

Comments to the Connecticut Department of Public Health
Drinking Water Section

Safe Drinking Water Primacy Assessment Methodology Proposed Legislative Language
February 8, 2019

The South Central Connecticut Regional Water Authority (RWA) is a nonprofit, public corporation and political subdivision of the State of Connecticut. Our mission is to provide our customers with high-quality water at a reasonable cost while promoting the preservation of watershed land and aquifers. We provide approximately 45 million gallons of water a day to some 430,000 consumers in 15 cities and towns in the Greater New Haven region. The source of this water is a system of watershed and aquifer areas that cover about 120 square miles within 24 municipalities. Much of our 27,000 acres of land is managed for watershed protection, timber resource conservation, wildlife habitat, open space, education and research.

The RWA appreciates the opportunity to submit comments to the Connecticut Department of Public Health (DPH) for the safe drinking water primacy assessment methodology. The RWA understands and supports the Drinking Water Section's (DWS) responsibility to ensure the adequacy and purity of Connecticut's public drinking water. We supported the initial legislation establishing the fee and have been an active stakeholder in the conversations to assist the DWS in their efforts to maintain primacy. Detailed below are the specific concerns the RWA identified in the proposed legislative language for the Safe Drinking Water Primacy Assessment methodology. We believe these changes will provide clarity and help the RWA comply with Section 677 of Public Act 17-2.

Section 1. (10): "Service Connection" should be defined by metered accounts and exclude fire service and irrigation service pipes. Utilizing metered accounts as the customer connection definition would allow for the fee to be most accurately tied to our billing system.

Section 1. (c): Receiving the assessment fee in October is not compatible with the RWA's quarterly billing cycle. The RWA needs to know the per-connection fee and number of connections on or before July 1 in order to raise the funds necessary to pay the annual assessment fee. The RWA, as a nonprofit, needs some flexibility in setting the per-connection fee to ensure that we receive the necessary funds to cover the DWS invoices.

A feedback mechanism is needed to allow water companies to petition the DWS in the event a discrepancy occurs between the number of connections the DWS listed and the number listed in the water company's records.

Section 1. (d) (iii): The proposed language calls for a cap on fees of \$5.00 per service connection. The RWA requests that the DPH Commissioner set gross amounts to be collected from the water industry and that a cap be set annually that is not greater than the Consumer Price Index (CPI) for the Northeast region. Justification for any increase greater than the CPI will require a public hearing by the Public Health Committee. An annual budget cap and mechanism to review the DWS budget will provide the RWA with the appropriate information to continue to be transparent and accountable to our customers.

The second to last sentence in Section 1. (d) (iii) should be expanded to allow the RWA, as a nonprofit, some flexibility in setting the per-connection fee to ensure that the RWA receives the necessary funds to cover the DWS invoices.

Section 2. (d): The invoice due dates of March 1st and May 1st do not allow the RWA enough time to collect the necessary funds in a timely manner. As written, there are only two months between the due dates to collect the remaining 50 percent of the assessment. This short notice, coupled with the currently proposed timing for the assessments to become available (i.e. October), further jeopardizes the ability of the RWA to collect the assessment prior to the invoice due date.

Section 2. (g)(1): We are requesting additional language be added to allow the RWA, as a nonprofit, to adjust the per-connection fee in order to ensure we can fund the full assessment.

Section 2. (g)(2): The RWA requests that language be inserted to clarify that the unpaid assessments would only apply to the outstanding amount.

The RWA has demonstrated our commitment to support the DPH Drinking Water Section's efforts to maintain primacy. The revisions requested will ensure the fee is collected in a transparent, reasonable way, causing minimal disruption to the household and business budgets of our customers. In summary, the methodology must include a reporting aspect, a financial cap, and an accountability procedure or mechanism. Lastly, a sunset clause should be included to ensure the water companies are not expected to fund the fee in perpetuity.