

**278.0154 Water district or water association may assess customer a late payment charge of 10% of amount billed -- How charge assessed and applied -- Commission without power to affect late payment charge -- Waiver of late payment charge.**

- (1) Any water district or water association formed for the purpose of furnishing water or sewer services to the general public for compensation pursuant to KRS Chapter 74 or 273 may assess a customer who fails to pay a bill for rendered services by the due date shown on the bill a late payment charge of ten percent (10%) of the amount billed.
- (2) A late payment charge or fee shall not be assessed more than once per billing cycle or on any part of the late payment charge.
- (3) Any payment received by a water district or water association shall first be applied to the portion of the bill for service rendered.
- (4) The commission shall not modify, reject, discontinue, abolish, or suspend the operation of a late payment charge that is provided for currently, or has been provided for in the past, in a water district or water association tariff.
- (5) A water district or water association shall not be required to demonstrate to the commission that the late payment charge is required to recover customer-specific costs incurred that would otherwise result in a monetary loss to the utility or increased rates to other customers to whom no benefits accrue from the service provided or actions taken.
- (6) Any late payment charge imposed by a water district or water association shall be waived for any bill or portion of a bill for which a customer has received third-party billing assistance through the Low-Income Household Drinking Water and Wastewater Emergency Assistance Program or from another public or charitable source.

**Effective:** June 29, 2021

**History:** Created 2021 Ky. Acts ch. 158, sec. 1, effective June 29, 2021.