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209 East State Street, Columbus, Ohio 43215-4309

Phone: 614-221-5627 • Fax: 614-221-6986

Toll Free: 888-757-1904 • www.ccao.org

Cheryl Subler, Executive Director

Ohio Senate Energy and Public Utilities Committee
Senate Bill 193 – Opposition Testimony

Tony Anderson
Fayette County Commissioner

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Chairman McColley, Vice Chair Schuring, Ranking Member Williams and members of the Senate Energy and Public Utilities Committee, thank you for the opportunity to provide opponent testimony on Senate Bill 193.

My name is Tony Anderson. I serve as a Fayette County Commissioner, a position that I have held for 20 years. I am here today representing the County Commissioners Association of Ohio (CCAO) to share counties' thoughts on Senate Bill 193.

Under Ohio Revised Code Chapter 6103, boards of county commissioners are empowered to establish county public water systems. The provision of safe, reliable and efficient water supply is a key service a number of Ohio counties make available. County water systems are established for a number of reasons, including inadequate local ground water supply, environmental concerns, or to facilitate economic development. Counties are sometimes called upon to assume responsibility for water supply systems operated by other entities that are experiencing financial or management challenges.

In Fayette County, our Department of Sanitary Services provides water to approximately 1,000 customers, totaling roughly 100,000 gallons of water use daily. Our system also supplies water for a large industrial user in the county.

Senate Bill 193 would remove existing authority commissioners possess to collect unpaid water service charges. Specifically, the bill would prohibit the certification of unpaid charges to the county auditor as a lien against the property.

I must emphasize that the placement of liens is often an option of last resort for counties. I will share that in Fayette County, we have a lengthy standard operating procedure in place to resolve delinquent bills before unpaid charges are certified. This process involves a letter being sent to delinquent customers 30 days after a missed payment. If a customer does not contact the Sanitary Engineering Department to make payment, a second letter is sent via



certified mail to the customer 60 days after the missed payment date. If no arrangements are made following this second notice, a door hanger is placed at the address notifying that water will be shut off within 48 hours. Unpaid balances are then certified to the county auditor once a year.

I will add that our county sanitary engineering department offers a payment plan option to provide greater flexibility to those struggling to make payments. County water systems are willing to work with their customers to resolve billing disputes.

Counties are opposed to SB 193 because removing this tool will expose other customers within the water system to rate increases. Removing certification of these unpaid charges provides counties with few feasible alternatives to collect nonpayment. The county water system incurs costs to provide water to customers. If these costs are unable to be collected, the shortfall must be made up by all other ratepayers, necessitating rate increases. Keeping water rates affordable for all county customers is a key priority for county commissioners, especially during these times of high inflation.

Other statutory collection alternatives such as filing lawsuits against customers would incur significant administrative expenses for county operations.

Counties take seriously their responsibilities as a provider of water resources for many Ohio residents. CCAO asks that this committee maintain the existing statutory provisions to ensure that unpaid water charges are better able to be collected and that water rates for customers remain affordable.

I thank you for your time and consideration. I would be happy to answer any questions you may have for me.