

**RESOLUTION RELATED TO THE APPLICATION OF  
MEDIUM HOUSEHOLD INCOME DATA**

**WHEREAS**, the West Virginia Infrastructure and Jobs Development Council (the “Council”) on May 8, 2013 proposed changes to Title 167 CSR 1 of its Legislative Rules (the “Rule”), specifically relating to Median Household Income (“MHI”) data and average gallon usage determination, and authorizing the Executive Director to file the proposed changes with the WV Secretary of State and the WV Legislature for approval;

**WHEREAS**, during the 2014 Legislative Session the Council’s proposed rule changes were passed by the WV Legislature and enacted with an effective date of April 28, 2014;

**WHEREAS**, at its regular meeting on May 7, 2014 the Council adopted a motion requiring all applications filed on or after the June 10, 2014 review cycle to utilize the 2010 MHI in determining funding terms and eligibility;

**WHEREAS**, Section 5.7.1 of the Rule provides that mandatory minimum end user utility rate be based upon a unified statewide percentage of the medium household income as determined and published by the United States Department of Commerce, Census Bureau, American Community Survey (5 years) (the “ACS”);

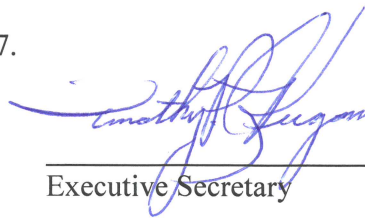
**WHEREAS**, the ACS data for year 2015 has been published and is available (the “2015 MHI”);

**WHEREAS**, to comply with the Rule it is necessary for the Council to establish the date for applying the 2015 MHI;

**NOW, THEREFORE**, be it resolved by the West Virginia Infrastructure and Jobs Development Council as follows:

- 1) Project applications filed after the June 10, 2017 must use the 2015 MHI data for average user rate determination.
- 2) Project applications without a binding commitment letter issued by the Council on June 30, 2018 shall have the 2015 MHI data applied, regardless of when the application was filed or accepted by the Council.
- 3) This resolution supersedes all previously adopted resolutions with respect to the application of MHI.

Adopted this 3<sup>rd</sup> day of May, 2017.

  
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Executive Secretary