

**FINAL  
EXCLUSIVE SERVICE AREAS  
UPPER CONNECTICUT RIVER  
WATER SUPPLY  
MANAGEMENT AREA**

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**HAVENS AND EMERSON, INC.  
CONSULTING ENVIRONMENTAL ENGINEERS**

**IN ASSOCIATION WITH**



**KEYES  
Architects/Engineers/Planners**

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PUBLIC WATER SUPPLY MANAGEMENT AREA

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## CHAPTER TWO

### EXCLUSIVE SERVICE AREAS

#### 2.1 INTRODUCTION

##### 2.1.1 The Coordinated Water System Planning Process

As discussed in Chapter One, an Act Concerning a Connecticut Plan for Public Water Supply Coordination (Public Act 85-535) was passed by the Connecticut General Assembly in the 1985 legislative session. The act provides for a coordinated approach to long-range water supply planning, addressing water quality and quantity issues from an areawide perspective.

The process is designed to bring together utility representatives and regional planning agency representatives in a Water Utility Coordinating Committee (WUCC) to discuss long-range water supply issues and develop an areawide water supply plan. The plan will address future needs and concerns, and will identify potential conflicts over future water supply sources, competition for future service areas, or areas of anticipated growth where public water supply is not available. The plan will provide local officials with a document which identifies existing and anticipated public water supply service areas, and will provide a basis for review of local development policies for consistency with the projected availability of water supply. As development proceeds within a municipality, the plan will also serve as a ready reference for municipal officials and developers to determine the utility designated to serve an area and the safe yield available from that utility's water sources. This plan should be a valuable tool in a community's ongoing planning process, and the input of all local officials within the boundaries of the WUCC has been solicited in the course of its preparation.

As shown on Figure 2.1, the Coordinated Water System Plan for each Public Water Supply Management Area incorporates the individual water system plans from those utilities within the management area required to

**COORDINATED WATER SYSTEM PLAN**

**INDIVIDUAL  
WATER SYSTEM PLANS  
OF EACH  
PUBLIC WATER SYSTEM**

**AREAWIDE SUPPLEMENT**

**A**

**WATER SUPPLY ASSESSMENT**

**B**

**EXCLUSIVE  
SERVICE AREA BOUNDARIES**

**C**

**INTEGRATED REPORT**

**D**

**EXECUTIVE SUMMARY**

**PROJECT SCHEDULE**

<b><u>ITEM</u></b>	<b><u>TIME FROM PROJECT START</u></b>
<b>A</b>	<b>6 MONTHS</b>
<b>B</b>	<b>12 MONTHS</b>
<b>C &amp; D</b>	<b>18 MONTHS</b>
<b>FINAL PLAN</b>	<b>24 MONTHS</b>

**FIGURE 2.1  
COORDINATED  
WATER SYSTEM PLAN**

prepare such pursuant to Connecticut General Statutes Section 25-32d and the Areawide Supplement prepared under the auspices of the WUCC. The Areawide Supplement consists of four key components. The Water Supply Assessment represents the first of these components and constitutes the area's problem statement (constructed from the best available information at the time of writing) on which the remainder of the planning process is built. Its purpose is to evaluate water supply conditions and to identify areawide water system issues, concerns and needs. The Water Supply Assessment is encompassed in Chapter One of the Coordinated Water System Plan which is separately bound.

The second component (Chapter Two) consists of the delineation of Exclusive Service Area Boundaries. During this phase of the process, each utility (WUCC member) within the management area has the opportunity to define the area that it is committed to serving in the future. The following factors are to be used in establishing exclusive service area boundaries:

- . existing water service area
- . 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 decisions
- . system hydraulics, including potential elevations and pressure zones
- . ability of a water system to provide a pure and adequate supply of water now and in the future

These factors have been addressed by the members of the Upper Connecticut WUCC in a variety of ways, with the exclusive service area boundaries usually representing a compromise between technical and political considerations. Generally, the process of setting an exclusive service area boundary began with a utility's review of its existing service area and the establishment of points from which this area could logically be extended. Franchise area limitations were then considered relative to the theoretical expansion capability of existing distribution systems, as were any physical limitations to system expansion (e.g., extreme elevation

differences, surface features, etc.). System expansion potential was then further defined in light of political boundaries, with an attempt made to avoid minor incursions into towns adjacent to those presently served by a utility. Once these preliminary exclusive service area boundaries were established, land use, zoning patterns, and plans of development were reviewed to determine likely water demands. Engineering evaluations were then undertaken to determine system hydraulic needs, with existing and potential supply sources evaluated to determine if their quantity and quality would be adequate to serve the expanded systems.

The third component of the Coordinated Water System Plan is the Integrated Report, which is designed to provide an overview of the individual public water systems within the management area; address the areawide water supply issues, concerns and needs identified in the Water Supply Assessment; and promote cooperation among public water systems. By regulation, this report must address at least the following:

- . population, consumption and safe yield projections
- . compatibility with land use plans
- . alternative water resources for future supply needs
- . interconnection between public water supply systems
- . joint management or ownership of facilities
- . satellite management program
- . minimum design standards
- . financial data related to regionally significant projects
- . other uses of water resources

The fourth and final component is the Executive Summary, which is designed to serve as an abbreviated overview of the Coordinated Water System Plan for the management area.

#### 2.1.2 Exclusive Service Area Declaration Process

The implementing legislation for the coordinated water system planning process requires that the WUCC member utilities establish areas for future service following delineation of existing service area boundaries (the

existing service areas are shown on Plates 1A and 1B which are included in the Water Supply Assessment). The areas for future service are designated as a utility's "exclusive service area" which by legislative definition means "an area where public water is supplied by one system." The regulations stipulate that in establishing 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 service.

The various factors which utilities must use in determining their exclusive service area boundaries are listed in Section 2.1.1. The manner in which a utility serves customers in its exclusive service area may include development of supply sources, main extensions, or satellite management. In the Upper Connecticut River Water Supply Management Area a mix of these options will be used by utilities, and a clear definition of how each utility will service its exclusive service area is incorporated into each utility's individual plan.

In accordance with the requirements of Section 25-33h-1(c)(6), all WUCC members, municipalities, and interested individuals or groups in the Upper Connecticut River Public Water Supply Management Area were notified as to the need for utilities to delineate their exclusive service areas or potentially waive their right for future expansion beyond their existing service area boundaries. Notification means included June 3, 1987 letters to all WUCC members, local municipal officials, and interested parties (examples are provided in Appendix A) as well as a legal notice in the June 15, 1987 Hartford Courant and a June 27, 1987 press release. Specific responses to the requests made of WUCC members were required by September 14, 1987.

These notifications resulted in declarations by various utilities, some of which resulted in potential conflicts due to overlapping exclusive service area claims. (For many of the utilities, the declared exclusive service areas were consistent with their existing franchise areas.) At the October 6, 1987 WUCC meeting the members present decided that those utilities with apparent conflicts would attempt to directly negotiate mutually agreeable solutions. At the December 1, 1987 meeting, it was determined that mutual agreement had been achieved on all conflicting areas except the following:

- . a conflict in Avon between the Unionville and Avon Water Companies
- . a conflict in Enfield and East Windsor between the Connecticut and Hazardville Water Companies
- . a conflict in South Windsor between the Connecticut Water Company and the Metropolitan District Commission (MDC).

Statements made by representatives of the Unionville and Avon Water Companies indicated that their attempts to resolve the conflict had reached an impasse. As a result, the WUCC created a subcommittee to mediate the conflict and to assist in finding a resolution between the two utilities. The members selected for the mediation subcommittee were agreeable to the two conflicting utilities. This mediation subcommittee met on December 16, 1987 with representatives of the Avon and Unionville Water Companies, and reached a mutually agreeable solution regarding the disputed areas. This agreement, as with all other undisputed and negotiated declarations, is shown pictorially on the exclusive service area maps which have been prepared as part of this planning process and will be on file at the DOHS offices. The mediation committee also assisted in the Hazardville/-Connecticut Water conflict, which was resolved at the February 16, 1988 WUCC meeting.

Representatives of the MDC and the Connecticut Water Company stated that a tentative resolution for servicing an area along Strong Road in South Windsor had been reached. However, the MDC's Water Bureau chose not

to approve the tentative resolution due to a written request from the Town of South Windsor. The Town had asked to be involved in the conflict resolution process and wanted the WUCC to delay any approval of a resolution until the work of the Task Force created by Special Act 87-110 was completed and the Town had the opportunity to study the situation. This opinion was reiterated by a representative of South Windsor who was present at the December 1, 1987 WUCC meeting. (It was noted at the February 2, 1988 meeting of the WUCC that the Task Force had completed its work with no specific recommendations made regarding the feasibility, advantages, or disadvantages of consolidating water service in South Windsor.)

However, the WUCC is under a legislative mandate to complete their planning process within two years, with the regulations promulgated under Public Act 85-535 calling for the final Exclusive Service Areas portion of the Coordinated Plan for the Upper Connecticut River Public Water Supply Management Area to be submitted to the DOHS within one year of the convening of the WUCC. Consequently, the WUCC is required to develop exclusive service areas for public review, including the assignment of exclusive service areas in South Windsor. For the purposes of this report, the WUCC voted to set the MDC-CWC exclusive service area boundary in South Windsor along Strong Road. This decision was based on a variety of factors, including the preservation of existing service areas, presently undefined development plans for the area near Strong Road, and the need for both the MDC and the Connecticut Water Company to hydraulically reinforce their systems by looping along, or near, Strong Road. (Please note that the exact boundary between the exclusive service areas of MDC and CWC may be altered if future development presents alternate looping possibilities.)

If any of the conflicts had not been resolved, the WUCC could have requested input from the DPUC in resolving the conflict. If agreement were not reached after consultation with the DPUC, then the Commissioner of DOHS has the ultimate authority to resolve the conflict as set forth in Section 25-33h-1(f)(1)(D) of the regulations and Section 25-33g(b) of the Connecticut General Statutes.

The timing of the completion of this chapter of the Areawide Supplement and the preparation of the individual plans of the management area's utilities creates a potential problem regarding the approval of the Final Exclusive Service Areas. Since DOHS expects utilities to justify, within their individual plans, how they will provide future service to their exclusive service areas, the lack of approved individual plans may jeopardize the acceptability of the exclusive service areas set forth herein. So as not to delay the approval process, all utilities will at a minimum maintain their existing service area, and each utility's designated exclusive service area as set forth herein will be reserved for that utility (presuming there are no outstanding conflicts) until final approval of the utility's individual plan. In the interim, competing utilities are prohibited from making a counterclaim or providing service to customers in another utility's reserved exclusive service area.

The exclusive service areas designated herein will become effective on the date of approval of a utility's individual plan or on the date that the final exclusive service areas plan is approved, whichever occurs the latest. If DOHS does not approve a utility's individual plan as it relates to the provision of service to all or any part of the utility's designated exclusive service area, the utility will lose its claim to its designated exclusive service area (in whole or in part) unless the utility can appropriately revise its individual plan to the satisfaction of DOHS. The area will be "opened" to service by other utilities only after the utility's ability to show just cause for claiming the area for future service has been exhausted and denied by DOHS.

Table 2.1 provides a listing of the area's utilities and a brief general description of the exclusive service area for each utility. As noted in the table, utilities which did not claim additional area beyond that presently served will maintain their existing area as their future service area. In reviewing this information, please note that the exclusive service areas of several utilities encompass areas which have been considered by local, regional, and State planners to remain in a

TABLE 2.1

GENERAL DESCRIPTION OF  
EXCLUSIVE SERVICE AREAS

<u>WATER UTILITY NAME</u>	<u>EXCLUSIVE SERVICE AREAS</u>
Avery Heights Water Association	Limited to existing service area in southeast part of South Windsor
Avon Old Farms School	Limited to existing campus area in central part of Avon
Avon Water Company	Throughout Avon, south central part of Simsbury <sup>(1)</sup>
Berlin W.C.C.	Northern and eastern areas of Berlin <sup>(2)</sup>
Briarwood College	Campus area in northwestern part of Southington
Bristol Water Department	Throughout Bristol <sup>(3)</sup>
Burham Acres Water Assoc.	Limited to existing service area in southern part of South Windsor
Chelsea Common Assoc., Inc.	Limited to existing service area in southern East Granby
Chestnut Hill Heights Water Assoc.	Limited to existing service area in central Glastonbury
Chippanydale Assoc.	Limited to existing service area - Everett Street in Bristol
Ciccio Court	Limited to existing service area in southwestern Plainville
Connecticut Correctional Institute for Men	Northwestern Somers and northeastern Enfield
Connecticut Water Company Northern, Rockville and Collinsville Divisions	Throughout Suffield and Canton; parts of Enfield, East Granby, and Burlington; part of Windsor Locks, part of Ellington, Somers, and Vernon; all of East Windsor except any existing service area, the northern part of South Windsor, the northwest part of Avon, the southeast part of New Hartford, and the southern portion of Harwinton <sup>(4)</sup>
Cope Manor	Limited to existing service area in western Plainville
Country Gardens Apartments	Limited to existing service area in central Somers
East Granby Village Condos., Inc.	Limited to existing service area in southern East Granby
East Windsor Housing Authority	Limited to existing service area in central East Windsor
Ellington Acres Co.	North central Ellington <sup>(5)</sup>
Ellsworth Estates	Limited to existing service area in central East Windsor
Ethel Walker School	Limited to existing service area in central Simsbury
Farmington Line West Condo. Assoc.	Limited to existing service area in southwestern Burlington
Farmington Woods Water Co., Inc.	Limited to existing service area in southern Avon and northern Farmington
Grant Hill Assoc., Inc.	Limited to existing service area in southern Bloomfield
Hazardville Water Co.	Central <sup>(6)</sup> , southern, and eastern Enfield, northern and western areas of Somers
High Manor Mobile Home Park	Limited to existing service area in eastern Vernon
Higley Village	Limited to existing service area in central East Granby
Hillsdale Water Co-op	Limited to existing service area in central South Windsor

TABLE 2.1  
(Continued)

GENERAL DESCRIPTION OF  
EXCLUSIVE SERVICE AREAS

<u>WATER UTILITY NAME</u>	<u>EXCLUSIVE SERVICE AREAS</u>
Hilltop, Inc.	Limited to existing service area in eastern Farmington
Jensons, Forest Hills Mobile Home Park	Limited to existing service area in northern Southington
Juniper Club, Inc.	Limited to existing service area in southwestern Bloomfield
Kenmore Road Assoc.	Limited to existing service area in southwestern Bloomfield
Kensington Fire District	Region encompassing the Kensington Fire District
Kimberly Lane Water Assoc.	Limited to existing service area in southern Glastonbury
Lakeview of Farmington	Limited to existing service area in central Farmington
Latimer Farms Water Assoc.	Limited to existing service area in southern Simsbury
Liebman Apartments	Limited to existing service area in central Ellington
Little Brook Road Supply	Limited to existing service area in northern New Hartford
Llynwood, Inc.	Limited to existing service area in southern Vernon and northern Bolton
Manchester Water Dept.	Town of Manchester, with the exception of existing service areas served by MDC, central Glastonbury, small area of southeastern South Windsor, existing service area in southwestern Vernon
Maple Ridge Farms Water Assoc.	Limited to existing service area in eastern Farmington
Meadowbrook Apartments	Limited to existing service area in central Ellington
Meriden Water Department	Limited to existing service area - small areas in southern Southington
Metacomet Village	Limited to existing service area in central East Granby
Metropolitan District Commission (MDC)	Parts of East Granby, Windsor, Bloomfield, Newington, West Hartford, Hartford, East Hartford, Rocky Hill, Wethersfield, Glastonbury, western areas of Manchester, central and western areas of South Windsor, eastern area of Farmington <sup>(8)</sup>
Neipsic Woods Section 3	Limited to existing service area in central Glastonbury
Neipsic Woods Water Assoc.	Limited to existing service area in central Glastonbury
New Britain Water Department	New Britain, small area of northeastern Southington, southeastern area of Farmington, western part of Newington, existing service area in northern Berlin, existing service area in Plainville.
New Hartford Water Department	Existing service area in northern New Hartford
Oakwood, Inc.	Limited to existing service area in central Glastonbury
Old Newgate Ridge Water Co.	Limited to existing service area in central East Granby
Orchard Hill Assoc.	Limited to existing service area in southwestern Bloomfield
Penwood Assoc., Inc.	Limited to existing service area in western Bloomfield
Pine Hill, Inc.	Limited to existing service area in central Glastonbury
Plainville Water Co.	Throughout Plainville, a northern area of Southington <sup>(9)</sup>
Portland Water Department	No service to customers in study area

TABLE 2.1  
(Continued)

GENERAL DESCRIPTION OF  
EXCLUSIVE SERVICE AREAS

<u>WATER UTILITY NAME</u>	<u>EXCLUSIVE SERVICE AREAS</u>
Redwood Farms L&M Water Co.	Limited to existing service area in southwestern Manchester
Reid Treatment Center	Limited to existing service area in north central Avon
Rock Tree Apartments	Limited to existing service area in south central Barkhamsted
Rolling Hills Water Assoc. Inc.	Limited to existing service area in central Glastonbury
Salmon Brook District Water Dept.	Limited to existing service area in eastern Granby
School Hill Assoc., Inc.	Limited to existing service area in central East Windsor
Shaker Heights, Inc.	Limited to existing service area in northern Enfield
Sharon Heights Water Assoc.	Limited to existing service area in central Bloomfield
Snipsic Village Housing Authority	Limited to existing service area in central Ellington
Somers Elderly Housing Authority	Limited to existing service area in central Somers
Somersmill Water Assoc.	Limited to existing service area in western Somers
Southington Water Co.	Throughout Southington except areas at the eastern and western border and existing service areas of other water utilities
Tariffville Fire District Water Dept.	Limited to existing service area in northeastern Simsbury
Taylor Trailer Park	Limited to existing service area in northern Southington
Torrington Water Co.	Within study area, service to small area in northwestern Harwinton
Towpath Condominiums	Limited to existing service area in central Avon
Trailsend Company	Limited to existing service area in southeastern Canton
Turkey Hill Apartments	Limited to existing service area in central East Granby
Unionville Water Co.	Farmington, southern and western areas of Avon <sup>(10)</sup> , and southeastern area of Burlington
Vernon Village, Inc.	Limited to existing service area in western Vernon
Village Water Co.	Throughout Simsbury, western East Granby, entire town of Granby <sup>(6)</sup>
Wallens Hill Apartments	Limited to existing service area in western Barkhamsted
West Hill Lake Water Assoc.	Limited to existing service area in northern New Hartford
West Service Corporation	Limited to existing service area in northwestern Somers
Windsorville Water Assoc.	Limited to existing service area in eastern East Windsor
Winsted Water Works Department	No customers within study area
Wintergreen	Limited to existing service area in Harwinton
Woodcrest Assoc., Inc.	Limited to existing service area in southeastern Burlington
Worthington Fire District	Region bound by the Worthington Fire District in central Berlin

"non-urban" land use category. It is likely that these non-urban areas will continue to draw whatever potable supplies are required from individual wells, and their inclusion within an exclusive service area should not be construed as implying that they will eventually be served by a public water system.

To simplify the process of defining exclusive service area boundaries, identifying and resolving conflicts, documenting acceptance of exclusive service area boundaries on the part of individual utilities, and preparing maps for the final report, the WUCC agreed to rely upon a standardized mapping system provided by DEP. As a result, exclusive service area boundaries were submitted at various scales, mapped at 1:24,000, and incorporated into DEP's Geographic Information System at that same scale. These 1:24,000 maps were also used to prepare the 1:50,000 scale maps (Plates 2A and 2B) which accompany this document, and provide an overview of all exclusive service areas in the Upper Connecticut River Management Area.

Please note that the 1:50,000 scale maps are provided herein for illustrative purposes only. Due to significant differences in scale, it is recommended that all interested parties reference the more detailed 1:24,000 maps for true locations of exclusive service area boundaries. These maps are available for public review at the offices of the Department of Health Services, 117 Washington Street, Room D-3-1, Hartford, Connecticut. If needed, blue-line copies can be generated from the file versions of the 1:24,000 maps.

## 2.2 EXISTING FRANCHISE AREAS

As noted above, many of the utilities delineated exclusive service areas which were consistent with franchise areas established by the legislature and/or confirmed via DPUC docket hearings. The language included in the various legislative acts is reflective of the time of passage and may be open to interpretation by different individuals. In other cases, the

initial enabling legislation may be only a small section of the legislation establishing a city or town and often does not clearly state the intended area of water service. Frequently, however, the franchise areas are more clearly defined in subsequent legislation or DPUC docket cases. Table 2.2 provides a summary of franchise area information gleaned from information provided by utilities along with their questionnaires. In all cases, direct quotations are provided to illustrate the language used by the various pieces of legislation. In some cases, the service area may be more loosely defined (e.g., Metropolitan District Commission ) or the legislation can also give very broad rights to franchise areas (e.g., Connecticut Water Co. throughout the State ). Franchise areas can also overlap (e.g., New Britain Water Department and Southington Water Department).

Some discussion has arisen during WUCC meetings as to which designation - franchise area or exclusive service area - will govern in determining which utility will serve a particular area. However, there has been general agreement in the Upper Connecticut WUCC on the issue of franchise areas versus exclusive service areas. This agreement can be summarized as follows:

- Franchise areas are set by a legislatively-mandated process, and are not altered by actions of the WUCC or by any exclusive service area declarations, whether disputed or not.
- A utility cannot expand its franchise area simply through an exclusive service area declaration.
- The granting of a franchise area gives a utility (or utilities) the right to provide water service within that area. The exclusive service area process is merely an efficient means to "sort out" which of several utilities will actually provide service to a particular area where franchise designations overlap. If the designated utility fails to provide adequate service, it is presumed that the area will then revert to those other utilities that can claim it by virtue of their franchise area (or to those utilities who wish to expand their franchise area through the legislative process).

TABLE 2.2  
FRANCHISE AREAS

<u>UTILITY</u>	<u>ENABLING LEGISLATION OR DPUC DOCKET</u>	<u>DESCRIPTION OF FRANCHISE AREA</u>
Avon Water Company	Substitute for Senate Joint Resolution No. 102 (March 8, 1911)	"... shall be to supply pure water for private and public use within the said town of Avon".
Berlin Water Control Commission <sup>(1)</sup>	Town Charter, 1968	"... the Matabassett River one thousand feet north of...Berlin Street... westerly to a point five-hundred feet west of ... Savage Hill Road ... at all times 1,000 feet north of said Berlin-East Berlin Road ...south to the Berlin-Middletown line and at all times 500 feet west of Savage Hill Road ... east along town line to southeastern boundary ... north along Matabassett River to starting point"
Connecticut Water Co.	House Bill No. 1087	"... authorized to sell, supply and distribute water in any town in the State of Connecticut..."
Farmington Woods Water Company	Docket 86-05-33 Order #10	" ... not more than 1000 condominium units in the Towns of Farmington and Avon until the ... interconnection with the Avon Water Company is constructed and placed in service"
Hazardville Water Company	House Joint Resolution No. 515 (Approved June 21, 1899)	"... for the purpose of supplying pure water for ... uses within the villages of Hazardville and Scitico in the town of Enfield."
Kensington Fire District	Substitute for Senate Joint Resolution No. 103 (Approved April 9, 1901)	"... for the purpose of storing and supplying water, is hereby extended to include the town of Somers in this state."
Manchester Water Department	1920 Town Resolution in accordance with Chapter 31 of the CT General Statutes, 1918 Revision Charter (No details)	(2) "The Town of Manchester ... for the purpose of supplying water ..." "... to supply water to the residents of the Town of Glastonbury."
Metropolitan District Commission (MDC)	Cumulative Supplement to the Charter & Ordinances of the Metropolitan District in Hartford County, CT (Dec. 1985)	"... Authorized to supply water ... to any town or city, any point of which is situated not more than twenty miles from the State Capitol at Hartford."
New Britain Water Department	New Britain Charter (No Details)	"... Authorized to use water for municipal purposes ... or other uses within the limits of the city ... and that part of any town ... within one mile of the city [New Britain]." "... May supply water for the use of Berlin, Newington, Plainville, Southington and Burlington."
Plainville Water Company	House Joint Resolution No. 109 (Approved Feb. 27, 1884)	"... for the purpose of supplying the town of Plainville with pure water for public, domestic and other uses."
Salmon Brook District	DPUC Docket No. 86-06-19	"... a small water system which serves the Granby Town Center and adjoining properties."
Southington Water Department	Act of State Legislature	"... Franchise area was established to be the entire town of Southington."
Tarriffville Fire District	1939 - Special Act of the State Legislature No. 272	Allows Tarriffville Fire District to provide public water services - no franchise involved.

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Unionville Water                    House Joint Resolution No. 50                    "...for conducting water to and distributing the same within the towns of Farmington, Burlington, and Avon..."

Village Water Company of Simsbury                    Senate Joint Resolution No. 134                    "... for the purpose of supplying the town of Simsbury and towns adjacent thereto with a supply of pure water..."

Worthington Fire District                    State Legislative Act 278, January, 1921                    "... beginning at a point on the west side of the Hartford and New Haven Turnpike ... running east in a straight line to a point one-half mile distant easterly from the center of ... the Turnpike ... thence running in a southerly direction parallel to and ... one-half mile distant from the east end of a highway known as Peter Parley Row ... due west ... to Belcher Brook ... northerly on the line of Belcher Brook and the Mattabassett River to a point which intersects the first described line, extended due west, then running east to point of beginning"

- (1) Formerly East Berlin Fire District - originally established December 1923
- (2) Fairly complex description - recorded in the land records of the Town of Berlin, Vol. 61, Pg. 462-468

- It is possible that unserved "islands" may be left within franchise areas of utilities which are unwilling or unable to provide service to these "islands." If other utilities do not volunteer to serve these areas, either the WUCC, DOHS, or DPUC will designate how service is to be provided--a step which will still require the designated utility to go through the usual legislative process for franchise expansion if it does not already have franchise rights for these areas.
- It is presumed that the purchase of a utility also implies the transfer of both its franchise area and its exclusive service area.

### 2.3 EXCLUSIVE SERVICE AREA 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.

#### 2.3.1 Rights and Responsibilities

The manner in which a utility can serve new customers in its exclusive service area can be simply stated as follows:

- . main extension
- . satellite management (operation or ownership)
  - on an interim basis until a main extension is provided
  - on a permanent basis

In all situations, the capital facilities installed must meet the design criteria set forth by the WUCC's or State's minimum design standards (see Chapter Three, Section 3.6 Minimum Design Standards) or more stringent

criteria called for by the designated utility, including pipe sizing and materials quality, system storage, fire hydrants, and other pertinent factors deemed important by the utility.

The satellite management approach does offer some degree of latitude in that the designated utility may install, own (DPUC's strong preference), 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 utility 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 utility.

The Department of Health Services expects that each utility designating an exclusive service area beyond the bounds of its existing system will set forth the manner in which the utility plans to service this area in its individual plan. The plan will 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 which has been approved by DOHS not only helps the potential customer assess the water supply contingencies of his proposed building project, but also serves to protect the utility from unreasonable demands in responding to the legislative criterion of serving new customers in its exclusive service area "within a reasonable time frame."

In summary, a utility's exclusive service area gives the utility the right to provide service to new customers within its designated area; however, an exclusive service area also includes a responsibility to clearly define in the utility's individual water supply plan, prepared pursuant to section 25-32d of the general statutes, the manner in which the utility intends to serve these future customers. Service may be provided by either main extension or some form of satellite management. Until such time as exclusive service areas are revised by an update of the coordinated plan or an amendment approved by the WUCC, each utility assumes the

responsibility for providing adequate service within a reasonable timeframe in their respective boundaries as requested by consumers and in accordance with applicable rules.

### 2.3.2 Responsibility for Orphan Utilities

Some discussion has taken place in the WUCC meetings regarding the relationship between exclusive service areas and the responsibilities associated with assistance to failing or "orphan" utilities which may abut or be encompassed by a utility's designated exclusive service area. The consensus of opinion was that an encompassing utility has a clear responsibility to include a failed utility in its exclusive service area. Failed abutting utilities do not present as clear-cut a case, with decisions made on a case-by-case basis. However, DPUC has the ability to request, or order, a utility to provide service to a failing utility under Public Act 84-330, and will typically look to a utility which is in close proximity to the failing system. The utility designated by DPUC to provide this service has the right of appeal, but has little recourse if this appeal is denied by DPUC.

Although this issue has not been discussed in detail, the utilities in the Upper Connecticut River Public Water Supply Management Area are indeed cognizant of the problem with failing systems. Some members of the Upper Connecticut River WUCC have experienced the financial burden of taking over poorly run systems. Although rate relief may be provided by DPUC for regulated utilities, existing utility customers may end up paying higher rates. Additionally, the rate of return to the investors of investor-owned utilities is negatively impacted, and municipal-owned systems can be faced with additional bonding/debt service requirements. Ideally, a grant and/or loan system (such as that provided under Section 25-33a, Water Emergency Assistance Grants) should be designed to allow the failing system to solve its own problems. However, if it is determined by DPUC that the failing system is incapable of generating its own solution, then financial assistance programs, such as the following, should be considered to allow the

designated utility to rectify the immediate supply problems as well as bring the failing utility's entire system up to applicable minimum standards:

- . 100 percent grants
- . combination grants and loans
- . revolving state loan fund with zero interest which a utility borrows from and returns payment to for future use by other utilities
- . guaranteed (state backed) loans from local lending institutions
- . CWIP surcharges

There was general agreement among the WUCC members that capital expenditures not sufficiently covered by such programs should be borne to a greater extent by the customers of the failed system: perhaps in the form of an initial surcharge. Furthermore, they believe that financial assistance programs need to be accompanied by streamlined application procedures which do not require immense amounts of paper work for the requesting utility.

Although the foregoing discussion on orphan utilities echoes the concerns of many of the active participants in the WUCC, it may well neglect the issues that the customers of these orphan utilities have been faced with. Customers of water systems which have been improperly operated and maintained may have suffered through long periods of inadequate water service. Although these customers may have paid relatively low rates, other situations occur where the rate structure is indeed high compared to the quality of service provided. If service has been inadequate, the system users may welcome a new system owner or operator. However, these customers will not be anxious to accept the potential rate shock that may accompany the upgrading of their system.

## 2.4 UNDESIGNATED SERVICE AREAS

While various utilities have designated entire communities as their exclusive service areas in the Upper Connecticut River Public Water Supply Management Area, other large tracts have not been incorporated within the exclusive service areas of existing utilities. As shown on Plates 2A and 2B, these undesignated areas are primarily along the western edge of the management area in the communities of Colebrook, Hartland, Barkhamsted, New Hartford, and Harwinton. For these undesignated areas, water supply will be obtained from individual wells, or will not be required at all for areas which have been set aside for open space purposes. In fact, for much of the undesignated area the community planning and zoning is structured to discourage development requiring public water supply. Given such existing developmental restrictions, it is anticipated that the vast majority of the presently undesignated area will continue to be served by individual wells. (This will also be true for the non-urban areas which are presently within a utility's exclusive service area.)

The Connecticut Plan Regulations call for the WUCC to "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." However, situations may occur where an unanticipated need for public water supply arises in those undesignated areas in which individual well service is the accepted standard. In situations such as these, regulations set forth in Section 16-262m and DPUC Regulations (Application Procedures and Criteria for Issuing Certificates of Public Convenience and Necessity for Small Water Companies) would be used to control the development of a new public water supply. Through this application process and communication among the various impacted state agencies and communities, the creation of new, potentially poorly managed, utilities can be controlled.

The WUCC has identified utilities which are interested in providing satellite management services for such unanticipated needs in the Upper

Connecticut area (see Section 3.5.4, Integrated Report). Satellite management is the most likely option to provide service to previously undesignated areas, although other site-specific options (e.g., interconnections, creation of new divisions of larger utilities, etc.) should be explored if these needs arise.

## 2.5 STATEMENT OF CONFIRMATION OF EXCLUSIVE SERVICE AREA BOUNDARIES

The State of Washington's Legislation, after which the Connecticut Plan is patterned, requires that an "interlocal agreement" be executed by each utility as verification of agreement with the existing and future service areas established by the WUCC. This agreement centers around the verification of each utility's borders by the utility and is not an agreement between two adjacent utilities. However, in combination, the interlocal agreements of all adjacent utilities clearly define the borders of their future and exclusive service areas, and serve as a mechanism for ensuring that service area overlap does not exist.

However, the Connecticut Plan Regulations do not have a similar requirement mandating the completion of the so-called interlocal agreements. In order to avoid future misunderstandings, it was agreed that all 1:24,000 scale exclusive service area maps would be reviewed by all utilities with exclusive service areas which extend beyond areas presently served. The designated representative of each of these utilities has signed a statement that the mapped boundaries correspond to the intent of the utility in declaring an exclusive service area. Copies of these statements are included as Appendix D, and will also be on file at DOHS along with the individual and WUCC-wide exclusive service area boundary maps.

## 2.6 PROCEDURES FOR ALTERING SERVICE BOUNDARIES

When a utility amends its exclusive service area via changes in its individual plan update or other unusual circumstances, its exclusive

service area boundary must also be revised. Revisions may also occur as a result of regulatory agency or public review of the individual plans prior to their finalization and/or as a result of public comments during review of the overall coordinated plan. Such changes must be approved by the WUCC to ensure consistency with the Coordinated Plan, and must be distributed for review in the same manner as the original Plan. These changes will also require revisions to the utility's Statement of Confirmation of Service Boundaries and to the exclusive service area boundary map kept on file at DOHS and DPUC. Regardless of other changes made, the transfer of a utility's exclusive service area to another entity occurs only with the sale of the utility.

## 2.7 CREATION OF NEW UTILITIES

The Connecticut Plan is designed to control the proliferation of new utilities and establish procedures for the creation of well-run, properly managed new utilities. The creation of any new utility 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 Plan. Additionally, this approval must be a precursor to application for a Certificate of Public Convenience and Necessity as set forth in DPUC Regulations for smaller utilities (Public Act 84-330) and other pertinent DPUC regulations for larger utilities, as well as a Diversion Permit from DEP for new supply sources. Once approved for creation, the new utility's system must be designed in conformance with the minimum design standards set forth in the Coordinated Plan, proposed minimum design standards (Community Water Supply Design Criteria for Water Systems Servicing Fewer Than 1000 People), and other pertinent criteria. The new utility will be required to execute a Statement of Confirmation of Service Boundaries. The Coordinated Plan will be revised, as appropriate, at its scheduled update, which occurs at least every ten years.

2.8 CONTINUATION OF THE WUCC

The consensus of the Upper Connecticut River WUCC is that it will be appropriate for the WUCC to be reconvened each April to review any water supply issues (including requests for changes in exclusive service area boundaries) that may have arisen during the previous year. The WUCC will determine if it is necessary to update the Coordinated Plan to address these issues, and will submit any proposed revisions for regulatory and public review.

# APPENDIX C

UPPER CONNECTICUT RIVER  
WATER UTILITY COORDINATING COMMITTEE  
c/o CRCOG, 221 Main Street, Hartford, CT 06106

NOTICE

INITIATION OF WORK ON EXCLUSIVE SERVICE AREA BOUNDARIES  
RESPONSE REQUIRED BY SEPTEMBER 14, 1987

DATE: June 3, 1987  
TO: WUCC Members  
FROM: John McManus, Chairman  
Upper Connecticut River Water Utility Coordinating Committee

The Upper Connecticut River Water Utility Coordinating Committee (WUCC) is initiating work on exclusive service area boundaries for the Upper Connecticut River Area Coordinated Water System Plan. The WUCC is responsible for establishing exclusive service area boundaries within the management area which delineate each water system's future service area. The establishment of boundaries will be discussed at subsequent WUCC meetings.

In establishing exclusive service area boundaries, the WUCC will allow water suppliers to continue to provide water to the area currently served. Once exclusive service area boundaries are established, water suppliers are responsible for providing adequate service within a reasonable timeframe in their respective boundaries as requested by consumers in accordance with applicable rules.

Notice is hereby given that the WUCC is developing preliminary exclusive service area boundaries and that each water company must declare the area it intends to provide service to in the future. Failure to respond may limit your ability to expand your system and serve additional customers. If you do not respond by September 14, 1987, your preliminary exclusive service area will be designated as the area which you currently serve.

If you have any current or contemplated future plans to expand your water system, you must notify the WUCC in writing on or before September 14, 1987. A map and description of your existing and potential future service area must be submitted with your declaration of intent.

Please send your written notice of intent to:

Upper Connecticut River WUCC  
c/o Mary Ellen Kowalewski, Secretary  
Capitol Region Council of Governments  
221 Main Street  
Hartford, Ct 06106

Questions about the submittal may be directed to either of the following:

Len Warburton, Keyes Associates (203) 563-2341  
Bruce Pierstorff, Havens & Emerson (617) 350-6622

AG/es  
2589E

UPPER CONNECTICUT RIVER  
WATER UTILITY COORDINATING COMMITTEE  
c/o CRCOG, 221 Main Street, Hartford, CT 06106

June 3, 1987

Hon. Frank R. Rothammer  
First Selectman  
East Granby Town Hall  
Center Street  
East Granby, CT 06026

Dear Mr. Rothammer:

The Upper Connecticut River Water Utility Coordinating Committee (WUCC) is initiating work on exclusive service area boundaries for the Upper Connecticut River Area Coordinated Water System Plan. The WUCC is responsible for establishing exclusive service area boundaries within the public water supply management area. Exclusive service area boundaries delineate each water system's future service area.

Exclusive service areas are to be established through negotiation and agreement among the parties involved. According to section 25-33h-1(d)(B) of the Regulations of Connecticut State Agencies, the following factors must be used in determining exclusive service area boundaries:

- . existing water service area;
- . 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 decisions;
- . system hydraulics; and
- . ability of a water system to provide a pure and adequate supply of water.

In establishing exclusive service area boundaries, the WUCC is required to allow water suppliers to continue to provide water to the area currently served. Once the boundaries are established, water suppliers are responsible for providing adequate service within a reasonable time frame in their respective boundaries as requested by consumers in accordance with applicable rules.

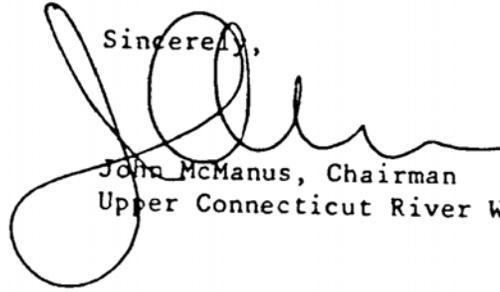
According to our data base, the following public systems currently provide drinking water to consumers in your municipality:

East Granby Village Condos  
Turkey Hill Apartments  
Chelsea Commons Water Supply  
Old Newgate Ridge Water Company  
Higley Village  
Metacomet Village  
Connecticut Water Company

The WUCC welcomes input from utilities, municipalities and interested people regarding drinking water supply service areas. Written comments should be directed to the WUCC by September 14, 1987 at the following address:

Upper Connecticut River WUCC  
c/o Mary Ellen Kowalewski, Secretary  
Capitol Region Council of Governments  
221 Main Street  
Hartford, CT 06106

Sincerely,

A handwritten signature in black ink, appearing to read "John McManus". The signature is fluid and cursive, with a large loop at the beginning and a long horizontal stroke at the end.

John McManus, Chairman  
Upper Connecticut River WUCC

JM/AG/es  
2595E

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

Whereas, in accordance with Public Act 85-535, each utility in the Upper Connecticut River Public Water Supply Management Area is granted the right, within existing franchise limitations, to delineate exclusive service area boundaries, and

Whereas, the Upper Connecticut River Water Utility Coordinating Committee has formally requested such exclusive service area designations from all member utilities and has received such designation from all interested utilities within the Upper Connecticut River Public Water Supply Management Area, and

Whereas, the Upper Connecticut River Water Utility Coordinating Committee has reviewed the bounds of the declared exclusive service area and confirms that no conflict exists with other member utilities,

Therefore, the undersigned parties agree and concur with, and will abide by the following provisions:

1. Service Area Boundaries: The undersigned parties acknowledge that the 1:24,000 scale map(s) included in DEP's Connecticut Geographic Information System accurately identify(ies) the named utility's exclusive service area. Pertinent maps are identified as follows:

<u>Map No.</u>	<u>Date</u>
035	5/24/88
036	"

2. Boundary Adjustments: If at some time in the future, it is in the best interest of the undersigned utility to make service boundary adjustments, such adjustments must have the written approval of all parties and the appropriate regulatory authority (DOHS). Such adjustments must be reconfirmed by completion of a new Statement of Confirmation of Exclusive Service Area Boundaries.

The undersigned utility has executed this Statement of Confirmation as of 2-15-18 .  
Date

Avon Water Company

Utility

J. Anthony G. Reil  
Representative

President  
Title

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

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Whereas, the Upper Connecticut River Water Utility Coordinating Committee has reviewed the bounds of the declared exclusive service area and confirms that no conflict exists with other member utilities,

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1. Service Area Boundaries: The undersigned parties acknowledge that the 1:24,000 scale map(s) included in DEP's Connecticut Geographic Information System accurately identify(ies) the named utility's exclusive service area. Pertinent maps are identified as follows:

<u>Map No.</u>	<u>Date</u>
051	5/24/88
052	↓
066	
067	

2. Boundary Adjustments: If at some time in the future, it is in the best interest of the undersigned utility to make service boundary adjustments, such adjustments must have the written approval of all parties and the appropriate regulatory authority (DOHS). Such adjustments must be reconfirmed by completion of a new Statement of Confirmation of Exclusive Service Area Boundaries.

The undersigned utility has executed this Statement of Confirmation as of May 16, 1988.  
Date

Berlin Water Control Commission  
Utility Morgan Kelly  
Representative Director  
Title

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

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Whereas, the Upper Connecticut River Water Utility Coordinating Committee has formally requested such exclusive service area designations from all member utilities and has received such designation from all interested utilities within the Upper Connecticut River Public Water Supply Management Area, and

Whereas, the Upper Connecticut River Water Utility Coordinating Committee has reviewed the bounds of the declared exclusive service area and confirms that no conflict exists with other member utilities,

Therefore, the undersigned parties agree and concur with, and will abide by the following provisions:

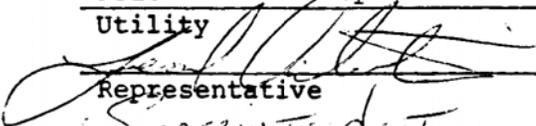
1. Service Area Boundaries: The undersigned parties acknowledge that the 1:24,000 scale map(s) included in DEP's Connecticut Geographic Information System accurately identify(ies) the named utility's exclusive service area. Pertinent maps are identified as follows:

<u>Map No.</u>	<u>Date</u>
050	5/24/88

2. Boundary Adjustments: If at some time in the future, it is in the best interest of the undersigned utility to make service boundary adjustments, such adjustments must have the written approval of all parties and the appropriate regulatory authority (DOHS). Such adjustments must be reconfirmed by completion of a new Statement of Confirmation of Exclusive Service Area Boundaries.

The undersigned utility has executed this Statement of Confirmation as of May 16, 1988.  
Date

Bristol Water Department  
Utility

  
Representative

Superintendent  
Title



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

Whereas, in accordance with Public Act 85-535, each utility in the Upper Connecticut River Public Water Supply Management Area is granted the right, within existing franchise limitations, to delineate exclusive service area boundaries, and

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Whereas, the Upper Connecticut River Water Utility Coordinating Committee has reviewed the bounds of the declared exclusive service area and confirms that no conflict exists with other member utilities,

Therefore, the undersigned parties agree and concur with, and will abide by the following provisions:

- Service Area Boundaries: The undersigned parties acknowledge that the 1:24,000 scale map(s) included in DEP's Connecticut Geographic Information System accurately identify(ies) the named utility's exclusive service area. Pertinent maps are identified as follows:

<u>Map No.</u>	<u>Date</u>	<u>Map. No.</u>	<u>Date</u>
006	5/24/88	024	5/24/88
007		025	
008		034	
009		x 035	
020		038	
021		039	
022		049	
023		050	

- Boundary Adjustments: If at some time in the future, it is in the best interest of the undersigned utility to make service boundary adjustments, such adjustments must have the written approval of all parties and the appropriate regulatory authority (DOHS). Such adjustments must be reconfirmed by completion of a new Statement of Confirmation of Exclusive Service Area Boundaries.

The undersigned utility has executed this Statement of Confirmation as of May 16, 1988, conditioned upon agreement by

*MDC Water Bureau of MDC-CWC boundaries as shown on maps 021, 022, 023 and 038.*

The Connecticut Water Utility  
 \_\_\_\_\_  
 Representative  
 \_\_\_\_\_  
 Title

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

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Whereas, the Upper Connecticut River Water Utility Coordinating Committee has formally requested such exclusive service area designations from all member utilities and has received such designation from all interested utilities within the Upper Connecticut River Public Water Supply Management Area, and

Whereas, the Upper Connecticut River Water Utility Coordinating Committee has reviewed the bounds of the declared exclusive service area and confirms that no conflict exists with other member utilities,

Therefore, the undersigned parties agree and concur with, and will abide by the following provisions:

1. Service Area Boundaries: The undersigned parties acknowledge that the 1:24,000 scale map(s) included in DEP's Connecticut Geographic Information System accurately identify(ies) the named utility's exclusive service area. Pertinent maps are identified as follows:

<u>Map No.</u>	<u>Date</u>
024	5/24/88

2. Boundary Adjustments: If at some time in the future, it is in the best interest of the undersigned utility to make service boundary adjustments, such adjustments must have the written approval of all parties and the appropriate regulatory authority (DOHS). Such adjustments must be reconfirmed by completion of a new Statement of Confirmation of Exclusive Service Area Boundaries.

The undersigned utility has executed this Statement of Confirmation as of 5-16-88 .  
Date

Ellington Acres  
Utility Arthur Slawsky  
Representative PRES.  
Title

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

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Whereas, the Upper Connecticut River Water Utility Coordinating Committee has reviewed the bounds of the declared exclusive service area and confirms that no conflict exists with other member utilities,

Therefore, the undersigned parties agree and concur with, and will abide by the following provisions:

1. Service Area Boundaries: The undersigned parties acknowledge that the 1:24,000 scale map(s) included in DEP's Connecticut Geographic Information System accurately identify(ies) the named utility's exclusive service area. Pertinent maps are identified as follows:

<u>Map No.</u>	<u>Date</u>
8	5/24/88
9	5/24/88
<del>20</del>	
23	5/24/88
24	5/24/88

2. Boundary Adjustments: If at some time in the future, it is in the best interest of the undersigned utility to make service boundary adjustments, such adjustments must have the written approval of all parties and the appropriate regulatory authority (DOHS). Such adjustments must be reconfirmed by completion of a new Statement of Confirmation of Exclusive Service Area Boundaries.

The undersigned utility has executed this Statement of Confirmation as of May 16, 1988.  
Date

Hazardville Water Company

Utility

Representative

Title

Geoffrey McAlm  
C.P. Sec / Mgr.

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

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Whereas, the Upper Connecticut River Water Utility Coordinating Committee has reviewed the bounds of the declared exclusive service area and confirms that no conflict exists with other member utilities,

Therefore, the undersigned parties agree and concur with, and will abide by the following provisions:

1. Service Area Boundaries: The undersigned parties acknowledge that the 1:24,000 scale map(s) included in DEP's Connecticut Geographic Information System accurately identify(ies) the named utility's exclusive service area. Pertinent maps are identified as follows:

<u>Map No.</u>	<u>Date</u>
51	5/24/88
52	5/24/88
66	5/24/88

2. Stipulations, Conditions and Exceptions:

3. Boundary Adjustments: If at some time in the future, it is in the best interest of the undersigned utility to make service boundary adjustments, such adjustments must have the written approval of all parties and the appropriate regulatory authority (DOHS). Such adjustments must be reconfirmed by completion of a new Statement of Confirmation of Exclusive Service Area Boundaries.

The undersigned utility has executed this Statement of Confirmation as of MAY 20, 1988  
Date

Kensington Fire District  
Utility  
Robert A. Arguzzi  
Representative  
CHAIRMAN  
Title

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

Whereas, in accordance with Public Act 85-535, each utility in the Upper Connecticut River Public Water Supply Management Area is granted the right, within existing franchise limitations, to delineate exclusive service area boundaries, and

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Whereas, the Upper Connecticut River Water Utility Coordinating Committee has reviewed the bounds of the declared exclusive service area and confirms that no conflict exists with other member utilities,

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1. Service Area Boundaries: The undersigned parties acknowledge that the 1:24,000 scale map(s) included in DEP's Connecticut Geographic Information System accurately identify(ies) the named utility's exclusive service area. Pertinent maps are identified as follows:

<u>Map No.</u>	<u>Date</u>
038	5/24/88
039	
053	↓
054	

2. Stipulations, Conditions and Exceptions: With stipulations and conditions relating to the Exclusive Service Area of the MDC in Manchester and Glastonbury as contained in correspondence dated October 21 and December 9, 1987 to WUCC indicating agreement of these Exclusive Service Area conflicts (copies attached).
3. Boundary Adjustments: If at some time in the future, it is in the best interest of the undersigned utility to make service boundary adjustments, such adjustments must have the written approval of all parties and the appropriate regulatory authority (DOHS). Such adjustments must be reconfirmed by completion of a new Statement of Confirmation of Exclusive Service Area Boundaries.

The undersigned utility has executed this Statement of Confirmation as of 5/16/88.  
Date

Manchester Water Department  
\_\_\_\_\_  
Utility  
Robert B. Deery  
\_\_\_\_\_  
Representative  
General Manager  
\_\_\_\_\_  
Title



# Town of Manchester

41 Center Street

Manchester, Connecticut 06040

OCT 27 1987

BARBARA B. WEINBERG, MAYOR  
PETER P. DIROSA, JR., DEPUTY MAYOR  
STEPHEN T. CASSANO, SECRETARY

DIRECTORS  
WILLIAM J. DIANA, ESQ.  
THOMAS H. FERGUSON  
JAMES F. FOGARTY  
GEOFFREY NAAB  
STEPHEN T. PENNY, ESQ.  
KENNETH N. TEDFORD, ESQ.

ROBERT B. WEISS, GENERAL MANAGER

*Copy of letter + original  
map to Havens + Emerson  
10/28/87.*

October 21, 1987

Upper Connecticut River Water Utility  
Coordinating Committee  
c/o Ms. Mary Ellen Kowalewski, Secretary  
Capital Region Council of Governments  
221 Main Street  
Hartford, CT 06106

Re: Exclusive Service Areas

Dear Ms. Kowalewski:

Representatives of the Town of Manchester and the Metropolitan District Commission met on October 20, 1987 to discuss the areas of conflict identified in the Exclusive Service Area Plan.

The areas of conflict are:

1. The area in Manchester bounded by Interstate 384 to the south, Hillstown Road to the east, Woodside Road to the north, and the Manchester/East Hartford Town Line to the west.
2. The area in Manchester on Hills Road and Hillstown Road.
3. The area in Glastonbury outside of the existing Manchester service area.

Administratively, the Town of Manchester and the Metropolitan District tentatively chose to resolve these conflicts in the following manner:

1. Conflict 1--Will remain as the Manchester Service Area.
2. Conflict 2--Will continue to be serviced by the Metropolitan District until such time as Manchester has facilities available to service this area. At that time, Manchester and the District will work out an agreement to transfer the customers into the Manchester Service Area.

RECEIVED

MAY 18 1988

HAVENS & EMERSON, INC.  
SADDLE BROOK

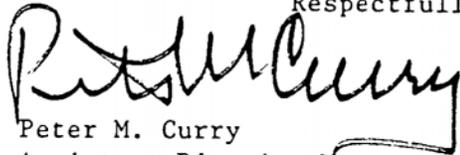
3. Conflict 3--The Town and the District agree that the Town will in the future, service the area in Glastonbury bounded by Manchester Road to the east; southerly by the line running westerly down Howe Street from Manchester Road northerly along Keeney Street then westerly to Bell Street; Bell Street on the west and the Manchester/Glastonbury Town line to the north (see attached map).

In addition, Manchester proposes to undertake discussions with the District pertaining to the potential acquisition of the existing Manchester Service Area south of the area described above.

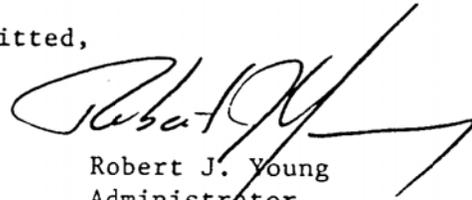
As previously mentioned above, the tentative resolution of these conflicts was performed on an Administrative basis. Final resolution of these conflicts must be approved by the governing bodies of each utility.

Should you have any questions pertaining to this matter, please do not hesitate to contact us.

Respectfully submitted,



Peter M. Curry  
Assistant District Manager  
Metropolitan District Commission



Robert J. Young  
Administrator  
Town of Manchester  
Water and Sewer Division

Attachment

RJY:kaw

cc: Robert B. Weiss, General Manager  
George A. Kandra, Director, Public Works  
Peter M. Curry, MDC



# Town of Manchester

41 Center Street

Manchester, Connecticut 06040

PETER P. DI ROSA, JR., MAYOR  
STEPHEN T. CASSANO, DEPUTY MAYOR  
JAMES F. FOGARTY, SECRETARY

DIRECTORS  
MARY ANN HINDLEY  
GEOFFREY N. IBB, ESQ.  
RONALD OSELLI  
KENNETH N. TEDFORD, ESQ.  
BARBARA B. WEINBERG  
THEUNIS WERKHOFEN

ROBERT B. WEISS, GENERAL MANAGER

December 9, 1987

Upper Capital Region Water Utility  
c/o Mary Ellen Kowalewski, Secretary  
Capital Region Council of Government  
221 Main Street  
Hartford, Connecticut 06106

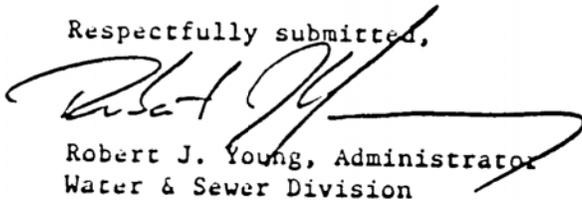
Re: Exclusive Service Areas

Dear Ms. Kowalewski:

This correspondence is to confirm that the Board of Directors of the Town of Manchester has approved the revisions to our Exclusive Service Areas Declaration as indicated in my letter to you dated October 21, 1987.

Should you have any questions, please contact me.

Respectfully submitted,



Robert J. Young, Administrator  
Water & Sewer Division

RJY:mjw

cc: Robert Weiss, General Manager  
George A. Kandra, Director, Public Works

An Equal Opportunity Employer

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

Whereas, in accordance with Public Act 85-535, each utility in the Upper Connecticut River Public Water Supply Management Area is granted the right, within existing franchise limitations, to delineate exclusive service area boundaries, and

Whereas, the Upper Connecticut River Water Utility Coordinating Committee has formally requested such exclusive service area designations from all member utilities and has received such designation from all interested utilities within the Upper Connecticut River Public Water Supply Management Area, and

Whereas, the Upper Connecticut River Water Utility Coordinating Committee has reviewed the bounds of the declared exclusive service area and confirms that no conflict exists with other member utilities,

Therefore, the undersigned parties agree and concur with, and will abide by the following provisions:

1. Service Area Boundaries: The undersigned parties acknowledge that the 1:24,000 scale map(s) included in DEP's Connecticut Geographic Information System accurately identify(ies) the named utility's exclusive service area. Pertinent maps are identified as follows:

<u>Map No.</u>	<u>Date</u>
021	5/24/88
022	↓
023	
036	
038	
051	
052	
053	
054	

2. Boundary Adjustments: If at some time in the future, it is in the best interest of the undersigned utility to make service boundary adjustments, such adjustments must have the written approval of all parties and the appropriate regulatory authority (DOHS). Such adjustments must be reconfirmed by completion of a new Statement of Confirmation of Exclusive Service Area Boundaries.

The undersigned utility has, <sup>subject to the ratification of its Water Bureau,</sup> executed this Statement of Confirmation as of 5/16/88 Date.

The Metropolitan District Commission

Utility  
[Signature]  
Representative  
Assistant District Manager  
Title

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

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<u>Map No.</u>	<u>Date</u>
051	5/24/88
052	5/24/89

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The undersigned utility has executed this Statement of Confirmation as of 5-16-88 .  
Date

New Britain Water Department  
Utility  
Representative  
Title  
Director of Water

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

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051	"

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The undersigned utility has executed this Statement of Confirmation as of 05-04-88.  
Date

Plainville Water Company

Utility

John M. Hinkle  
Representative

Superintendent  
Title

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

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<u>Map No.</u>	<u>Date</u>
050	5/24/88
051	5/24/88 - Approval as noted.
065	5/24/88
066	5/24/88

2. Boundary Adjustments: If at some time in the future, it is in the best interest of the undersigned utility to make service boundary adjustments, such adjustments must have the written approval of all parties and the appropriate regulatory authority (DOHS). Such adjustments must be reconfirmed by completion of a new Statement of Confirmation of Exclusive Service Area Boundaries.

The undersigned utility has executed this Statement of Confirmation as of May 16, 1988.  
Date

\_\_\_\_\_  
Southington Water Department  
Utility  
William D. Bliff  
Representative  
Superintendent  
Title

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

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020	↓
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The undersigned utility has executed this Statement of Confirmation as of 16 MAY 1988.  
Date

The Village Water Company

Utility

Representative

Title

Robert D. Loeffler  
President

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

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The undersigned utility has executed this Statement of Confirmation as of MM/CC/88.  
Date

Worthington Fire District  
Utility  
[Signature]  
Representative  
[Signature]  
Title