

STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH

Jewel Mullen, M.D., M.P.H., M.P.A.
Commissioner



Dannel P. Malloy
Governor
Nancy Wyman
Lt. Governor

PUBLIC HEALTH HEARING OFFICE

VIA CERTIFIED MAIL

Mr. John Wittenzellner, Jr., President
REJA Acquisition Corp.
P.O. Box 322, 2 Stafford Street
Stafford Springs, Connecticut 06076

Elin Swanson Katz, Esq.
Consumer Counsel
Office of Consumer Counsel
10 Franklin Square
New Britain, Connecticut 06051

Robert F. Klee, Esq.
Commissioner
Department of Energy and Environmental Protection
79 Elm Street
Hartford, Connecticut 06106-5127

Re: Joint Investigation by DPH and PURA of REJA's (Rainbow Springs) Request to Cease Operations as a Water Company, Docket Number 14-12-21

NOTICE OF HEARING

By letter dated October 8, 2014, the REJA Acquisition Corp. (REJA) requested the consent of the Department of Public Health (the DPH) and the Public Utilities Regulatory Authority (the PURA) (jointly, the Departments) under §16-46 of the General Statutes (*Conn. Gen. Stat.*) to cease REJA's operations as a water company. REJA's Rainbow Springs water system provides water service to customers located in Middlefield, Connecticut.

Pursuant to *Conn. Gen. Stat.* §16-46(a), the Departments hereby notify you that they will hold a joint hearing to determine the actions that may be taken and the expenditures that may be required, including the acquisition of REJA's Rainbow Springs water system by a suitable public or private entity, to ensure a continuous supply of potable water at adequate volume and pressures to the persons served by the water system, in accordance with the procedures and criteria set forth in *Conn. Gen. Stat.* §§16-262n to 16-262q, inclusive.

In particular, the hearing will be held to determine: (1) whether REJA's Rainbow Springs water system should be acquired by another public or private entity; (2) if so, what water company is the most suitable entity to acquire REJA; and (3) what further orders, if any, should be issued to assure the availability and potability of water, and the provision of water at adequate volume and pressure and at a reasonable cost to the persons served by REJA's Rainbow Springs water system.

The Departments have determined that evidence will be required from REJA, which is hereby designated as a party to this proceeding. Pursuant to *Conn. Gen. Stat.* §§16-2a and 16-9b, the Office of Consumer



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Counsel (the OCC) and the Department of Energy and Environmental Protection (the DEEP), respectively, are also designated as parties to this proceeding.

Each of these persons and/or entities shall, within ten days of the date of this Notice, advise the Departments in writing, at the address of the DPH as provided in this Notice, of the individual upon whom material in this proceeding should be served.

Letters will be accepted from members of the general public who have an interest in the outcome of this proceeding through the last day of the hearing. Testimony from the public will be heard on the date set in this notice. Each Department will maintain a file of any letters accepted in each of their offices that will be available for public viewing.

The hearing will be held in accordance with *Conn. Gen. Stat.* §§4-176e, 4-177, 4-177C and 4-180, on **March 23, 2015, at 6:30 p.m.** at the **Middlefield Community Center, 405 Main Street, Middlefield, Connecticut in Room 3** for public comment. This will be the only hearing date at which testimony from the public will be taken. The hearing will be continued to receive evidence from the parties on **April 20, 2015, at 9:30 a.m.** at the **Department of Public Health, 410 Capitol Avenue, Hartford, Connecticut in the Third Floor Hearing Room.** The scheduling of this matter is subject to change. You are urged to call (860) 509-7566 the day before the hearing to verify this schedule.

Pursuant to *Conn. Gen. Stat.* §19a-2a, the hearing shall be conducted by Kathryn K. Keenan, Esq., on behalf of the DPH, who is hereby appointed as Hearing Officer and who shall rule on all motions, determine findings of fact and conclusions of law, and issue an Order. Pursuant to *Conn. Gen. Stat.* §§16-2(c) and 16-8(a), the hearing shall also be conducted by Hearing Officer Thomas Caruso, Esq., on behalf of the PURA.

At this hearing, parties and interested persons may be represented by an attorney and present evidence on their behalf. If a party or interested person fails to appear at the hearing, upon proof that due notice was served upon it, the Hearing Officers may proceed in the same manner as though the party or interested person were present.

Please note if you are a legal organization, such as an association or corporation: Legal organizations must be represented by an attorney. If a legal organization is not represented by an attorney at the hearing, the persons who attend the hearing from the legal organization may only testify as witnesses and may not make legal arguments, cross examine witnesses, or in any way engage in the practice of law.

Any correspondence regarding this matter, including motions, shall be submitted in writing as follows:

1. **The original and two copies shall be sent to Alison Rau, Hearings Liaison, Department of Public Health, MS#13PHO, Box 340308, Hartford, CT 06134-0308;**
2. **A copy shall be sent to the DPH via email at DPH.Acquisitions@ct.gov;**
3. **Four copies shall be sent to Nicholas E. Neeley, Acting Executive Secretary, Public Utilities Regulatory Authority, Ten Franklin Square, New Britain, CT 06051; and**
4. **A copy shall be sent to each of the persons and entities designated in the caption of this Notice.**

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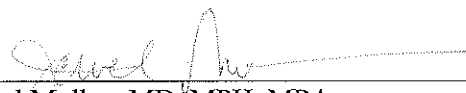
The date and time of filing shall be the date and time the DPH first receives a complete electronic version or the paper version and the required number of paper copies.

Please be advised that the Departments strictly observe *Conn. Gen. Stat.* §4-181, which prohibits ex parte communication during a contested case. *There may be no communication, direct or indirect, with Commissioners, hearing officers, or staff assigned to assist the Commissioners or hearing officers, on any issue of fact or law pertaining to this matter unless that communication takes place in the course of a noticed hearing/meeting or is made in writing with copies supplied to all other designated interested parties, persons and/or entities.* Communication regarding scheduling is not ex parte and should be directed to Ms. Rau at the address or phone number provided in this Notice.

REJA is hereby ordered to deliver a copy of this Notice to every person served by REJA's Rainbow Springs water system within ten days of the mailing of the Notice.

If you require aid/accommodation to participate fully and fairly, please contact the DPH Public Health Hearing Office at 860-509-7566.

Dated at Hartford, Connecticut on the 23rd day of February, 2015.



Jewel Mullen, MD, MPH, MPA
Commissioner

cc: Honorable Jon A. Brayshaw, First Selectman
Dr. Matthew Huddleston, Director of Health
James Colin Mulholland, Esq., Law Offices of James Colin Mulholland
Mr. Eric Thornburg, The Connecticut Water Company
Mr. John Walsh, Aquarion Water Company
Secretary of State