

NEW YORK CITY WATER BOARD

November 9, 2007

RESOLUTION

WHEREAS, the Board is authorized pursuant to Section 1045-h(8) of the New York City Municipal Water Finance Authority Act (the "Act") to adopt rules and regulations to provide for the discontinuance or disconnection of the supply of water or the provision of sewer services or both by the City of New York for nonpayment of fees, rates, rents or other charges therefore; and

WHEREAS, pursuant to the Act, the Board has previously adopted, and subsequently amended, its Regulation No. 2 authorizing the New York City Department of Environmental Protection ("DEP") to terminate water and sewer service to customers because of nonpayment of assessed charges; and

WHEREAS, to provide the Board and DEP with an enhanced mechanism to enforce collection of charges, it has been proposed that Regulation No. 2 be revised to reflect material changes including but not limited to: lowering the dollar amount and delinquent period thresholds determining an account's eligibility for service termination because of non-payment; adding a default on a payment agreement as a condition for which termination of service would be authorized; revising the cold weather exception during which DEP will not conduct service terminations; simplifying the Termination Complaint procedure; revising provisions relating to the elderly, blind, disabled and the newborn baby exception as circumstances requiring Special Procedures; and increasing the down payment required for installment agreements executed in response to a termination notice, all as further described in Attachment A, attached hereto and incorporated and made a part hereof; and

WHEREAS, public notice of such revisions was published in the City Record and in the New York Times and was posted on the New York City DEP website in order to allow the public an opportunity to comment on the proposed revisions; and

WHEREAS, the Board has considered the issues presented as well as such public comment as has been received and the recommendations of staff, and believes that the proposed revisions to Regulation No. 2 are reasonable and appropriate; it is therefore

RESOLVED, that the proposed revisions to Regulation No. 2 as described above and in the form annexed hereto are hereby approved and adopted effective November 9, 2007.