

**RESOLUTION RELATED TO THE APPLICATION OF
MEDIUM HOUSEHOLD INCOME DATA AND AVERAGE
GALLONS USED PER CUSTOMER**

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, specifically relating to Median Household Income (MHI) data and average gallon usage determination, and authorized 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, at its regular meeting on July 9, 2014 the Council adopted a motion establishing 3,400 gallons per residential customer as the average monthly usage amount to be used for all applications accepted on or after the September 10, 2014 filing deadline;

WHEREAS, numerous questions have arisen with respect to the application of the dates regarding MHI and average customer usage;

WHEREAS, the Council must ensure that its Legislative Rules, as amended in 2014 are followed with respect to MHI and average usage determination, and therefore adopts this resolution to provide clarification;

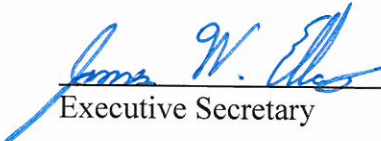
NOW, THEREFORE, be it resolved by the Board of the West Virginia Infrastructure and Jobs Development Council as follows:

- 1) Except as noted in Paragraph #3 below, project applications that were accepted on or before the June 10, 2014 review cycle will have the 2000 MHI data applied for average user rate determination;
- 2) Project applications accepted after the June 10, 2014 review cycle will have the 2010 MHI data applied for average user rate determination.
- 3) Project applications without a binding commitment issued by the Council as of June 30, 2016 shall have the 2010 MHI data applied, regardless of when the application was filed or accepted by the Council.
- 4) Except as noted in Paragraph #6 below, project applications accepted on or before the September 10, 2014 review cycle will have 4,000 gallons applied to average customer usage;

Adopted 7.8.2015

- 5) Project applications accepted after the September 10, 2014 review cycle will have 3,400 gallons applied for average customer usage;
- 6) Project applications without a binding commitment issued by the Council as of June 30, 2016 shall have 3,400 gallons applied to average customer usage, regardless of when the application was filed or accepted by the Council.
- 7) This resolution supersedes all previously adopted resolutions with respect to the application of MHI and average customer usage.

Adopted this 8th day of July, 2015.


Executive Secretary