

**COORDINATED WATER SYSTEM PLAN**  
**PART II: FINAL RECOMMENDED EXCLUSIVE**  
**SERVICE AREA BOUNDARIES**

**Southeast Connecticut**  
**Public Water Supply Management Area**

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***Prepared for:***

Department of Public Health  
Hartford, Connecticut  
and the  
Southeast Connecticut  
Water Utility Coordinating Committee

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## DEFINITIONS

***Areawide Supplement*** – A part of a coordinated water system plan which addresses areawide water system concerns pertaining to the public water supply management area which are not otherwise included in each water company's individual water system plan. The supplement identifies the present and future water system concerns, analyzes alternatives and sets forth a means for meeting those concerns. An areawide supplement consists of a water supply assessment, exclusive service area boundaries, integrated report, and executive summary.

***Community Water System*** – A public water system that serves at least 25 residents.

***Coordinated Water System Plan*** – The individual water system plans of each public water system within a public water supply management area, filed pursuant to section 25-32d of the Connecticut General Statutes, and an areawide supplement to such plans developed pursuant to Connecticut General Statute 25-33h, which addresses water system concerns pertaining to the public water supply management area as a whole.

***Exclusive Service Area (ESA)*** – An area where public water is supplied by one system.

***Integrated Report*** – An overview of individual public water systems within the management area which addresses areawide water supply issues, concerns, and needs; and promotes cooperation among public water systems.

***Non-Transient Non-Community Water System*** – A public water system that is not a community system and that regularly serves at least 25 of the same persons over six months per year.

***Public Water Supply Management Area*** – An area for coordinated water supply planning determined by the Commissioner of Public Health to have similar water supply problems and characteristics.

***Public Water System*** – Any private, municipal or regional water company supplying water to fifteen or more service connections or 25 or more persons.

***Satellite Management*** – Management of a public water supply system by another public water system.

***Transient Non-Community Water System*** – A non-community water system that does not meet the definition of a non-transient, non-community water system.

***Water Utility Coordinating Committee (WUCC)*** – A committee consisting of one representative from each public water system with a source of supply or service area within the public water supply management area and one representative from each regional planning agency within the public water supply management area, elected by majority vote of the chief elected officials of the municipalities that are members of such regional planning agency.

## ABBREVIATIONS

CGS	Connecticut General Statutes
COG	Council of Governments
CT-AM	Connecticut-American Water Company
CWC	Connecticut Water Company
DEP	Department of Environmental Protection
DPH	Department of Public Health
DPUC	Department of Public Utility Control
ECRWC	Eastern Connecticut Regional Water Company
ESA	Exclusive Service Area
LLC	Limited Liability Corporation
MHP	Mobile Home Park
MMI	Milone & MacBroom, Inc.
OPM	Office of Policy and Management
SCWA	Southeastern Connecticut Water Authority
WPCA	Water Pollution Control Authority
WSMA	Water Supply Management Area
WUCC	Water Utility Coordinating Committee

## 1.0 INTRODUCTION

### 1.1 Overview of Exclusive Service Area Process and Issues

This document presents the results of the Exclusive Service Area (ESA) delineation process for the Southeast Connecticut Public Water Supply Management Area (WSMA). An exclusive service area is an area where public water is supplied by one system. Designation of exclusive service area providers represents the second of four major components of the Water Utility Coordinating Committee's (WUCC) Coordinated Water System Plan. (For an overview of the full WUCC process, please refer to the *Final Water Supply Assessment* dated April 1999 prepared by Milone & MacBroom, Inc. in coordination with the Southeast Connecticut WUCC.)

Establishment of exclusive service area boundaries is intended to ensure safe and adequate water supply to every resident of the State. Exclusive service areas are based on regulatory criteria and on the agreement by a system to serve, as necessary, previously identified unserved areas. Existing service areas are maintained and become exclusive service areas via the delineation process. As part of this process, each individual public water system was provided the opportunity to request or not request expanded service areas. Additionally, one non-WUCC member (the Town of Lyme) was allowed to make an ESA claim and was subsequently recommended for award of the requested exclusive service area.

Notice of the ESA declaration process and deadlines was sent to chief administrative officials, planning and zoning commissions, local health directors, and interested persons. A copy of that notice is included in Appendix A.

Exclusive service areas are commitments to service and not areas of "right-of-first-refusal." They convey a right as well as a responsibility to serve. The requirements of

the *Certificate of Public Convenience & Necessity* (CGS 16-262m) are not circumvented by the WUCC process. A public water system may develop water supply sources in areas *not* within its exclusive service area, assuming all pertinent federal, State, and local requirements are adhered to.

Although an ESA provider is designated, actual development and service should support the direction set by land use and zoning; State and local development goals, and other relevant issues, as well as the impacts that such land use and development goals have on protecting water resources, timely water service, water quality, economically priced water, and strong professional management of water supplies. Municipalities retain their ability to provide guidance for development within their borders through their local government structure and planning documents, such as municipal plans of development, ordinances, and zoning regulations.

Municipal membership has been a pivotal issue for this WUCC. Several municipal representatives have raised the issue that municipalities should be voting WUCC members, with the ability to claim their own town as an exclusive service area, regardless of whether they currently operate a public water system. Although some WUCC members agreed with this concept (others did not), the current regulations are very specific regarding the eligibility of WUCC members and the WUCC is not at liberty to change the criteria. Several municipalities, including Salem, East Haddam, North Stonington, Lebanon, and Marlborough, have become "recognized members" by demonstrating they own public (non-community) water systems.

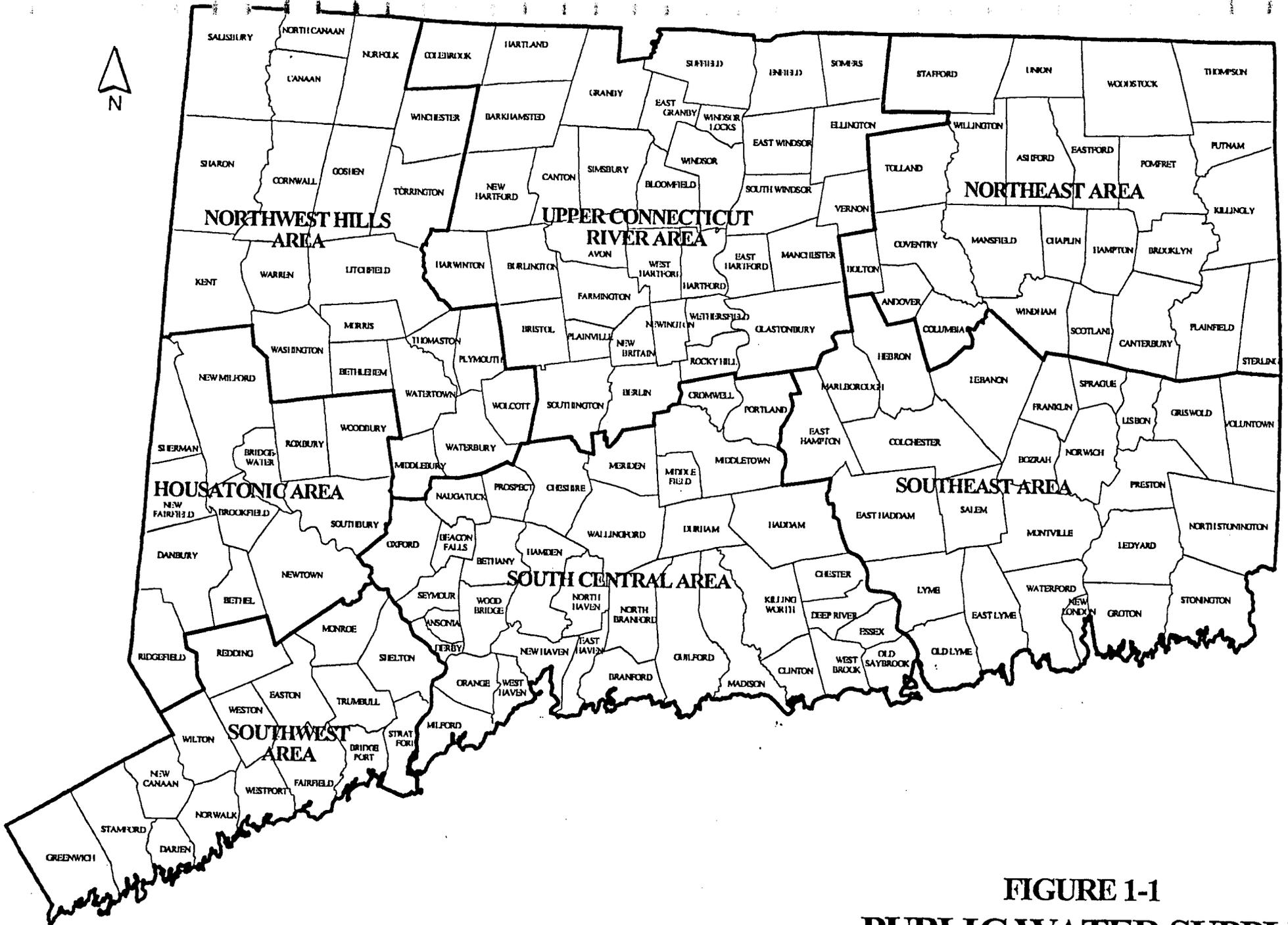
## **1.2 Composition of the Southeast Public Water Supply Management Area**

The State of Connecticut is divided into seven public water supply management areas as depicted on Figure 1-1. The boundaries of these public water supply management areas have been delineated pursuant to Public Act 85-535 and Section 25-33e of the

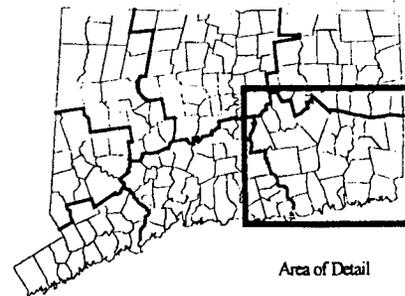
Connecticut General Statutes, based upon similarity of water supply issues, population density and distribution, existing sources of public water supply, service areas or franchise areas, existing interconnections between public water systems, municipal and regional planning agency boundaries, natural drainage basins, and similar topographic and geologic characteristics.

The limits of the southeast Connecticut public water supply management area are shown on Figure 1-2. This area is defined to the north by the towns of East Hampton, Marlborough, Hebron, Lebanon, Franklin, Sprague, Lisbon, Griswold, and Voluntown; to the east adjacent to the State of Rhode Island by the towns of Voluntown, North Stonington, and Stonington; to the south adjacent to Long Island Sound by the towns of Stonington, Groton, New London, Waterford, East Lyme, and Old Lyme; and to the west by the towns of Old Lyme, Lyme, East Haddam, and East Hampton. Other municipalities, which lie in the interior of the southeast Connecticut public water supply management area, include the towns of Colchester, Salem, Bozrah, Montville, Norwich, Preston, and Ledyard. In total, the Southeast Connecticut WUCC area is comprised of 25 municipalities.

One hundred twenty two eligible WUCC members have been recognized in the southeast Connecticut public water supply management area, comprised of 112 representatives of community water systems having service areas in the southeast region, three representatives of municipalities that own and operate non-community systems, two representatives that have water supply watersheds in the region (the Metropolitan District Commission and the Portland Water Department), and five regional planning agencies. Table 1-1 is a listing of WUCC members of the southeast public water supply management area.



**FIGURE 1-1  
PUBLIC WATER SUPPLY  
MANAGEMENT AREAS**



Area of Detail

FIGURE 1-2  
SOUTHEAST REGION  
PUBLIC WATER SUPPLY MANAGEMENT AREA

**TABLE 1-1**  
**Eligible Southeast Connecticut Recognized WUCC Members**

- |  |  |
|--|--|
| 1. Abby Estates  | 37. Forest Homes Water Association                       |
| 2. Arlington Acres MHP   | 38. Fort Shantock Manor Apts.                            |
| 3. Avery Hill Water Association  | 39. Fox Laurel MHP                                       |
| 4. Barbara's Rest Home   | 40. Freedom Village/Independence Village Elderly Housing |
| 5. Beechwood Acres/Lathrop Cluster Water   | 41. Groton Long Point Association                        |
| 6. Bellwood Court/Chatham Acres Elderly Housing (East Hampton Housing Authority) | 42. Groton Utilities                                     |
| 7. Birchwood Estates Water Assoc., Inc.  | 43. Haddam Hills Academy                                 |
| 8. Bolton Assoc. (Country Manor Apt.)  | 44. Hanover Park   |
| 9. Boxwood Condo. Association  | 45. Hawks Nest Beach III                                 |
| 10. Capitol Region COG   | 46. Hawks Nest II  |
| 11. Carefree Homeowners' Assoc., Inc.  | 47. Hebron Arms Apts.                                    |
| 12. Cedar Ridge Water Association  | 48. Heritage Apts.                                       |
| 13. Chadwick Homeowners' Assoc. Inc.   | 49. Hillside Condo.                                      |
| 14. Chatham Apartments   | 50. Hillside Corp.                                       |
| 15. Chestelm Health & Rehab.   | 51. Jensens, Inc. Marina Cove Residential                |
| 16. Christy Hill Condo.  | 52. Jewett City Water Co.                                |
| 17. Classee Water Company (aka Latimer Pt. Fire District)                        | 53. Kitemaug Orchard Association, Inc.                   |
| 18. Cobalt Lodge Health Care & Rehab.  | 54. Knob Hill/Westchester Hills Assoc.                   |
| 19. Colchester Commons Mgmt. Corp.   | 55. Lakeside Manor Apts.                                 |
| 20. Colchester Courtyards  | 56. Lakeview MHP   |
| 21. Colchester Sewer & Water   | 57. Laurel Heights Association, Inc.                     |
| 22. Colonial Apartments  | 58. Laurel Hill Water Association                        |
| 23. Connolly's/Grandview Trailer Park  | 59. Lebanon, Town of (School Systems)                    |
| 24. Countryside Drive Association  | 60. Lebanon Pines  |
| 25. Crystal Lake Associates  | 61. Ledyard Village Homeowners' Assoc.                   |
| 26. CT-American Water Company  | 62. Ledyard WPCA   |
| 27. CT River Estuary RPA   | 63. Lisbon MHP   |
| 28. CT Water Company   | 64. Lyme Regis, Inc.                                     |
| 29. D & W Trailer Park   | 65. Lymewood Elderly Housing                             |
| 30. Deer Run Supply  | 66. MH Garden Park                                       |
| 31. East Haddam, Town of (School and Town Hall Systems)                          | 67. Mallard Cove Condo. Association                      |
| 32. East Hampton Water & Sewer Auth.   | 68. Marlborough Health Care Center Inc.                  |
| 33. East Lyme Water Department   | 69. Marlborough, Town of (Elementary School)             |
| 34. ECRWC (AquaSource)   | 70. Martin Realty Inc. MHP                               |
| 35. Edgemere Condo Association, Inc.   | 71. Meadows Apts. (Montville)                            |
| 36. Fair Acres MHP   | 72. Metropolitan District Commission                     |
|  | 73. Miami Beach Water Co.                                |
|  | 74. Midstate Regional Planning Agency                    |
|  | 75. Mile Creek Apts.                                     |

- |   |   |
|---|---|
| 76. Montville Correctional Complex                        | 99. Southeastern Council of Governments       |
| 77. Montville Countryside LLC                             | 100. Sleepy Hollow MHP                        |
| 78. Montville WWPCA                                       | 101. Sprague Water & Sewer Authority          |
| 79. Mountview Apts.                                       | 102. St. Thomas More School                   |
| 80. New London Water Division                             | 103. Strawberry Park                          |
| 81. Noank Fire District                                   | 104. Stonington, Town of (Lords Point System) |
| 82. North Stonington, Town of (Town Hall Complex)         | 105. Sunny Waters MHP                         |
| 83. Norwich Dept. of Public Utilities                     | 106. The Center for Optimum Care Summit       |
| 84. Oak Grove Senior Housing Corp.                        | 107. Tunnel Hill MHP                          |
| 85. Oak Ridge Gardens LLC                                 | 108. Utz MHP                                  |
| 86. Oakdale Heights Water Association                     | 109. Village Apts. (Montville)                |
| 87. Oakland Heights MHP                                   | 110. Village Hill Apts.                       |
| 88. Platoz Apts.  | 111. Waterford Country School, Inc.           |
| 89. Pleasure Valley MHP                                   | 112. Waterford WPCA                           |
| 90. Portland Water Dept.                                  | 113. Wellswood Estates Foundation, Inc.       |
| 91. Preston, Town of (Lincoln Park Senior Citizen Center) | 114. Westchester East Limited Partnership     |
| 92. Preston Plains Water Company                          | 115. Westchester Village                      |
| 93. Roger's MHP   | 116. Westerly Water Dept.                     |
| 94. Round Hill Apts.                                      | 117. Whipple's MHP                            |
| 95. Rye Field Manor Elderly Housing                       | 118. White Sands Beach Water Co.              |
| 96. Salem Manor Condo.                                    | 119. Windham Regional COG                     |
| 97. Salem, Town of (Town Systems)                         | 120. Wildwood Water Co.                       |
| 98. Southeastern CT. Water Authority                      | 121. Williamsburg Apts.                       |
|   | 122. Woodland MHP                             |

This document, *Final Recommended Exclusive Service Area Boundaries*, is the second of four components of the areawide supplement. Numerous factors are considered in determining exclusive service area boundaries in accordance with the regulations, including existing service areas; land use plans, zoning regulations, and growth trends; physical limitations to water service; political boundaries; water company rights as established by statute, special act, or administrative decision; system hydraulics, including potential elevations or pressure zones; and ability of a public water system to provide a pure and adequate supply of water now and into the future.

The *Preliminary Exclusive Service Area Boundaries* must be completed within nine months of the convening of the WUCC and the *Final Exclusive Service Area Boundaries* must be completed within one year of that date. Pursuant to Paragraph (d)(2)(B) of

Section 25-33h-1 of the Regulations Concerning Coordinated Water System Plans, "the WUCC shall prepare preliminary and then final exclusive service area boundaries."

Due to the overwhelming number of overlapping ESA claims and lack of expedient resolution between the parties involved, submittal of the completed *Preliminary Exclusive Service Area Boundaries* document for the nine-month deadline (May 5, 1999) and the *Final Exclusive Service Area Boundaries* document (August 5, 1999) was postponed several times. The *Preliminary Exclusive Service Area Boundaries* document was completed and published in August 1999. The *Final Exclusive Service Area Boundaries* document (the subject document) was completed in July 2000, and was revised in December 2000 and again in March 2001.

### **1.3 Enabling Legislation of Public Water Suppliers Requesting Expanded Exclusive Service Areas**

Table 1-2 identifies the enabling legislation for each public water supplier in the region that serves greater than 1,000 people or that has declared an expanded exclusive service area. For the municipally-run systems, as available, the reference for the original act of the General Assembly or Special Act and a description is provided. The information provided has been gathered from a variety of sources, including public water system representatives as well as staff of the various municipal offices. It should be noted that the referenced enabling legislation refers to existing service areas and not claimed or recommended exclusive service areas.

The majority of the enabling legislation for the larger water systems falls under special acts or municipal charters, some of which date to the 1800's. The Jewett City Water Company, for example, has been authorized to service portions of Griswold since 1893, while the Town of Waterford received its authority more recently in 1963 by Special Act.

**TABLE 1-2**  
**Summary of Enabling Legislation for Public Water Suppliers Serving Greater Than 1,000**  
**People and Those Claiming Expanded Exclusive Service Areas**

Community Water System	Primary Location Served	Enabling Legislation Reference
Colchester Sewer & Water Commission	Colchester	Town Charter
Connecticut-American Water Company	Stonington/Groton	An Act of the General Assembly No. 187
Connecticut Water Company	Old Lyme	An Act of the General Assembly No. 342, Amended via An Act of the General Assembly No. 325
East Haddam, Town of	Schools/Town Hall	CGS Sec. 7-148(4)(G) and CGS Sec. 7-234
East Hampton Water & Sewer Authority	East Hampton	Special Act No. 216 of 1963
East Lyme Water Department	East Lyme	An Act of the General Assembly of 1941
ECRWC (AquaSource)	Colchester, East Haddam, East Hampton, Hebron, Lebanon, Marlborough	Individual Certificates of Public Convenience and Necessity pursuant to CGS Sec. 16-262m and systems created and/or acquired prior to 1981.
Groton Long Point Association	Groton	An Act of the General Assembly No. 280
Groton Utilities	Groton	City Charter
Jewett City Water Company	Griswold	An Act of the General Assembly No. 201
Lebanon, Town of	School Systems	CGS Sec. 7-148(4)(G) and CGS Sec. 7-234
Ledyard WPCA	Ledyard	Special Act No. 284 of 1959
Lyme, Town of	Lyme	CGS Sec. 7-148(4)(G) and CGS Sec. 7-234
Montville Correctional Complex	Montville	Pre-Certificate Facility
Montville WWPCA	Montville	Town Charter
New London Water Division	New London	Special Act 1871, Special Act 1921, City Charter
Noank Fire District	Groton	Special Act No. 288 of 1961, City Charter
North Stonington, Town of	Lords Point	CGS Sec. 7-148(4)(G) and CGS Sec. 7-234
Norwich Water Department	Norwich	An Act of the General Assembly of 1866, City Charter
Preston, Town of	Preston	CGS Sec. 7-148(4)(G) and CGS Sec. 7-234
SCWA	Montville / Ledyard	Special Act No. 381 of 1967
Sprague Water and Sewer Authority	Sprague	Special Act No. 354 of 1967
Stonington, Town of	Stonington	CGS Sec. 7-148(4)(G) and CGS Sec. 7-234
Waterford WPCA	Waterford	Special Act No. 172 of 1963, Town Charter
Westerly Water Department	Stonington	Special Act 136

Source: Individual enabling legislation, local documents, and/or personal communications.

Note: Generally, the various acts and subsequent charters provide a public water system with the ability to purchase, sell, and distribute water; this often includes the ability to purchase and sell systems. As such, public water systems in the region have historically been involved in mergers, sales, and purchases with other public water systems. In many cases, this has altered the specific geographic area that a system may service through the combination of areas under one public water system name.

City and town charters commonly establish water servicing rights for municipalities.

However, such as in the case of Colchester, one or more organizations may have

superseded the current Town Charter, which in that case established the Sewer and Water

Commission. Prior to the Town Charter, governing entities for provision of water in

Colchester included the Utilities Commission (established under the Consolidation Ordinance of Colchester) and the Water Board (established under a House Bill in 1937).

Connecticut General Statute (CGS) 7-234, as passed in 1967, reaffirmed the authority of municipalities to provide water service and further established that any town, city, borough, or district organized for municipal purposes may acquire, construct, and operate a water system where there are no existing private waterworks systems or where private owners of existing systems are willing to sell. Additionally, CGS 7-148(4)(G) empowers municipalities to provide for the furnishing of water, by contract or otherwise.

In 1981, Public Act 81-427 (CGS 16-262m) was passed, providing construction specifications for community water systems, including the requirement to obtain a Certificate of Public Convenience and Necessity from the Department of Public Utility Control for any construction or expansion of a water supply system. This certificate process was revised in 1984 (Public Act 84-340) to provide the opportunity for the Department of Public Health to participate in the procedure. Public Act 98-250 amended this law, deleting the reference to "community" water supply systems, which changed the requirements for this law to cover community and non-community water supply systems.

The following discussion provides a summary of the enabling legislation for the public water systems in the Southeast Connecticut WUCC management area that have claimed expanded service areas. The information for the descriptions was gained from review of the individual sources referenced and has been taken, in part or in whole, from such sources. Greater detail may be found by examining the cited legislation and documents.

#### ***Colchester Sewer & Water Commission***

Authorization for supply of water within Colchester is provided in the Town Charter, adopted November 8, 1994, for effective use July 1, 1995. Chapter 9, Section 902, of the Town Charter designates the area of Town served by public water and sewer services as

the Sewer and Water District. The charter further requires that all services within the District be connected to the public utilities. Section 1102 of Chapter 11 authorizes the Board of Selectmen to appoint a nine-member Sewer and Water Commission that shall be subject to the oversight and supervision of the Town's Department of Public Works. The Commission is charged with administration of operations of the District, including the construction, reconstruction, establishment, re-planning, restoration, enlargement, improvement, removal, care, repair, and maintenance of all sewer and water services. As such, the Commission makes annual recommendations to the Department of Public Works for necessary maintenance, construction, and expansion of services within the District.

*Connecticut-American Water Company, Mystic Valley District*

An Act of the Connecticut General Assembly No. 187 (House Joint Resolution No. 70) incorporated the Mystic Valley Water Company, the predecessor of the Connecticut-American Water Co., Mystic Valley District. The legislation allows Connecticut-American Water Company, Mystic Valley District, to supply water to the villages of Mystic and Mystic Bridge, the borough of Stonington in the Town of Stonington, the villages of Mystic River and Noank in the Town of Groton, and their immediate vicinity. This excludes that portion of the village of Mystic River situated on the north side of West Main Street that is bounded on the south by West Main Street, on the west by Bank Street, on the north by a line parallel with and 160 feet distant from the north line of said West Main Street, and on the east by the Mystic River.

The company is charged to supply pure water for public, domestic, and other uses including ownership, purchase, receipt, possession, and enjoyment of lands, rents, tenements, goods, chattels, and effects necessary. The company may also sell, convey, and dispose of such properties. In so doing, the company may open ground for purposes of extension, maintenance, and repair of pipes or conduits for such water service and distribution in the vicinity of the areas previously specified.

Authorization is also provided for the company to construct, maintain, and repair such reservoirs, canals, and aqueducts as well as to take and use the water of any springs, streams, or other waters, and construct, as necessary. This authorization excludes those waters within the second voting district of Groton but not excluding Pequonnock Lake and wells. Furthermore, any borough or fire district created within such area specified after such Act of the General Assembly is authorized to contract the company for water supply. As well, the company may take and hold real estate or easements for such water provision. The act also outlines various financial and business aspects, providing for by-laws and a board of directors to be established of not less than three nor greater than seven members.

### ***Connecticut Water Company***

The enabling legislation for Connecticut Water Company (CWC) is an Act of the Connecticut General Assembly No. 342 (Senate Bill No. 455), "An Act Incorporating the Connecticut Water and Gas Company," later amended by an Act of the Connecticut General Assembly No. 325 (House Bill No. 1087). The Company is authorized to acquire, lease, purchase, or otherwise hold, own, use, exercise, enjoy, and dispose of whole or any part water properties, rights, securities, and franchises of any private or municipal corporation authorized to sell, supply and distribute water in any town in the State of Connecticut.

Upon acquisition of such properties and franchises, the company is authorized the same privileges for administering these properties and franchises as if these rights, franchises, and immunities had been originally established for the company. CWC is authorized to open ground and issue bonds or other certificates. A board of not less than three directors chosen by the stockholders is empowered to govern and provide guidance on the administration of the company.

Act No. 325 provided the current-day CWC its start and the authorization to consolidate or merge with any corporation organized for similar purposes under the general or special laws of Connecticut. As such, many instances of company consolidation and merging have occurred throughout company history providing for an extended area of service.

### ***Town of East Haddam***

As a political subdivision of the State of Connecticut, the Town of East Haddam is authorized to establish a municipal water authority under CGS Section 7-148(4)(G) and Section 7-234.

### ***East Hampton Water and Sewer Authority***

Special Act No. 216 adopted in 1963 enabled the Town of East Hampton to establish a water system and set rates for said system. East Hampton is authorized to construct, extend, enlarge, maintain, and operate a water works system. The Special Act designates the water district as the entire Town of East Hampton and the owners and users being served by the district with water or fire hydrants shall constitute the legislative body of said district. Authorization includes the provision to perform the following, as necessary: (1) purchase and take conveyances of all lands, property and privileges; (2) lay, construct and maintain all necessary pipes, pumps, wells and other appurtenances; and (3) own and operate all buildings and equipment. The Town is also empowered to appoint commissioners and determine the rates and charges for the use of the water system.

### ***East Lyme Water Department***

House Bill No. 863, as passed by the General Assembly of 1941, was adopted by Town Charter resolution in October of 1941, thereby authorizing the Town of East Lyme to construct a water system. The special session law adopted by the Town provides East Lyme with the necessary authorization for the construction, operation, and administration of a water supply system for purposes of distribution of water. East Lyme may utilize lands within the Town as well as lands or other estates in adjacent municipalities attained

through purchase, lease, or take and hold, as necessary, for maintenance of sanitary protection and supply of water. This authorization includes the ability to establish a board of water commissioners; adopt additional by-laws and regulations for the preservation, protection, and management of the system; and assume criminal jurisdiction with respect to the system.

A resolution was adopted in 1945, permitting and providing rules for the Town of East Lyme to enter into agreements for sale of water to real property owners abutting existing Town-owned water lines. The auditor of the Town was also authorized in 1945 to annually report the income and expenditures concerning the public water system. In 1970 and again in 1987, ordinances were passed for the extension of water service and associated customer costs. In 1986, the Town passed a Water Supply Emergency Ordinance establishing a process to ensure proper and adequate water supply for drinking, firefighting capabilities, and storage during extreme water conditions.

***Eastern Connecticut Regional Water Company (AquaSource)***

ECRWC satellite systems provide water service as systems regulated under the Certificate of Public Convenience and Necessity or as systems that were created and/or acquired prior to CGS 16-262m. There are no statutes, special acts, or administrative decisions that provide special privilege to ECRWC as a public water system in southeastern Connecticut.

***Groton Long Point Association***

Groton Long Point Association was incorporated under Special Act No. 280 of April 1931 and was provided authority to supply water under Special Act No. 425 in May of 1931 by the General Assembly. Groton Long Point Association is empowered to contract with any municipal or private corporation authorized to supply water in the Town of Groton or to take and use such lands, springs, streams, or ponds as necessary to provide such supply and source protection.

### *Groton Utilities*

Under Article 5, Section 7, of the City Charter, the mayor and council, citizens, and qualified property owners of the City are authorized to purchase, acquire, and convey from any source of supply as well as to take and use the water of any stream, lake, or pond, in whole or in part, within the limits of the towns of Groton and Ledyard. This excludes the waters of Lantern Hill Brook and Lantern Hill Pond. Such waters may be held, conveyed, or distributed into and through the second voting district and the portion of the third voting district that lies west of the main brook emptying into the head of Palmer's Cove, west of the village of Noank. Authority is provided for use of reservoirs, pipes, aqueducts, pumps, etc., for transport of water as necessary.

### *Jewett City Water Company*

The Jewett City Water Company has been empowered to service the Town of Griswold since 1893 via House Joint Resolution No. 65, subsequently an Act of Connecticut General Assembly No. 201. The Company may have, purchase, possess, sell, grant, demise, and dispose of lands, tenements, and effects necessary for its administration. The resolution also affords the Company the right to make by-laws, rules and regulations for its administration and sets criteria on the financial organization of the Company.

Management of the corporation is under the guide of directors as set according to the by-laws. The Company is authorized to construct, maintain, and prepare reservoirs and infrastructure as well as to open ground and take or use any waters within the limits of the Town as necessary for water supply. The Company may also take and hold by purchase or gift real estate, easements, buildings, and structures as necessary for purposes of water supply, including source protection and maintenance of aqueducts and reservoirs for holding, conducting, and distributing water.

***Town of Lebanon***

As a political subdivision of the State of Connecticut, the Town of Lebanon is authorized to establish a municipal water authority under CGS Section 7-148(4)(G) and Section 7-234.

***Ledyard WPCA***

Special Act No. 284 of 1959 authorizes the Town of Ledyard to construct or contract for the installation and maintenance of a water supply system. The Town is empowered to do so through the taking and using the water of any stream, spring, lake or pond within the Town. The Act also provides for the Town to contract for purchase of water. The Ledyard WPCA is the managing entity for the water system.

***Town of Lyme***

As a political subdivision of the State of Connecticut, the Town of Lyme is authorized to establish a municipal water authority under CGS Section 7-148(4)(G) and Section 7-234.

***Montville WWPCA***

Montville Water and Water Pollution Control Authority was created to provide water and sewer services by Section 408 of the Montville Town Charter, adopted in November 1990. Previous to this date, the legislative body of the Town had functioned in a similar fashion.

The general authority for a public water and sewer commission was later established by Section 407 of the Montville Town Charter, which was adopted in November of 1995. This addition to the Town Charter establishes an organization for the commission, including duration of terms, similar to that of the Authority, including member liaisons to the Town Council and Planning and Zoning Commission. As such, the Authority was re-organized, maintaining its name, and now represents the public water and sewer commission as described in Section 407 (1995).

This Commission is provided authority to plan and direct the development, financing, construction, and operation of such water and sewer supply, disposal, and distribution facilities as necessary. Jurisdiction and control over all facilities owned and operated by the Town for supply and distribution of water to residents and property owners as well as for the collection and treatment of sewerage and commercial and industrial wastes is authorized to the Commission. The Commission, with input of the Town auditor, establishes collection and posting fees. The Commission is empowered to cooperate with other agencies, accepting assistance as available from state, federal, regional, and local agencies concerned with public water and sewerage problems. The Commission is required to approve all expenditures, including purchase of commodities and services, exceeding a set amount and to adopt rules and procedures for purchasing by the water and sewer departments. The Commission is further empowered to make recommendations for bonding and rate structure establishment to the legislative body (i.e., the Montville Town Council).

#### ***New London Water Division***

Special Act 1871, entitled "An Act to Provide the City of New London with a Supply of Pure and Wholesome Water," provides the City with the authority to take and convey water from any pond, stream, or other source of supply, natural or artificial, in Salem, East Lyme, Waterford, Montville, and New London. In addition, the City may issue notes, bonds, scrip, or certificates of debt under the corporate name and seal of the City. Special Act 1921 also contained a clause which empowered the City to take lands, rights, easements, privileges, franchises, or construction by eminent domain, as necessary, to establish, construct, or maintain water supply systems.

#### ***Noank Fire District***

Noank Fire District receives its authority to supply water from Special Act No. 288 of the 1961 General Assembly. The Act also permits the District to utilize another organization to provide water or maintain and operate a water supply and distribution system.

Entrance to roads and private land as well as the authority to open ground as necessary for provision of an adequate water system is also provided to the District. In October of 1994, the District entered into an agreement with the City of Groton to purchase water via an interconnection.

### *Town of North Stonington*

As a political subdivision of the State of Connecticut, the Town of North Stonington is authorized to establish a municipal water authority under CGS Section 7-148(4)(G) and Section 7-234.

### *Norwich Water Department*

As a result of growth, an act was passed in 1866 by the General Assembly to provide the City of Norwich with a water supply. The City manages production and distribution of gas, electricity, and water, both within and outside of the limits of the City Consolidation District, via Chapter XII of the City Charter. City Charter establishes ownership by the City of Norwich of all properties and assets of the Department of Public Utilities. The authority to sell, lease, or otherwise dispose of such property or assets is also provided to the City. Through time and reorganization, oversight of the production and distribution of public utilities has come to be performed by a Board of Commissioners consisting of five commissioners appointed by the City Council.

### *Town of Preston*

As a political subdivision of the State of Connecticut, the Town of Preston is authorized to establish a municipal water authority under CGS Section 7-148(4)(G) and Section 7-234.

### *SCWA*

Special Act No. 381 of 1967 passed by the General Assembly of Connecticut established the Southeastern Connecticut Water Authority. SCWA is enabled to supply water regionally throughout the following 18 municipalities of the Southeastern Connecticut

Planning Region: Bozrah, Colchester, East Lyme, Franklin, Griswold, Groton, Ledyard, Lisbon, Montville, New London, North Stonington, Norwich, Preston, Salem, Sprague, Stonington, Voluntown, and Waterford. A five-member Authority is appointed by a Representative Advisory Board comprised of two individuals from each of the 18 towns. The Board, assisted by several subcommittees, performs annual financial audits, and holds public hearings on proposed rate changes. As per the Special Act, SCWA is not directly responsible for servicing areas already served by municipal or investor-owned systems within these 18 municipalities. However, SCWA is responsible for providing service to those areas not served by such entities. Such responsibility may be relinquished to a municipality or investor-owned system.

SCWA is provided authority to develop, purchase, operate, and sell water systems. Additionally, SCWA may purchase and/or sell water and acquire and operate wastewater systems. SCWA may be designated as a sewer authority by a municipality and may enter into cooperative agreements with other water authorities, municipalities, or others, with or without the interconnection of facilities or the exchange of services or commodities. As such, SCWA may also issue negotiable bonds and notes or accept grants, loans, or contributions from federal, state, or local governments. SCWA is also empowered to review and participate in regional aspects of public water supply projects within the Southeastern Connecticut Planning Region.

Sections 19 and 34 of the SCWA enabling legislation state the following: "insofar as the provisions of this act are inconsistent with the provisions of any other act, general or special, or any local law of any municipality, the provisions of its special act shall be controlling . . . The State of Connecticut does pledge to and agrees with the holders of the bonds or notes that the state will not limit or alter the rights vested in SCWA to construct, maintain or operate, reconstruct or improve its properties . . ."

### ***Sprague Water and Sewer Authority***

Special Act No. 354 of 1967 authorized the Town of Sprague to establish a water and sewer authority and to purchase the franchises and all or part of the property and equipment of the Baltic Water Company in the Town of Sprague. The Town is also authorized to establish rules concerning a rate or charge structure for services rendered and issue its general obligation bonds and notes. The Town of Sprague is provided authority to acquire or construct its municipal water system or any portion of the system, to make improvement to, and to extend the system within the lands of the Town.

### ***Town of Stonington***

As a political subdivision of the State of Connecticut, the Town of Stonington is authorized to establish a municipal water authority under CGS Section 7-148(4)(G) and Section 7-234.

### ***Waterford WPCA***

General legislative authority to establish a water system was provided to the Town of Waterford via Special Act No. 172 of 1963. Purchase of lands, property, and privileges as necessary for use and distribution of water, including holding waters of any stream, lake or pond within Waterford as well as the ability to access lands and open ground is provided. The Town is also empowered to set water rates, and the water and sewer commission is charged with adopting plans for, construction, extension, and maintenance of the water system as supervising authority of the water department.

Section 4.1.1 of the Town Charter further authorizes the establishment of a Water Pollution Control Authority and is supported by Chapter 13.04 of the Town Ordinances, which provides additional detail for the establishment of a water system. The Town Ordinance places control of properties concerned with the water system in the hands of the Commission. It also requires that water supply studies consider a 1958 report investigating the use of subsurface water supply for initial local area systems as well as

the purchase of metered water for its use by the Town. In addition, the requirement to obtain written consent before any person may take water from the system is established. Authorization to enter into agreement with the City of New London for water main extension is also outlined in the ordinances.

*Westerly Water Department*

Special Act 136 (passed in 1887) and two subsequent acts of legislation passed in 1951 and 1959 which authorize the Westerly Water Department to "open the grounds for the purpose of laying down and sinking or for repairing such pipes or conduits as may be necessary for conducting water to and distributing the same within or in the immediate vicinity of the Village of Pawcatuck, in the Town of Stonington, with the consent and under the direction of the Selectmen of the Town of Stonington."

## **2.0 EXCLUSIVE SERVICE AREA DECLARATION PROCESS**

### **2.1 Regulatory Mandate**

Pursuant to Paragraph (d)(2)(B) of Section 25-33h-1 of the regulations, Coordinated Water System Plans, "the WUCC shall prepare preliminary and then final exclusive service area boundaries" for the southeast Connecticut public water supply management area. Paragraphs (d)(2)(B) (i) through (ii) state the following:

- (i) In establishing these exclusive service area boundaries, the WUCC shall:
  - allow utilities to maintain existing service areas;
  - not leave areas as unserved islands, unless it can be demonstrated that there is not and will be no future need for public water service; and
  - not allow new service areas or main extensions which create duplication or overlap of services.
  
- (ii) The following factors shall be utilized in determining exclusive service area boundaries:
  - existing service areas;
  - land use plans, zoning regulations, and growth trends;
  - physical limitations to water service;
  - political boundaries;
  - water company rights as established by statute, special act, or administrative decision;
  - system hydraulics, including potential elevations or pressure zones; and
  - ability of a water system to provide a pure and adequate supply of water now and into the future.

Accordingly, the WUCC has established exclusive service area boundaries as outlined in this document, based on the above requirements.

## 2.2 Summary of the Declaration Process

Existing service area boundaries in the southeast public water supply management area were delineated as part of the *Final Water Supply Assessment*, dated April 1999. A map of these boundaries was appended as Figure I of that document. The exclusive service area declaration process was based, in part, on the findings of the Water Supply Assessment as well as participation of the WUCC membership in accordance with Public Act 85-535 and Section 25-33h-1, Regulations Concerning Coordinated Water System Plans. Table 2-1 presents a summary listing of milestones in the ESA delineation process.

**TABLE 2-1**  
**Summary of Milestones in the ESA Delineation Process**

Date	Milestone
August 5, 1998	Convene the southeast WUCC (initial meeting).
December 1998	Notice to file ESA claims issued.
February 10, 1999	Deadline for filing ESA claims.
March-July 1999	Formal and informal discussions ongoing between ESA conflicting parties.
June/July 1999	Five municipalities make late ESA claims, with one additional municipal public water system expanding its claim.
July 30, 1999	ESA conflict areas referred to DPUC (12 towns remain in conflict).
August 1999	Preliminary ESA issued for public comment.
September-November 1999	ESA presentation and voting procedure debated.
October 1999	Responses are drafted to public comment concerning the Preliminary ESA document.
December 1999	Schedule and ESA presentation/voting adopted.
January 2000	Town of Lyme ESA is resolved. Eleven towns remain in ESA conflict.
March 9, 2000	DPUC provides ESA recommendations.
April 4 and 6, 2000	Committee members utilize ESA procedures. All remaining ESA conflicts are resolved by vote.
May 2000	ESA mapping developed based on April meetings and voting.
June 2000	Internal review of ESA distributed to active members.
July 2000	Final ESA document submitted to DPH.
December 2000	Final ESA document revised and resubmitted to DPH.
March 2001	Final ESA document revised and resubmitted to DPH.

Work began on the exclusive service area declaration process in December of 1998. Notice of the initiation of the preliminary exclusive service area declaration process was provided by the WUCC via two memorandums, one directed at the public water systems (with an attached ESA declaration form), and the other directed at chief elected officials/chief administrative officials, local health directors, planning and zoning commissions, and interested parties. Copies of both of these notifications are included in Appendix A.

The *Preliminary Exclusive Service Area Declaration* forms provided to WUCC members were to be completed by each public water system representative and returned by February 10, 1999, with associated mapping. A sample *Preliminary Exclusive Service Area Declaration* form is included in Appendix B.

Representatives of public water systems were provided the opportunity to participate in a workshop held in conjunction with the January 1999 monthly WUCC meeting. A presentation by the consultant team and a question and answer period were conducted as part of the workshop to assist participants in understanding the ESA declaration process and completion of the declaration form.

On or before February 10, 1999, the *Preliminary Exclusive Service Area Declaration* claim forms were received from those members requesting expanded service areas. Initial claims are summarized in Table 2-2. Responses, some of which were quite lengthy, are not included in this document, but are available for viewing during normal business hours at the Hartford, Connecticut, office of the Department of Public Health as well as at the Southeastern Connecticut Council of Governments (SCCOG) office in Norwich, Connecticut.

**TABLE 2-2**  
**Summary of Initial (February 1999) Declarations for**  
**Exclusive Service Areas by Municipality**

Municipality	Requesting All Unserviced Areas within Municipality	Requesting Portion of Unserviced Areas within Municipality
Bozrah	Norwich Water Department SCWA	
Colchester	Colchester Sewer & Water Commission ECRWC SCWA	
East Haddam	CT Water Co., Shoreline Region ECRWC	
East Hampton	CT-AM Water Co., Mystic Valley District ECRWC	East Hampton Water & Sewer Authority
East Lyme	East Lyme Water Department SCWA	
Franklin	CT Water Co., Shoreline Region ECRWC Norwich Water Department SCWA	
Griswold	SCWA	CT Water Co., Shoreline Region Jewett City Water Company
Groton	Groton Utilities	CT-AM Water Co., Mystic Valley District Noank Fire District
Hebron	CT-AM Water Co., Mystic Valley District ECRWC	
Lebanon	CT-AM Water Co., Mystic Valley District ECRWC Norwich Water Department	
Ledyard	Ledyard WPCA SCWA	Preston Plains Water Company
Lisbon	Jewett City Water Company Norwich Water Department SCWA	
Lyme	CT Water Co., Shoreline Region ECRWC	
Marlborough	CT-AM Water Co., Mystic Valley District ECRWC	
Montville	Montville WWPCA SCWA	
New London	New London Water Department	
North Stonington	CT-AM Water Co., Mystic Valley District SCWA	CT Water Co., Shoreline Region Preston Plains Water Company
Norwich	Norwich Water Department	
Old Lyme	CT Water Co., Shoreline Region	
Preston	Norwich Water Department SCWA	CT Water Co., Shoreline Region Jewett City Water Company Preston Plains Water Company
Salem	ECRWC Salem, Town of SCWA	
Sprague	SCWA Sprague Water & Sewer Authority	
Stonington	CT-AM Water Co., Mystic Valley District Town of Stonington SCWA	
Voluntown	CT-AM Water Co., Mystic Valley District CT Water Co., Shoreline Region SCWA	
Waterford	SCWA Waterford WPCA	

As a result of the initial declaration, an overwhelming number of conflicts in exclusive service area boundary claims existed. Initially, only three of the 25 municipalities were free of overlapping conflicts. The only municipalities not hosting any conflicts were Old Lyme (claimed by Connecticut Water Company), New London (claimed by the New London Water Department), and Norwich (claimed by the Norwich Water Department).

Several conflict resolution workshops were held throughout the ESA process. The first was held on March 10, 1999, following the regular monthly meeting of the WUCC. Although the workshop was open to all eligible WUCC members, it was specifically geared towards resolution of identified overlaps of proposed service area boundaries. Public water suppliers were encouraged to continue or initiate private meetings to resolve conflicts.

Several public water suppliers were allowed to expand their existing water service areas to encompass small areas of contiguously owned property. These included Independent Village Elderly Housing, Freedom Village Elderly Housing and Waterford Country School. The Westerly Water Department was allowed to expand their existing service area in the Town of Stonington in an area where water service was funded, designed, and anticipated to be constructed in the immediate future.

In June of 1999, a limited reopening of the exclusive service area process was allowed for representatives of the Towns of North Stonington, Lebanon, Preston, and East Hampton. North Stonington and Lebanon were recognized as WUCC members following the initial claims. East Hampton had previously claimed a small portion of the Town surrounding Lake Pocotopaug and wished to revise that claim to include the entire Town.

On June 22<sup>nd</sup> and 23<sup>rd</sup>, 1999, two full days of back-to-back conflict negotiation meetings were held with WUCC members for areas which remained in conflict. These meetings

were facilitated by the consultant team. Numerous conflicts were either resolved or partially resolved as a result of this process.

At the July WUCC meeting, the Town of East Haddam was recognized as a new WUCC member and the attending WUCC members agreed to accept its claim for exclusive service area of the entire Town. This claim resulted in an additional conflict in the Town of East Haddam. In August 1999, the Town of Lyme petitioned for membership; however, it was found that the Town did not own a public water system and, therefore, could not be considered a WUCC member. However, the Town was allowed to make an ESA claim. Additional conflict negotiation meetings were held with WUCC members on July 27, 1999 in an attempt to resolve the remaining conflict areas.

Pursuant to the established procedure in CGS 25-33g, the remaining conflicts were forwarded to DPUC for consultation following a vote by the attending WUCC membership to do so. A copy of the July 30, 1999 transmittal letter to DPUC from Milone & MacBroom, Inc. is included in Appendix A. The referred conflicts are listed in Table 2-3.

**TABLE 2-3  
Conflict Areas Referred to DPUC for Consultation**

East Haddam	Lyme
East Hampton	Marlborough
Franklin	Montville
Griswold	North Stonington
Lebanon (partial)	Preston (partial)
Ledyard	Voluntown

Subsequent to the DPUC referral, the Town of Lyme was resolved among conflicting parties. In September 1999, the Town of Marlborough became a newly recognized WUCC member.

In December 1999, the WUCC adopted procedures for making presentations and voting on the DPUC recommendations, once they were issued. These procedures were subsequently modified in February 2000 and again in March 2000. A copy of the procedures is included herein as Appendix C. DPUC rendered its recommendations for the remaining 11 conflict areas on March 9, 2000. A complete copy of DPUC's recommendations is included herein as Appendix D.

On April 4 and 6, 2000, participating WUCC members held two days of meetings for all remaining conflict areas, in accordance with the adopted procedures. Table 2-4 presents the status of conflicts prior to the April meetings. Votes were taken to either accept or reject the DPUC recommendations, and alternate award scenarios were considered and voted upon for all remaining conflict areas. Following the April 6, 2000 meeting, the Final ESA Boundaries document was drafted and was distributed at the June 6, 2000 monthly meeting.

An issue involving the Town of East Hampton exclusive service area came to light via a June 26, 2000 letter from ECRWC (AquaSource). Representatives of AquaSource and the Town of East Hampton were actively negotiating to resolve their conflict in East Hampton up to April 5, 2000. At issue is the belief by AquaSource that agreement had been reached with the Town, with no need to formally make a presentation at the April 6, 2000 WUCC meeting. This belief was based upon a partially executed Proposed Memorandum of Understanding dated April 5, 2000 which appears on Town of East Hampton Water Pollution Control Authority letterhead, a copy of which is included in Appendix A.

Based on their understanding, AquaSource did not prepare for or make a formal presentation at the April 6, 2000 meeting. However, representatives of the Town of East Hampton did make a presentation in conflict with the partially executed Proposed Memorandum of Understanding. At that time, the attending WUCC membership voted to reject the DPUC recommendation and recommend ESA award to the Town of East Hampton.

**TABLE 2-4  
Conflict ESA Status as of March 9, 2000**

<b>Geographic Area</b>	<b>Public Water Systems Involved</b>	<b>Comments</b>
East Haddam	ECRWC (AquaSource) Town of East Haddam	Both parties have made claims to serve the entire Town of East Haddam and are in conflict with one another.
East Hampton	East Hampton Water & Sewer Authority ECRWC (AquaSource) CT-American Water Co.	All three parties have made claims to serve the entire Town of East Hampton and all are in conflict with one another.
Franklin	SCWA CT Water Co., Shoreline Region	Norwich Water Department will serve an area in the southern portion of Franklin and is not in conflict with other service providers in this municipality. A conflict remains between SCWA and CWC in the entire town.
Griswold	Jewett City Water Company CT Water Co., Shoreline Region SCWA	Jewett City Water Company, CWC, and SCWA all initially made claims to all or a portion of Griswold. The only remaining conflict is between CWC and SCWA in the southern portion of the Town.
Lebanon	Town of Lebanon CT-American Water Co. ECRWC (AquaSource)	All parties have made claims to serve all but the southern-most portion of Lebanon, which will be served by Norwich DPU. That area is not in conflict.
Ledyard	Ledyard WPCA Preston Plains Water Company SCWA	The WPCA and SCWA maintain their claim for the entire Town. The Preston Plains Water Company claims a portion of town in the northeast corner.
Marlborough	ECRWC CT-American Water Co. Town of Marlborough	All parties maintain an interest in developing Marlborough as its own ESA and no resolution has been reached.
Montville	Montville WWPCA SCWA	The WWPCA and SCWA in conflict throughout the entire Town.
North Stonington	Town of North Stonington CT Water Co., Shoreline Region SCWA CT-American Water Company Preston Plains Water Company	Preston Plains Water Company claimed an area along the western border of the Town and is in conflict with the Town of North Stonington, SCWA, and Connecticut-American Water Company. The remainder of the Town remains in conflict between the Town, CWC, SCWA, and Connecticut-American Water Company.
Preston	Town of Preston Preston Plains Water Company SCWA	The southeast portion of Preston has been claimed by the Preston Plains Water Company, the Town, and SCWA. The northeastern portion of Town has been claimed by the Town and CWC. There are no remaining conflicts in the western portion of Preston.
Voluntown	CT Water Co., Shoreline Region SCWA	A conflict area remains in Voluntown between Connecticut Water Company and SCWA.

In light of the information conveyed in the June 26, 2000 letter from AquaSource, the attending WUCC membership at their July 11, 2000 meeting voted to rescind the April 6, 2000 vote with regard to East Hampton and submit the Final ESA Boundaries document, leaving the Town of East Hampton unresolved pending scheduled presentations and re-vote at the August 2, 2000 monthly WUCC meeting. The WUCC further voted to submit to DPH immediately following the August 2, 2000 meeting presentations and vote, a recommendation regarding East Hampton. Accordingly, presentations were made on August 2, 2000 by representatives from the Town of East Hampton and AquaSource. Representation from Connecticut-American Water Company indicated that an agreement had been reached between Connecticut-American and the Town and that Connecticut-American supported ESA award to the Town.

Following the presentations and a question and answer period, the attending WUCC membership voted at their August 2, 2000 meeting to reject the DPUC recommendation for ESA award to AquaSource, and made an alternate award recommendation for ESA award to the Town except those areas identified in the partially executed memorandum dated April 5, 2000 between the Town of East Hampton and AquaSource, which would be recommended for award to AquaSource. The WUCC recommendations in East Hampton were conveyed to the Commissioner of Public Health in an August 28, 2000 letter signed by the WUCC co-chair. A copy of that correspondence is included in Appendix A.

The ESA award recommendations are presented graphically in the appended map and are listed by municipality in Table 2-5.

**TABLE 2-5  
Recommended Exclusive Service Area Providers by Town**

<b>Geographic Area</b>	<b>ESA Provider for Currently Unserved Areas</b>
Bozrah	Norwich Department of Public Utilities.
Colchester	Colchester Department of Public Works.
East Haddam	Town of East Haddam with the exception of the area immediately surrounding existing systems and an expanded area around Lake Hayward to be served by ECRWC.
East Hampton	Town of East Hampton with the exception of two areas awarded to ECRWC. These are an expanded area surrounding ECRWC's Baker Hill Division generally the east shore of Lake Pocotopaug along Route 66 and a portion of land in northern East Hampton near its border with Portland, Glastonbury, and Marlborough.
East Lyme	East Lyme Water Department.
Franklin	SCWA except for an area in the southern part of Franklin to be served by the Norwich Department of Public Utilities.
Griswold	Jewett City Water Company in the northern portion of Town and Connecticut Water Company in the southern portion of Town.
Groton	Boundaries have been delineated, acceptable to all parties, which split Groton into three ESA areas to be served by Groton Utilities, Noank Fire District (in the southeastern portion of Town), and Connecticut-American Water Company (in the eastern portion of Town).
Hebron	ECRWC (AquaSource).
Lebanon	Town of Lebanon with the exception of the area immediately surrounding existing systems and a small area by Norwich Department of Public Utilities in the southernmost portion of Lebanon.
Ledyard	Ledyard WPCA with the exception of the area immediately surrounding existing systems.
Lisbon	Boundaries have been delineated, acceptable to all parties, which split Lisbon into two ESA areas to be served by Jewett City in the majority of the Town and by Norwich Department of Public Utilities serving the southwestern portion of the Town along its border with the City of Norwich.
Lyme	Town of Lyme.
Marlborough	ECRWC (AquaSource) except for those properties that are now or in the future owned by the Town, are the exclusive service area of the Town of Marlborough.
Montville	Eastern portion of the Town (east of Route 395) plus the Route 163 corridor by Montville WWPCA, the western portion (west of Route 395) less the Route 163 corridor to SCWA, and a small area in the southern part of Town by Norwich DPU.
New London	New London Water Department.
North Stonington	The Town of North Stonington.
Norwich	Norwich Department of Public Utilities.
Old Lyme	Connecticut Water Company.
Preston	Town of Preston.
Salem	SCWA except for a small area in the northwest portion of Town near Lake Hayward, which will be in the ECRWC ESA.
Sprague	Sprague Water & Sewer Authority.
Stonington	Town of Stonington in the eastern portion of Town, Connecticut-American Water Company in the western portion of Town, and Connecticut Water Company at Mason's Island.
Voluntown	Connecticut Water Company.
Waterford	Waterford WPCA.

## **2.3 Confirmation of Proposed Boundaries**

The legislation establishing the coordinated water system planning process specifies the process for developing exclusive service area boundaries. This process, however, does not include any provision mandating final verification of the boundaries developed by the WUCC. The final acknowledgement of boundary locations by the area public water suppliers is important in terms of future service area clarification.

To avoid misunderstandings, customized maps based on the exclusive water service area map included in this report were distributed to exclusive service area claimants on May 15, 2000 for review. The designated representative then signed a statement of confirmation. The intent and wording of the statements was such that a service provider agreed that the boundaries accurately reflected WUCC recommendations and that the provider accepted the right and responsibility for serving areas within those boundaries. These statements are not intended to indicate that a provider agrees with the WUCC recommendation. Copies of these statements are included in Appendix E.

## **2.4 Undesignated Service Areas**

No lands within the Southeast Connecticut WUCC region are proposed to remain undesignated at this time. All land area has been claimed in the Southeast WUCC for exclusive service areas.

## **3.0 EXCLUSIVE SERVICE AREA RIGHTS AND RESPONSIBILITIES**

### **3.1 Rights and Responsibilities**

The regulations concerning Coordinated Water system Plans (Public Act 85-535) stipulate that "water utilities are responsible for providing adequate services as requested by consumers and under terms otherwise provided by statute, regulation, and ordinance within their exclusive service area boundaries within a reasonable time frame" and that "this may include but not be limited to development of supply sources, main extensions, or satellite management." The responsibility implied by the statement is indeed broad and, thus, the degree of commitment and procedures for servicing a new customer within an exclusive service area need to be clearly defined. The remainder of this section addresses this issue.

The manner in which a public water supplier can serve new customers in its exclusive service area can be via main extension or through satellite management (ownership or operation), either on an interim basis until a main extension is provided, or on a permanent basis. In all situations, the capital facilities installed must meet the design criteria set forth by the appropriate minimum design standards, including pipe sizing and materials, quality, system storage, fire hydrants, and other pertinent factors.

The satellite management approach does offer some degree of latitude in that the designated public water supplier may install, own, operate, and maintain the facilities required to service the new customer; or the new customer may actually install and own the facilities, with the designated public water supplier providing operation and maintenance services and/or fiscal management. Regardless of the satellite management approach taken, overall responsibility for water supply in its exclusive service area rests with the designated exclusive service area public water supplier.

The Department of Public Health expects that each public water supplier designating an exclusive service area beyond the bounds of its existing system will set forth the manner in which it plans to service this area in its individual plan. Accordingly, each exclusive service area provider will be required in future water supply plan updates to include planning for their exclusive service area and provide detail regarding future service area boundaries for the five-, 20-, and 50-year planning periods.

Individual water supply plans should identify those areas in which service by main extension is anticipated during the planning period, as well as those areas in which satellite management is envisioned. A clearly delineated plan that has been approved by the Department of Public Health not only helps potential customers assess the water supply contingencies of its proposed building project, but also serves to protect the public water supplier from unreasonable demands in responding to the legislative criterion of serving new customers in its exclusive service area "within a reasonable timeframe."

In summary, a public water supplier's exclusive service area gives it the right to provide service to new customers within its designated area; however, an exclusive service area also includes a responsibility to serve future customers and to clearly define in the public water supplier's individual water supply plan, prepared pursuant to section 25-32d of the general statutes, the manner in which the public water supplier intends to serve these future customers. Until such time as exclusive service areas are revised by an update of the coordinated water system plan or an amendment is approved by the WUCC, each public water supplier assumes the responsibility for providing adequate service within a reasonable timeframe in its respective boundaries as requested by consumers.

### **3.2 Future Coordination, Procedures for Convening WUCC Meetings, and Procedures for Recommending Changes in ESA Boundaries**

Communication, coordination, and planning efforts are an ongoing goal of the WUCC. The intent is that formal efforts will be augmented by an informal exchange of information and ideas among its members. Representatives of privately held public water systems are encouraged to include local municipal representatives in their system planning efforts and to take an active role in local planning issues. Additionally, the tribal nations' use of the groundwater aquifer in Ledyard may affect the surrounding area and the WUCC intends to work towards forming a relationship with both existing and future Native American tribes in the region to enable an exchange of information in a cooperative regional planning effort.

In order for the region to grow in an efficient and effective manner, a strong move towards a regional coalition of exclusive service area providers is essential. It is the WUCC's intent that this coalition work together to plan as a region for new sources of supply, share knowledge and resources, and work together, both within and outside of the formal WUCC process, to solve the future problems facing this region. Even if growth in demand does not occur and the need for new sources of supply is not as great as projected, a coalition group will serve to provide leadership and coordination for southeast Connecticut in the drinking water arena.

When a public water supplier wishes to amend its exclusive service area, the WUCC must approve such changes. These changes will also require revisions to the public water supplier's Statement of Confirmation of Service Boundaries and to the Exclusive Service Area boundary map kept on file at the Department of Public Health.

The southeast Connecticut WUCC has adopted a schedule wherein a WUCC meeting shall be convened for any one of the following reasons:

1. If the co-chair determine that there is a need for a meeting;
2. If at least nine WUCC members request a meeting (in writing);
3. If the Department of Public Health specifically requests that the WUCC convene a meeting;
4. To address and/or make recommendations on one of the following exclusive service area boundary issues:
  - (a) When an ESA provider agrees to relinquish a portion of its exclusive service area to facilitate the creation of a new public water system in accordance with regulations for the issuance of a Certificate of Public Convenience and Necessity (CGS Section 16-262m-1 through 9), consistent with the Section 25-33h (Regulations Concerning Coordinated Water System Plans), the WUCC must approve the creation of the public water system. Such approval must take place in conjunction with (and not in lieu of) any other requirement established by State statute or regulation;
  - (b) When the Department of Public Health and/or the Department of Public Utility Control have made the determination that an ESA provider is unwilling or unable to provide service within its exclusive service area;
  - (c) When a special meeting is required to resolve conflicting ESA claims on a "reopened" exclusive service area and/or to consider public comment on an ESA award recommendation in accordance with procedures described below; or
5. At least once every six months.

For the WUCC to recommend a change in ESA, a two-thirds vote in favor of such change must be made and at least nine members shall participate in such vote. Otherwise, the WUCC will refer any unresolved conflicts to the Department of Public Health for resolution.

The WUCC Co-chair shall have the authority to grant approval on the following routine matters on behalf of the WUCC, providing (1) all recognized eligible WUCC members are first notified in writing; (2) members are given the opportunity to object (in writing); and (3) no objections are raised:

1. When ESA providers reach a mutual agreement to provide service in all or a portion of their exclusive service areas;
2. When the assets of an ESA provider have been sold or transferred to another entity and the acquiring entity becomes the new ESA provider; or
3. When an ESA provider voluntarily relinquishes its exclusive service area.

In the event that an area becomes available for claim as an exclusive service area, the WUCC, through the Department of Public Health, shall notify all members by mail and through notices and/or press releases in local newspapers. The WUCC shall establish a 30-day period for claims to be made on the open ESA. If there is more than one claim for the open ESA, then the claimants shall have an additional 30-day period to resolve their claims. Following that time, if no agreement is reached among the claimants, the WUCC shall announce a special meeting to be scheduled within 30 days to resolve the ESA claims, following the procedures established in Appendix D (with dates suitably modified).

If the WUCC recommends a new ESA provider for an open ESA, the WUCC shall provide for a 30-day public comment period on its recommendation. Following that time, the WUCC shall convene to consider public comments prior to making its recommendation to the Department of Public Health. For the WUCC to recommend a change in ESA, a two-thirds vote in favor of such change must be made and at least nine recognized eligible WUCC members shall participate in such vote. Otherwise, the WUCC will refer any unresolved conflicts to the Department of Public Health for resolution.

### **3.3 Creation of New Public Water Systems**

The WUCC process is designated to control the proliferation of new public water systems and establish procedures for the creation of well-run, properly managed, new public water systems. The creation of any new public water system represents the final option for water supply for an area where service was not previously thought to be required and must meet with the WUCC's approval for consistency with its coordinated water system plan. Additionally, this approval must be a precursor to application for a Certificate of Public Convenience and Necessity, as set forth in DPUC Regulations (Public Act 84-330), as well as to diversion permits from the Department of Environmental Protection for new sources of supply.

Once approved for creation, a new public water supplier's system must be designed in conformance with relevant minimum design standards and other pertinent criteria. The new public water supplier will be required to execute a Statement of Confirmation of Service Boundaries. The coordinated water system plan will be revised, as appropriate, at its scheduled update, which occurs at least every 10 years.

final-march01-esa.doc

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**APPENDIX A**

**WUCC CORRESPONDENCE AND  
SUPPLEMENTAL INFORMATION**

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# Southeastern Connecticut Water Utility Coordinating Committee

*Convened the Fifth of August 1998 pursuant to Public Act 85-535*

## MEMORANDUM

**TO: Southeastern Connecticut WUCC Members**  
**FROM: Southeastern Connecticut WUCC Co-Chairs**  
**RE: Initiation of Preliminary Exclusive Service Area Declaration Process**  
**DATE: 16 December 1998**  
**DEADLINE: 10 February 1999**

The Southeastern Connecticut Water Utility Coordinating Committee is initiating the exclusive service area declaration process. Your participation is important to the success and expediency of implementing Public Act 85-535 and its regulatory requirements.

Pursuant to Paragraph (d)(2)(B) of Section 25-33h-1, Regulations Concerning Coordinated Water System Plans, "the WUCC shall prepare preliminary and then final exclusive service area boundaries". Paragraph (d)(2)(B) (i) through (ii) further states the following:

(i) In establishing these exclusive service area boundaries, the WUCC shall:

- allow utilities to maintain Existing Service Areas;
- not leave areas as unserved islands, unless it can be demonstrated that there is not and will be no future need for public water service; and
- not allow new service areas or main extensions which create duplication or overlap of services.

(ii) The following factors shall be utilized in determining exclusive service area boundaries:

- existing service areas;
- land use plans, zoning regulations, and growth trends;
- physical limitations to water service;
- political boundaries;
- water company rights as established by statute, special act, or administrative decision;
- system hydraulics, including potential elevations or pressure zones; and
- ability of a water system to provide a pure and adequate supply of water now and into the future.

**Failure to complete the enclosed form by FEBRUARY 10, 1999 may limit your future ability to expand your system and serve additional customers.** Please recognize that, upon final confirmation of these boundaries by the WUCC, water purveyors are responsible for providing pure and adequate water supply to service their agreed upon exclusive service area in accordance with all applicable regulatory requirements within a reasonable timeframe of requests by customers.

*Mr. Alfred Dion*  
*Groton Water Department*  
*295 Meriden Street*  
*Groton, CT 06340*  
*p: (860) 446-4039*  
*f: (860) 446-4098*

*Co-Chairs*

*Mr. Thomas Marston*  
*Connecticut Water Company*  
*96 West Main Street*  
*Clinton, CT 06413*  
*p: (860) 669-8630, ext. 254*  
*f: (860) 669-9326*

Memorandum (Page 2 of 2)

To: Southeastern Connecticut WUCC Members  
From: Southeastern Connecticut WUCC Co-Chairs  
Re: Initiation of Preliminary Exclusive Service Area Delineation Process  
Date: 11 December 1998

Enclosed please find a form entitled *Preliminary Exclusive Service Area Declaration*. Please note that if your existing service area does not extend to your property boundaries and you wish to maintain your capability to develop and serve this portion of your land in the future, you need to propose an expansion of your existing service area by marking "yes" in Item 1a and completing the form as indicated.

A portion of the January 13, 1999 meeting of the WUCC will be reserved for providing opportunities to access maps of existing service areas and have questions answered in a workshop session.

Please make additional copies of the form as necessary. For every form submitted, please enter the system name or some other unique name that describes the expansion or new proposed service area in the space at the top of the form entitled "identifying name".

Kindly return your completed and signed *Preliminary Exclusive Service Area Declaration* form with any pertinent mapping to the attention of Ms. Jeanine Armstrong Bonin, P.E., or Ms. Carla A. I. Koyama at the following address:

Milone & MacBroom, Inc.  
716 South Main Street  
Cheshire, CT 06410.

phone: (203) 271-1773  
fax: (203) 272-9733  
e-mail: [mmi-ct@worldnet.att.net](mailto:mmi-ct@worldnet.att.net)

In advance, thank you for your cooperation and please understand the urgency in this request.

12/29/98

**SOUTHEAST CONNECTICUT**  
**WATER UTILITY COORDINATING**  
**COMMITTEE**

**MEMORANDUM**

TO: Chief Administrative Officials  
Planning and Zoning Commissions  
Local Health Directors  
Interested Persons

FROM: Southeast Water Utility Coordinating Committee Co-Chairs

SUBJECT: Exclusive Water Service Area Declaration Process

DATE: December 29, 1998

In August 1998 the Southeast Water Utility Coordinating Committee (SEWUCC) initiated a two year drinking water supply planning process in the southeast public water supply management area. The enclosed map outlines the southeast management boundaries area. *This letter is being sent to all municipalities and local health directors within the SEWUCC area, and other interested parties to provide notice that a process to determine preliminary exclusive water service areas has been initiated. Public water systems within the SEWUCC area have been sent the "Preliminary Exclusive Service Area Declaration" form. A deadline of February 10, 1999 has been set for public water systems to declare a exclusive water service area.*

The SEWUCC has met on a monthly basis since August 5, 1998. The next scheduled SEWUCC meeting is Wednesday, January 13, 1999 at 1:00 p.m. in Norwich at the Southeastern Mental Health Authority (Uncas on the Thames). We encourage participation in all stages of the SEWUCC process in order to receive input from all parties impacted. It is important to participate in this planning process in order to understand how this process and specifically the exclusive water service area document will affect your planning.

---

*Mr. Al Dion*  
*Groton Water Department*  
*295 Meridian Street*  
*Groton, CT. 06340*  
*(860) 446-4093*

*Co-Chairs*

---

*Mr. Thomas Marston*  
*Connecticut Water Company*  
*93 West Main Street*  
*Clinton, CT. 06413*  
*(860) 669-8630*

# Southeastern Connecticut Water Utility Coordinating Committee

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*Convened the Fifth of August 1998 pursuant to Public Act 85-535*

## MEMORANDUM

**TO:** Southeastern Connecticut WUCC Members  
**FROM:** Southeastern Connecticut WUCC Co-Chairs  
**RE:** Preliminary Exclusive Service Area (ESA) Declaration Process  
**DATE:** 25 January 1999

This is a reminder that **February 10, 1999** is the **deadline for submission of the *Preliminary Exclusive Service Area Declaration* form and associated mapping**. This information will be used to create the preliminary exclusive service area document boundaries document.

Attached please find correspondence received by the WUCC Co-Chairs from Tim Reardon at Planners Collaborative, Inc. (PCI), the consulting firm assisting the WUCC with conflict resolution. **The attached memorandum provides very important information for your consideration when planning for and preparing your *Preliminary Exclusive Service Area Declaration* form.** Additionally, the attached memo and flowchart also add insight to the ESA process and expected products.

Also note the draft *Land Use Compatibility Report* prepared by PCI has considerable land use information with respect to the Southeastern Connecticut and is organized according to municipal boundaries. **Public water systems are encouraged to contact Milone & MacBroom, Inc. for a copy of pertinent sections of the draft *Land Use Compatibility Report* prepared by PCI for use in preparing the *Preliminary Exclusive Service Area Declaration* form and associated mapping.** If there are any corrections and/or comments on the draft *Land Use Compatibility Report*, please return them to PCI by February 15 at 273 Summer Street, Boston, MA 02210.

---

Mr. Alfred Dion  
Groton Utilities  
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Groton, CT 06340  
p: (860) 446-4039  
f: (860) 446-4098

Co-Chairs

Mr. Thomas Marston  
Connecticut Water Company  
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# Southeastern Connecticut Water Utility Coordinating Committee

*Convened the Fifth of August 1998 pursuant to Public Act 85-535*

## MEMORANDUM

**TO:** Town of North Stonington  
Town of Lebanon, School Systems  
Town of Preston, Lincoln Park Senior Citizen Center  
Town of East Hampton, East Hampton Water & Sewer Authority  
**FROM:** Southeastern Connecticut WUCC Co-Chairs  
**RE:** Limited Reopening of  
Preliminary Exclusive Service Area Declaration Process  
**DATE:** 10 June 1999  
**DEADLINE:** 01 July 1999

As per the monthly WUCC meeting of June 9, 1999, the Southeastern Connecticut Water Utility Coordinating Committee has agreed to a limited reopening of the exclusive service area declaration process. The Towns of North Stonington, Lebanon, Preston, and East Hampton are hereby provided an additional period for submitting preliminary exclusive service area proposals.

Please recognize that pursuant to Paragraph (d)(2)(B) of Section 25-33h-1, Regulations Concerning Coordinated Water System Plans, "the WUCC shall prepare preliminary and then final exclusive service area boundaries". Paragraph (d)(2)(B) (i) through (ii) further states the following:

(i) In establishing these exclusive service area boundaries, the WUCC shall:

- allow utilities to maintain Existing Service Areas;
- not leave areas as unserved islands, unless it can be demonstrated that there is not and will be no future need for public water service; and
- not allow new service areas or main extensions which create duplication or overlap of services.

(ii) The following factors shall be utilized in determining exclusive service area boundaries:

- existing service areas;
- land use plans, zoning regulations, and growth trends;
- physical limitations to water service;
- political boundaries;
- water company rights as established by statute, special act, or administrative decision;
- system hydraulics, including potential elevations or pressure zones; and
- ability of a water system to provide a pure and adequate supply of water now and into the future.

---

*Mr. Alfred Dion*  
Groton Water Department  
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*Co-Chairs*

*Mr. Thomas Marston*  
Connecticut Water Company  
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Memorandum (Page 2 of 2)

To: Town of North Stonington

Town of Lebanon, School Systems

Town of Preston, Lincoln Park Senior Citizen Center

Town of East Hampton, East Hampton Water & Sewer Authority

From: Southeastern Connecticut WUCC Co-Chairs

Re: Limited Reopening of Preliminary Exclusive Service Area Delineation Process

Date: 10 June 1999

**Failure to complete the enclosed form by JULY 1, 1999 may limit your future service area and ability to serve additional customers.** Please recognize that, upon final confirmation of these boundaries by the WUCC, water purveyors are responsible for providing pure and adequate water supply to service their agreed upon exclusive service area in accordance with all applicable regulatory requirements within a reasonable timeframe of requests by customers.

Forwarded please find a form entitled *Preliminary Exclusive Service Area Declaration*. Please make additional copies of the form as necessary. Please enter the system name or some other unique name that describes the expansion or new proposed service area in the space at the top of the form entitled "identifying name".

Kindly return your completed and signed *Preliminary Exclusive Service Area Declaration* form with any pertinent mapping to the attention of Ms. Jeanine Armstrong Bonin, P.E., or Ms. Carla A. I. Koyama at the following address:

Milone & MacBroom, Inc.  
716 South Main Street  
Cheshire, CT 06410

phone: (203) 271-1773

fax: (203) 272-9733

e-mail: [mmi-ct@worldnet.att.net](mailto:mmi-ct@worldnet.att.net)

If you have any further questions do not hesitate to contact staff at Milone & MacBroom, Inc. or Ms. Lori Mathieu at the Connecticut Department of Public Health at (860) 509-7333. In advance, thank you for your cooperation and please understand the urgency in this request.

cc: J. A. Bonin/C. A. I. Koyama, Milone & MacBroom, Inc.  
L. Mathieu, Department of Public Health

Engineering,  
Landscape Architecture  
and Environmental Science



**MILONE & MACBROOM®**

July 30, 1999

Mr. Arthur Gamache  
Department of Public Utility Control  
10 Franklin Square  
New Britain, CT 06051

**RE: Exclusive Service Area Conflicts  
Request for Consultation  
MMI # 1017-02**

Dear Mr. Gamache:

On behalf of the Southeast Connecticut Water Utility Coordinating Committee (WUCC) and in accordance with Section 25-33h-1(f)(D) of the Regulations Concerning Coordinated Water System Plans, the Southeast Connecticut WUCC is requesting DPUC consultation with respect to unresolved exclusive service area boundaries.

Section 25-33h-1(f)(D) states the following: "If exclusive service area boundaries have not been established and submitted to the department within the time schedule established in subdivision (B), the WUCC shall provide to the department documentation that the WUCC has consulted with the department of public utility control, a summary discussion of unresolved issues, identification of persons affected by the conflict, and additional information as necessary."

The enclosed package of information is being submitted to assist DPUC in its review of exclusive service area conflicts. In addition to the initial claims made in the conflicted areas, supplemental information is enclosed, including copies of meeting minutes, summaries of workshop sessions, and relevant correspondence, and tables. We would also direct you to the *Final Water Supply Assessment* dated April 1999 and the soon-to-be published *Preliminary Exclusive Service Area Declaration* document and associated mapping.

In total, there are 12 of 25 towns that remain in conflict with respect to exclusive service area claims. Each is described briefly below:

**East Haddam**

Connecticut Water Company (CWC), Eastern Connecticut Regional Water Company (ECRWC), and the Town of East Haddam have all made claims to serve the entire Town of East Haddam.

**East Hampton**

The East Hampton Water & Sewer Authority, ECRWC, and Connecticut-American Water Company have all made claims to serve the entire Town of East Hampton.

John M. Milone, P.E.  
James G. MacBroom, P.E.  
Vincent C. McDermott, F.A.S.L.A.  
Robert A. Jackson, L.S.  
John R. Gilmore, P.E.  
Edward A. Hart, P.E.  
Rodney I. Shaw, L.A.  
Thomas R. Shell, L.A.  
David R. Bragg, P.E., L.S.  
Stephen R. Dietzko, P.E.  
David W. Dickson, L.A.  
Jeanine A. Bonin, P.E.  
Laura A.S. Wildman, P.E.  
Glen M. Martin, L.A.  
Thomas J. Daly, P.E.  
W. Andrew Greene, P.E.  
Darin L. Overton, P.E.  
Robert J. Bass, P.E.  
Alphonse J. Ciriello, P.E.  
Anthony A. Ciriello, P.E.  
Nicole Burnham, P.E.  
Steven D. George, P.E.  
Mark Arigoni, L.A.  
Douglas A. Fisher, P.E.

**Franklin**

Initially, the Southeastern Connecticut Water Authority (SCWA), CWC, and the Norwich Water Department all made claims to serve the entire Town of Franklin. Subsequent to the initial claim, the Norwich Water Department reduced its claim to a small portion of Franklin and is no longer in conflict with the other parties. The Town of Franklin has issued a letter of support in favor of service in the Town by SCWA in combination with the Norwich Water Department in the southern portion of Town. The remaining conflict area is between SCWA and CWC. This is reflected in the attached plan of the ESA resolved claims (scale 1:300000).

**Griswold**

Jewett City Water Company, CWC, and SCWA all initially made claims to all or a portion of Griswold. Negotiations between Jewett City Water Company and CWC have resulted in an agreed upon split in service area, with Jewett City Water Company serving the northern portion of Town and CWC serving the southern portion of Town. Both of these entities are in conflict with SCWA, which has maintained its claim on a large portion of the Town. The attached figure depicts the conflict areas in Griswold.

**Lebanon**

The Town of Lebanon, Connecticut-American Water Company, ECRWC, and the Norwich Water Department all made initial claims to serve the entire Town of Lebanon. Subsequent negotiations resulted in a reduction in claim area by the Norwich Water Department as shown on the attached plan of the ESA resolved claims (scale 1:300000). This area is larger than that which the remaining parties indicated they had agreed to and, therefore, a portion of this area may remain in conflict. Connecticut-American Water Company and ECRWC have agreed upon a tentative split of the Town in which Connecticut-American would serve the eastern portion of Town and ECRWC would serve the western portion of Town. However, neither has formally amended their ESA claim and each remains in conflict with the Town of Lebanon's claim. Therefore, most, if not all, of Lebanon remains in conflict.

**Ledyard**

The Ledyard WPCA, SCWA, and the Preston Plains Water Company have all made claims in the Town of Ledyard. No amendments to the initial claims have been made. The attached map indicates the conflict areas.

**Lyme**

CWC and ECRWC have made claims to serve the entire Town of Lyme. It is anticipated that the Town of Lyme may also submit a claim to their Town or a request that no ESA designation be made in the Town.

**Marlborough**

ECRWC and Connecticut-American Water Company have both made claims to the entire Town of Marlborough.

**Montville**

The Montville WWPCA and SCWA have both made claims to the entire Town of Montville. Contractual issues regarding the recently constructed Route 32 water main are currently being handled through the two parties' attorneys.

**North Stonington**

The Town of North Stonington, CWC, SCWA, Connecticut-American Water Company, and Preston Plains Water Company have all made claims in North Stonington. Preston Plains Water Company is in conflict along the western border of the Town with the Town of North Stonington, SCWA, and Connecticut-American Water Company. The remainder of the Town remains in conflict between the Town, CWC, SCWA, and Connecticut-American Water Company. The attached map shows conflict areas.

**Preston**

Two areas of conflict remain in Preston. The first is the area in the southeast portion of Preston which was claimed by the Preston Plains Water Company, the Town of Preston, and SCWA. The second area is located in the northeastern portion of Town which has been claimed by the Town and CWC. There are no remaining conflicts in the western portion of Preston. The attached map shows the remaining areas of conflict in Preston.

**Voluntown**

CWC and SCWA have both made claims for the entire Town of Voluntown. Connecticut-American Water Company has withdrawn their initial claim in Voluntown.

Requests for additional information can be made care of the WUCC co-chair (Al Dion or Tom Marston), the Department of Public Health (Lori Mathieu), or Milone & MacBroom, Inc. (Jeanine Bonin). On behalf of the WUCC, I thank you in advance for your Department's input in this process.

Very truly yours,

MILONE & MAC BROOM, INC.



Jeanine Armstrong Bonin, P.E.  
Project Manager

Enclosures

cc: Tom Marston, Connecticut Water Company  
Al Dion, Groton Utilities  
Lori Mathieu, Department of Public Health

# Southeastern Connecticut Water Utility Coordinating Committee

*Convened the Fifth of August 1998 pursuant to Public Act 85-535*

March 30, 2000

To: SEWUCC Members

Re: Schedule for Exclusive Service Area Presentations and Voting

The schedule for presentations and voting for Exclusive Service Areas is attached. Please be advised that there are still negotiations between conflicting parties going on and some of the towns shown on this schedule could drop out. If so the next town on the schedule will be moved up. Parties that are planning on making presentations should be prepared to speak when called upon.

The order of presentations in each town was set by DPH. Generally speaking the party that was awarded the ESA for a town by DPUC will present first.

The first presentation will begin April 4 at the conclusion of the New Business section of the agenda sent to you previously.

Sincerely,

*Thomas R. Marston*

Thomas R. Marston

*Alfred Dion*

Alfred Dion

cc. Jeanine Bonin, Milone & MacBroom

*Mr. Alfred Dion  
Groton Water Department  
295 Meridian Street  
Groton, CT 06340  
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f: (860) 446-4098*

*Co-Chairs*

*Mr. Thomas Marston  
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93 West Main Street  
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p: (860) 669-8630, ext. 254  
f: (860) 669-9326*

**SEWUCC Schedule for**  
**Exclusive Service Area Presentations and Voting**  
*For Tuesday April 4<sup>th</sup>, Thursday April 6<sup>th</sup>, and Monday April 10<sup>th</sup>*

1. Ledyard  
Presentation Order:
  - a. Town of Ledyard WPCA
  - b. Preston Plains Water Company
  - c. Southeastern CT. Water Authority
  
2. Lebanon  
Presentation Order:
  - a. Eastern CT. Regional Water Company (AquaSource)
  - b. CT. American Water Company
  - b. Town of Lebanon
  
3. Marlborough  
Presentation Order:
  - a. Eastern CT. Regional Water Company (AquaSource)
  - b. CT. American Water Company
  
4. East Hampton  
Presentation Order:
  - a. Eastern CT. Regional Water Company (AquaSource)
  - b. CT. American Water Company
  - c. Town of East Hampton WPCA
  
5. Griswold (southern portion), Voluntown, and Franklin\*  
*\*(Both parties have agreed to group these as one and allow for one 20 minute presentation per party, then votes will be taken on each town separately)*  
Presentation Order:
  - a. CT. Water Company
  - b. Southeastern CT. Water Authority
  
6. North Stonington  
Presentation Order:
  - a. Town of North Stonington
  - b. CT. Water Company
  - c. CT. American Water Company
  - d. Preston Plains Water Company
  - e. Southeastern CT. Water Authority
  
7. Montville  
Presentation Order:
  - a. Southeastern CT. Water Authority
  - b. Town of Montville WWPCA
  
8. East Haddam  
Presentation Order:
  - a. Town of East Haddam
  - b. Eastern CT. Regional Water Company (AquaSource)
  - c. CT. Water Company

**SEWUCC Schedule for**  
**Exclusive Service Area Presentations and Voting**  
*Thursday April 6<sup>th</sup> and Monday April 10<sup>th</sup>*

1. Marlborough  
Presentation Order:
  - a. Eastern CT. Regional Water Company (AquaSource)
  - b. CT. American Water Company
  - c. Town of Marlborough
  
2. East Hampton  
Presentation Order:
  - a. Eastern CT. Regional Water Company (AquaSource)
  - b. CT. American Water Company
  - c. Town of East Hampton WPCA
  
3. North Stonington  
Presentation Order:
  - a. Town of North Stonington
  - b. CT. Water Company
  - c. CT. American Water Company
  - d. Preston Plains Water Company
  - e. Southeastern CT. Water Authority
  
4. Montville  
Presentation Order:
  - a. Southeastern CT. Water Authority
  - b. Town of Montville WWPCA
  
5. East Haddam  
Presentation Order:
  - a. Town of East Haddam
  - b. Eastern CT. Regional Water Company (AquaSource)
  - c. CT. Water Company

# AquaSource

gtr

June 26, 2000

Jeanine Bonin, P.E.  
Milone & MacBroom, Inc.  
716 South Main Street  
Cheshire, Connecticut 06410

RECEIVED  
JUN 28 2000  
MILONE & MacBROOM, INC.

Dear Ms. Bonin,

Eastern Connecticut Regional Water Company, Inc. (ECRWC), a division of AquaSource, has reviewed and offers the following comments on the June 2000 draft of the Coordinated Water System Plan – Part II: Final Exclusive Service Area Boundaries, Southeast Connecticut Public Water Supply Management Area. The following comments address the Exclusive Service Area in the Town of East Hampton, Connecticut.

The Town of East Hampton built a water supply system to serve 23 customers during 1989. As part of the certificate process, the system was being constructed well within one linear mile of the ECRWC Baker Hill Division, and therefore required by Connecticut statutes to be turned over to ECRWC. It was the Town of East Hampton's desire to retain ownership and enter the public water supply business. After lengthy meetings with the Town and in a gesture of good faith, Mr. John Wittenzellner, Jr., then President of ECRWC, at the personal request of the Town Manager, allowed the Town of East Hampton to maintain system ownership and control of the system, and avoid resolution through the courts. ECRWC waived its rights to correct the ownership in court as it was dealing with a similar issue in the Town of Ashford (the courts ruled in favor of ECRWC in the Ashford case).

East Hampton became a recognized, eligible member of the SEWUCC based on the ownership and operation of this small water system.

In a March 9, 2000 letter, the Connecticut Department of Public Utility Control recommended that AquaSource (ECRWC) be awarded the Exclusive Service Area Provider for the unserved portion of East Hampton.

The Town of East Hampton used its position as a recognized, eligible member of the SEWUCC to challenge AquaSource's claim as the Exclusive Service Area Provider for the unserved portion of East Hampton.

Mr. John Wittenzellner, Jr., AquaSource's Northeast Region Assistant Manager, negotiated with Mr. Vincent F. Susco, Jr., East Hampton Public Utilities Administrator, in an attempt to understand the town's interests and resolve the conflict outside of the SEWUCC. Mr. Susco represented that he was authorized by the Town of East Hampton to negotiate and enter into a contract for resolution of the Exclusive Service Area Provider dispute between the East Hampton and AquaSource.

*AquaSource Utility, Inc.*

The Exclusive Service Area Procedures document says,

**March 29, 2000** – Remaining conflict parties must notify DPH prior to 12:00 p.m. on this date to be placed on the agenda for the April 4<sup>th</sup>, 6<sup>th</sup> or 10<sup>th</sup> meetings. Conflicting parties may continue to negotiate towards a resolution until April 4<sup>th</sup>. If resolution is reached between March 9 and April 4, presentations and voting will be withdrawn from the schedule at the April 4, 2000 meeting.”

On April 4<sup>th</sup>, the Town of East Hampton, and AquaSource (ECRWC) petitioned the SEWUCC to move their allotted time slot to Thursday April 6<sup>th</sup> to permit additional time to finalize a resolution of the conflict.

On April 5, 2000, Mr. John Wittenzellner, Jr., AquaSource’s Northeast Region Assistant Manager, met at the office of Mr. Vincent F. Susco, Jr., East Hampton Public Utilities Administrator. Mr. Wittenzellner understood the Town of East Hampton’s desire to develop a public water supply system within the business district. After lengthy discussions, Mr. Wittenzellner “agreed not to object to the applications of the Town of East Hampton on the condition that ECRWC be the sole water provider for the four areas identified on Exhibit A.” An agreement was signed by Mr. John Wittenzellner, Jr., and Mr. Vincent F. Susco, Jr., authorized agent for the Town of East Hampton (See attached).

Based on the April 5, 2000 agreement between the Town of East Hampton and AquaSource (ECRWC), a presentation to the SEWUCC from Mr. Wittenzellner was not required since the agreement resolved the former conflict. Mr. Wittenzellner did not attend the April 6, 2000 SEWUCC meeting because all conflicts were resolved and the SEWUCC meeting conflicted with another meeting. Christopher Till, ECRWC’s Water System Manager, attended the April 6, 2000 SEWUCC meeting without any plans to make a presentation since all previous conflict areas had been resolved through written agreements.

On April 6, 2000, Mr. Vincent F. Susco, Jr., East Hampton Public Utilities Administrator made a presentation to the SEWUCC that was inconsistent with the April 5, 2000 agreement between the Town of East Hampton and AquaSource (ECRWC). AquaSource (ECRWC) did not make a formal presentation. Christopher Till informed the SEWUCC that an agreement had been signed the previous day and it should be honored by the Town of East Hampton and SEWUCC. Based on the information presented to the SEWUCC by the Town, the SEWUCC membership voted to accept the Town of East Hampton’s request to be designated as the ESA Provider for the Town of East Hampton with the exception of the area immediately surrounding existing systems.

Since the April 6, 2000 SEWUCC meeting, Mr. Wittenzellner has contacted Mr. Susco to finalize the agreement signed on April 5, 2000. Mr. Susco has apologized for the Town’s reaction and informed Mr. Wittenzellner that the Town of East Hampton Administration does not have any intentions of honoring their written agreement.

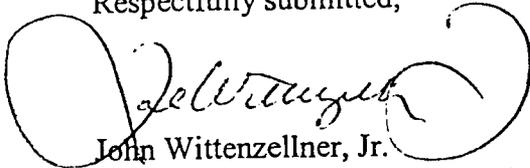
AquaSource respectfully requests that this letter and the April 5, 2000 agreement between the Town of East Hampton and AquaSource (ECRWC) be included as an Appendix to the

J. Bonin  
June 26, 2000

Coordinated Water System Plan – Part II: Final Exclusive Service Area Boundaries, Southeast Connecticut Public Water Supply Management Area.

Furthermore, AquaSource requests that the SEWUCC reconsider its recommendation that the entire Town of East Hampton ESA be awarded to the Town and award AquaSource the ESA for the portion of East Hampton described in the April 5, 2000 agreement signed by Mssrs. Wittenzellner and Susco.

Respectfully submitted,



John Wittenzellner, Jr.  
AquaSource Northeast Region Assistant Manager



Christopher Till, P.E.  
ECRWC Water Systems Manager

Cc: Mr. Thomas Marston – SEWUCC Co-chairman  
Mr. Bob Congdon – SEWUCC Co-chairman  
Lori Mathieu, CTDPH

Attachments – Town of East Hampton/AquaSource: Proposed Memo of Understanding  
- Exhibit A: Maps depicting “right of ECRWC to own, operate, construct, develop, and maintain such water systems within the four areas”

*Town of East Hampton*  
Water Pollution Control Authority  
P.O. Box 218  
East Hampton, Connecticut 06424-0218  
Telephone (860) 267-2536  
FAX (860) 267-9913

**PROPOSED MEMO OF UNDERSTANDING**

**THIS AGREEMENT** is made as of the 5<sup>th</sup> day of April, 2000, among Eastern Connecticut Regional Water Company/AquaSource, Inc., ("ECRWC") and the Town of East Hampton (the "Town").

**WHEREAS**, ECRWC has petitioned the Southeastern Connecticut Water Utility Coordinating Committee ("WUCC") for designation as the sole Exclusive Service Area ("ESA") water provider for the area encompassed by the boundaries of the Town; and

**WHEREAS**, the Town has petitioned the WUCC for designation as the sole Exclusive Service Area provider for the area encompassed by the boundaries of the Town.

**WHEREAS**, ECRWC has agreed not to object to the applications of the Town of East Hampton on the condition that ECRWC be the sole water provider for the four areas identified on Exhibit A.

**NOW THEREFORE**, in consideration of the foregoing and of One Dollar (\$1.00) and other valuable consideration received by ECRWC from the Town, the receipt and sufficiency of which are hereby acknowledged, the Town, and ECRWC, agree as follows:

1. The parties represent and acknowledge to the WUCC that each recognize, the intent, and desire of the Town to be the ESA provider for the entire Town of East Hampton.
2. The parties recognize the right of ECRWC to own, operate, construct, develop and maintain such water systems within the four areas designated in Exhibit A. It is the express intent of the parties hereto that ECRWC shall continue to use and operate its existing water systems and water sources that provide water service.
3. That at any time and from time to time, the Town may elect to expand the application of this agreement with respect to water supply needs, but only by a writing setting forth a clear and unequivocal waiver signed by the Town Manager or other duly authorized representative of the Town.
4. That ECRWC shall reasonably cooperate with and assist the Town in the planning and implementation by the Town of its rights reserved in this Agreement.

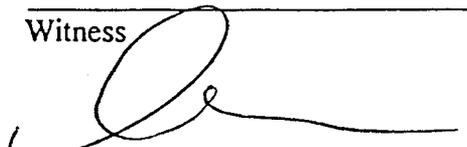
5. The parties understand and acknowledge that the authority to designate any entity as sole water provider for the Town or any other part thereof resides solely with WUCC, subject to the provisions of the Connecticut General Statutes and any regulations adopted pursuant thereto relating to the formation of WUCC and the discharge of its obligations. The parties also understand that other governmental authorities shall or may play a role in any decision to make such designation and, further, that such designation may be subject to legal or administrative appeal.
6. The execution, delivery and performance of this Agreement by each of the parties hereto have been duly authorized by all necessary corporate or other action. Attached hereto as exhibits to this Agreement are true, correct and complete copies of all such authorizations and consents.
7. This Agreement shall be binding upon and inure to the benefit of the successors and assigns of the parties hereto.

In WITNESS WHEREOF, the parties hereto have hereunto set their hands this 5<sup>th</sup> day of April, 2000.

TOWN OF EAST HAMPTON

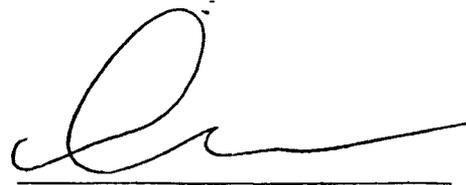
By: \_\_\_\_\_  
Its Town Manager  
Allan Bergren

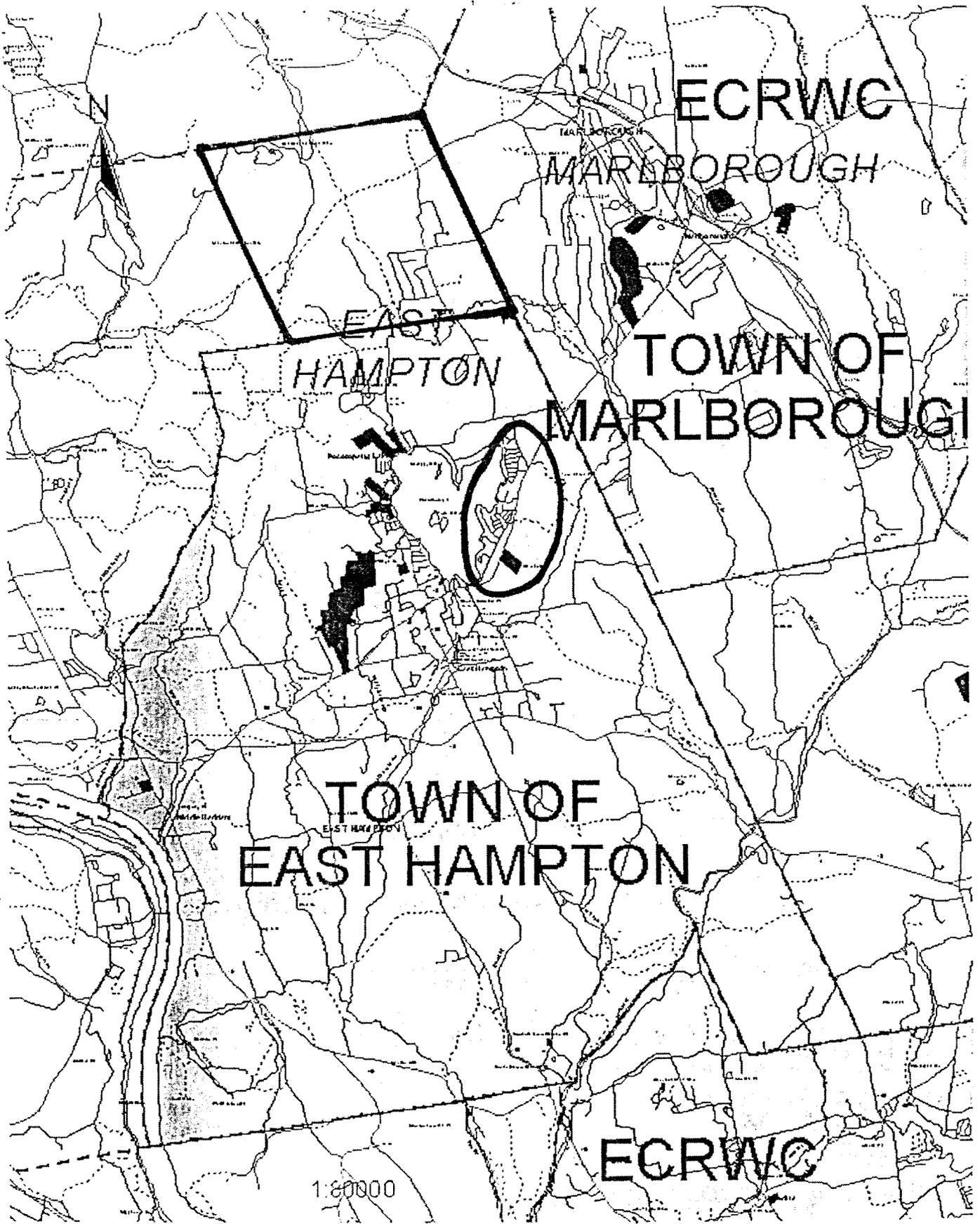
By:   
Its Public Utilities Administrator  
Vincent F. Susco, Jr.

Witness \_\_\_\_\_  
  
Witness

EASTERN CONNECTICUT REGIONAL  
WATER COMPANY/AQUASOURCE, INC.

By:   
Its Northeast Regional Assistant  
Manager  
John Wittenzellner, Jr.

Witness \_\_\_\_\_  
  
Witness



Map Prepared by the  
State of Connecticut  
Department of Public Health

Town of East Hampton

EXHIBIT A 2

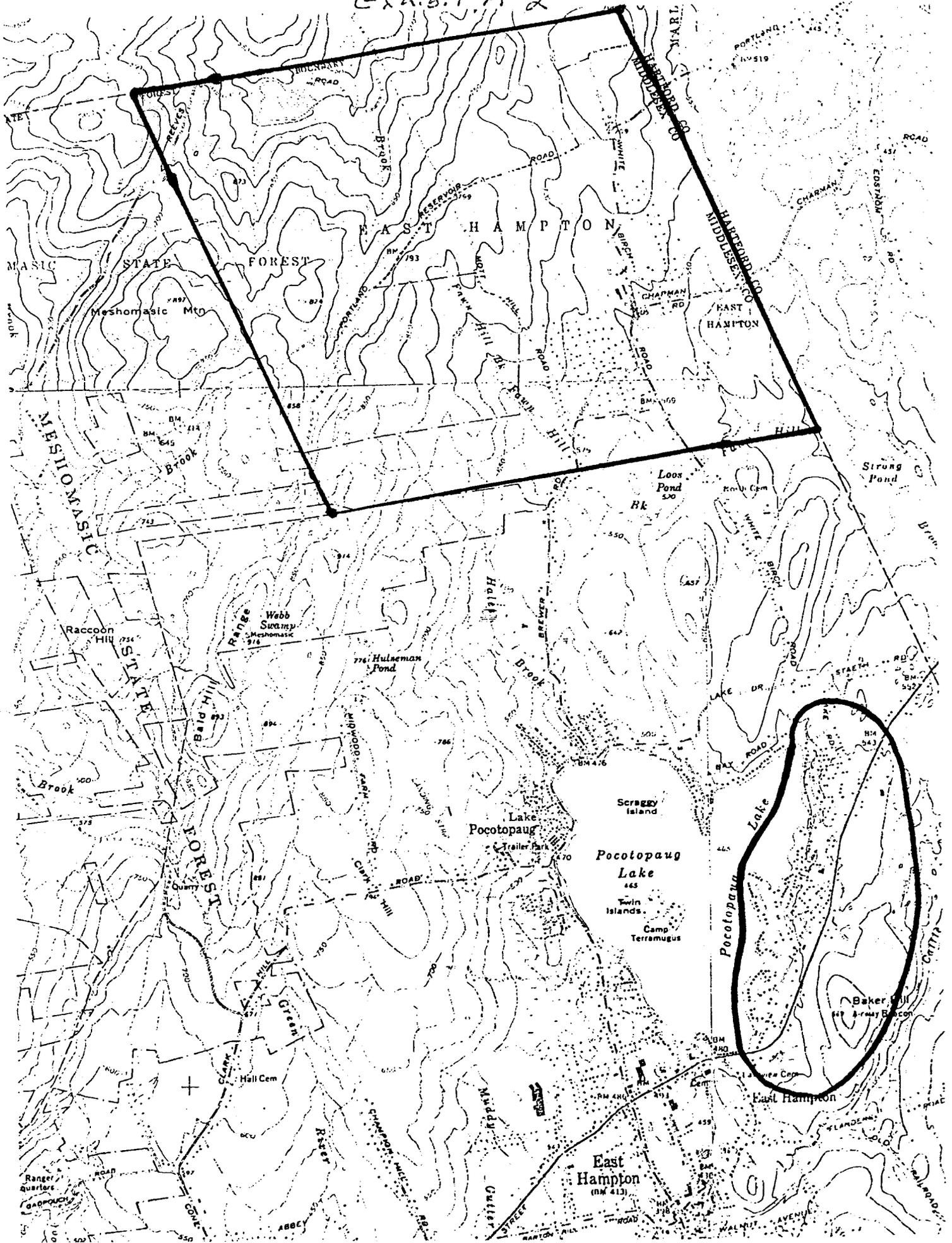
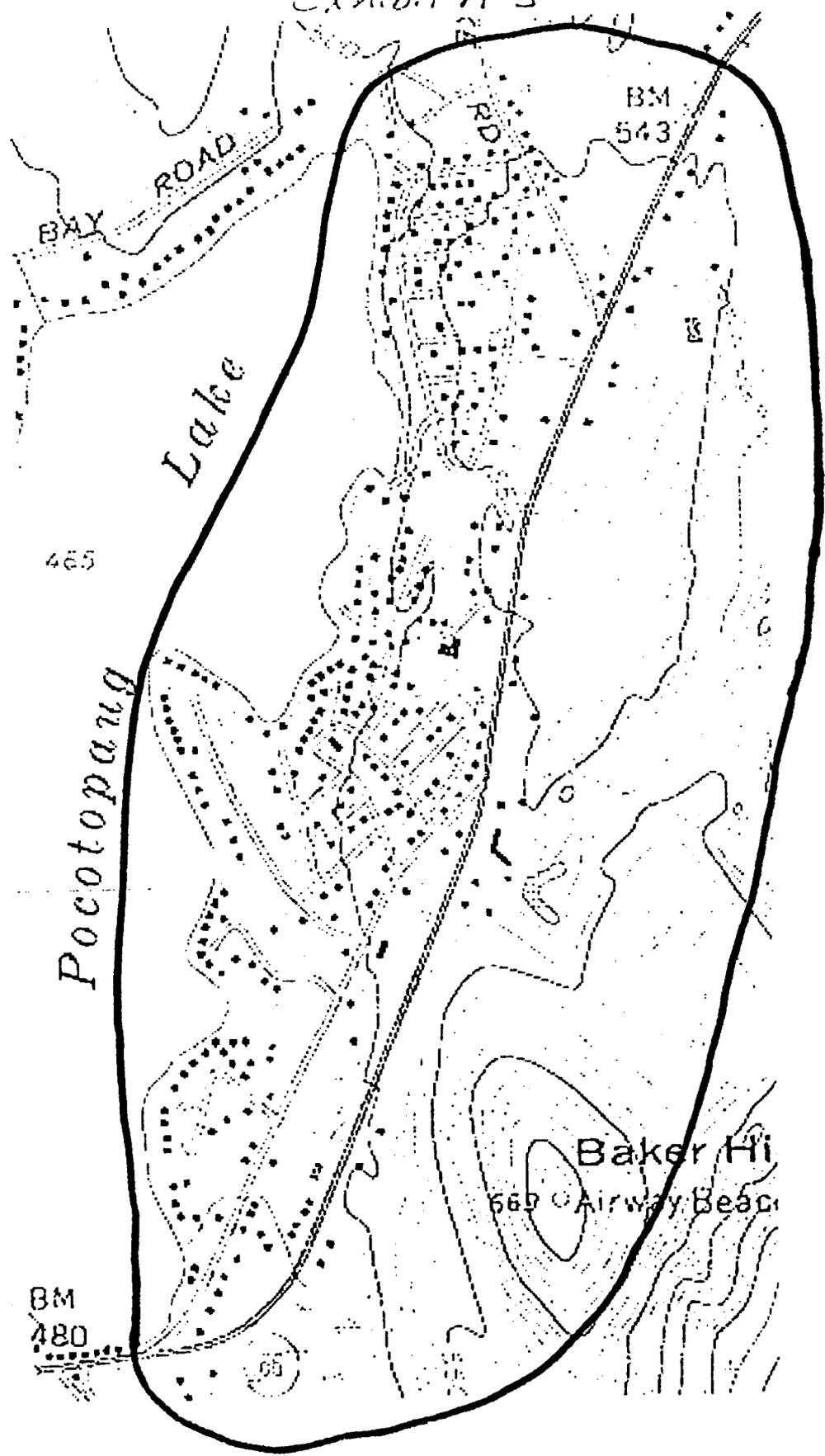


Exhibit A-3



BM  
480

BM  
543

Baker Hill  
669 Airway Beach

BAY  
ROAD

Lake

Pocotopang

465

55

# Southeastern Connecticut Water Utility Coordinating Committee

*Convened the Fifth of August 1998 pursuant to Public Act 85-535*

August 28, 2000

Joxel Garcia, M.D., M.B.A., Commissioner  
Connecticut Department of Public Health  
410 Capitol Avenue  
P.O. Box 340308  
Hartford, CT 06134-0308

**Re: Exclusive Service Area Recommendation, Town of East Hampton**

Dear Commissioner Garcia:

At the SEWUCC's August 2, 2000 meeting the WUCC voted to recommend that the Exclusive Service Area for the two areas of the East Hampton shown on the attached map titled Exhibit A-2 be awarded to AquaSource, with the remainder of East Hampton awarded to the Town of East Hampton. East Hampton was listed as unresolved in the Final Recommended Exclusive Service Area Boundaries document submitted to your office in July due to actions taken by the WUCC at its July 11, 2000 meeting. The final approved minutes of the July meeting are attached.

The draft minutes from the August 2, 2000 meeting are also attached. These minutes will be submitted to the WUCC for approval at the September 7, 2000 meeting. The minutes have been reviewed by the chairs and are believed to be substantially correct.

The WUCC asks that you consider its recommendation when making your determination of Exclusive Service Area award for East Hampton.

Sincerely,



Thomas R. Marston



Robert M. Congdon <sup>TRM</sup>

cc. Jim Okrongly, DPH WSS  
Vincent Susco, Town of East Hampton  
John Wittenzellner, AquaSource

Mr. Robert Congdon  
Town of Preston  
389 Route 2  
Preston, CT 06365-8830  
p: (860) 887-5581

Co-Chairs

Mr. Thomas Marston  
Connecticut Water Company  
93 West Main Street  
Clinton, CT 06413  
p: (860) 669-8630, ext. 254

---

**APPENDIX B**

**EXAMPLE PRELIMINARY EXCLUSIVE SERVICE AREA  
DECLARATION FORM**

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PRELIMINARY EXCLUSIVE SERVICE AREA DECLARATION PURSUANT TO P.A. 85-535

16-Dec-98

Water Utility:		Street Address:	
Identifying Name:		Town:	
Location Served:		State:	
Enabling Legislation:		Zip Code:	
Facility Owner:		Telephone:	
Contact Name:		Fax:	
Contact Title:		E-mail Address:	

1. Are you planning on expanding your existing service area? PLEASE NOTE: Check "yes" in item 1a and proceed as indicated if your existing service area does not extend to your property boundaries and you wish to maintain your capability to develop and serve this portion of your land in the future.

(a.) Yes. (Proceed to Items 2 through 7.)

(b.) No. (Sign here and return to address provided on the back of this form.)

Signature of \_\_\_\_\_ Date: \_\_\_\_\_  
Duly Authorized Representative: \_\_\_\_\_  
Duly Authorized Representative Name \_\_\_\_\_  
(Typed or Printed): \_\_\_\_\_  
Duly Authorized Representative Title \_\_\_\_\_  
(Typed or Printed): \_\_\_\_\_

\*\*\* CONCERNING PROPOSED EXPANSIONS OF EXISTING SERVICE AREAS \*\*\*

- 2. Please attach a clear delineation of your proposed exclusive service area boundary on a map.
- 3. Please provide a written description of your proposed exclusive service area boundaries. Attach additional pages, as necessary.

4. Using available information, such as your most recent water supply plan or system records, describe how your proposed exclusive service area addresses and/or accounts for the following. Attach additional pages, as necessary.

(a.) Existing Service Areas

(b.) Land Use Plans, Zoning Regulations, and Growth Trends

(c.) Physical Limitations to Water Service

[Empty box for Physical Limitations to Water Service]

(d.) Political Boundaries

[Empty box for Political Boundaries]

(e.) Water Company Rights as by Statute, Special Act, or Administrative Decision

[Empty box for Water Company Rights as by Statute, Special Act, or Administrative Decision]

(f.) System Hydraulics, including Potential Elevations or Pressure Zones

[Empty box for System Hydraulics, including Potential Elevations or Pressure Zones]

(g.) Ability to Provide a Pure and Adequate Supply of Water Now and into the Future

[Empty box for Ability to Provide a Pure and Adequate Supply of Water Now and into the Future]

5. As appropriate, mark a check in the space provided.

- (a.) Yes, we are aware of other public water system(s) whose proposed expansion of an existing service area may create an overlap with that proposed herein.
- (b.) Yes, we have corresponded with such public water system(s) concerning this potential overlap. In the interest of avoiding conflicts, public water systems are encouraged to coordinate their efforts.

6. OPTIONAL. Provide the names in the space below of any public water system(s) for which there may be an overlap of proposed exclusive service areas.

[Empty box for names of public water systems]

7. If you checked "yes" for Item 1a, sign here and return this form with pertinent attachments to the address below.

I, undersigned below, am presently aware of no reason why the utility represented on this form and any associated attachments would not be capable of providing pure and adequate supply of water to service the proposed exclusive service area in accordance with all applicable regulatory requirements, within a reasonable timeframe of requests by customers, should the proposed service boundaries be accepted by the Southeastern Connecticut Water Utility Coordinating Committee and the Connecticut Department of Public Health pursuant to Public Act 85-535.

Signature of  
Duly Authorized Representative:

Date:

[Empty box for Date]

Duly Authorized Representative Name  
(Typed or Printed):

[Empty box for Duly Authorized Representative Name]

Duly Authorized Representative Title  
(Typed or Printed):

[Empty box for Duly Authorized Representative Title]

*For additional information concerning the exclusive service area declaration process, please refer to the memorandum provided with this form and dated December 11, 1998 from the Southeastern Connecticut WUCC Co-Chairs.*

*Please direct any correspondence to the attention of Ms. Jeanine Armstrong Bonin or Ms. Carla A. I. Koyama via phone, (203) 271-1773, or fax, (203) 272-9733.*

*Kindly return this form completed and signed with any pertinent mapping to their attention by FEBRUARY 10, 1999 at the following: Milone and MacBroom, Inc., 716 South Main Street, Cheshire, CT 06410.*

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**APPENDIX C**

**EXCLUSIVE SERVICE AREA PROCEDURES**

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## **Exclusive Service Area Procedures**

Adopted December 7, 1999

Schedule Revised February 8, 2000

Modified March 9, 2000

### ■ ***Who will be eligible to vote? Recognized SEWUCC Members.***

1. Eligible WUCC members and recognized WUCC members are not one in the same.
2. If an entity has not previously been recognized as a WUCC member, and believes they are eligible, the regulations outline a procedure whereby that entity must petition the Department of Public Health, with documentation of their eligibility, prior to becoming a recognized WUCC member.
3. Several existing members have gone through this process, including the Towns of Marlborough, East Haddam, and others.
4. A list of recognized WUCC members is being kept and updated by both DPH and Milone & MacBroom, Inc.
5. A copy of this list will be available at each meeting.
6. The list as of the voting date will determine who is eligible to vote.

### ■ ***Can someone vote by proxy? No.***

1. One representative from the organization that is a recognized WUCC member must be present at the meetings in order to vote.

### ■ ***Will a quorum be imposed for the purposes of voting on ESA matters? Yes.***

1. A minimum quorum of 12 recognized WUCC members will be required for a valid vote to take place.
2. If there is no quorum, the meeting will be rescheduled within seven days.
3. No decisions will move forward until all conflict areas are voted upon.

### ■ ***How will the process proceed following issuance of the DPUC decision?***

- ***March 9, 2000 WUCC Meeting*** – DPUC will issue its recommendations regarding exclusive service area award. Copies of their recommendations will be distributed to attending WUCC members.
- ***March 9 through April 4, 2000*** – With the DPUC recommendations in hand, conflicting parties will have the opportunity to further negotiate in an attempt to reach resolution by the April WUCC meeting.
- ***March 29, 2000*** – Remaining conflicting parties must notify DPH prior to 12:00 p.m. on this date to be placed on the agenda for the April 4<sup>th</sup>, 6<sup>th</sup>, or 10<sup>th</sup> meetings. Conflicting parties may continue to negotiate towards a resolution until April 4<sup>th</sup>. If resolution is

reached between March 9 and April 4, presentations and voting will be withdrawn from the schedule at the April 4, 2000 meeting. On March 30<sup>th</sup>, schedules will be mailed to all WUCC members and faxed to all conflicting parties.

• *April 4, 6, and 10, 2000 WUCC Meetings*

1. Members who are still in conflict will each have an opportunity to make a ten minute presentation to the attending WUCC members, addressing any issues raised by DPUC and presenting their case for ESA award.
2. Presentations will be organized on a conflict area by conflict area basis.
3. Where an entity has several conflicting areas, they will be allowed to make a ten minute presentation for each area in which they are in conflict.
4. Written documentation should be submitted by each entity to support their oral presentation.
5. Each attending WUCC member will have "help sheets" as presented by Al Dion at the November 1999 meeting, which will assist them in evaluating each member's ability to adequately serve the intended area. The help sheet has been organized into the seven criteria listed in the regulations, plus an eighth category entitled "other pertinent information." These help sheets will not be submitted as part of any voting procedure. Based on the November meeting discussion, the draft version of the help sheet has been revised to have a smaller ranking range (i.e. 1 to 3 versus 1 to 10) for each of the eight categories, with a key as to the meaning of the numeric scores (1 = poorly suited; 2 = moderately suited; 3 = well suited).
6. Following each set of presentations for a given conflict area, the attending WUCC members will be allowed a question and answer period not to exceed ten minutes to address questions to any of the presenters. Following this period the attending members will immediately vote on whether or not to accept the DPUC recommendation.
7. Voting will be conducted by written ballot.
8. If the DPUC recommendation is acceptable by simple majority vote, the issue is then closed and the recommendation becomes part of the ESA document.
9. If the recommendation is voted down, the attending WUCC members will entertain a discussion period not to exceed ten minutes and allow an opportunity for alternate recommendations to be made with respect to ESA award. The conflicting parties are excluded from this discussion.
10. If no alternate recommendations are proposed, the matter will be forwarded to DPH for decision.

11. If one or more alternate award recommendations are made, then additional voting will occur.
  12. A simple majority will constitute approval of an alternate plan.
  13. If none is adopted through a vote by the WUCC, then the conflict will be forwarded to DPH for decision.
- ***If, after a vote of the attending WUCC members, one or more parties are aggrieved, will the matter automatically be deferred to DPH for decision? No.***
    1. The vote of the attending WUCC members will constitute a final recommendation to the DPH as part of the ESA document.
    2. DPH will either approve or not approve the WUCC's recommendations, as a part of the Coordinated Water System Plan
    3. Unless the WUCC specifically requests that DPH review a conflict area for the purpose of determining ESA award, the WUCC's final recommendation will stand and become part of the ESA document.
  - ***Will a member be able to cast a number of votes equivalent to the number of systems they own or operate in the region? No.***
    1. Each eligible member will have one vote, not one vote per system.
    2. There will be no weighting of votes.
    3. Management of a system does not constitute member eligibility. Only recognized WUCC members may vote.
  - ***Will conflicting members have a vote? Yes.***
  - ***Will there be an appeal process?***
    1. The WUCC will be making ESA award recommendations to the Department of Public Health as part of the Coordinated Water System Plan.
    2. DPH, in issuing or not issuing an approval of the Coordinated Water System Plan, will have the final say.
    3. There is no process by which an aggrieved party may appeal the WUCC recommendation.
    4. Nothing prevents an aggrieved party from expressing their dissatisfaction with the WUCC's recommendation to DPH.
    5. The Commissioner of Public Health may hold a hearing at his or her discretion concerning the conflicts which are unresolved by the WUCC.
    6. While there is no formal appeal process specified in the regulations, it is possible that an aggrieved party could take legal action to appeal a DPH decision.

**SOUTHEAST CONNECTICUT WATER UTILITY COORDINATING COMMITTEE  
EXCLUSIVE SERVICE AREA EVALUATION / VOTE FORM**

DATE: \_\_\_\_\_

Exclusive Service Area Conflict: \_\_\_\_\_  
\_\_\_\_\_

List of Service Area Claimants: \_\_\_\_\_  
\_\_\_\_\_

Water Company Claimant Presentation: \_\_\_\_\_  
\_\_\_\_\_

Note: Presentations by each water company claimant will address the seven specific exclusive service area boundary considerations as outlined under The Connecticut General Statutes, Sections 25-33c - 25-33g and Regulations Section 25-33h-i.

<u>Item No.</u>	<u>Description</u>	<u>Credit Points</u>
1.	Existing Water Service Area Rating (1 to 3)	_____
2.	Land Use Plans, Zoning Regulations, and Growth trends (1 to 3)	_____
3.	Physical Limitations to Water Service (1 to 3)	_____
4.	Political Boundaries	_____
5.	Water Company Rights as Established by Statute, Special Act, or Administrative Decisions (1 to 3)	_____
6.	System Hydraulics, including Potential Elevations on Pressure Zones (1 to 3)	_____
7.	Ability of Water System to Provide a Pure and Adequate Supply of Water Now and Into the Future (1 to 3)	_____
8.	Miscellaneous Rating Based Upon All Available Information and Your General Feeling (1 to 3)	_____
	Total	_____

Rating: 1 = Poorly Suited; 2 = Moderately Suited; 3 = Well suited

WUCC Member's Name: \_\_\_\_\_ Print: \_\_\_\_\_

Sign: \_\_\_\_\_

Representing Water Company: \_\_\_\_\_

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**APPENDIX D**  
**DPUC RECOMMENDATIONS**

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# STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC UTILITY CONTROL

March 9, 2000

Jeanine Armstong Bonin, P.E.  
Milone & MacBroom, Inc.  
716 South Main Street  
Cheshire CT 06410

Re: Southeast WUCC Exclusive Service Area Conflicts

Dear Ms. Bonin:

The Department of Public Utility Control (Department) was asked by the Southeast Water Utilities Coordinating Committee (SEWUCC) to assist in resolving the Exclusive Service Area (ESA) conflicts in the towns of East Haddam, East Hampton, Franklin, Griswold, Lebanon, Ledyard, Lyme, Marlborough, Montville, North Stonington, Preston and Voluntown. The Department has completed its review of the information received from SEWUCC. The Department's recommendations are listed below with the exception of the town of Lyme since the service area is no longer in dispute.

The Department recommends that:

- a) the Town of East Haddam be designated as the exclusive service area provider for the entire town of East Haddam, excluding AquaSource's current and proposed future service areas in the immediate vicinity of its Banner Village and Lake Hayward systems.
- b) AquaSource be designated as the exclusive service area provider for the unserved portion of East Hampton.
- c.) the Southeastern Connecticut Water Authority (SCWA) be designated as the exclusive service area provider for the unserved portion of the town of Franklin.
- d.) The Jewett City Water Company (JCWC) be designated as the exclusive service area provider for the unserved portion of the northern Griswold and The Connecticut Water Company (CWC) be designated as the exclusive service area provider for the unserved portion of southern Griswold.
- e.) AquaSource be designated as the exclusive service area provider for the unserved portion of the western Lebanon and the Connecticut-American Water Company (CAWC) be designated as the exclusive service area provider for the unserved portion of eastern Lebanon.
- f.) the Town of Ledyard Water Pollution Control Authority (WPCA) be designated as the exclusive service area provider for the town of Ledyard with the

- exception of systems owned by others and the area immediately surrounding them.
- g.) AquaSource be designated as the exclusive service area provider for the town of Marlborough.
  - h.) the Montville Water and Water Pollution Control Authority (MWWPCA) be the exclusive service area provider from Route 395 to the eastern portion of the town of Montville excluding the existing service areas in the immediate vicinity, and that SCWA be the exclusive service area provider from Route 395 to the western portion of the town of Montville excluding the existing service areas in the immediate vicinity.
  - i.) the Town of North Stonington be designated as the exclusive service area provider for the unserved portions of the town of North Stonington.
  - j.) the Town of Preston be assigned the entire town of Preston as its ESA, with the exception of areas already served by others.
  - k.) CWC serve the entire town of Voluntown.

The Department used the following factors in determining exclusive service area boundaries:

1. Existing Water Service Areas
2. Land Use Plans, Zoning Regulations, and Growth Trends
3. Physical Limitations to Water Service
4. Political Boundaries
5. Water Company Rights as Established by Statute, Special Act or Administrative Decisions
6. System Hydraulics, including Potential Elevations or Pressure Zones
7. Ability of a Water System to Provide a Pure and Adequate Supply of Water Now and into the Future

Consideration was given to the above seven factors to establish exclusive service area boundaries that would promote the orderly and efficient development of public water supplies. The Department believes the above designations of ESA boundaries achieve this end.

In reviewing these matters the Department has reviewed, among other sources:

1. the brief summaries of the conflicted areas submitted by the Department of Public Health (DPH) in its memo of October 13, 1999
2. each party's Preliminary Exclusive Service Area Declaration submitted on a form developed by Milone and MacBroom, Inc., consultant to the SECWUCC
3. SECWUCC's Coordinated Water System Plan; Part I: Final Water Supply Assessment
4. SECWUCC's Coordinated Water System Plan; Part II: Preliminary Exclusive Service Areas
5. CWC's Water Supply Plan, dated May 1999 (CWC-WSP)

6. CAWC's Water Supply Plan, dated June 1994, Revised October 1996.
7. AquaSource's Water Supply Plan, dated December 1997 (AquaSource-WSP)
8. MWWPCA's Water Supply Plan, dated November 1993, and revised November 1995 (MWWPCA - WSP)
9. SCWA's Water Supply Plan, dated May 1994 (SCWA - WSP)

The Department hopes that with the responsibilities of an ESA will come the realization of the potential of working together with neighboring utilities to foster interconnections that will benefit the region by greater flexibility and reliability of service. A more detailed breakdown is attached on each disputed service area.

Sincerely,

DEPARTMENT OF PUBLIC UTILITY CONTROL

*Louise E. Rickard*

Louise E. Rickard  
Acting Executive Secretary

## **I. EAST HADDAM**

Two entities have proposed that the entire town of East Haddam be considered as their exclusive service area: AquaSource, and the Town of East Haddam. CWC has proposed an exclusive service area along the western boundary of the town approximately 1.25 miles in width along the east shore of the Connecticut River. By letter to the Department dated January 17, 2000, from The Water Planet Company, CWC has withdrawn its claim, in exchange for a service agreement with the Town of East Haddam that has been informally adopted, provided the Town of East Haddam is awarded the ESA.

AquaSource currently serves two separated systems, Banner Village with four customers and its Lake Hayward Division, a seasonal system with 252 customers in the northeast corner of the town. AquaSource has a history of aggressive restoration and development of satellite systems. In the AquaSource WSP, the future service area of the Lake Hayward Division itself includes basically only properties adjacent to existing customers' properties, with an estimated 275 seasonal customers (estimated 583 persons) by the year 2040. WSP, pp. LH-14 to 16.

The Town of East Haddam currently provides water service to approximately 328 persons at three facilities: a school, a senior housing facility and a health care facility, as well as the Town Hall. It owns and operates a municipal wastewater collection and treatment system through its Water Pollution Control Authority, with operation and maintenance through a contract operator.

The Department recommends that the Town of East Haddam be designated as the exclusive service area provider for the entire town of East Haddam, excluding AquaSource's current and proposed future service areas in the immediate vicinity of its Banner Village and Lake Hayward systems.

## **II. EAST HAMPTON**

AquaSource, the East Hampton Water & Sewer Authority, and CAWC have proposed that the entire town of East Hampton be considered as their ESA.

AquaSource owns and operates three systems in East Hampton and operates a fourth. AquaSource plans expansion of its existing systems.

CAWC owns a small system in East Hampton.

The Town of East Hampton operates a system in the center of East Hampton.

The Department recommends that AquaSource be designated as the exclusive service area provider for the unserved portion of East Hampton.

### **III. FRANKLIN**

Originally, three entities proposed that the entire town of Franklin be considered as their exclusive service area: SCWA, CWC, and the Norwich Water Department (NWD). NWD is no longer claiming the entire town, but will continue to serve the southern portion of Franklin. The remaining conflict area is between SCWA and CWC.

CWC and SCWA have no existing water systems in the town of Franklin.

By letter dated January 21, 1999, the Town of Franklin supports the assignment of the ESA in Franklin to SCWA.

The Department recommends that SCWA be designated as the exclusive service area provider for the unserved portion of the town of Franklin.

### **IV. GRISWOLD**

JCWC, CWC, and SCWA proposed that the entire town of Griswold be considered as their exclusive service area. Negotiations between JCWC and CWC resulted in an agreed split in the service area, with JCWC serving the northern portion of Griswold and CWC serving the southern. JCWC and CWC are still in conflict with SCWA, which maintains its claim to a large portion of Griswold.

JCWC operates a water company serving the Borough of Jewett City.

CWC already owns and operates two systems in Griswold: Bay Water Company and the Gallup Water Country Mobile Division. CWC plans expansion of its existing systems, including the Gallup system in Plainfield.

SCWA has no existing water systems in the town of Griswold.

The Department recommends that JCWC be designated as the exclusive service area provider for the unserved portion of the northern Griswold and CWC be designated as the exclusive service area provider for the unserved portion of southern Griswold, since they already provide service in the respective areas.

### **V. LEBANON**

The Town of Lebanon, CAWC, AquaSource and NWD initially made claim to serve the entire town of Lebanon. NWD is no longer claiming the entire town, but will continue to serve the southern portion of Lebanon.

The Town of Lebanon serves a number of small non-community water systems for serving schools and other town buildings along Route 207 and 87 in the town center area. The Town of Lebanon's case is well prepared and complete; however, it is not compelling. The operation of a school's well system is not as difficult as having to meet

the needs of a system having supply, transmission, storage, pumping, distribution, metering and billing.

AquaSource owns and operates two community systems. AquaSource plans expansion of its existing systems.

CAWC owns a community water system in Lebanon, the former Lebanon Water Company.

The Department recommends that AquaSource be designated as the exclusive service area provider for the unserved portion of the western Lebanon and CAWC be designated as the exclusive service area provider for the unserved portion of the eastern Lebanon since they already operate community systems in the town.

## **VI. LEDYARD**

The Town of Ledyard Water Pollution Control Authority (WPCA) and SCWA each claim the entire Town of Ledyard as an exclusive service area and the Mashantucket Pequot Tribe (MPT) claims a general area in the northeast corner of the Town, surrounding the Pequot Indian Reservation boundaries.

WPCA's claim is based on General Statutes of Connecticut (Conn. Gen. Stat.) Sections 7-234 and 7-148(4)(G), and Special Act No. 284 of the 1959 legislative session. WPCA supplies water to approximately 850 residential customers in the Highlands system in the eastern part of town and approximately 110 customers along Route 12. It has been delivering water to its customers since 1985.

WPCA installed a main along Route 12 at a cost of \$9,000,000 and Town officials believe that: 1) it makes no sense to provide fire protection to its customers along its main on Route 12 while the citizens in the nearby Gales Ferry systems of SCWA do not have fire protection but pay higher rates; 2) SCWA cannot obtain realistic bonding on its own and it would be irresponsible to allow it access to municipal bonding because all future revenues and operational control would be lost to the Town; and 3) the reason WPCA got involved originally was that SCWA, for whatever reason, did not step forward and address the Town's concerns with water supply. Town of Ledyard letter dated March 4, 1999, to the Southeastern Connecticut Water Authority.

WPCA purchases all of its water for the Route 12 main through a contract with the Town of Groton and has claimed the excess capacity in that contract as one of its assets. It also states that its ultimate objective would be to serve all its customers from reservoirs rather than from wells. The Department believes this may be short sighted, since there are many high producing wells and aquifers in the town that should be preserved, if possible, for future supply.

SCWA serves a total of 1,072 customers in the town of Ledyard in 7 separate systems, under the provisions of Special Act, 381 (1967); 206 (1969); 73-64; 73-133;

73-95; 76-54; 81-38 and 90-28. SCWA's WSP. It has been serving the 17-town area since 1969. The largest concentration of customers (846) is in its Tower, Ferry View Heights, and Riverside Mall Divisions in the Gales Ferry section of town, parallel to and east of Route 12. SCWA's WSP

The current stand-off between these two legislatively-mandated entities is unacceptable. There is no indication of any cooperation in the design and operation of their systems, which may lead to redundancy and future hydraulic incompatibility if they were to merge (a likely scenario regardless of which obtains the exclusive service area). The report entitled Regional Governance for Water Supply in Southeastern Connecticut by Richard B. Erickson, dated October 1999, is quite critical of SCWA. WPCA maintains that it has the backing of its citizens. On the surface, it would appear that the WPCA would have a superior claim, primarily because it is unlikely that SCWA could function appropriately without the cooperation of the Town of Ledyard.

The Department recommends that WPCA be designated as the exclusive service area provider in Ledyard with the exception of systems owned by others and the area immediately surrounding them.

## **VII. MARLBOROUGH**

AquaSource owns and operates three systems which it plans to expand.

CAWC does not serve any systems in Marlborough.

The Department recommends that AquaSource be designated as the exclusive service area provider in the town of Marlborough.

## **VIII. MONTVILLE**

MWWPCA and SCWA have proposed that the entire Town of Montville be considered as their exclusive service area:

MWWPCA owns one community public water system, which receives its water from an interconnection with the City of New London (New London) through Waterford. The MWWPCA municipal system is located in the southern portion of the town of Montville and runs from the Montville town line with the town of Waterford, northerly along Route 32 to Raymond Hill Road. MWWPCA has an approved WSP for the system it owns and operates with water purchased from New London. MWWPCA has water service rights as a municipality pursuant to Conn. Gen. Stat. Sections 7-234 and 7-148(4)(G).

MWWPCA is seeking additional supply via its current interconnections with New London and the City of Norwich (Norwich). Acquisition of the State-owned community water system for the Montville Correctional Complex has been identified as a potential

source. The Route 32 corridor and lateral streets have a 16" transmission line with the ability to connect of Norwich and New London.

MWWPCA has claimed the entire town. MWWPCA and the Town want to supply water to additional users and taxpayers along the Route 32 corridor in Montville. The MWWPCA proposed service area boundary is contained within the Town's municipal boundaries exclusive of those areas serviced by existing community well systems, existing SCWA systems, and the NWD system. This does not preclude the MWWPCA from adjusting its service area boundaries by accepting existing system or allowing others to provide or extend water service.

In its WSP, MWWPCA stated that with regard to community well systems within and outside of future service areas, it has no desire to serve residential customers unless there is a need. The MWWPCA does not have the manpower, resources or expertise to oversee separate water system operation. MWWPCA, through Town officials, has begun preliminary negotiations with the Norwich Public Utilities Commission (Norwich PUC), regarding water supply and Norwich's eventual ownership of all Montville facilities.

The SCWA Montville Division has six existing community public water systems that serves approximately 2,200 people: two systems in the northern portion of Route 32 and four systems south of the Route 163 corridor. SCWA proposes to expand existing service areas along Route 32 and in western Montville. Other areas distant from these locations would be served by new public systems and/or future interconnections.

SCWA has claimed the entire town. The proposed area would abut existing small systems and would provide a buffer area in some locations from the Norwich and Town of Montville service areas, while abutting them in others. SCWA has rights, pursuant to Special Act 381 (1967), to serve water in each municipality included within the Southeastern Connecticut Council of Governments region, which includes Montville.

SCWA has an approved WSP and has experience managing satellite systems. SCWA, in its WSP, is proposing to interconnect the four western divisions. Also in its WSP, SCWA indicated that its Mohegan Division (MGN) serves the residential development in Montville bordered to the west by State Route 32. Several water supply wells are located within a one-mile radius. SCWA does not plan to expand the MGN service area. The present system provides a minimum margin of safety of 1.07, which provides slight reserve capacity to meet either peak demands, or limited future growth. Any significant future development would most likely be served by a future water main extension from Norwich, interconnecting Norwich and New London, along Route 32.

In addition, MGN supplies water to a population of 949, which is just below the 1,000 population cut off requiring Level "A" aquifer mapping. The high cost of Level "A" aquifer mapping (estimated at \$100,000 - \$150,000) is a deterrent to expanding the system, for the marginal additional revenue that a few customers would provide. It is

also prudent to maintain at least a 15% supply reserve capacity over demand, which would help during unforeseen high demand periods. Therefore, the future service area limits are identical to the existing service area limits for the 5, 20, and 50-year planning.

The SCWA Birchwood Division (BWD) is located approximately 300 feet southwest of the southwest border of the MGN service area. BWD serves the Birchwood Condominiums located on the eastern side of Route 32 in Montville. There are presently no interconnections with other water utilities. Several water supply wells are located within a one-mile radius. The present system can provide water to approximately 40 additional services. Extensive new development beyond that number would require additional water sources. Also, it would be prudent to maintain at least a 15% supply reserve capacity over demand, which would help during unforeseen high demand periods.

Substantial growth is anticipated, particularly through the expansion of the Mohegan Sun Casino Complex.

Because MWWPCA is negotiating with the Norwich PUC regarding water supply and ownership of all Montville facilities, the Department recommends that the MWWPCA be the exclusive service area provider from Route 395 to the eastern portion of the Town of Montville excluding the existing service areas in the immediate vicinity. Given that SCWA is proposing to interconnect to the Town of Montville's four western divisions, the Department recommends that SCWA be the exclusive service area provider from Route 395 to the western portion of the Town of Montville excluding the existing service areas in the immediate vicinity.

## **IX. NORTH STONINGTON**

The Town of North Stonington, CAWC, and SCWA have made claims to the entire town as their exclusive service area. In addition, the Mashantucket Pequot Water System (MPWS) has made claims along the North Stonington's western border.

CAWC's has no existing water service in the town. CAWC's WSP indicates a possible future satellite operation in North Stonington to serve a proposed major theme park in the southeast corner of the town. If the area became a CAWC service area, CAWC would extend a main north on Route 184 to Route 49 in North Stonington then south to Route 95. CAWC is prepared to reduce its claim to an area along the town's southern border with Stonington. CAWC's Preliminary Exclusive Service Area Declaration (PESAD), 2/9/99. Exclusive service areas have been assigned in the Town of Stonington, and the one that within Stonington, approximately 80% of the length of its border with North Stonington, has been assigned to the Town of Stonington. The reduced portion now claimed by CAWC would amount to an approximately 0.5 to 1.5 mile-wide east-west strip between the proposed ESAs of the two towns. Since these plans appear tentative, are apparently dependent on a specific development, and would involve crossing the assigned ESA of the Town of North Stonington, there does not appear to be a compelling reason to grant that ESA to CAWC

SCWA currently owns three systems in the town consisting of its North Stonington Division (NSD), the M. H. Garden Park and the Cedar Hill Water Association, serving a combined total of 1,200 of the approximately 5,000 residents of the town. NSD is the largest system and straddles the Route 2 corridor, which is expected to experience growth due to the Foxwoods Casino complex. It serves 210 customers including the Meadowood and Kingswood Park residential developments as well as the Wheeler High School, a Middle School, an elementary school and the North Stonington Gymnasium Complex. The source of supply has a surplus [the difference between its average daily demand (ADD) and its safe daily yield (SDY)] of approximately 90,000 gallons per day (gpd), which might be re-permitted to yield an additional 100,000 gpd. This surplus could be used, at SCWA's option, to serve a modest expansion of the existing system and customer base or for wholesale sales to any Town-constructed facilities.

The Department recommends that the Town of North Stonington should be given the ESA for the entire town, with the exception of existing areas served by the other water utilities, and the generally immediate areas surrounding them.

## **X. PRESTON**

The southeastern portion of the town is claimed by the Preston Plains Water Company (PPWC), the Town of Preston, and SCWA. The northeastern portion is claimed by the Town of Preston and CWC. The western portion of the town has been assigned to the Town of Preston.

PPWC, formerly Country Squire Water Company, provides service to 92 residential customers (1997 data). In the Decision in Docket No. 97-02-02, Application of The Connecticut Water Company to Purchase the Assets of Bay Mountain Water and SDC Water Company and for Country Squire Company to Purchase the Assets of the Country Squire Water Company, dated October 15, 1997, the Department found that the customers of Country Squire would receive increased benefits by acquisition by the PPWC, whose parent company is the Pequot Holding Company (PHC), which in turn is controlled, directly or indirectly by Mashantucket Pequot Tribe (MPT). The Department also found that the proposed interconnection between MPT and PPWC, around 2002, would insure adequate water supply and pressure to future customers, and approved a Water Supply Agreement between MPT and CWC that will allow either entity to sell excess water to the other. The Department agreed that the MPT water utility on tribal lands is not subject to the jurisdiction of the Department. MPWS undoubtedly has the financial and technical resources and apparently also more than adequate treatment and ground water sources to serve outside its tribal lands in the town of North Stonington. The Town has indicated a definite disinclination to granting PPWC its requested ESA and states that the residents have made it clear that the Town is the service provider of choice. Town's PESAD. There are many questions that should be resolved before this Department could recommend either approval or disapproval of

MPWS's proposed ESA and if there continues to be an impasse, the Legislature may have to decide.

The western portion of Town is uncontested and has been assigned to the Town of Preston. By letter dated January 17, 2000, The Water Planet Company indicates that Norwich and SCWA have essentially withdrawn their claims provided that the ESA is granted to the Town of Preston. PPWC has the same position conditioned upon an agreement between PPWC and the Town that has been presented to PPWC's governing authority. CWC has the same position, but it is conditioned upon the Town formally executing an agreement, which is anticipated. There appears to be consensus that the Town would be the preferred candidate. The only remaining conflict is the extent of Norwich's existing service area.

The Department recommends that the Town of Preston be assigned the entire town of Preston as its ESA, with the exception of areas already served by others.

## **XI. VOLUNTOWN**

CWC and SCWA have made claims to the entire town of Voluntown as their exclusive service area.

CWC owns and operates SDC Water Company. CWC plans expansion of its existing systems, including the Gallup system in Plainfield and extension of water mains from PPWC.

SCWA has no existing water service in Voluntown.

The Department recommends that CWC serve the entire Voluntown since CWC is currently operating in Voluntown.

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**APPENDIX E**

**STATEMENTS OF CONFIRMATION**

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**STATEMENT OF CONFIRMATION OF  
EXCLUSIVE SERVICE AREA BOUNDARIES  
SOUTHEAST CONNECTICUT  
PUBLIC WATER SUPPLY MANAGEMENT AREA**

Whereas, in accordance with Section 25-33 h of the Connecticut General Statutes, each potential Exclusive Service Area (ESA) provider in the Southeast Connecticut Public Water Supply Management Area is granted the right to request, through a declaration process, its future service area; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee has formally requested such exclusive service area declarations from potential providers and has received such declarations from interested parties within the Southeast Connecticut Public Water Supply Management Area; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee has reviewed the bounds of the declared exclusive service area and confirms that all conflicts between potential ESA providers have been resolved through a process developed by the Committee; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee will make recommendations to the Department of Public Health with regard to exclusive service area awards;

Therefore, the undersigned accepts responsibility for the service area as recommended by the Southeast Connecticut Water Utility Coordinating Committee and will abide by the following provisions:

1. Service Area Boundaries: The undersigned acknowledge that the attached map(s) as presented on Geographic Information System mapping prepared by the Department of Public Health accurately identify(ies) the named ESA provider's exclusive service area as accepted by the Southeast Connecticut Water Utility Coordinating Committee on or prior to April 6, 2000. Copies of the approved maps and Statements of Confirmation will be kept on file at the Department of Public Health offices, and will be available for public review.
2. Boundary Adjustments: If at some time in the future it is in the best interest of the undersigned to make service boundary adjustments, such adjustments must have the written approval of all parties and the appropriate regulatory authority through the Department of Public Health. Such adjustments must be reconfirmed by completion of new Statement of Confirmation of Exclusive Service Area Boundaries.

The undersigned has executed this Statement of Confirmation as of 6-5-00  
(Date)

COLCHESTER  
ESA Provider

*Jenny Contois*  
Representative (Signature)

JENNY CONTOIS  
Representative (Print)

FIRST SELECTMAN  
Title (Print)

Brief description of the Exclusive Service Area shown on the enclosed map for which this Statement of Confirmation applies:

POLITICAL boundaries of TOWN with exception  
OF AREAS CURRENTLY SERVED by other  
water companies.

**STATEMENT OF CONFIRMATION OF EXCLUSIVE SERVICE AREA BOUNDARIES SOUTHEAST CONNECTICUT PUBLIC WATER SUPPLY MANAGEMENT AREA**

Whereas, in accordance with Section 25-33 h of the Connecticut General Statutes, each potential Exclusive Service Area (ESA) provider in the Southeast Connecticut Public Water Supply Management Area is granted the right to request, through a declaration process, its future service area; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee has formally requested such exclusive service area declarations from potential providers and has received such declarations from interested parties within the Southeast Connecticut Public Water Supply Management Area; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee has reviewed the bounds of the declared exclusive service area and confirms that all conflicts between potential ESA providers have been resolved through a process developed by the Committee; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee will make recommendations to the Department of Public Health with regard to exclusive service area awards;

Therefore, the undersigned accepts responsibility for the service area as recommended by the Southeast Connecticut Water Utility Coordinating Committee and will abide by the following provisions:

1. **Service Area Boundaries:** The undersigned acknowledge that the attached map(s) as presented on Geographic Information System mapping prepared by the Department of Public Health accurately identify(ies) the named ESA provider's exclusive service area as accepted by the Southeast Connecticut Water Utility Coordinating Committee on or prior to April 6, 2000. Copies of the approved maps and Statements of Confirmation will be kept on file at the Department of Public Health offices, and will be available for public review.
2. **Boundary Adjustments:** If at some time in the future it is in the best interest of the undersigned to make service boundary adjustments, such adjustments must have the written approval of all parties and the appropriate regulatory authority through the Department of Public Health. Such adjustments must be reconfirmed by completion of new Statement of Confirmation of Exclusive Service Area Boundaries.

The undersigned has executed this Statement of Confirmation as of 7/14/00 (Date)

CONNECTICUT-AMERICAN WATER  
ESA Provider COMPANY

JAMES M. PERRY  
Representative (Print)

[Signature]  
Representative (Signature)

VICE PRESIDENT & MANAGER  
Title (Print)

Brief description of the Exclusive Service Area shown on the enclosed map for which this Statement of Confirmation applies:

This "Statement" only applies to the Company's ESAs in the Towns of Stonington & Groton.  
A dispute in the Town of East Hampton still exists. The map "Town of Stonington  
Exclusive Water Service Area" supplied with this "Statement" does not clearly delineate the  
ESAs — part of the boundary line is missing.

**STATEMENT OF CONFIRMATION OF  
EXCLUSIVE SERVICE AREA BOUNDARIES  
SOUTHEAST CONNECTICUT  
PUBLIC WATER SUPPLY MANAGEMENT AREA**

Whereas, in accordance with Section 25-33 h of the Connecticut General Statutes, each potential Exclusive Service Area (ESA) provider in the Southeast Connecticut Public Water Supply Management Area is granted the right to request, through a declaration process, its future service area; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee has formally requested such exclusive service area declarations from potential providers and has received such declarations from interested parties within the Southeast Connecticut Public Water Supply Management Area; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee has reviewed the bounds of the declared exclusive service area and confirms that all conflicts between potential ESA providers have been resolved through a process developed by the Committee; and

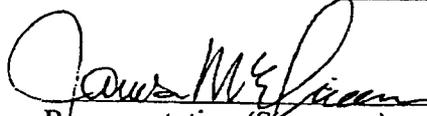
Whereas, the Southeast Connecticut Water Utility Coordinating Committee will make recommendations to the Department of Public Health with regard to exclusive service area awards;

Therefore, the undersigned accepts responsibility for the service area as recommended by the Southeast Connecticut Water Utility Coordinating Committee and will abide by the following provisions:

1. Service Area Boundaries: The undersigned acknowledge that the attached map(s) as presented on Geographic Information System mapping prepared by the Department of Public Health accurately identify(ies) the named ESA provider's exclusive service area as accepted by the Southeast Connecticut Water Utility Coordinating Committee on or prior to April 6, 2000. Copies of the approved maps and Statements of Confirmation will be kept on file at the Department of Public Health offices, and will be available for public review.
2. Boundary Adjustments: If at some time in the future it is in the best interest of the undersigned to make service boundary adjustments, such adjustments must have the written approval of all parties and the appropriate regulatory authority through the Department of Public Health. Such adjustments must be reconfirmed by completion of new Statement of Confirmation of Exclusive Service Area Boundaries.

The undersigned has executed this Statement of Confirmation as of June 6, 2000.  
(Date)

Connecticut Water Company  
ESA Provider

  
Representative (Signature)

James R. McQueen  
Representative (Print)

VP - Engineering & Planning  
Title (Print)

Brief description of the Exclusive Service Area shown on the enclosed map for which this Statement of Confirmation applies:

Old Lyme, Voluntown, Southern Griswold with modifications  
as shown on attached maps, Stonington (Mason's Island)

STATEMENT OF CONFIRMATION OF EXCLUSIVE SERVICE AREA BOUNDARIES SOUTHEAST CONNECTICUT PUBLIC WATER SUPPLY MANAGEMENT AREA

Whereas, in accordance with Section 25-33 h of the Connecticut General Statutes, each potential Exclusive Service Area (ESA) provider in the Southeast Connecticut Public Water Supply Management Area is granted the right to request, through a declaration process, its future service area; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee has formally requested such exclusive service area declarations from potential providers and has received such declarations from interested parties within the Southeast Connecticut Public Water Supply Management Area; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee has reviewed the bounds of the declared exclusive service area and confirms that all conflicts between potential ESA providers have been resolved through a process developed by the Committee; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee will make recommendations to the Department of Public Health with regard to exclusive service area awards;

Therefore, the undersigned accepts responsibility for the service area as recommended by the Southeast Connecticut Water Utility Coordinating Committee and will abide by the following provisions:

SEE NOTE BELOW.

- 1. Service Area Boundaries: The undersigned acknowledge that the attached map(s) as presented on Geographic Information System mapping prepared by the Department of Public Health accurately identify(ies) the named ESA provider's exclusive service area as accepted by the Southeast Connecticut Water Utility Coordinating Committee on or prior to April 6, 2000. Copies of the approved maps and Statements of Confirmation will be kept on file at the Department of Public Health offices, and will be available for public review.
2. Boundary Adjustments: If at some time in the future it is in the best interest of the undersigned to make service boundary adjustments, such adjustments must have the written approval of all parties and the appropriate regulatory authority through the Department of Public Health. Such adjustments must be reconfirmed by completion of new Statement of Confirmation of Exclusive Service Area Boundaries.

The undersigned has executed this Statement of Confirmation as of 6/6/00 (Date)

TOWN OF EAST HADDAM

ESA Provider

James Venter Representative (Print)

[Signature] Representative (Signature)

Local Use Administrator Title (Print)

Brief description of the Exclusive Service Area shown on the enclosed map for which this Statement of Confirmation applies:

NOTE: THE ATTACHED MAP MORE ACCURATELY DELINEATES THE TOWN OF EAST HADDAM'S EXCLUSIVE SERVICE AREA.

STATEMENT OF CONFIRMATION OF  
EXCLUSIVE SERVICE AREA BOUNDARIES  
SOUTHEAST CONNECTICUT  
PUBLIC WATER SUPPLY MANAGEMENT AREA

Whereas, in accordance with Section 25-32 h of the Connecticut General Statutes, each potential Exclusive Service Area (ESA) provider in the Southeast Connecticut Public Water Supply Management Area is granted the right to request, through a declaration process, its future service area; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee has formally requested such exclusive service area declarations from potential providers and has received such declarations from interested parties within the Southeast Connecticut Public Water Supply Management Area; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee has reviewed the bounds of the declared exclusive service area and confirms that all conflicts between potential ESA providers have been resolved through a process developed by the Committee; and

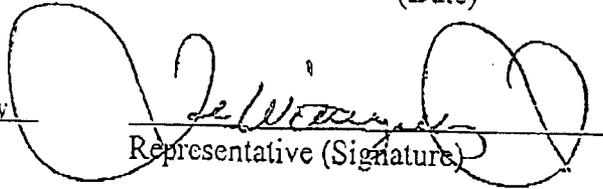
Whereas, the Southeast Connecticut Water Utility Coordinating Committee will make recommendations to the Department of Public Health with regard to exclusive service area awards;

Therefore, the undersigned accepts responsibility for the service area as recommended by the Southeast Connecticut Water Utility Coordinating Committee and will abide by the following provisions:

1. Service Area Boundaries: The undersigned acknowledge that the attached map(s) depicting ESA coverage in the Town of East Haddam as presented on Geographic Information System mapping prepared by the Department of Public Health accurately identify(ies) the named ESA provider's exclusive service area as accepted by the Southeast Connecticut Water Utility Coordinating Committee on or prior to April 6, 2000.
2. Boundary Adjustments: If at some time in the future it is in the best interest of the undersigned to make service boundary adjustments, such adjustments must have the written approval of all parties and the appropriate regulatory authority through the Department of Public Health. Such adjustments must be reconfirmed by completion of new Statement of Confirmation of Exclusive Service Area Boundaries.

The undersigned has executed this Statement of Confirmation as of 7/17/00  
(Date)

AquaSource/Eastern Connecticut Regional Water Company  
ESA Provider

  
Representative (Signature)

John Wittenzell, Jr.  
Representative (Print)

Northeast Region Assistant Manager  
Title (Print)

In signing this Statement of Confirmation of Exclusive Service Area Boundaries for the Southeast Connecticut Public Water Supply Management Area, AquaSource agrees that the boundaries accurately reflect the WUCC recommendations and AquaSource further agrees to accept the right and responsibility for serving areas within those boundaries. AquaSource does not endorse or agree with all of the WUCC recommendations regarding service area designations. AquaSource does not waive any future claims against territory assigned to other water service providers. AquaSource does not waive its right to appeal any of the WUCC recommendations regarding service area designations.

**STATEMENT OF CONFIRMATION OF EXCLUSIVE SERVICE AREA BOUNDARIES SOUTHEAST CONNECTICUT PUBLIC WATER SUPPLY MANAGEMENT AREA**

Whereas, in accordance with Section 25-33 h of the Connecticut General Statutes, each potential Exclusive Service Area (ESA) provider in the Southeast Connecticut Public Water Supply Management Area is granted the right to request, through a declaration process, its future service area; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee has formally requested such exclusive service area declarations from potential providers and has received such declarations from interested parties within the Southeast Connecticut Public Water Supply Management Area; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee has reviewed the bounds of the declared exclusive service area and confirms that all conflicts between potential ESA providers have been resolved through a process developed by the Committee; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee will make recommendations to the Department of Public Health with regard to exclusive service area awards;

Therefore, the undersigned accepts responsibility for the service area as recommended by the Southeast Connecticut Water Utility Coordinating Committee and will abide by the following provisions:

1. Service Area Boundaries: The undersigned acknowledge that the attached map(s) as presented on Geographic Information System mapping prepared by the Department of Public Health accurately identify(ies) the named ESA provider's exclusive service area as accepted by the Southeast Connecticut Water Utility Coordinating Committee on or prior to April 6, 2000. Copies of the approved maps and Statements of Confirmation will be kept on file at the Department of Public Health offices, and will be available for public review.
2. Boundary Adjustments: If at some time in the future it is in the best interest of the undersigned to make service boundary adjustments, such adjustments must have the written approval of all parties and the appropriate regulatory authority through the Department of Public Health. Such adjustments must be reconfirmed by completion of new Statement of Confirmation of Exclusive Service Area Boundaries.

The undersigned has executed this Statement of Confirmation as of March 12, 2001 (Date)

Agua Source/ECRWC  
ESA Provider

Christopher Till  
Representative (Signature)

Christopher Till  
Representative (Print)

Connecticut Manager  
Title (Print)

Brief description of the Exclusive Service Area shown on the enclosed map for which this Statement of Confirmation applies:

Northern section of East Hampton and area east of Pocotopaug Lake.

**STATEMENT OF CONFIRMATION OF EXCLUSIVE SERVICE AREA BOUNDARIES SOUTHEAST CONNECTICUT PUBLIC WATER SUPPLY MANAGEMENT AREA**

Whereas, in accordance with Section 25-33 h of the Connecticut General Statutes, each potential Exclusive Service Area (ESA) provider in the Southeast Connecticut Public Water Supply Management Area is granted the right to request, through a declaration process, its future service area; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee has formally requested such exclusive service area declarations from potential providers and has received such declarations from interested parties within the Southeast Connecticut Public Water Supply Management Area; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee has reviewed the bounds of the declared exclusive service area and confirms that all conflicts between potential ESA providers have been resolved through a process developed by the Committee; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee will make recommendations to the Department of Public Health with regard to exclusive service area awards;

Therefore, the undersigned accepts responsibility for the service area as recommended by the Southeast Connecticut Water Utility Coordinating Committee and will abide by the following provisions:

- 1. Service Area Boundaries: The undersigned acknowledge that the attached map(s) as presented on Geographic Information System mapping prepared by the Department of Public Health accurately identify(ies) the named ESA provider's exclusive service area as accepted by the Southeast Connecticut Water Utility Coordinating Committee on or prior to April 6, 2000. Copies of the approved maps and Statements of Confirmation will be kept on file at the Department of Public Health offices, and will be available for public review.
- 2. Boundary Adjustments: If at some time in the future it is in the best interest of the undersigned to make service boundary adjustments, such adjustments must have the written approval of all parties and the appropriate regulatory authority through the Department of Public Health. Such adjustments must be reconfirmed by completion of new Statement of Confirmation of Exclusive Service Area Boundaries.

The undersigned has executed this Statement of Confirmation as of JUNE 23, 2000 (Date)

TOWN OF EAST LYME WATER Frederick G. Thumm  
ESA Provider DEPARTMENT Representative (Signature)

FREDERICK G. THUMM DIRECTOR OF PUBLIC WORKS  
Representative (Print) Title (Print)

Brief description of the Exclusive Service Area shown on the enclosed map for which this Statement of Confirmation applies:

ENTIRE TOWN OF EAST LYME

DEPT. OF HEALTH SERVICES WATER SUPPLIES  
RECEIVED  
JUN 26 PM 2:37

**STATEMENT OF CONFIRMATION OF EXCLUSIVE SERVICE AREA BOUNDARIES SOUTHEAST CONNECTICUT PUBLIC WATER SUPPLY MANAGEMENT AREA**

Whereas, in accordance with Section 25-33 h of the Connecticut General Statutes, each potential Exclusive Service Area (ESA) provider in the Southeast Connecticut Public Water Supply Management Area is granted the right to request, through a declaration process, its future service area; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee has formally requested such exclusive service area declarations from potential providers and has received such declarations from interested parties within the Southeast Connecticut Public Water Supply Management Area; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee has reviewed the bounds of the declared exclusive service area and confirms that all conflicts between potential ESA providers have been resolved through a process developed by the Committee; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee will make recommendations to the Department of Public Health with regard to exclusive service area awards;

Therefore, the undersigned accepts responsibility for the service area as recommended by the Southeast Connecticut Water Utility Coordinating Committee and will abide by the following provisions:

- 1. Service Area Boundaries: The undersigned acknowledge that the attached map(s) as presented on Geographic Information System mapping prepared by the Department of Public Health accurately identify(ies) the named ESA provider's exclusive service area as accepted by the Southeast Connecticut Water Utility Coordinating Committee on or prior to April 6, 2000. Copies of the approved maps and Statements of Confirmation will be kept on file at the Department of Public Health offices, and will be available for public review.
- 2. Boundary Adjustments: If at some time in the future it is in the best interest of the undersigned to make service boundary adjustments, such adjustments must have the written approval of all parties and the appropriate regulatory authority through the Department of Public Health. Such adjustments must be reconfirmed by completion of new Statement of Confirmation of Exclusive Service Area Boundaries.

The undersigned has executed this Statement of Confirmation as of 16 May 2000 (Date)

Cooker Long Point Assn  
ESA Provider

Marbet E. Dwyer  
Representative (Signature)

\_\_\_\_\_  
Representative (Print)

Commissioner, DEP Water Dept  
Title (Print)

Brief description of the Exclusive Service Area shown on the enclosed map for which this Statement of Confirmation applies:

The shaded area marked Proctor Lane Point is O.K. Our northern boundary is Proctor Long Point Rd/Purea Drive (Granular below Palmer Cove title. Our ESA does not include Millers Point Cove or Moank. The map is unclear

**STATEMENT OF CONFIRMATION OF  
EXCLUSIVE SERVICE AREA BOUNDARIES  
SOUTHEAST CONNECTICUT  
PUBLIC WATER SUPPLY MANAGEMENT AREA**

Whereas, in accordance with Section 25-33 h of the Connecticut General Statutes, each potential Exclusive Service Area (ESA) provider in the Southeast Connecticut Public Water Supply Management Area is granted the right to request, through a declaration process, its future service area; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee has formally requested such exclusive service area declarations from potential providers and has received such declarations from interested parties within the Southeast Connecticut Public Water Supply Management Area; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee has reviewed the bounds of the declared exclusive service area and confirms that all conflicts between potential ESA providers have been resolved through a process developed by the Committee; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee will make recommendations to the Department of Public Health with regard to exclusive service area awards;

Therefore, the undersigned accepts responsibility for the service area as recommended by the Southeast Connecticut Water Utility Coordinating Committee and will abide by the following provisions:

1. Service Area Boundaries: The undersigned acknowledge that the attached map(s) as presented on Geographic Information System mapping prepared by the Department of Public Health accurately identify(ies) the named ESA provider's exclusive service area as accepted by the Southeast Connecticut Water Utility Coordinating Committee on or prior to April 6, 2000. Copies of the approved maps and Statements of Confirmation will be kept on file at the Department of Public Health offices, and will be available for public review.
2. Boundary Adjustments: If at some time in the future it is in the best interest of the undersigned to make service boundary adjustments, such adjustments must have the written approval of all parties and the appropriate regulatory authority through the Department of Public Health. Such adjustments must be reconfirmed by completion of new Statement of Confirmation of Exclusive Service Area Boundaries.

The undersigned has executed this Statement of Confirmation as of 5-25-2000  
(Date)

Groton Utilities  
ESA Provider

Alexander B. Chisholm  
Representative (Print)

  
Representative (Signature)

Director of Utilities & CEO  
Title (Print)

Brief description of the Exclusive Service Area shown on the enclosed map for which this Statement of Confirmation applies:

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STATEMENT OF CONFIRMATION OF  
EXCLUSIVE SERVICE AREA BOUNDARIES  
SOUTHEAST CONNECTICUT  
PUBLIC WATER SUPPLY MANAGEMENT AREA

Whereas, in accordance with Section 25-32 h of the Connecticut General Statutes, each potential Exclusive Service Area (ESA) provider in the Southeast Connecticut Public Water Supply Management Area is granted the right to request, through a declaration process, its future service area; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee has formally requested such exclusive service area declarations from potential providers and has received such declarations from interested parties within the Southeast Connecticut Public Water Supply Management Area; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee has reviewed the bounds of the declared exclusive service area and confirms that all conflicts between potential ESA providers have been resolved through a process developed by the Committee; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee will make recommendations to the Department of Public Health with regard to exclusive service area awards;

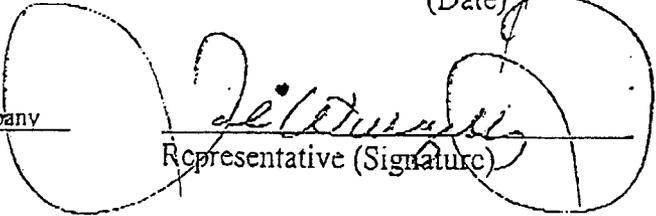
Therefore, the undersigned accepts responsibility for the service area as recommended by the Southeast Connecticut Water Utility Coordinating Committee and will abide by the following provisions:

1. Service Area Boundaries: The undersigned acknowledge that the attached map(s) depicting ESA coverage in the Town of Hebron as presented on Geographic Information System mapping prepared by the Department of Public Health accurately identify(ies) the named ESA provider's exclusive service area as accepted by the Southeast Connecticut Water Utility Coordinating Committee on or prior to April 6, 2000.
2. Boundary Adjustments: If at some time in the future it is in the best interest of the undersigned to make service boundary adjustments, such adjustments must have the written approval of all parties and the appropriate regulatory authority through the Department of Public Health. Such adjustments must be reconfirmed by completion of new Statement of Confirmation of Exclusive Service Area Boundaries.

The undersigned has executed this Statement of Confirmation as of 7/17/00  
(Date)

AquaSource/Eastern Connecticut Regional Water Company  
ESA Provider

John Wittenzellner, Jr.  
Representative (Print)

  
Representative (Signature)

Northeast Region Assistant Manager  
Title (Print)

In signing this Statement of Confirmation of Exclusive Service Area Boundaries for the Southeast Connecticut Public Water Supply Management Area, AquaSource agrees that the boundaries accurately reflect the WUCC recommendations and AquaSource further agrees to accept the right and responsibility for serving areas within those boundaries. AquaSource does not endorse or agree with all of the WUCC recommendations regarding service area designations. AquaSource does not waive any future claims against territory assigned to other water service providers. AquaSource does not waive its right to appeal any of the WUCC recommendations regarding service area designations.

**STATEMENT OF CONFIRMATION OF  
EXCLUSIVE SERVICE AREA BOUNDARIES  
SOUTHEAST CONNECTICUT  
PUBLIC WATER SUPPLY MANAGEMENT AREA**

Whereas, in accordance with Section 25-33 h of the Connecticut General Statutes, each potential Exclusive Service Area (ESA) provider in the Southeast Connecticut Public Water Supply Management Area is granted the right to request, through a declaration process, its future service area; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee has formally requested such exclusive service area declarations from potential providers and has received such declarations from interested parties within the Southeast Connecticut Public Water Supply Management Area; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee has reviewed the bounds of the declared exclusive service area and confirms that all conflicts between potential ESA providers have been resolved through a process developed by the Committee; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee will make recommendations to the Department of Public Health with regard to exclusive service area awards;

Therefore, the undersigned accepts responsibility for the service area as recommended by the Southeast Connecticut Water Utility Coordinating Committee and will abide by the following provisions:

1. Service Area Boundaries: The undersigned acknowledge that the attached map(s) as presented on Geographic Information System mapping prepared by the Department of Public Health accurately identify(ies) the named ESA provider's exclusive service area as accepted by the Southeast Connecticut Water Utility Coordinating Committee on or prior to April 6, 2000. Copies of the approved maps and Statements of Confirmation will be kept on file at the Department of Public Health offices, and will be available for public review.
2. Boundary Adjustments: If at some time in the future it is in the best interest of the undersigned to make service boundary adjustments, such adjustments must have the written approval of all parties and the appropriate regulatory authority through the Department of Public Health. Such adjustments must be reconfirmed by completion of new Statement of Confirmation of Exclusive Service Area Boundaries.

The undersigned has executed this Statement of Confirmation as of 6/6/00 (Date)

Jewett City Water Co  
ESA Provider

[Signature]  
Representative (Signature)

Jonathan S. Avery  
Representative (Print)

President  
Title (Print)

Brief description of the Exclusive Service Area shown on the enclosed map for which this Statement of Confirmation applies:

Jewett City Water Co Exclusive Service Area Map provided 5/15/2000 showing Jewett City ESA covering the majority of both Griswold & Lisbon.

**STATEMENT OF CONFIRMATION OF  
EXCLUSIVE SERVICE AREA BOUNDARIES  
SOUTHEAST CONNECTICUT  
PUBLIC WATER SUPPLY MANAGEMENT AREA**

Whereas, in accordance with Section 25-33 h of the Connecticut General Statutes, each potential Exclusive Service Area (ESA) provider in the Southeast Connecticut Public Water Supply Management Area is granted the right to request, through a declaration process, its future service area; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee has formally requested such exclusive service area declarations from potential providers and has received such declarations from interested parties within the Southeast Connecticut Public Water Supply Management Area; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee has reviewed the bounds of the declared exclusive service area and confirms that all conflicts between potential ESA providers have been resolved through a process developed by the Committee; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee will make recommendations to the Department of Public Health with regard to exclusive service area awards;

Therefore, the undersigned accepts responsibility for the service area as recommended by the Southeast Connecticut Water Utility Coordinating Committee and will abide by the following provisions:

1. Service Area Boundaries: The undersigned acknowledge that the attached map(s) as presented on Geographic Information System mapping prepared by the Department of Public Health accurately identify(ies) the named ESA provider's exclusive service area as accepted by the Southeast Connecticut Water Utility Coordinating Committee on or prior to April 6, 2000. Copies of the approved maps and Statements of Confirmation will be kept on file at the Department of Public Health offices, and will be available for public review.
2. Boundary Adjustments: If at some time in the future it is in the best interest of the undersigned to make service boundary adjustments, such adjustments must have the written approval of all parties and the appropriate regulatory authority through the Department of Public Health. Such adjustments must be reconfirmed by completion of new Statement of Confirmation of Exclusive Service Area Boundaries.

The undersigned has executed this Statement of Confirmation as of 6-5-00 (Date)

TOWN OF LEBANON  
ESA Provider

Joyce R. Okonuk  
Representative (Signature)

JOYCE R. OKONUK  
Representative (Print)

FIRST SELECTMAN  
Title (Print)

Brief description of the Exclusive Service Area shown on the enclosed map for which this Statement of Confirmation applies:

THE ENTIRE TOWN OF LEBANON WITH THE EXCEPTION OF OLD RT 2,  
EAST TO WEST, AND ALL POINTS (AREAS) SOUTH OF OLD RT 2.

**STATEMENT OF CONFIRMATION OF  
EXCLUSIVE SERVICE AREAS BOUNDARIES  
SOUTHEAST CONNECTICUT  
PUBLIC WATER SUPPLY MANAGEMENT AREA**

Whereas, in accordance with Section 25-33 h of the Connecticut General Statutes, each potential Exclusive Service Area (ESA) provider in the Southeast Connecticut Public Water Supply Management Area is granted the right to request, through a declaration process, its future service area; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee has formally requested such exclusive service area declarations from potential providers and has received such declarations from interested parties within the Southeast Connecticut Public Water Supply Management Area; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee has reviewed the bounds of the declared exclusive service area and confirms that all conflicts between potential ESA providers have been resolved through a process developed by the Committee; and

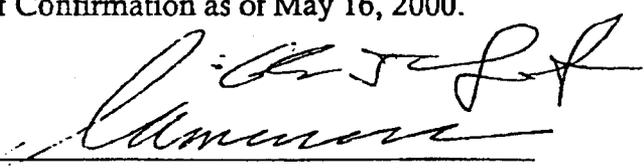
Whereas, the Southeast Connecticut Water Utility Coordinating Committee will make recommendations to the Department of Public Health with regard to exclusive service area awards;

Therefore, the undersigned accepts responsibility for the service area as recommended by the Southeast Connecticut Water Utility Coordinating Committee and will abide by the following provisions:

1. Service Area Boundaries: The undersigned acknowledge that the attached map(s) as presented on Geographic Information System mapping prepared by the Department of Public Health accurately identify(ies) the named ESA provider's exclusive service area as accepted by the Southeast Connecticut Water Utility Coordinating Committee on or prior to April 6, 2000. Copies of the approved maps and Statements of Confirmation will be kept on file at the Department of Public Health offices, and will be available for public view.
2. Boundary Adjustments: If at some time in the future it is in the best interest of the undersigned to make service boundary adjustments, such adjustments must have the written approval of all parties and the appropriate regulatory authority through the Department of Public Health. Such adjustments must be reconfirmed by completion of new Statement of Confirmation of Exclusive Service Area Boundaries.

The undersigned has executed this Statement of Confirmation as of May 16, 2000.

Town of Ledyard  
ESA Provider

  
Representatives (Signature)

D.A. Cameron and Andrew J. Stackpole  
Representatives (print)

Water Pollution Control Authority Chairman  
And Alternate Member, Respectively  
Title (Print)

Brief description of the Exclusive Service Area shown on the enclosed map for which this Statement of Confirmation applies:

The Water Pollution Control Authority agrees with the Exclusive Water Service Areas in the Southeast Connecticut Public Water Supply Management Area dated May 1, 2000.

**STATEMENT OF CONFIRMATION OF  
EXCLUSIVE SERVICE AREA BOUNDARIES  
SOUTHEAST CONNECTICUT  
PUBLIC WATER SUPPLY MANAGEMENT AREA**

Whereas, in accordance with Section 25-33 h of the Connecticut General Statutes, each potential Exclusive Service Area (ESA) provider in the Southeast Connecticut Public Water Supply Management Area is granted the right to request, through a declaration process, its future service area; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee has formally requested such exclusive service area declarations from potential providers and has received such declarations from interested parties within the Southeast Connecticut Public Water Supply Management Area; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee has reviewed the bounds of the declared exclusive service area and confirms that all conflicts between potential ESA providers have been resolved through a process developed by the Committee; and

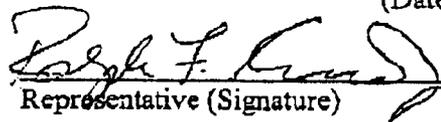
Whereas, the Southeast Connecticut Water Utility Coordinating Committee will make recommendations to the Department of Public Health with regard to exclusive service area awards;

Therefore, the undersigned accepts responsibility for the service area as recommended by the Southeast Connecticut Water Utility Coordinating Committee and will abide by the following provisions:

1. **Service Area Boundaries:** The undersigned acknowledge that the attached map(s) as presented on Geographic Information System mapping prepared by the Department of Public Health accurately identify(ies) the named ESA provider's exclusive service area as accepted by the Southeast Connecticut Water Utility Coordinating Committee on or prior to April 6, 2000. Copies of the approved maps and Statements of Confirmation will be kept on file at the Department of Public Health offices, and will be available for public review.
2. **Boundary Adjustments:** If at some time in the future it is in the best interest of the undersigned to make service boundary adjustments, such adjustments must have the written approval of all parties and the appropriate regulatory authority through the Department of Public Health. Such adjustments must be reconfirmed by completion of new Statement of Confirmation of Exclusive Service Area Boundaries.

The undersigned has executed this Statement of Confirmation as of MAY 22, 2000.  
(Date)

TOWN OF LYME  
ESA Provider

  
Representative (Signature)

RALPH F. FNO, JR  
Representative (Print)

FIRST SELECTMAN  
Title (Print)

Brief description of the Exclusive Service Area shown on the enclosed map for which this Statement of Confirmation applies:

THE EXCLUSIVE SERVICE AREA AS REPRESENTED ON THE ENCLOSED MAP  
ENCOMPASSES THE ENTIRE TOWN OF LYME.

**STATEMENT OF CONFIRMATION OF  
EXCLUSIVE SERVICE AREA BOUNDARIES  
SOUTHEAST CONNECTICUT  
PUBLIC WATER SUPPLY MANAGEMENT AREA**

Whereas, in accordance with Section 25-33 h of the Connecticut General Statutes, each potential Exclusive Service Area (ESA) provider in the Southeast Connecticut Public Water Supply Management Area is granted the right to request, through a declaration process, its future service area; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee has formally requested such exclusive service area declarations from potential providers and has received such declarations from interested parties within the Southeast Connecticut Public Water Supply Management Area; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee has reviewed the bounds of the declared exclusive service area and confirms that all conflicts between potential ESA providers have been resolved through a process developed by the Committee; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee will make recommendations to the Department of Public Health with regard to exclusive service area awards;

Therefore, the undersigned accepts responsibility for the service area as recommended by the Southeast Connecticut Water Utility Coordinating Committee and will abide by the following provisions:

1. Service Area Boundaries: The undersigned acknowledge that the attached map(s) as presented on Geographic Information System mapping prepared by the Department of Public Health accurately identify(ies) the named ESA provider's exclusive service area as accepted by the Southeast Connecticut Water Utility Coordinating Committee on or prior to April 6, 2000. Copies of the approved maps and Statements of Confirmation will be kept on file at the Department of Public Health offices, and will be available for public review.
  
2. Boundary Adjustments: If at some time in the future it is in the best interest of the undersigned to make service boundary adjustments, such adjustments must have the written approval of all parties and the appropriate regulatory authority through the Department of Public Health. Such adjustments must be reconfirmed by completion of new Statement of Confirmation of Exclusive Service Area Boundaries.

The undersigned has executed this Statement of Confirmation as of 7/11/2000.  
(Date)

TOWN OF MARLBOROUGH  
ESA Provider

Howard T. Dean, Jr  
Representative (Signature)

Howard T. Dean, Jr  
Representative (Print)

FIRST SELECTMAN  
Title (Print)

Brief description of the Exclusive Service Area shown on the enclosed map for which this Statement of Confirmation applies:

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STATEMENT OF CONFIRMATION OF  
EXCLUSIVE SERVICE AREA BOUNDARIES  
SOUTHEAST CONNECTICUT  
PUBLIC WATER SUPPLY MANAGEMENT AREA

Whereas, in accordance with Section 25-32 h of the Connecticut General Statutes, each potential Exclusive Service Area (ESA) provider in the Southeast Connecticut Public Water Supply Management Area is granted the right to request, through a declaration process, its future service area; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee has formally requested such exclusive service area declarations from potential providers and has received such declarations from interested parties within the Southeast Connecticut Public Water Supply Management Area; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee has reviewed the bounds of the declared exclusive service area and confirms that all conflicts between potential ESA providers have been resolved through a process developed by the Committee; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee will make recommendations to the Department of Public Health with regard to exclusive service area awards;

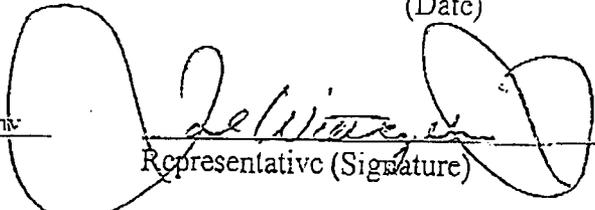
Therefore, the undersigned accepts responsibility for the service area as recommended by the Southeast Connecticut Water Utility Coordinating Committee and will abide by the following provisions:

1. Service Area Boundaries: The undersigned acknowledge that the attached map(s) depicting ESA coverage in the Town of Marlborough as presented on Geographic Information System mapping prepared by the Department of Public Health accurately identify(ies) the named ESA provider's exclusive service area as accepted by the Southeast Connecticut Water Utility Coordinating Committee on or prior to April 6, 2000.
2. Boundary Adjustments: If at some time in the future it is in the best interest of the undersigned to make service boundary adjustments, such adjustments must have the written approval of all parties and the appropriate regulatory authority through the Department of Public Health. Such adjustments must be reconfirmed by completion of new Statement of Confirmation of Exclusive Service Area Boundaries.

The undersigned has executed this Statement of Confirmation as of 7/17/00  
(Date)

AquaSource/Eastern Connecticut Regional Water Company  
ESA Provider

John Wittenzellner, Jr.  
Representative (Print)

  
Representative (Signature)

Northeast Region Assistant Manager  
Title (Print)

In signing this Statement of Confirmation of Exclusive Service Area Boundaries for the Southeast Connecticut Public Water Supply Management Area, AquaSource agrees that the boundaries accurately reflect the WUCC recommendations and AquaSource further agrees to accept the right and responsibility for serving areas within those boundaries. AquaSource does not endorse or agree with all of the WUCC recommendations regarding service area designations. AquaSource does not waive any future claims against territory assigned to other water service providers. AquaSource does not waive its right to appeal any of the WUCC recommendations regarding service area designations.

DPH WATER SUP SECTION Fax: 1-860-509-7359

Jul 13 '00 10:07

P. 02/02

**STATEMENT OF CONFIRMATION OF EXCLUSIVE SERVICE AREA BOUNDARIES SOUTHEAST CONNECTICUT PUBLIC WATER SUPPLY MANAGEMENT AREA**

Whereas, in accordance with Section 25-33 h of the Connecticut General Statutes, each potential Exclusive Service Area (ESA) provider in the Southeast Connecticut Public Water Supply Management Area is granted the right to request, through a declaration process, its future service area; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee has formally requested such exclusive service area declarations from potential providers and has received such declarations from interested parties within the Southeast Connecticut Public Water Supply Management Area; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee has reviewed the bounds of the declared exclusive service area and confirms that all conflicts between potential ESA providers have been resolved through a process developed by the Committee; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee will make recommendations to the Department of Public Health with regard to exclusive service area awards;

Therefore, the undersigned accepts responsibility for the service area as recommended by the Southeast Connecticut Water Utility Coordinating Committee and will abide by the following provisions:

- Service Area Boundaries:** The undersigned acknowledge that the attached map(s) as presented on Geographic Information System mapping prepared by the Department of Public Health accurately identify(ies) the named ESA provider's exclusive service area as accepted by the Southeast Connecticut Water Utility Coordinating Committee on or prior to April 6, 2000. Copies of the approved maps and Statements of Confirmation will be kept on file at the Department of Public Health offices, and will be available for public review.
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The undersigned has executed this Statement of Confirmation as of 7/13/00 (Date)

Montville WPCF  
ESA Provider

Bruce J. Joslin  
Representative (Signature)

Bruce J. Joslin  
Representative (Print)

WWPCA Director  
Title (Print)

Brief description of the Exclusive Service Area shown on the enclosed map for which this Statement of Confirmation applies:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**STATEMENT OF CONFIRMATION OF  
EXCLUSIVE SERVICE AREA BOUNDARIES  
SOUTHEAST CONNECTICUT  
PUBLIC WATER SUPPLY MANAGEMENT AREA**

Whereas, in accordance with Section 25-33 h of the Connecticut General Statutes, each potential Exclusive Service Area (ESA) provider in the Southeast Connecticut Public Water Supply Management Area is granted the right to request, through a declaration process, its future service area; and

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Whereas, the Southeast Connecticut Water Utility Coordinating Committee has reviewed the bounds of the declared exclusive service area and confirms that all conflicts between potential ESA providers have been resolved through a process developed by the Committee; and

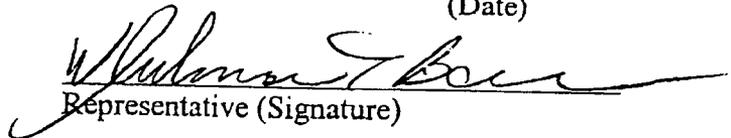
Whereas, the Southeast Connecticut Water Utility Coordinating Committee will make recommendations to the Department of Public Health with regard to exclusive service area awards;

Therefore, the undersigned accepts responsibility for the service area as recommended by the Southeast Connecticut Water Utility Coordinating Committee and will abide by the following provisions:

1. Service Area Boundaries: The undersigned acknowledge that the attached map(s) as presented on Geographic Information System mapping prepared by the Department of Public Health accurately identify(ies) the named ESA provider's exclusive service area as accepted by the Southeast Connecticut Water Utility Coordinating Committee on or prior to April 6, 2000. Copies of the approved maps and Statements of Confirmation will be kept on file at the Department of Public Health offices, and will be available for public review.
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The undersigned has executed this Statement of Confirmation as of 5/19/00  
(Date)

New London Water Division  
ESA Provider

  
Representative (Signature)

Whitman T. Bowen  
Representative (Print)

Contract Administrator Public Utilities  
Title (Print)

Brief description of the Exclusive Service Area shown on the enclosed map for which this Statement of Confirmation applies:

The City of New London  
\_\_\_\_\_  
\_\_\_\_\_

*Approved*

**STATEMENT OF CONFIRMATION OF  
EXCLUSIVE SERVICE AREA BOUNDARIES  
SOUTHEAST CONNECTICUT  
PUBLIC WATER SUPPLY MANAGEMENT AREA**

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The undersigned has executed this Statement of Confirmation as of 6/12/00  
(Date)

NOANK WATER DVPT  
ESA Provider

Frank J Socha  
Representative (Signature)

FRANK J SOCHA  
Representative (Print)

CHAIRMAN - NOANK WATER  
Title (Print)  
COMMISSION

Brief description of the Exclusive Service Area shown on the enclosed map for which this Statement of Confirmation applies:

ESA IS THE LEGAL BOUNDARY

NOANK FIRE DISTRICT

DEPT. OF PUBLIC HEALTH SERVICES  
RECEIVED  
00 JUN 13 PM 12:55

**STATEMENT OF CONFIRMATION OF  
EXCLUSIVE SERVICE AREA BOUNDARIES  
SOUTHEAST CONNECTICUT  
PUBLIC WATER SUPPLY MANAGEMENT AREA**

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The undersigned has executed this Statement of Confirmation as of JUNE 1, 2000  
(Date)

TOWN of NORTH STONINGTON  
ESA Provider

Nicholas H Mullane II  
Representative (Signature)

NICHOLAS H. MULLANE II  
Representative (Print)

FIRST SELECTMAN  
Title (Print)

Brief description of the Exclusive Service Area shown on the enclosed map for which this Statement of Confirmation applies:

TOWN of NORTH STONINGTON EXCLUDING EXISTING AREAS  
SERVED BY SOUTHERN CONNECTICUT WATER AUTHORITY AND  
CEDAR RIDGE WATER ASSOCIATION AND MOBILE HOME GARDENS.

7 13 2

**STATEMENT OF CONFIRMATION OF  
EXCLUSIVE SERVICE AREA BOUNDARIES  
SOUTHEAST CONNECTICUT  
PUBLIC WATER SUPPLY MANAGEMENT AREA**

Whereas, in accordance with Section 25-33 h of the Connecticut General Statutes, each potential Exclusive Service Area (ESA) provider in the Southeast Connecticut Public Water Supply Management Area is granted the right to request, through a declaration process, its future service area; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee has formally requested such exclusive service area declarations from potential providers and has received such declarations from interested parties within the Southeast Connecticut Public Water Supply Management Area; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee has reviewed the bounds of the declared exclusive service area and confirms that all conflicts between potential ESA providers have been resolved through a process developed by the Committee; and

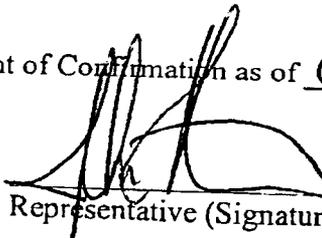
Whereas, the Southeast Connecticut Water Utility Coordinating Committee will make recommendations to the Department of Public Health with regard to exclusive service area awards;

Therefore, the undersigned accepts responsibility for the service area as recommended by the Southeast Connecticut Water Utility Coordinating Committee and will abide by the following provisions:

1. Service Area Boundaries: The undersigned acknowledge that the attached map(s) as presented on Geographic Information System mapping prepared by the Department of Public Health accurately identify(ies) the named ESA provider's exclusive service area as accepted by the Southeast Connecticut Water Utility Coordinating Committee on or prior to April 6, 2000. Copies of the approved maps and Statements of Confirmation will be kept on file at the Department of Public Health offices, and will be available for public review.
2. Boundary Adjustments: If at some time in the future it is in the best interest of the undersigned to make service boundary adjustments, such adjustments must have the written approval of all parties and the appropriate regulatory authority through the Department of Public Health. Such adjustments must be reconfirmed by completion of new Statement of Confirmation of Exclusive Service Area Boundaries.

The undersigned has executed this Statement of Confirmation as of 6-6-2000.  
(Date)

Norwich Public Utilities  
ESA Provider

  
Representative (Signature)

John Bilda  
Representative (Print)

Operations Division Manager  
Title (Print)

Brief description of the Exclusive Service Area shown on the enclosed map for which this Statement of Confirmation applies:

See Attached

## Norwich Public Utilities Exclusive Service Area

June 6, 2000

<b>Norwich</b>	Entire town
<b>Lebanon</b>	Southern portion of town to 200+-ft north of Old Route 2.
<b>Bozrah</b>	Entire town
<b>Franklin</b>	Southern portion of town from Murphy Road to Route 32 Corridor and New Park Ave.
<b>Lisbon</b>	Western portion of town from Mell Road and Peston Allen Road west.
<b>Preston</b>	Existing service area. Entire Route 12 corridor.
<b>Montville</b>	Existing service area. Holly Hill, Landsdown Estates, Stonybrook transmission main R.O.W., and Route 32 corridor to 1,000+-ft south of Route 2A.

**STATEMENT OF CONFIRMATION OF  
EXCLUSIVE SERVICE AREA BOUNDARIES  
SOUTHEAST CONNECTICUT  
PUBLIC WATER SUPPLY MANAGEMENT AREA**

Whereas, in accordance with Section 25-33 h of the Connecticut General Statutes, each potential Exclusive Service Area (ESA) provider in the Southeast Connecticut Public Water Supply Management Area is granted the right to request, through a declaration process, its future service area; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee has formally requested such exclusive service area declarations from potential providers and has received such declarations from interested parties within the Southeast Connecticut Public Water Supply Management Area; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee has reviewed the bounds of the declared exclusive service area and confirms that all conflicts between potential ESA providers have been resolved through a process developed by the Committee; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee will make recommendations to the Department of Public Health with regard to exclusive service area awards;

Therefore, the undersigned accepts responsibility for the service area as recommended by the Southeast Connecticut Water Utility Coordinating Committee and will abide by the following provisions:

[SEE NOTES AT BOTTOM OF PAGE.]

1. **Service Area Boundaries:** The undersigned acknowledge that the attached map(s) as presented on Geographic Information System mapping prepared by the Department of Public Health accurately identify(ies) the named ESA provider's exclusive service area as accepted by the Southeast Connecticut Water Utility Coordinating Committee on or prior to April 6, 2000. Copies of the approved maps and Statements of Confirmation will be kept on file at the Department of Public Health offices, and will be available for public review.
2. **Boundary Adjustments:** If at some time in the future it is in the best interest of the undersigned to make service boundary adjustments, such adjustments must have the written approval of all parties and the appropriate regulatory authority through the Department of Public Health. Such adjustments must be reconfirmed by completion of new Statement of Confirmation of Exclusive Service Area Boundaries.

The undersigned has executed this Statement of Confirmation as of JUNE 5, 2000  
(Date)

TOWN OF PRESTON  
ESA Provider  
BOB CONGDON  
Representative (Print)

[Signature]  
Representative (Signature)  
FIRST SELECTMAN  
Title (Print)

Brief description of the Exclusive Service Area shown on the enclosed map for which this Statement of Confirmation applies:  
Notes:

- (1) Preston does not, however, agree that any of Norwich's existing service area extends into Preston.
- (2) Preston does not, however, agree to any expansion of any existing service area within the Town boundaries. DPUC's recommendation, approved by the WUCC, assigns the entire town of Preston as its ESA, with the exception of areas already served by others." Thus, excluding the "immediate area" included in DPUC's recommendations for most ESA awards.

**STATEMENT OF CONFIRMATION OF  
EXCLUSIVE SERVICE AREA BOUNDARIES  
SOUTHEAST CONNECTICUT  
PUBLIC WATER SUPPLY MANAGEMENT AREA**

Whereas, in accordance with Section 25-33 h of the Connecticut General Statutes, each potential Exclusive Service Area (ESA) provider in the Southeast Connecticut Public Water Supply Management Area is granted the right to request, through a declaration process, its future service area; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee has formally requested such exclusive service area declarations from potential providers and has received such declarations from interested parties within the Southeast Connecticut Public Water Supply Management Area; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee has reviewed the bounds of the declared exclusive service area and confirms that all conflicts between potential ESA providers have been resolved through a process developed by the Committee; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee will make recommendations to the Department of Public Health with regard to exclusive service area awards;

Therefore, the undersigned accepts responsibility for the service area as recommended by the Southeast Connecticut Water Utility Coordinating Committee and will abide by the following provisions *and declarations set forth below*:

1. **Service Area Boundaries**: The undersigned acknowledge that the attached map(s) as presented on Geographic Information System mapping prepared by the Department of Public Health accurately identify(ies) the named ESA provider's exclusive service area as accepted by the Southeast Connecticut Water Utility Coordinating Committee on or prior to April 6, 2000. Copies of the approved maps and Statements of Confirmation will be kept on file at the Department of Public Health offices, and will be available for public review.
2. **Boundary Adjustments**: If at some time in the future it is in the best interest of the undersigned to make service boundary adjustments, such adjustments must have the written approval of all parties and the appropriate regulatory authority through the Department of Public Health. Such adjustments must be reconfirmed by completion of new Statement of Confirmation of Exclusive Service Area Boundaries.
3. ***The execution of this document shall not constitute a waiver of SCWA's claims for additional Exclusive Service Areas within it Charter areas, or its rights under Law and/or Equity to object to either the final recommendations of this WUCC to the Commissioner of the Department of Public Health, or the required rulings of the Commissioner regarding the acceptance of the WUCC Recommendations, in the appropriate Administrative and Judicial forums.***

The undersigned has executed this Statement of Confirmation as of 6/27/00 (Date)

SCWA  
EAS Provider

*Gregory C. Leonard*  
Representative (Signature)

Gregory C. Leonard  
Representative (Print)

General Manager  
Title (Print)

Brief description of the Exclusive Service Area shown on the enclosed map for which this Statement of Confirmation applies *in the town of Salem*:

## SALEM

The entire town of Salem, excluding the following areas:

1. A small area in the northwest portion of town, extending approximately 1,000 feet of Mill Lane Road east of the East Haddam/Salem town line including an area approximately 3,000 feet south of Mill Lane Road and an area approximately 1,000 feet north.
2. Areas currently served by public water suppliers.
3. Present and future water systems owned by the town of Salem that serve town owned property.

As shown on DPH published map, dated 5/18/00, copy attached.

STATEMENT OF CONFIRMATION OF  
EXCLUSIVE SERVICE AREA BOUNDARIES  
SOUTHEAST CONNECTICUT  
PUBLIC WATER SUPPLY MANAGEMENT AREA

Whereas, in accordance with Section 25-33 h of the Connecticut General Statutes, each potential Exclusive Service Area (ESA) provider in the Southeast Connecticut Public Water Supply Management Area is granted the right to request, through a declaration process, its future service area; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee has formally requested such exclusive service area declarations from potential providers and has received such declarations from interested parties within the Southeast Connecticut Public Water Supply Management Area; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee has reviewed the bounds of the declared exclusive service area and confirms that all conflicts between potential ESA providers have been resolved through a process developed by the Committee; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee will make recommendations to the Department of Public Health with regard to exclusive service area awards;

Therefore, the undersigned accepts responsibility for the service area as recommended by the Southeast Connecticut Water Utility Coordinating Committee and will abide by the following provisions *and declarations set forth below*:

1. Service Area Boundaries: The undersigned acknowledge that the attached map(s) as presented on Geographic Information System mapping prepared by the Department of Public Health accurately identify(ies) the named ESA provider's exclusive service area as accepted by the Southeast Connecticut Water Utility Coordinating Committee on or prior to April 6, 2000. Copies of the approved maps and Statements of Confirmation will be kept on file at the Department of Public Health offices, and will be available for public review.
2. Boundary Adjustments: If at some time in the future it is in the best interest of the undersigned to make service boundary adjustments, such adjustments must have the written approval of all parties and the appropriate regulatory authority through the Department of Public Health. Such adjustments must be reconfirmed by completion of new Statement of Confirmation of Exclusive Service Area Boundaries.
3. *The execution of this document shall not constitute a waiver of SCWA's claims for additional Exclusive Service Areas within its Charter areas, or its rights under Law and/or Equity to object to either the final recommendations of this WUCC to the Commissioner of the Department of Public Health, or the required rulings of the Commissioner regarding the acceptance of the WUCC Recommendations, in the appropriate Administrative and Judicial forums.*

The undersigned has executed this Statement of Confirmation as of 6/27/00

(Date)

SCWA  
EAS Provider

[Signature]  
Representative (Signature)

Gregory C. Leonard  
Representative (Print)

General Manager  
Title (Print)

Brief description of the Exclusive Service Area shown on the enclosed map for which this Statement of Confirmation applies *in the town of Franklin*:

## FRANKLIN

The entire town of Franklin, excluding the following areas:

An area in the southeast portion of town, extending east from the Bozrah/Franklin town line, along Route 87 from a point approximately 200 feet northwest of Murphy Road running approximately 200 feet of the north and west side of Murphy Road to its intersection with Route 32, running approximately 300 feet east of Route 32 in a southerly direction approximately 6,000 feet, continuing northeast approximately 1,500 feet, and continuing approximately 2,000 feet east to the Franklin/Norwich town line.

As shown on DPH published map, dated 5/15/00, copy attached.

**STATEMENT OF CONFIRMATION OF  
EXCLUSIVE SERVICE AREA BOUNDARIES  
SOUTHEAST CONNECTICUT  
PUBLIC WATER SUPPLY MANAGEMENT AREA**

Whereas, in accordance with Section 25-33 h of the Connecticut General Statutes, each potential Exclusive Service Area (ESA) provider in the Southeast Connecticut Public Water Supply Management Area is granted the right to request, through a declaration process, its future service area; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee has formally requested such exclusive service area declarations from potential providers and has received such declarations from interested parties within the Southeast Connecticut Public Water Supply Management Area; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee has reviewed the bounds of the declared exclusive service area and confirms that all conflicts between potential ESA providers have been resolved through a process developed by the Committee *which did not include the consent, acceptance or waiver of SCWA*; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee will make recommendations to the Department of Public Health with regard to exclusive service area awards;

Therefore, the undersigned accepts responsibility for the service area as recommended by the Southeast Connecticut Water Utility Coordinating Committee and will abide by the following provisions *and declarations set forth below*:

1. Service Area Boundaries: The undersigned acknowledge that the attached map(s) as presented on Geographic Information System mapping prepared by the Department of Public Health accurately identify(ies) the named ESA provider's exclusive service area as accepted by the Southeast Connecticut Water Utility Coordinating Committee on or prior to April 6, 2000. Copies of the approved maps and Statements of Confirmation will be kept on file at the Department of Public Health offices, and will be available for public review.
2. Boundary Adjustments: If at some time in the future it is in the best interest of the undersigned to make service boundary adjustments, such adjustments must have the written approval of all parties and the appropriate regulatory authority through the Department of Public Health. Such adjustments must be reconfirmed by completion of new Statement of Confirmation of Exclusive Service Area Boundaries.
3. *The execution of this document shall not constitute a waiver of SCWA's claims for additional Exclusive Service Areas within its Charter areas, or its rights under Law and/or Equity to object to either the final recommendations of this WUCC to the Commissioner of the Department of Public Health, or the required rulings of the Commissioner regarding the acceptance of the WUCC Recommendations, in the appropriate Administrative and Judicial forums.*

The undersigned has executed this Statement of Confirmation as of 6/27/00 (Date)

SCWA  
EAS Provider

Gregory C. Leonard  
Representative (Print)

[Signature]  
Representative (Signature)

General Manager  
Title (Print)

Brief description of the Exclusive Service Area shown on the enclosed map for which this Statement of Confirmation applies in the town of Montville:

## MONTVILLE

Positions of the town of Montville including:

1. Existing SCWA service areas and two hundred feet them, and those areas not presently served, but under contract.
2. The WUCC recommended Exclusive service area described as follows: Starting at the Norwich/Montville town line along Route 395, continuing approximately 13,000 feet south along Route 395, continuing approximately 13,000 feet northwest approximately 500 feet north and east of Raymond Hill Road, continuing approximately 9,000 feet southwesterly to the intersection of Old Colchester Road and Chesterfield Road, continuing approximately 13,000 feet southeasterly to the Montville/Waterford town line approximately 1,000 feet west of Old Colchester Road continuing west along the Montville/Waterford town line, northwesterly along the Montville/East Lyme town line, easterly along the Montville/Salem town line, and continuing easterly along the Montville/Bozrah and Montville/Norwich town lines, to the point of beginning.

As shown on DPH published map, dated 5/18/00, copy attached.

**STATEMENT OF CONFIRMATION OF  
EXCLUSIVE SERVICE AREA BOUNDARIES  
SOUTHEAST CONNECTICUT  
PUBLIC WATER SUPPLY MANAGEMENT AREA**

Whereas, in accordance with Section 25-33 h of the Connecticut General Statutes, each potential Exclusive Service Area (ESA) provider in the Southeast Connecticut Public Water Supply Management Area is granted the right to request, through a declaration process, its future service area; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee has formally requested such exclusive service area declarations from potential providers and has received such declarations from interested parties within the Southeast Connecticut Public Water Supply Management Area; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee has reviewed the bounds of the declared exclusive service area and confirms that all conflicts between potential ESA providers have been resolved through a process developed by the Committee; and

Whereas, the Southeast Connecticut Water Utility Coordinating Committee will make recommendations to the Department of Public Health with regard to exclusive service area awards;

Therefore, the undersigned accepts responsibility for the service area as recommended by the Southeast Connecticut Water Utility Coordinating Committee and will abide by the following provisions:

1. Service Area Boundaries: The undersigned acknowledge that the attached map(s) as presented on Geographic Information System mapping prepared by the Department of Public Health accurately identify(ies) the named ESA provider's exclusive service area as accepted by the Southeast Connecticut Water Utility Coordinating Committee on or prior to April 6, 2000. Copies of the approved maps and Statements of Confirmation will be kept on file at the Department of Public Health offices, and will be available for public review.
2. Boundary Adjustments: If at some time in the future it is in the best interest of the undersigned to make service boundary adjustments, such adjustments must have the written approval of all parties and the appropriate regulatory authority through the Department of Public Health. Such adjustments must be reconfirmed by completion of new Statement of Confirmation of Exclusive Service Area Boundaries.

The undersigned has executed this Statement of Confirmation as of May 19 2000  
(Date)

SPRAGUE WATER + SEWER A.V.T.  
ESA Provider

David H. Rood  
Representative (Print)

David H. Rood  
Representative (Signature)

Supt.  
Title (Print)

RECEIVED  
00 MAY 22 01 12 01  
DEPT. OF HEALTH SERVICES  
WATER SUPPLIES

Brief description of the Exclusive Service Area shown on the enclosed map for which this Statement of Confirmation applies:

TOWN OF SPRAGUE

**STATEMENT OF CONFIRMATION OF  
EXCLUSIVE SERVICE AREA BOUNDARIES  
SOUTHEAST CONNECTICUT  
PUBLIC WATER SUPPLY MANAGEMENT AREA**

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Whereas, the Southeast Connecticut Water Utility Coordinating Committee will make recommendations to the Department of Public Health with regard to exclusive service area awards;

Therefore, the undersigned accepts responsibility for the service area as recommended by the Southeast Connecticut Water Utility Coordinating Committee and will abide by the following provisions:

1. Service Area Boundaries: The undersigned acknowledge that the attached map(s) as presented on Geographic Information System mapping prepared by the Department of Public Health accurately identify(ies) the named ESA provider's exclusive service area as accepted by the Southeast Connecticut Water Utility Coordinating Committee on or prior to April 6, 2000. Copies of the approved maps and Statements of Confirmation will be kept on file at the Department of Public Health offices, and will be available for public review.
2. Boundary Adjustments: If at some time in the future it is in the best interest of the undersigned to make service boundary adjustments, such adjustments must have the written approval of all parties and the appropriate regulatory authority through the Department of Public Health. Such adjustments must be reconfirmed by completion of new Statement of Confirmation of Exclusive Service Area Boundaries.

The undersigned has executed this Statement of Confirmation as of May 30, 2000.  
(Date)

Town of Stonington  
ESA Provider

  
Representative (Signature)

Donald R. Maranelli  
Representative (Print)

First Selectman  
Title (Print)

Brief description of the Exclusive Service Area shown on the enclosed map for which this Statement of Confirmation applies:

Stonington's ESA consists of the primarily northern and eastern portions of town which are currently unserved by existing water utilities. It is bounded on the north by the town line, along the east by the CT/RI line and along the south, the ESA extends to the Atlantic Ocean except at the intersection of Route 1 and Wequetequok where the boundary follows a northerly and westerly track, crosses Route 95 and follows the western boundary of the Copps Brook Aquifer.

**STATEMENT OF CONFIRMATION OF  
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SOUTHEAST CONNECTICUT  
PUBLIC WATER SUPPLY MANAGEMENT AREA**

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Whereas, the Southeast Connecticut Water Utility Coordinating Committee will make recommendations to the Department of Public Health with regard to exclusive service area awards;

Therefore, the undersigned accepts responsibility for the service area as recommended by the Southeast Connecticut Water Utility Coordinating Committee and will abide by the following provisions:

1. Service Area Boundaries: The undersigned acknowledge that the attached map(s) as presented on Geographic Information System mapping prepared by the Department of Public Health accurately identify(ies) the named ESA provider's exclusive service area as accepted by the Southeast Connecticut Water Utility Coordinating Committee on or prior to April 6, 2000. Copies of the approved maps and Statements of Confirmation will be kept on file at the Department of Public Health offices, and will be available for public review.
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The undersigned has executed this Statement of Confirmation as of May 18, 00  
(Date)

Waterford WPCA  
ESA Provider

[Signature]  
Representative (Signature)

\_\_\_\_\_  
Representative (Print)

CHIEF ENGINEER  
Title (Print)

Brief description of the Exclusive Service Area shown on the enclosed map for which this Statement of Confirmation applies:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_