessary to complete the inspection and confirm the service line’s material of construction. Upon confirmation that a customer-side service line is an SLCL, the Utility will notify the property owner of the requirement to replace the SLCL.

As an alternative to inspection by the Utility, the property owner, at her/his expense, may arrange to have a plumbing contractor perform the inspection and provide inspection results to the Utility.

**B. Customer-Side SLCL Replacement in Conjunction with Utility-Side SLCL Replacement**

In the event the Utility has a planned replacement of the Utility-side service line or main, the customer-side SLCL connected to the Utility’s distribution system must be replaced at the same time.

At least forty-five (45) days prior to the scheduled date of the Utility-side replacement, other utility service lines, or planned street reconstruction project, the Utility shall notify the property owner in writing of the scheduled date of the replacement.

The property owner must schedule replacement of the customer-side SLCL within thirty (30) days of receiving the forty-five (45) day notice from the Utility. The customer-side SLCL replacement must coincide with replacement of the Utility-side SLCL. The property owner shall promptly notify the Utility that the replacement of the customer-side SLCL has been scheduled and shall provide the name of the plumbing contractor who will complete the replacement work.

Upon a property owner's request, the Utility may assist the property owner with obtaining bids from plumbing contractors. The Utility’s contractor for utility-side service line replacement work may be available to perform customer-side SLCL replacement work.

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**Fond du Lac Water Utility**

**Financial Assistance for Replacement of Customer-Side Service Lines Containing Lead**

Customer-side SLCL replacement work must be completed at the same time as the Utility-side service line is replaced unless an extension is allowed. Failure to commence customer-side SLCL replacement work as required or failure to complete such work within a reasonable time after commencement of the work may result in service disconnection in accordance with schedule LSL-2.

**C. Customer-Side SLCL Replacement Outside a Utility-Side SLCL Replacement**

If a customer-side service line is not part of a Utility-side replacement, and the Utility confirms the customer-side service line is constructed of lead or galvanized material and notifies the property owner of that fact in writing, the property owner must arrange for the replacement of the customer-side SLCL to be completed within thirty-six (36) months of receiving written notice. Failure to complete the replacement of the customer-side SLCL within that time period may result in service disconnection in accordance with schedule LSL-2.

**D. Customer-Side SLCL Replacement Requirement: Leak or Failure Emergency Replacement**

Property owners who are required to replace a customer side portion of a SLCL due to a leak or failure emergency replacement will replace their SLCL as soon as reasonably practical but no later than thirty (30) days of receiving written notice.

The Utility may extend the time for replacement up to 36 months of the property owner being noticed if the property owner so requests and demonstrates a compelling need, unless the extension would create an imminent threat to the health, safety or welfare of the public.

**E. Customer-Side SLCL Replacement – Financial Assistance Program Eligibility**

A property owner is eligible for financial assistance for the purpose of replacing the customer-side SLCL if the property owner's customer-side SLCL is either attached to a Utility-side service line that is not a SLCL or a Utility-side SLCL scheduled for replacement and for which the property owner has been notified by the Utility of such scheduled replacement. The property owner must agree to have the replacement work done by a pre-qualified plumbing contractor.

An eligible property owner must submit a written application for financial assistance that shall include the following:

- a. A completed application on a form furnished by the Utility and signed by the property owner.
- b. Copies of a written quote from a pre-qualified plumbing contractor for the replacement of the property owner's customer-side SLCL.

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**Fond du Lac Water Utility**

**Financial Assistance for Replacement of Customer-Side Service Lines Containing Lead**

A property owner will be eligible for financial assistance based on the amount included in the written quote received from the pre-qualified plumbing contractor. After the Utility receives a complete application, and prior to the commencement of any replacement work, the Utility will determine if the property owner is eligible for financial assistance, and the amount of financial assistance available as a grant and the amount of financial assistance available as a loan. Such determination will be provided in writing to the applying property owner.

Upon completion of the customer-side SLCL replacement and passing the necessary building/plumbing inspections, the pre-qualified plumbing contractor shall provide the Utility with a copy of the invoice. Upon proof of completion satisfactory to the property owner and the Utility, the Utility will pay the plumbing contractor the amount approved by the Utility for financial assistance for replacement of the customer-side SLCL directly.

**F. Customer-Side SLCL Replacement – Financial Assistance Program Components**

The Utility will offer an eligible property owner financial assistance in the form of a grant to pay for up to one half of the property owner's customer-side SLCL replacement costs. The grant may not exceed a maximum amount of two thousand dollars (\$2,000). The Utility will offer the property owner financial assistance for the remainder of the property owner's customer-side SLCL replacement costs in the form of a loan.

The Utility will offer an eligible property owner a ten year, 2.5% interest loan. A property owner shall repay the loan in yearly installments, consisting of principal and interest. The Utility shall invoice the property owner annually for loan repayments.

The total amount of money provided by the Utility as financial assistance in the form of a grant and loan may not exceed the actual cost to the property owner of replacing the customer-side SLCL.

**Public Service Commission of Wisconsin**

**Fond du Lac Water Utility**

**Financial Assistance for Replacement of Customer-Side Service Lines Containing Lead**

The Utility may disconnect water service in accordance with Schedule X-1 and Wis. Admin. Code § PSC 185.37 when one of the following occurs:

A. Failure to Provide Access to Inventory Customer-Side Service Line

If the property owner does not provide the requested reasonable access for inspections to determine or confirm the customer-side service line’s construction material as described in Schedule LSL-1, the Utility may proceed to disconnect water service following the notification and disconnection procedures set forth in the Utility's tariffs and Wis. Admin. Code § PSC 185.37. Re-connection charges shall apply.

B. Failure to Replace Customer-Side Service Lines Containing Lead (SLCL) When Required as Part of a Utility Project

If the property owner does not replace the customer-side SLCL, or any necessary and reasonable agreement with the customer is not in place as described in Schedule LSL-1, the Utility may refuse to reconnect the property owner’s water service or may proceed to disconnect water service following the notification and disconnection procedures set forth in Schedule X-1 and Wis. Admin. Code § PSC 185.37. Re-connection charges shall apply.

C. Failure to Replace Customer-Side SLCL When Not Required as Part of a Utility Project

If the property owner does not replace the customer-side SLCL by the date specified by the Utility pursuant to Schedule LSL-1, the Utility may proceed to disconnect water service following the notification and disconnection procedures set forth in Schedule X-1 and Wis. Admin. Code § PSC 185.37. Re-connection charges shall apply.