

Public Service Commission

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October 26, 2018

The Honorable James C. Justice II
Governor of West Virginia
1900 Kanawha Blvd. E.
Charleston, WV 25305

Mr. Jared Wyrick
Legislative Rule-Making Review Committee
1900 Kanawha Blvd, E
Capitol Complex
Building 1, Room 449-M
Charleston WV 25305

Re: Executive Order 3-18 Regulatory Review

Dear Governor Justice and Mr. Wyrick:

The attached Regulatory Review report is in response to Executive Order 3-18 (EO 3-18), issued earlier this year. Under EO 3-18, you requested executive agencies with rulemaking authority conduct a regulatory review of all rules under the agency's jurisdiction to determine which are outmoded, ineffective, excessively burdensome and unnecessary. EO 3-18 at ¶ 3. EO 3-18 requested executive agencies to submit a report to the Governor and the Legislative-Rule Making Review Committee on or before November 1, 2018. The Commission is pleased to provide the attached report although it is not an executive agency to which EO 3-18 applies, but is an agency charged with carrying out legislative functions relating to utility regulation.

As an arm of the Legislature, the Commission by and large performs legislative functions in our ratemaking and utility regulation, and we believe that our rules should remain, as they currently are, generally outside the Legislative Rule-Making Review process as provided in W.Va. Code §24-1-7. Commission personnel have specialized expertise, training, experience and educational backgrounds in dealing with generation, manufacture, recovery, transmission, distribution, oversight and rate regulation of utility products which, by their nature, are unique. In some instances, these utility products (i) must be safe and suitable for bodily consumption (water); (ii) in other instances must never be ingested (wastewater), (iii) are dangerous and possibly deadly on contact

(electricity); (iv) are explosive and dangerous (natural gas); and (v) provide the backbone for commerce and industry (telephone).

EO 3-18 requested the following information for each rule:

- (1) a description of the rule to include the date of the first promulgation and any subsequent modifications;
- (2) a determination of whether the rule should be continued without change, be modified or repealed; and
- (3) the reasoning for said determination.

The attached report categorizes Commission rules:

- I. Rules that will be Outmoded or Unnecessary
- II. Rules to be Reduced in Scope
- III. Rules Currently Open for Amendment
- IV. Other Rule Series

Please feel free to contact me with any questions.

Sincerely,



Jessica M. Lane
Acting General Counsel

cc: Michael A. Albert, Chairman
Brooks F. McCabe, Jr., Commissioner
Renee A. Larrick, Commissioner

REGULATORY REVIEW REPORT
PURSUANT TO EXECUTIVE ORDER 3-18

Rules under Public Service Commission Jurisdiction.

I. RULES THAT ARE OUTMODED OR UNNECESSARY

A. Rules for the Government of Stormwater Utilities, 150 C.S.R. 36

(1) Description – This series governs the operation and service of public service district storm water utilities formerly subject to the jurisdiction of the Public Service Commission pursuant to W.Va. Code §24-2-1.

- first promulgation of rule – May 14, 2013
- date of modification – July 5, 2014

(2) Future of rule – The Commission will repeal this series of rules.

(3) Reasoning for that determination - Effective July 7, 2017, the Commission no longer has jurisdiction over the provision of stormwater services by a public service district.

B. Rules and Regulations for the Use and Consumption of Water by the Inhabitants and All Users, Regardless of Class of Service, During Times of Emergency and periods of Temporary Inadequacy of Supply of Available Water, 150 C.S.R. 20

(1) Description – This series governs the use and consumption of water by the inhabitants and all users, regardless of class of service, during times of emergency and periods of temporary inadequacy of supply of available water.

- first promulgation of rule – June 1, 1989
- date of modification – N/A

(2) Future of rule – The Commission will repeal these rules.

(3) Reasoning for that determination – Amendments to the Commission Rules for the Government of Water Utilities, 150 C.S.R. 7 (Water Rules) since 1989, specifically Water Rule 4.14: Local Water Rationing Plans, have incorporated these rules into the Water Rules.

C. Rules Governing Alternative and Renewable Energy Portfolio Standard, 150 C.S.R. 34 –

(1) Description – This series governs the alternative and renewable energy Portfolio Standard formerly applicable to electric utilities.

- first promulgation of rule – January 4, 2011
- date of modification – September 26, 2014

(2) Future of rule – These rules will be repealed.

(3) Reasoning for that determination – The Legislature repealed the West Virginia Code provisions addressing alternative and renewable energy resource credits W.Va. Code 24-2F-1 et seq. in 2015, except for W.Va. Code §24-2F-8 relating to net metering. The Commission issued a General Order rescinding the filing requirements of these rules on March 24, 2015.

D. Rules for Commission Review of Electric Cooperatives, Natural Gas Cooperatives, Telephone Cooperatives and Municipal Rate Change pursuant to W.Va. Code §24-2-4B, 150 S.R. 10

(1) Description – This Series provides guidance to electric cooperatives, natural gas cooperatives, telephone cooperatives and municipalities and to their customers about Commission involvement with rate changes by these utilities; and sets forth procedures to be followed by electric cooperatives, natural gas cooperatives, telephone cooperatives and municipal utilities for changing utility rates, and procedures to be followed by the Commission in its exercise of jurisdiction over these rate changes under W.Va. Code §24-2-4b.

- first promulgation of rule – August 31, 1980
- dates of modification – November 26, 1993
November 8, 1983
October 29, 1981
March 16, 1981

(2) Future of rule – This series should be repealed. The Commission incorporated rules from this series into its Tariff Rules, 150 C.S.R. 2.

(3) Reasoning for that determination – In 2014, the Commission incorporated rules from this series into its Tariff Rules, 150 C.S.R. 2.

E. Rules and Regulations for the Government of Public Service Districts,
150 C.S.R. 17

(1) This series governs procedure and requirements for county plans relating to the creation, consolidation, merger, expansion or dissolution of public service districts, or the merger of management and administrative services and personnel, to be submitted by the county commission or performed by the Commission, pursuant to the W.Va. Code §16-13A-1b, and for the operation and government of public service districts pursuant to the legislative mandate in W.Va. Code §16-13A-1, et seq. The series also establishes requirements for notification to property owners of delinquencies in payment for charges for service and the duty of a public service district to discontinue service at the request of the owner and establishes notice of availability requirements and billing requirements after notice pursuant W.Va. Code §16-13A-9.

- first promulgation of rule – December 2, 1986
- dates of modification – September 1, 1990
July 14, 1990
March 15, 1988
January 31, 1987

(2) Future of rule – The Commission will repeal this Rule series.

(3) Reasoning for that determination - The subject matter of this series has been incorporated into the Commission Rules for the Government of Water Utilities, 150 C.S.R. 7, and Rules for the Government of Sewer Utilities, 150 C.S.R. 5.

II. RULES TO BE REDUCED IN SCOPE

A. Rules Governing Motor Carriers, Private Commercial Carriers, and The Filing of Evidence of Insurance and Financial Responsibility by Motor Carriers, 150 C.S.R. 9

(1) This series governs all motor carriers of passengers or property over the public highways of West Virginia, unless those motor carriers are completely exempt from regulation by §24-A-1-3 or other sections of the W.Va. Code, by sections of the United States Code, by the West Virginia Constitution, or by the United States Constitution. A partially exempt motor carrier is to comply with these rules except to the extent of the exemption. This series also governs the filing and approval of surety bonds, policies of insurance, qualifications as self-insurers, and other securities and agreements of motor carriers. The safety rules in this series apply to motor carriers and private commercial carriers that are subject to the Commission's safety jurisdiction. The term "motor carrier" includes an "exempt carrier."

- first promulgation of rule – February 15, 1937
- dates of modification –
 - October 24, 2014
 - March 15, 2002
 - November 20, 1997
 - April 1, 1996
 - May 22, 1991
 - April 1, 1988
 - January 16 1986
 - May 8, 1964
 - February 10, 1961
 - June 16, 1959
 - July 2, 1947
 - June 27, 1941
 - June 8, 1939
 - May 31, 1939
 - March 24, 1938

(2) Future of rule – These rules will be reduced in scope.

(3) Reasoning for that determination - to reflect that the Legislature eliminated the jurisdiction of the Commission over the transportation of household goods. (Signed by the Governor on April 25, 2017 – effective 90 days from passage (4/8/2017) SB174).

III. RULES CURRENTLY OPEN FOR AMENDMENT

A. Rules of Practice and Procedure, 150 C.S.R. 1

(1) This series governs operations of the Commission and requirements for the administrative process and procedures to be followed by the Commission and all parties wishing to make use of the Commission as an administrative forum.

- first promulgation of rule – March 1, 1926
- dates of modification –
 - Amendment proposed on May 10, 2018
 - Final Rule to be adopted by January 10, 2019
 - April 12, 2010
 - September 13, 2004
 - August 28, 2001
 - January 12, 1987
 - May 18, 1977
 - January 2, 1969
 - November 20, 1964
 - April 29, 1955
 - August 19, 1940
 - June 6, 1935

May 15, 1931

July 1, 1927

(2) Future of rule – This Rule series is currently open and comments have been received. After review of all comments, the Commission will adopt final rules on or before January 10, 2019. The adopted final rules will take effect sixty days after adoption.

(3) Reasoning for that determination – The Commission proposed amendments to this Rule series on May 10, 2018. The purpose of the amendments is to reflect changes in 1) Senate Bill 234 (SB 234) enacted during the 2015 Regular Session of Legislature, 2) House Bill 3096, enacted during the 2017 Regular Session (HB 3096) and 3) Senate Bill 10, enacted by the Legislature during the 2018 Regular Session (SB 10).

B. Rules for Construction and Filing of Tariffs, 150 C.S.R. 2

(1) This series governs the construction and filing of tariffs of public utilities subject to Commission jurisdiction pursuant to W. Va. Code §§24-2-1, 24-2-4b and 24A-2-3.

- first promulgation of rule – March 1, 1926
- dates of modification –
 - Amendment proposed on May 10, 2018
 - Final Rule to be adopted by January 10, 2019
 - January 11, 2015
 - December 24, 2002
 - December 27, 1993
 - August 7, 1993
 - May 29, 1993
 - March 10, 1992
 - March 4, 1991
 - February 26, 1990
 - July 31, 1983
 - October 25, 1981
 - October 11, 1981
 - August 10, 1981
 - June 23, 1981
 - August 27, 1979
 - March 18, 1977
 - January 2, 1969
 - November 20, 1964
 - May 25, 1955
 - October 1, 1940
 - June 6, 1935
 - July 1, 1929

(2) Future of these rules – These Rules are currently open and comments have been received. After review of all comments, the Commission will adopt final rules on or before January 10, 2019. The adopted final rules will take effect sixty days after adoption.

(3) Reasoning for that determination – The Commission proposed amendments to this Rule series on May 10, 2018. The purpose of the amendments is to reflect changes in 1) Senate Bill 234 (SB 234) enacted during the 2015 Regular Session of Legislature, 2) House Bill 3096, enacted during the 2017 Regular Session (HB 3096) and 3) Senate Bill 10, enacted by the Legislature during the 2018 Regular Session (SB 10).

C. Rules Governing Emergency Telephone Service, 150 C.S.R. 25

(1) This series governs the billing, collection, and remission of wireless enhanced 911 monthly fees by certain telecommunications carriers subject to Commission jurisdiction under W.Va. Code §24-2-1 and the disbursement of those fees to the West Virginia State Police, division of Homeland Security and Emergency Management and counties in West Virginia. Additionally, these rules establish guidelines to be used by the Commission in evaluating any request by a project sponsor for funding assistance for the acquisition, equipping and construction of new wireless towers, which would provide enhanced 911 service coverage that would not be constructed otherwise due to the marginal financial viability of the applicable tower coverage area.

- first promulgation of rule – March 6, 1998
- date of modifications – Amendment proposed on March 8, 2018, with Final Rule to be adopted by November 9, 2018
October 28, 2008
July 4, 2008

(2) Future of rule – This Rule series is currently open and comments have been received. After review of all comments, the Commission will adopt final rules on or before January 10, 2019. The adopted final rules will take effect sixty days thereafter.

(3) Reasoning for that determination – The Commission proposed amendments to this Rule series on March 8, 2018. The purpose of the amendments is to set revised dates for the Commission to receive data from local exchange carriers to use to calculate biennial revisions of the E911 fee that commercial mobile radio service (CMRS) providers charge to their customers and pass through to the Commission for distribution as required by W.Va. Code §24-6-6b. The revised data filing dates will facilitate processing of the E911 fee in a timely manner so that CMRS providers have sufficient time to incorporate a changed E911 fee into customer bills.

D. Rules Governing Electric Utility Net Metering Arrangements and Interconnections, 150 C.S.R. 33

(1) This series governs the net metering arrangements and interconnections between electric utilities and electric utility customers who are also generators of electricity using alternative and renewable resources. The rules also govern interconnection standards between electric utilities and small power producers, including net metering customers.

- first promulgation of rule – August 30, 2010
- date of modifications – Amendment proposed on September 6, 2018
Final Rule to be adopted by May 8, 2019
July 18, 2011

(2) Future of rule – This Rule series is currently open and a comment period will close on November 8, 2018. After review of all comments, the Commission will adopt final rules on or before May 8, 2019. The adopted final rules will take effect sixty days thereafter.

(3) Reasoning for that determination – The Commission proposed amendments to this Rule series on September 6, 2018 to reflect changes in from the repeal of W.Va. Code §§24-2F-1-7 and revisions to §24-2F-8 including cross subsidization and disconnect issues.

IV. OTHER RULE SERIES – the introductory paragraphs apply to each set of rules in Section D.

Future of the rule series listed in this section D. – The Rule series listed in this section do not require amendment at this time but are under continuing review.

Reasoning for that determination - The Commission has a continuing review process of all of the rules under its jurisdiction. As part of its regular operational activities when reviewing and deciding cases, the Commission frequently becomes aware of rules that need to be revised or deleted. The Commission is sensitive, however, to the confusion that arises if rules are amended too frequently. Accordingly, when a series of rules is opened in response to directives from the Legislature, changes in law, or some other compelling reason, the Commission takes that opportunity to also propose the accumulated, non-urgent but beneficial rule changes.

A. Rules for the Government of Electric Utilities, 150 C.S.R. 3

This series governs the operation and service of electric utilities subject to the jurisdiction of the Public Service Commission of West Virginia pursuant to W.Va. Code §24-2-1.

- first promulgation of rule – 1925
- dates of modification –
 - July 11, 2018
 - August 28, 2011
 - January 1, 2000
 - July 7, 1996
 - May 17, 1994
 - March 19, 1994
 - May 27, 1989
 - March 30, 1987
 - March 20, 1980
 - November 30, 1981
 - September 1, 1927
 - July 1, 1925

B. Rules for the Government of Gas Utilities and Gas Pipeline Safety, 150 C.S.R. 4

This series governs the operation and service of gas utilities subject to the jurisdiction of the Public Service Commission of West Virginia under W.Va. Code §24-2-1.

- first promulgation of rule – August 1, 1915
- dates of modification –
 - July 11, 2018
 - March 4, 2007
 - April 19, 2005
 - July 21, 1996
 - May 5, 1995
 - May 25, 1994
 - March 29, 1994
 - March 20 1986
 - August 15, 1983
 - March 1, 1956
 - April 1, 1940
 - September 1, 1927
 - July 11, 1925

C. Rules for the Government of Sewer Utilities, 150 C.S.R. 5

This series governs the operation and service of sewer utilities subject to the jurisdiction of the Public Service Commission of West Virginia pursuant to W.Va. Code §24-2-1.

- first promulgation of rule – October 10, 1961
- dates of modification – May 8, 2011
October 24, 2003
January 2, 1996
February 28, 1994
March 7, 1992
December 7, 1991
May 19, 1986

D. Rules for the Government of Telephone Utilities, 150 C.S.R. 6

This series governs the operation and service of telephone utilities subject to the jurisdiction of the Public Service Commission of West Virginia pursuant to W.Va. Code §24-2-1.

- first promulgation of rule – 1955
- dates of modification – August 31, 2015
February 8, 2004
October 10, 2000
September 26, 1995
March 29, 1994
October 30, 1992
April 29, 1988
April 3, 1988
April 24, 1987
July 28, 1986
March 1, 1977
February 1, 1970

E. Rules for the Government of Water Utilities, 150 C.S.R. 7

This series governs the operation and service of water utilities subject to the jurisdiction of the Public Service Commission of West Virginia pursuant to W.Va. Code §24-2-1.

- first promulgation of rule – 1925
- dates of modification –
 - May 8, 2011
 - October 24, 2003
 - February 5, 1996
 - December 10, 1995
 - June 26, 1994
 - April 3, 1994
 - February 28, 1994
 - October 3, 1992
 - January 7, 1992
 - August 7, 1990
 - November 10, 1987
 - January 29, 1987
 - May 19, 1986
 - August 21, 1985
 - November 15, 1948
 - September 1, 1927

F. Rules for the Government of Railroad Safety and Sanitation, 150 C.S.R. 8

This series governs the provision, construction and maintenance of sanitation and shelter facilities for railroad company employees, pursuant to W.Va. Code §24-2-1; provided however, that these rules are not applicable to sanitary facilities on locomotives and cabooses, including shoving platforms.

- first promulgation of rule – 1970
- dates of modification –
 - March 28, 2011
 - December 20, 1983
 - November 8, 1982
 - March 16, 1977

G. Rules Governing the Transportation of Hazardous Waste by Rail,
150 C.S.R. 11

This series governs rail transporters who transport hazardous waste, universal waste, or used oil within or through the State of West Virginia. Promulgated under W.Va. Code §22-18-7(b).

- first promulgation of rule – September 9, 1982
- date of modification – December 24, 2002
November 8, 1999
November 20, 1997
May 23, 1986
July 14, 1984
October 2, 1981

H. Rules and Regulations for the Government of Intrastate Rail Transportation, 150 C.S.R. 12

This series sets forth standards and procedures for regulation of railroad rates, classifications, rules and practices in conformity with the Interstate Commerce Act.

- first promulgation of rule – October 18, 1981
- dates of modification – August 27, 1990
March 5, 1990
July 16, 1985

I. Rules and Regulations Governing the Use of Broadcast and Still Picture Photographic Equipment in Public Hearings of the West Virginia Public Service Commission, 150 C.S.R. 13

This series governs the use of broadcast and still picture photographic equipment in all public hearings of the West Virginia Public Service Commission, pursuant to W.Va. Code §24-2-1.

- first promulgation of rule – August 15, 1981
- This rules has not been modified

J. Rules and Regulations Governing the Filing and Approval of Surety Bonds, Policies of Insurance, Qualifications as a self-insurer, or Other Securities and Agreements by Motor Carriers Subject to the Motor Carrier Law, Chapter 23-A, 150 C.S.R. 14

This series governs the reasonable protection of the traveling, shipping, and general public against injury, loss, damage, or default for which common and contract carriers by motor vehicle subject to the provisions of W.Va. Code §24A-1 et seq., 1931,

as amended, may be liable. These rules govern the filing and approval of surety bonds, policies of insurance, qualifications as a self-insurer, or other securities and agreements by motor carriers subject to the jurisdiction of the Public Service Commission pursuant to W.Va. Code §24-2-1.

- first promulgation of rule – February 15, 1937
- dates of modifications – August 25, 2003 – Absorbed into Series 150-9
June 6, 2003
November 27, 1997
March 10, 1992
July 1, 1978
July 1, 1961
June 27, 1941
July 1, 1939

K. Rules and Regulations for the use of the Number “911”, 150 C.S.R. 15

This rule series governs the prohibitions against use of the “911” pursuant to W.Va. Code §24-6-10.

- first promulgation of rule – July 11, 1997
- This rule has not been modified.

L. Rules Governing the Transportation of Natural Gas, 150 C.S.R. 16

This series governs the transportation of natural gas within the State of West Virginia.

- first promulgation of rule – May 10, 1987
- dates of modification – March 19, 1995
December 4, 2000

M. Rules and Regulations for Carrier Access to the Lines and Facilities of Other Carriers, 150 C.S.R. 18

This series sets forth procedures and requirements and the terms of compensation for a carrier to obtain access to the lines and facilities of a rail carrier located in the State of West Virginia pursuant to the legislative mandate in W.Va. Code §24-3-3b.

- first promulgation of rule – December 12, 1987
- This rule has not been modified.

N. Rules and Regulations for Shipper Access to the Lines and Facilities of Rail Carriers, 150 C.S.R. 19

This series sets forth procedures and requirements and the terms of compensation for a shipper to obtain access to the lines and facilities of a rail carrier located in the State of West Virginia pursuant to the legislative mandate in W.Va. Code §24-3-3b.

- first promulgation of rule – December 12, 1987
- This rules has not been modified.

O. Rules Governing Certification and operation of Telecommunication Relay Service (TRS),
150 C.S.R. 21

This series governs the certification and operation of telecommunication relay service in West Virginia.

- first promulgation of rule – January 16, 1993
- date of modification – November 13, 2015

P. Rules and Regulations Implementing the Single State Registration System for Interstate Carriers, 150 C.S.R. 22

This series sets forth standards for registration of interstate motor carriers by the Interstate Commerce Commission and the states and implements a single-state insurance registration system for interstate motor carriers operating within the borders of this state in a manner consistent with the standards and procedures set forth in ISTEPA. Promulgated under W. Va. Code §§24A-6A-14 in compliance with 49 U.S.C. 11506(c)(1) and Section 4005 of the Intermodal Surface Transportation Efficiency Act of 1991.

- first promulgation of rule – September 24, 1994
- This rule has not been modified.

Q. Rules and Regulations Implementing a Uniform Registration and Permitting Program for Motor Carriers Transporting Hazardous Materials,
150 C.S.R. 23

This series sets forth uniform procedures and forms to register and permit motor carriers that transport hazardous materials in compliance with Section 22 of the Hazardous Materials Transportation Uniform Safety Act of 1990 (HMTUSA).

- first promulgation of rule – December 12, 1994
- This rule has not been modified.

R. Rules and Regulations for Discounted Telecommunications Services, 150 C.S.R. 24

This series governs the procedure for receiving discounted intrastate telecommunications services for eligible schools and libraries as initially established by the Federal Communications Commission (FCC) in its May 8, 1997 "Report and Order" in the Matter of Federal-State Joint Board on Universal Service, CC Docket No. 96-45, FCC 97-157 (Released, May 8, 1997).

- first promulgation of rule – June 1, 1998
- This rule has not been modified.

S. Rules and Regulations for the Government of Cable Television, 150 C.S.R. 26

This series governs implementation of provisions of the West Virginia Cable Television Systems Act, W.Va. Code §24D-1-1 et seq., relating to the regulation of the provision of cable television service by the Commission.

- first promulgation of rule – February 24, 2000
- This rule has not been modified.

T. Rules for the Transportation of Coal by Commercial Motor Vehicles, 150 C.S.R. 27

This series governs the transportation of coal upon public highways by commercial motor vehicles. The rules set forth the various requirements for the administrative processes and procedures to be followed by the regulated entities. Promulgated under W. Va. Code §§17C-17A-3(c), 17C-17A-5(k); 17C-17A-6(d); 17C-17A-7; 17C-17A-8(1); 17C-17A-8(3); 17C-17A-9(f)(4).

- first promulgation of rule – July 7, 2004
- This rule has not been modified.

U. Rules to Govern Fees for Installation of United States Department of Veterans Affairs Grave Markers, 150 C.S.R. 28

This series governs fees for installation of United States Department of Veterans Affairs Grave Markers provided free of charge to families of deceased United States Armed Service veterans. Promulgated under W.Va. Code §24F-1-1 et seq.

- first promulgation of rule – February 17, 2004
- date of modification – March 24, 2006

V. Rules for Statewide Telephone Information and Referral 211 Service, 150 C.S.R. 29

This series governs the establishment and operation of a statewide “211” Information and Referral call system in West Virginia. Promulgated under W.Va. Code §24-8-2.

- first promulgation of rule – June 11, 1999
- date of modification – June 9, 2005

W. Rules Governing Siting Certificates for Exempt Wholesale Generators, 150 C.S.R. 30

This series governs requirements for filing an application for a siting certificate for construction, or construction and operation, of an electric generating facility or for modification or amendment to an electric generating facility as described in W.Va. Code §24-2-1(c).

- first promulgation of rule – June 11, 1999
- dates of modification – September 10, 2005
July 25, 2005

X. Rules Governing Billing, Collection and Remission of E911 Fees by Providers of Voice Over Internet Protocol Service, 150 C.S.R. 32

This series governs the billing, collection, and remission of enhanced 911 monthly fees by providers of Voice over Internet Protocol Service. Promulgated under W.Va. Code §§7-1-3cc, 24-1-1, 24-1-7, 24-2-1, 24-2-2, 24-6-7, 24-6-8 and 24-6-11.

- first promulgation of rule – August 21, 2009
- This rule has not been modified.

Y. Rules Governing Innovative, Alternative Sewer System, 150 C.S.R. 35

This series governs the operation and service of Innovative, Alternative Sewage Disposal Service systems subject to the jurisdiction of the Commission under W.Va. Code §24-2-1.

- first promulgation of rule – January 23, 2012
- This rule has not been modified.

Z. Rules Governing the Occupancy of Customer-Provided Conduit,
150 C.S.R. 37

This series effectuates W.Va. Code §24-2E-3 that prohibits a telephone utility from using conduit or other underground construction provided by a customer for services other than telephone services.

- first promulgation of rule – August 1, 2017
- This rule has not been modified.