



## CITY OF BEND

### EXTRA STRENGTH CHARGE (ESC) APPEALS PROCESS

- A.** An applicant for reclassification may appeal a whole or partial denial of the application for reclassification.
- B.** Any applicant for participation in the monitoring program may appeal denial of participation in the monitoring program or any component of the monitoring program when finally approved.
- C.** All appeals shall be filed within 10 business days of the date of the decision being challenged. The appeal shall be submitted to the City Recorder and shall be accompanied by payment of the appeal fee established by Council resolution.
- D.** Within 45 days of filing the appeal, the appellant shall provide written justification, supported by evidence, in support of the appeal. The City shall provide a written response within 60 days of receiving the written materials from the appellant. The City and the appellant may agree in writing that the appeal will be determined on the written submissions.
- E.** The appeal shall be submitted to the City Manager, who will hold an in-person hearing unless the parties have agreed that the appeal will be determined on written submissions. The City Manager may delegate responsibilities under this section to the Assistant City Manager or the Bend Business Advocate.
- F.** The decision on appeal shall be reduced to writing and issued within 15 days of (1) the date of hearing, or (2) the date that the written agreement to submit on written submission is submitted.
- G.** The written decision of the City Manager or designee shall be the City's final decision and reviewable only by writ of review.
- H.** If a final decision is issued denying the reclassification, the appellant may not seek reclassification or a change to the monitored rate program unless the use is discontinued or new facilities are put in place that would change the strength category. [Ord. NS-2212, 2014]



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### EXTRA STRENGTH CHARGE (ESC) APPEALS INSTRUCTIONS

- Submit the following:
  - Written appeal
  - All supporting documentation
  - \$157.50 fee (\$150 appeal fee + \$7.50 franchise fee) payable to the City of Bend

Mail to:

City of Bend

Attn: City Recorder's Office

PO Box 431

Bend, OR 97709

- For billing questions related to the Extra Strength Charge Program, please contact Utility Billing – Commercial Accounts at (541) 388-5515 ext 8566.