

**CITY OF REDDING, CALIFORNIA
COUNCIL POLICY**

SUBJECT	RESOLUTION NUMBER	POLICY NUMBER	EFFECTIVE DATE	PAGE
Refund and Recovery of Utilities' Services and Fees	2006-196	1412	11/07/06	1

BACKGROUND

The Customer Service Division is charged with the responsibility of administering the utilities' billing and collection system for the City's electric, water, wastewater, solid waste, and storm drain utilities.

PURPOSE

The purpose of this Policy is to provide uniform and consistent guidelines for determining the course of action regarding the recovery and refund of utilities' services and fees. Pursuant to Government Code § 935.4, the Customer Service Division is charged with the administration of claims for the refund of utilities' services and fees and the collection of amounts due and owing to the City pursuant to state law and in accordance with this Policy. Council Policy 203 (Risk Management Policy) shall have no application to the administration of such claims.

POLICY

The following is the policy of the City Council of the City of Redding regarding the refund and recovery of utilities' services and fees:

1. The City of Redding may recover utilities' services and fees due and owing for a period of up to three (3) years prior to the date of discovery. Utilities' services and fees due and owing shall be recovered as a line-item on customer utility billing statements. To minimize financial hardship, the City may amortize the amount due and owing on the customer's billing statement for a period of up to twelve (12) months.
2. The City of Redding will reimburse utilities' customers with the amount of utilities' services and fees owed at their current service location for a period of up to three (3) years prior to the date of discovery by the City or the date upon which written demand by the customer is received by the City, whichever is earlier.
3. Utilities' customers who believe they are due a refund and who are no longer receiving utilities' services at a service location, must file a written demand for a refund to the City of Redding Customer Service Division. Upon receipt of a written demand, the City of Redding will reimburse utilities' customers in the amount of utilities' services and fees owed for a period of up to three (3) years prior to the date upon which written demand by the customer is received by the City.
4. Claims for sewer service fees paid before January 1, 1992, shall be administered in accordance with the requirements of Government Code § 53082.
5. Except where Government Code § 53082 applies, the Electric Utility Director and Municipal Utilities Director, as applicable, are hereby permitted the latitude to make case-by-case adjustments to the portions of this Council Policy relating to the refund and collection of funds to former and present customers, if claims are reasonably substantiated and the interest of justice so require.

This Policy shall not be construed to limit or modify any defense including, but not limited to, defenses based upon the statute of limitations, which may be available to the City should litigation result.

