

Metropolitan Waterworks and Sewerage System

REPUBLIKA NG PILIPINAS
PANGASIWAAN AT ALKANTARILYA SA
KALAKHANG MAYNILA
METROPOLITAN WATERWORKS AND SEWERAGE SYSTEM
REGULATORY OFFICE
KATIPUNAN ROAD, BALARA, Q.C.
1105 PHILIPPINES

IRR No. 2008-01
IMPLEMENTING RULES AND REGULATIONS
IN THE TEMPORARY DISCONNECTION/
RECONNECTION OF WATER SERVICE CONNECTION

PREFATORY STATEMENT

Pursuant to the recommendation of the MWSS-Regulatory Office (MWSS-RO) in its Resolution No. 07-013-CA dated November 8, 2007, as approved by the MWSS Board of Trustees (MWSS-BOT) under Resolution No. 2007-253 dated 22 November 2007, the following Implementing Rules and Regulations are hereby adopted and promulgated:

RULE I

General Provisions

Section 1. ***Title.*** – This Rule shall be known and cited as the “**Implementing Rules and Regulations (IRR) in the Temporary Disconnection/Reconnection of Water Service Connection**”

Sec. 2. ***Policy.*** – It is the policy of the MWSS to ensure compliance by both Concessionaires, Manila Water Company, Inc. (MWCI) and Maynilad Water Services, Inc. (MWSI), with the provisions set forth in Article 6.6 of the Concession Agreement (CA). For this purpose, the MWSS BOT/RO passed the said resolutions setting forth a uniform standard and procedure in the Temporary Disconnection/Reconnection of Water Service Connection.

Sec. 3. ***Legal Bases.*** – Article 6.6 of the CA pertaining to disconnections identifies the circumstances under which disconnection may be effected as follows:

- a. Charges billed to the customer remain unpaid for a period of sixty (60) days after their due date; and
- b. The Concessionaires shall provide the customer with not less than seven (7) days prior Written Notice of any such disconnection.

Sec. 4. **Coverage.** – This IRR shall be applicable to temporary disconnection/reconnection activities of the Concessionaires and their service providers with respect to delinquent accounts including illegal water service connections and request for disconnection initiated by registered customers.

Sec. 5. **Definitions.** – All defined terms and phrases in the CA related herewith are deemed incorporated in this Rule, in addition to the following:

- a. **Due date** shall mean seven (7) days after receipt of water bill by the customers; and
- b. **Delinquent accounts** refers to those accounts which have remained unpaid for a period of sixty (60) days after due date.

RULE II

Rules in the Conduct of Temporary Disconnection/Reconnection Activities

Section 1. **Delinquent Accounts.** – The following conditions must be satisfied before the implementation of the disconnection activity:

- a. The water/sewer bills which remain outstanding/unpaid for a period of sixty (60) days after due date;
- b. A written notice of disconnection been served to the customer at least seven (7) calendar days prior to the scheduled implementation. The seven (7)-day prior notice of disconnection shall be deemed included within the sixty (60)-days period mentioned above; and
- c. Actual disconnection shall not be implemented on Fridays, Saturdays, Sundays, Holidays (local and/or national) and days immediately preceding local and/or national holidays, to give the customer sufficient time to settle his/her account during the regular working days.

Sec. 2. **Voluntary Request for Temporary disconnection by Registered Customers.** – The following rules shall be observed by the Concessionaires in the event a registered customer requests for a disconnection of his water service connection:

- a. Written request for temporary disconnection shall be based on reasonable grounds – e.g. moving out or migrating to other area/country; taking a vacation for a period longer than one (1) month, and other analogous cases;
- b. Disconnection shall be undertaken on the day and date as indicated or as mutually agreed upon, provided that affected persons are formally informed by the concerned Concessionaires of the request for disconnection; and
- c. Request for voluntary disconnections are subject to the full settlement of any outstanding accounts.

Sec. 3. *Reconnection.* – As provided for In Section 6.6 of the CA, a reconnection of a disconnected water service connection, arising from the conditions/circumstances provided in Section 1 and 2 hereof, shall be subject to the following:

- a. Full payment of all outstanding charges and under-collection, if any, and the appropriate reconnection charge;
- b. For 25 millimeter (mm.) diameter water meters or below, disconnection/reconnection charge shall be Php405.15¹ subject to Expanded Value Added Tax (EVAT) and Consumer Price Index (CPI) adjustment up to the next rate rebasing in 2012. Any water meter with a size larger than 25 mm. diameter shall be charged the actual costs of reconnection plus the applicable tax; and¹
- c. Reconnection shall be implemented within five (5) working days from receipt of request for reconnection and upon presentation of proof of payment as stated above.

Sec. 4. *Tampered Meters and Illegal Connections.* – Disconnections/reconnection of water service connection due to tampering, bypass and other illegal connection shall be subject to the Implementing Rules and Regulations of the Republic Act No. 8041 otherwise known as the “National Water Crisis Act of 1995” and other applicable laws.

Sec. 5. *Implementation* – In the event that any problem/issues arises in the implementation of this IRR, the following measures and procedures shall be followed:

- a. The Concessionaire shall decide on the appropriate action and resolution of disputed issues in accordance with the CA provisions and the existing policies of MWSS;
- b. Regulatory matters/issues shall be coordinated with and resolved by the MWSS BOT; and

- c. This IRR shall be liberally interpreted to assist the consumer or the public in obtaining a just, expeditious and inexpensive resolution and/or settlement of complaints. In case of doubt in the interpretation thereof, the same shall be resolved in favor of that interpretation which will give full force and effect to the policy set forth in Rule 1 Sec. 2 hereof.

RULE III

Repeal/Effectivity Clause

Section 1. *Amendment, Modification and/or Repeal.* – The MWSS BOT has the power and authority to amend, modify and/or repeal any provision of this IRR through the following steps:

- a. The Technical Working Group (TWG), composed of representatives of the two(2) Concessionaires, MWSS Corporate Office (MWSS-CO) and the MWSS-RO, shall initiate, study and proposed amendments, modification or repeal of any provision that may no longer be applicable; and
- b. After due consideration of the merits of the proposal, the MWSS RO shall recommend for approval by the BOT the amendments/modifications/repeal being sought.

Sec. 2. *Effectivity.* – After approval by the MWSS BOT, this Implementing Rules and Regulations shall take effect fifteen (15) days after its publication.

APPROVED, 31 March 2008.

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