

DEVELOPMENT OF A NEW WATER COMPANY/PUBLIC WATER SYSTEM



Sara Ramsbottom, P.E.

Sanitary Engineer

CT Department of Public Health

Drinking Water Section

November 14, 2007

CT General Statutes Sec. 16-262m

- 💧 Certificate of Public Convenience and Necessity (CPCN)
- 💧 Denotes requirements for construction and expansion of public water supply systems
- 💧 Covers both residential (community) and non-residential (non-community) water systems
- 💧 Ties in local planning & zoning approval process when the development includes an on-site public water system

What is a “Water Company”?

💧 Condensed definition:

An entity controlling a source of water for the purpose of supplying water to 15 or more service connections or 25 or more persons for at least 60 days in any one year

CGS Section 16-262m(a)

Requirements for a Water Company

- 💧 New water company – cannot begin construction of water supply system before obtaining a CPCN
- 💧 Expansion (community) - cannot begin construction of water supply system before obtaining a CPCN
 - 💧 Only exception is existing systems supplying water to more than 250 service connections or 1000 persons

CGS Section 16-262m(b)

Local Planning/Zoning Responsibility

- 💧 CGS Section 8-25a: Proposals for developments using water
 - 💧 Local planning/zoning commissions should not give final approval to these types of projects until a CPCN has been issued

What does that mean??

- 💧 If a new development project is being constructed for the purpose of serving 15 or more service connections or for the purpose of serving 25 or more persons on a regular basis, then the project will be creating a new water company (WC).



WUCC

Water Utility Coordinating Committee

- 💧 CT has been split into 7 'water supply management areas'; to date four have had a WUCC convened and within those 4, Exclusive Service Areas (ESA) have been assigned
- 💧 If the project is located within an ESA, that utility must be approached regarding water service
- 💧 If no ESA has been assigned, the applicant must approach any existing PWS within one linear mile that has 250 or more service connections or serves 1000 or more persons regarding water service to the project



WUCC, cont.

- 💧 Refer to the DWS website for WUCC information
- 💧 If the project is located within an established WUCC, **and no water main extension is available**, the applicant must request a WUCC recommendation regarding the creation of a new WC/PWS

Exclusive Service Area (ESA)

- ☉ Areas within a WUCC that have been assigned to existing water utilities or municipalities
- ☉ ESA providers are responsible for providing water service to new developments within their area
- ☉ This water service may be via a water main extension or ownership & operation of a new on-site water supply system (as a non-connected satellite system)

CPCN 2007 Statute Changes

- 💧 Specifically includes 'state agency' in 'water company' definition
- 💧 Added language to match definitions of 'public water system', 'community water system', & 'non-community water system'
- 💧 Removed exemption of municipalities with respect to feasible interconnection and duplication of water service
- 💧 Regulations for Non-Community projects will be drafted



CPCN 2007 Statute Changes, cont.

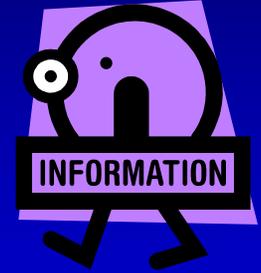
- 💧 For Community system development:
 - 💧 Added language establishes a stronger link with Water Utility Coordinating Committee (WUCC) statutes and Exclusive Service Area (ESA) assignments
 - 💧 If completed water system is to be owned and operated by ESA provider, written agreement must be submitted with Phase I-A application



CPCN 2007 Statute Changes, cont.

- 💧 For Non-Community system development:
 - 💧 New subsection of statute specific to non-residential systems [16-262m(e)]
 - 💧 Language links with WUCC and ESA requirements
 - 💧 Requires evaluation of interconnection feasibility
 - 💧 Requires connection to water main after construction of water system, if and when a water main is available
 - 💧 Exempts certain Department of Environmental Protection properties from specific components of the statute

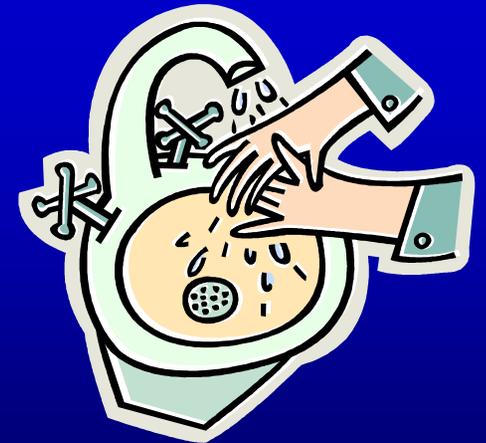
Basic Info About a Project



- 💧 # of service connections
- 💧 Total daily population to be served
- 💧 Number of days facility to be open (per year)
- 💧 Is the property is located within a WUCC area and is there an ESA provider?
- 💧 Is there a nearby existing PWS that may be able to serve via a water main extension?

So it *WILL* be a new Water Company...

- 💧 If the project will result in a new WC/PWS, the Certificate of Public Convenience and Necessity (CPCN) process must be followed
- 💧 Applies to both community (residential) and non-community (non-residential/commercial) projects

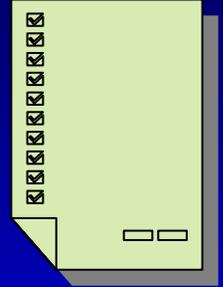


Certificate of Public Convenience & Necessity (CPCN)

- Joint review process with DPH & Department of Public Utility Control (DPUC) for community projects
- For non-community projects, DPH conducts all reviews
- Three phase review process
 - Phase I-A: proposed source locations
 - Phase I-B: water quality & quantity
 - Phase II: treatment, storage, distribution system
 - Each Phase application requires the above and other information



Application Forms



- 💧 CPCN Phase I-A
- 💧 CPCN Phase I-B
- 💧 CPCN Phase II
 - 💧 Specific set of CPCN forms for Community Water System projects and for Non-Community projects
- 💧 Plus other forms as necessary (well site, general application, etc.)
- 💧 Instruction/information document also available
- 💧 All are available on the DWS website

CPCN Application Forms (Non-Comm.)

Non-Community CPCN Phase I-A (Page 1 of 1)

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH & DEPARTMENT OF PUBLIC UTILITY CONTROL
APPLICATION FOR A *NON-COMMUNITY*
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY (CPCN)
Pursuant to CGS Sec. 16-262m**

This application process is separated into three phases – Phase I-A, Phase I-B, & Phase II. Only complete one phase at a time. Do not move on to a subsequent phase until the Department of Public Health – Drinking Water Section has formally reviewed the preceding phase and written confirmation has been received to continue the process.

PHASE I-A (Non-Community)

DPH-DWS PROJECT #: _____ (as assigned by this office)

DPUC DOCKET #: _____ (as assigned by DPUC)

Facility/PWS Name: _____ PWSID: CT _____ (if applicable)
(Facility name as on the water company screening application)

The following must be submitted for the Phase I-A *Non-Community* CPCN review, as required per the letter of determination of water company screening application review (check off each that is included with this submission):

- 1. Copy of the DWS's letter of determination of water company screening application review
- 2. Application fee of \$100.00 (check made out to "Treasurer, State of Connecticut")
- 3. Completed "Application for Public Water System Well Site Approval" for each proposed well
- 4. Evaluation of the quantity of water necessary to provide adequate supply (use Attachment 1 – ADD calculation worksheet)
- 5. Plan for controlling pollution sources that might affect the well(s)
- 6. Topographical map showing the relationship and location of the proposed project to the surrounding area
- 7. Completed "TMF Capacity Evaluation" questionnaire (see Attachment 2)
Attach an additional sheet(s) of paper as necessary to properly and fully answer all questions, referencing question numbers.
- 8. Description of the groundwater quality as classified by the CT Department of Environmental Protection and subsurface soils as classified by the United States Department of Agriculture – Natural Resources Conservation Service, for the project area
- 9. Name and certificate number of proposed/existing water system certified operator (if applicable)
- 10. Provide a detailed letter from the town's planning department indicating any known probable future building areas within one mile of this property

Signature of Property Owner/Legal Contact: _____ Date: _____

Signature of ESA provider (if applicable): _____ Date: _____
(If no ESA provider, signature of representative of regulated water company that is to own & operate the proposed water system, if applicable)

FOR DWS USE ONLY

DWS Project #: _____ DPUC Docket#: _____

Authorized to proceed with Phase I-B: Yes No

Date of determination: _____ Revised: 10/6/05

Non-Community CPCN Phase I-B (Page 1 of 1)

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH & DEPARTMENT OF PUBLIC UTILITY CONTROL
APPLICATION FOR A *NON-COMMUNITY*
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY (CPCN)
Pursuant to CGS Sec. 16-262m**

This application process is separated into three phases – Phase I-A, Phase I-B, & Phase II. Only complete one phase at a time. Do not move on to a subsequent phase until the Department of Public Health – Drinking Water Section has formally reviewed the preceding phase and written confirmation has been received to continue the process.

PHASE I-B (Non-Community)

_____ (as assigned by this office)

_____ (as assigned by DPUC)

_____ PWSID: CT _____ (if applicable)
(Facility name as on the Phase I-A application)

The following must be submitted for the Phase I-B *Non-Community* CPCN review, as required per Phase I-A approval and written confirmation received with this submission:

DPUC's determination of the Phase I-A application

Water Quality and Quantity Suitability Application, which includes the following:

- Well drillers' completion report for each well drilled
- Field test results for each well indicating pumping rates, certified well yields, and drawdown
- Well water quality test results from samples obtained as required on the Well Site Suitability Application
- Estimated cost of water facilities to be constructed/expanded

Signature of Property Owner/Legal Contact: _____ Date: _____

Signature of representative of regulated water company that is to own & operate the proposed water system, if applicable): _____ Date: _____

DPUC Docket#: _____

Approved to proceed with Phase II: Yes No

Date of determination: _____ Revised: 11/10/05

Non-Community CPCN Phase II (Page 1 of 1)

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH & DEPARTMENT OF PUBLIC UTILITY CONTROL
APPLICATION FOR A *NON-COMMUNITY*
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY (CPCN)
Pursuant to CGS Sec. 16-262m**

This application process is separated into three phases – Phase I-A, Phase I-B, & Phase II. Only complete one phase at a time. Do not move on to a subsequent phase until the Department of Public Health – Drinking Water Section has formally reviewed the preceding phase and written confirmation has been received to continue the process.

PHASE II (Non-Community)

_____ (as assigned by this office)

_____ (as assigned by DPUC)

_____ PWSID: CT _____ (if applicable)
(Facility name as on the Phase I-A & I-B application)

The following must be submitted for the Phase II *Non-Community* CPCN review, as required on the Phase I-B approval and written confirmation received with this submission:

DPUC's determination of the Phase I-B application

Technical Standards for Non-Transient and Non-Community Water Systems" document.

Specifications for the project. These can include, but are not limited to: transfer pumps, well pumps & tanks, treatment facilities, atmospheric storage facilities, locations of sample taps, onsite emergency alarms, locations of pressure gages, water level gages on storage tank, and

Proper notification of authorities in the event of an emergency

Phone number, and title of proposed operator with day-to-day responsibility for system (if prior to water system activation, an "Operator Verification Form" may be required and if so,

Signature of Property Owner/Legal Contact: _____ Date: _____

Signature of representative of regulated water company that is to own & operate the proposed water system, if applicable): _____ Date: _____

DPUC Docket#: _____

Approved to proceed with Phase II: Yes No

Date of determination: _____ Revised: 7/21/05

CPCN Application Forms (Comm.)



STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC UTILITY CONTROL
DEPARTMENT OF PUBLIC HEALTH

Certificate of Public Convenience and Necessity
Community Water System

PHASE I-A
Component of the CPCN Application Form

Pursuant to CGS Sec. 16-262m-5

Phase I-A grants the developer approval of his well sites and permission to obtain the well drilling permits from the appropriate town to proceed with groundwater exploration and development of such wells. The issuance of this approval means that the Department of Public Utility Control and the Department of Public Health have determined that a main extension to an existing system is not feasible for new water systems only) and that there will be no duplication of service of other existing water utilities in the area when the project is finished.

Check off each item that is included in this submission
(Double Click on Grey Box to fill in - Click on Checked)

Yes, Application Fee Enclosed (\$100.00)

A. APPLICANT INFORMATION

(A-1) Project Name and Location: _____

(A-2) Applicant's legal name, address, and telephone:
Provide the legal name, address, and telephone number of applicant and name and title of contact person. If the Applicant is a corporation, the Applicant should also provide the names and addresses of the corporate officers and submitted it in Exhibit A-2.

Applicant Name: _____
Title: _____
Address: _____
City, State, Zip: _____
Telephone Number: _____ Fax: _____
E-Mail: _____ Other: _____

Contact Name: _____
Title: _____
Address: _____
City, State, Zip: _____
Telephone Number: _____ Fax: _____
E-Mail: _____ Other: _____

(A-3) Professional Civil Engineer (PE) - Name, Address, and Telephone
Provide the name, address, telephone number of proposed registered professional civil engineer, registered in the State of Connecticut, who will have design and supervision responsibility for the construction of the system.

PE Name: _____
Title: _____
Address: _____
City, State, Zip: _____
Telephone Number: _____ Fax: _____
E-Mail: _____ Other: _____

copy

STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC UTILITY CONTROL
DEPARTMENT OF PUBLIC HEALTH

Certificate of Public Convenience and Necessity
Community Water System

Application Form - PHASE I-B of the CPCN
Component of CPCN Application Form

Pursuant to CGS Sec. 16-262m-6

evaluates the well yield and water quality data so that proper pump sizing, storage and equipment and any required treatment processes can be incorporated into the design of the water approval permits the developer to obtain building permits from the town to clear the site, lay out and construct the drainage facilities and dig or pour the foundations of the buildings themselves.

Time and Location: _____

Project Number: _____

Project Number: _____

Check off each item that is included in this submission
(Double Click on Grey Box to fill in - Click on Checked)

LL DATA

I Completion Report

Provide as Exhibit A-1, a copy of the Well Completion Report for each well.
Yes, Submitted No (Provide Details)

II Test Results Report

Provide as Exhibit A-2, a copy of the yield test results for each well indicating pumping s, certified well yields, and drawdown information.
Yes, Submitted No (Provide Details)

III Water Quality Test Results Report

Provide as Exhibit A-3, a copy of the water quality test results from samples obtained during the yield test.
Yes, Submitted No (Provide Details)

IV NERSHIP

1. Signed Agreement

Provide as Exhibit B-1, a signed agreement between the developer of the water system and the existing regulated public service or municipal water utility or local water authority indicating that the final constructed water supply facilities are dedicated to that utility.
Yes, Submitted No (Provide Details)

STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC UTILITY CONTROL
DEPARTMENT OF PUBLIC HEALTH

Certificate of Public Convenience and Necessity
Community Water System

Application Form - PHASE II of the CPCN
Component of CPCN Application Form

Pursuant to CGS Sec. 16-262m-7

Final Certificate, permits the developer to go forward with the remainder of the project, distribution system and waterworks (storage tanks, transfer pumps, meters, etc.) and the assuming appropriate approvals have already been obtained from the Department of Health or Department of Environmental Protection) for the septic or sewer effluent water.

Location: _____

Address: _____

Telephone Number: _____

Check off each item that is included in this submission
on Grey Box to fill in - Click on Checked)

ION

Exhibit A-1, plans and specifications for the project must include but not transfer pumps, well pumps and pump curves, hydropneumatic tanks, utilities, distribution system layout, atmospheric storage facilities, (water source and customer), location of sample taps, on site standby power, emergency alarms, location of pressure gauges, location of gate valves, water level gauges on storage tank, fire protection (if necessary), and procedures;

Exhibit A-1, plans and specifications for the project must include but not transfer pumps, well pumps and pump curves, hydropneumatic tanks, utilities, distribution system layout, atmospheric storage facilities, (water source and customer), location of sample taps, on site standby power, emergency alarms, location of pressure gauges, location of gate valves, water level gauges on storage tank, fire protection (if necessary), and procedures;

Exhibit A-2, a hydraulic gradient of the proposed system.
Yes, Submitted No (Provide Details)

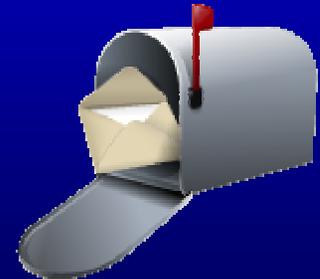
Exhibit A-2, a hydraulic gradient of the proposed system.
Yes, Submitted No (Provide Details)

Exhibit A-3, details of a typical service line, service connection, thrust block, hydrant installation, cross section of trench containing pipe, and manhole.

Exhibit A-3, details of a typical service line, service connection, thrust block, hydrant installation, cross section of trench containing pipe, and manhole.
Yes, Submitted No (Provide Details)

Where do I send it?

- 💧 Community CPCN Application – send to DPUC, but also send copy of all materials to DPH
 - 💧 All Community CPCN applications require a \$100 fee; fee must only be submitted to DPUC
 - 💧 Each Phase submittal requires a complete General Application Form (GAF)



Where do I send it?, cont.

- 💧 Non-Community CPCN Application
 - 💧 Send to DPH only
 - 💧 No application fee
 - 💧 Each phase submittal requires a complete General Application Form



Review Process



💧 Community

- 💧 Joint review - DPH & DPUC
- 💧 DPH begins review when notice is received from DPUC
- 💧 Both DPH & DPUC must concur with each Phase approval – actual Phase approval will only be sent from DPUC
- 💧 Major portion of DPUC review is in Phase I-B (Technical, Managerial, Financial Qualification criteria)
- 💧 Final Certificate is prepared after Phase II approval



Review Process, cont.



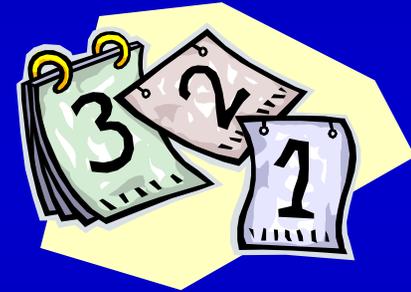
💧 Non-Community

- 💧 DPH reviews all Phases
- 💧 DPH begins review as soon as material is received
- 💧 DPH issues each Phase approval directly to the applicant
- 💧 Final Certificate is prepared by DPH after Phase II approval and issued to applicant



Review Process, cont.

- 💧 Timelines for our review after receipt of complete application:
 - 💧 Phase I-A – within 60 days
 - 💧 Phase I-B – within 30 days
 - 💧 Phase II – within 60 days
- 💧 General guideline – at least 6 months for full review for non-community; longer than that for community projects



CPCN Process Summary

- 💧 After Phase I-A approval
 - 💧 Drill the well, perform yield test, take water quality samples & prepare Phase I-B application
- 💧 After Phase I-B approval
 - 💧 Prepare the Phase II application – design of system, storage, treatment, etc.
- 💧 After Phase II approval
 - 💧 Construct the water supply system

Avoid Delays

- 💧 We need to be informed early on – at same time or before the project goes for planning/zoning review
- 💧 Submit complete applications – no missing information!
- 💧 Refer to associated instructional/informational document (see DPH website)
- 💧 Non-Community design & construction technical guidelines also available
- 💧 Request to meet with us to discuss project requirements

Capacity Requirements

- 💧 The applicant, if retaining ownership of the water system, must demonstrate the ability to have Technical, Managerial, & Financial Capacity
 - 💧 The property owner needs to be aware of the responsibility of a PWS
 - 💧 We do not want a new PWS to fall out of compliance!
 - 💧 “Intro to the Water Business” brochure (DWS website)

Where to find information...questions?

- 💧 DPH website: <http://www.ct.gov/dph>
- 💧 “Intro to the Water Business” brochure (DWS website under “Public Water Supply Consumers” – Drinking Water Fact Sheets)
- 💧 CPCN instructions & technical guidelines
- 💧 Call DPH-DWS: 860-509-7333
Office hours: 8:30 am – 4:30 pm



DPUC Address

Department of Public Utility Control
10 Franklin Square
New Britain, CT 06051

Attention: Louise Rickard, Acting
Executive Secretary

Phone: 860-827-1553