

KENT COUNTY WATER AUTHORITY

MINUTES OF THE SPECIAL MEETING
OF THE BOARD

August 12, 2015

A special meeting of the Board of Directors of the Kent County Water Authority was held on the 12th day of August, 2015, at 3:30 p.m. at the offices of the Authority in West Warwick, RI, in the Joseph D. Richard Board Room.

Chairman Boyer opened the meeting at 3:30 p.m. Board Members Vice-Chairman Masterson, Mr. Gallucci, Mr. Giorgio and Mr. Inman were all present together, along with the General Manager/Chief Engineer Timothy J. Brown, legal counsel Patrick J. Sullivan, Esq., as well as Mr. Simmons, Mr. Duscheneau and Finance Director Jo-Ann Gershkoff. Mr. Gallucci led the group in the pledge of allegiance.

PROVIDENCE WATER SUPPLY RATE CASE; LEGAL COUNSEL NEEDS

Mr. Brown outlined the case before the PUC, PWSB rate case. He went through a procedural history of the case and the fact that the prior rate case was never closed out with an order. The pass through allowed the KCWA rate increase, but an order was never written. This, he added, was a case for a new facility that was shrouded in secrecy, but the funding was never authorized.

He went on to advise the board that the PWSB asked to reopen the case for a new facility again, in a secret location. PWSB also asked for an accelerated schedule of sixty days for completion of the hearing as a result of the agreement expiring for the real estate, presumably. The location was then printed in the Providence Journal, so the secrecy evaporated he added.

Mr. Brown said there were two issues KCWA was concerned with, first the revenue to pay for their facility not being the wholesalers, and second the proposal for the city to tax the building. He added that technically, he didn't know if KCWA remained in the case, but he told the board that it would be impossible for KCWA to get into the case now. The schedule is far too tight and the case has become quite complex, he said. He suggested that the board do one of two things.

1. Do nothing; or
2. Have Mr. Sullivan file an Entry of Appearance then file a Withdrawal of Intervenor Status to close KCWA involvement in the case.

Chairman Boyer thought option no. 2 was simple, fast, and a good idea. Mr. Brown said that Bristol County was thrashing PWSB in any event. He added that his position was that KCWA need not get into a fight over PWSB's facility. Mr. Brown went on to add that KCWA

still didn't have rate counsel. He added that if we did nothing, we would be part of a settlement, but would need an attorney in the case. He added that testimony that was to be pre-filed was due by 8-18-15 and the hearings began on 8-24-15 at 9:00 a.m.

Mr. Masterson suggested that KCWA get out of the case and immediately find new counsel. The consensus was to agree to get out of the case.

Mr. Inman moved, seconded by Mr. Masterson, to authorize legal counsel to remove KCWA from the PWSB rate case forthwith.

Upon motion duly made and seconded, it was

VOTED: That Patrick J. Sullivan, Esq., is authorized to remove KCWA as an intervenor in the PWSB rate case.

There being no further business before the board, Mr. Inman moved, seconded by Mr. Giorgio to adjourn the meeting at 3:50 p.m.

Dated: August ____, 2015.

Patrick J. Sullivan, Legal Counsel