
IRR No. 2013- 06**IMPLEMENTING RULES AND REGULATIONS (IRR)
FOR ADDITIONAL WATER METER AND
TRANSFER OF CONNECTION TAPPING
POINT****PREFATORY STATEMENT**

Pursuant to the recommendations of the MWSS Regulatory Office (MWSS-RO) in its **Resolution No. 13-003-A-CA** dated **7 August 2013**, as approved and confirmed by the MWSS Board of Trustees (MWSS-BOT) under **Board Resolution Nos. 2013-100-RO and 2013-101-RO both dated 12 September 2013**, the following Implementing Rules and Regulations (IRR) are hereby adopted and promulgated:

RULE I**GENERAL PROVISIONS**

SECTION 1. Title.—This IRR shall be known as the *“Implementing Rules and Regulations for Additional Meter and Transfer of Connection Tapping Point.”*

Sec. 2. Coverage.—This IRR shall be applied to all Customers within the Concession covered by Manila Water Company, Inc. (MWCI) and Maynilad Water Services, Inc. (MWSI).

Sec. 3. Declaration of Policies.—The MWSS hereby adopts the following policies:

- (a) In all their dealings with their customers relating to the performance of their service obligations pursuant to their respective Concession Agreements (CA), the Concessionaires must faithfully comply with all existing laws, rules and regulations as well as those that may hereinafter be promulgated by competent authorities;
- (b) As provided in the CA, the Customers must be allowed to apply for separate connection for each type of activity when technically feasible; and
- (c) IRR No. 2008-06 or the “*IRR for Additional Meter and Clustered Connection Charges for Open/Depressed Communities*” shall not be construed to mean that the application for additional meter is available only to Customers in Open/Depressed Communities.

Sec. 4. Definition of Terms.—All defined terms and phrases in the CA as well as in other related IRRs are deemed incorporated herein, unless their contexts otherwise provide.

RULE II

APPLICATION FOR ADDITIONAL METER OR TRANSFER OF NEW TAPPING CONNECTION POINT

Sec. 5. Additional Meter.—Applications for additional meter shall be subject to the following conditions:

- (a) For Customers residing in a compound or premises with multiple domestic households jointly connected to the System under one account, any of them may request for a separate individual connection or additional meter, when technically feasible;
- (b) The number of additional meters shall be based on the capacity of the existing service line, provided that

water availability and pressure shall not be reduced below the minimum standards; and

- (c) The cost of additional meter shall not exceed the basic connection charges.

Sec. 6. Transfer of Connection Tapping Point.—Applications or requests for transfer of connection tapping point shall be subject to the following rules:

- (a) When it is established that the reason for the request to transfer the tapping point is due to poor water pressure and/or any other failure of the Concessionaire to meet minimum standards set by the CA, the Concessionaire shall grant the said request at no cost to the Customer; and
- (b) When it is established that the Concessionaire is *compliant* with the minimum standards set by the CA but the Customer’s requests for the transfer of connection tapping point is for his convenience, the Concessionaire may grant the same, provided it is technically feasible. The transfer of connecting tapping point shall be treated as a new connection and shall be charged the appropriate Connection Charge, as well as the cost to disconnect the old tapping point.

Sec. 7. Documentary Requirements.—The Concessionaires shall require from the covered Customers only such documents as are reasonable and necessary so as not to defeat the intent and purposes of this IRR.

Sec. 8. Interpretation.—This IRR shall be liberally interpreted to assist the Customers, the MWSS and the Concessionaires in obtaining a just, expeditious and inexpensive resolution and/or settlement of complaints. Doubts pertaining to any of the provisions of this IRR shall be resolved in favor of that interpretation that will give full force and effect to the policies set forth in this IRR.

SEC. 9. Complementary Nature of Other Rules.—Other rules and regulations issued by Regulatory Office and approved/confirmed by the MWSS Board of Trustees on related subject matters shall be complementary to this IRR.

RULE III

REPORTING AND VERIFICATION OF COMPLIANCE

SEC. 10. Periodic Reports.—The Concessionaires shall include, in their respective submissions pursuant to Article 13 of the CA and in their KPIs and BEMs Reports, their compliance and progress reports on the implementation of this IRR.

SEC. 11. Monitoring and Verification of Reports.—The Regulatory Office shall undertake a periodic review of and, at anytime at its discretion, conduct field verification to validate the reports submitted by the Concessionaires.

SEC. 12. Public Information.—The Regulatory Office and the Concessionaires shall ensure the widest dissemination of this IRR and shall conduct activities for its effective implementation. In addition, the Regulatory Office shall make available to the public all official reports with respect to the implementation of this IRR.

SEC. 13. Participation of the Public.—The Regulatory Office may solicit or engage the help of the Customers, other government agencies, water consumer groups, non-government organizations, civil society organizations, academic groups, and other interested parties in the conduct of its field verification and validation activities.

RULE IV

NON-COMPLIANCE

SEC. 14. Non-compliance.—Non-compliance with any of the provisions of this IRR shall entitle the affected Customer to

appropriate remedies under the law, without prejudice to the administrative remedies herein provided.

SEC. 15. Administrative Remedies.—The affected Customers may seek redress to the Regulatory Office against the Concessionaires for willful non-compliance with this IRR. The Regulatory Office may impose appropriate sanctions upon the erring Concessionaire, such as restitution to affected Customers or disallowance of identifiable expenditures related to the non-compliance.

RULE V

AMENDMENTS/ EFFECTIVITY

SEC. 16. Repealing Clause.—In so far as it is inconsistent with this IRR, IRR No. 2008-06 or the "IRR for Additional Meter and Clustered Connection Charges for Open/Depressed Communities" is hereby amended. All other provisions not inconsistent therewith shall remain in force and in effect.

SEC. 17. Separability Clause.—If any part or provision of this IRR is held invalid or unconstitutional, the other provisions not affected thereby shall remain in force and effect.

SEC. 18. Amendment, Modification and/or Repeal.—Upon its own initiative or upon the recommendation of the Regulatory Office, the MWSS-BOT may suspend the implementation, modify or repeal any provision of this IRR.

SEC. 19. Effectivity.—This IRR shall take effect fifteen (15) days after its publication in the *Official Gazette* or in two (2) newspapers of general circulation, or the effectivity of the "R" whichever comes later.