

# The Commonwealth of Massachusetts

## DEPARTMENT OF PUBLIC UTILITIES

### NOTICE OF FILING AND PUBLIC HEARING

D.P.U. 16-192

December 19, 2016

Joint Motion by Milford Water Company, the Town of Milford and the Attorney General of the Commonwealth of Massachusetts for Approval of a Settlement Agreement designed to implement a Voluntary Program to Replace Water Service Connections between the Curb Valve and the Customers' Premises that Contain Non-conforming Materials.

On December 6, 2016, the Milford Water Company ("Company"), the Town of Milford and the Attorney General of the Commonwealth of Massachusetts (together, the "Settling Parties") filed a Joint Motion with the Department of Public Utilities ("Department") seeking approval of a Settlement Agreement designed to implement a voluntary program to replace customer-owned water service connections between the curb valve and the customer's premises that contain materials other than copper, steel or plastic ("non-conforming materials"). The Department docketed this matter as D.P.U. 16-192. The Settling Parties seek Department approval of the Settlement Agreement by February 15, 2017.

According to the Company, approximately 254 of its 8,855 customers (or approximately three percent) have non-conforming materials in their service connections. The Company seeks to implement a voluntary program to replace these service connections with conforming materials. Under the Company's current tariff, M.D.P.U. No. 20, the customer is responsible for maintaining and replacing, as necessary, the service connection between the curb valve and the customer's premises. Pursuant to the Settlement Agreement, from the period of January 1, 2017 through December 31, 2018, the Company would not charge the customer for the replacement of the first 100 feet of non-conforming materials from the curb valve to a customer's premises. The Settlement Agreement further provides that, at the time of the Company's next rate case, the Company will include the costs of the program in the rate base used to establish rates for all customers. The Company estimates that the average cost of replacing each connection is \$3,000, or a total of approximately \$762,000 if all eligible customers were to participate in the program.

A copy of the proposed Settlement Agreement and accompanying appendix are available for inspection during regular business hours at the Department's offices. In addition, the filing is

also available on the Department's website at: <http://web1.env.state.ma.us/DPU/FileRoom>. Click on "Dockets/Filings," select "Dockets by Number," and enter "16-192."

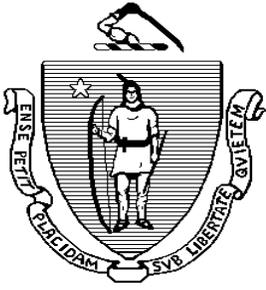
The Department will conduct a public hearing to receive comments on the proposed Settlement Agreement on **January 19, 2017** at 2:00 p.m. at the Department's Offices, One South Station, 5<sup>th</sup> floor, Boston, Massachusetts 02110. Any person who desires to comment may do so at the time and place noted above or submit written comments to the Department not later than the close of business (5:00 p.m.) on **January 19, 2017**.

Any person who desires to participate in the evidentiary phase of this proceeding must file a written petition for leave to intervene in the proceeding with the Department no later than 5:00 p.m. on **January 12, 2017**. A petition for leave to intervene must satisfy the timing and substantive requirements of 220 C.M.R. § 1.03. Receipt by the Department, not mailing, constitutes filing and determines whether a petition has been timely filed. A petition filed late may be disallowed as untimely, unless good cause is shown for waiver under 220 C.M.R. § 1.01(4). To be allowed, a petition under 220 C.M.R. § 1.03(1) must satisfy the standing requirements of G.L. c. 30A, § 10.

An original hard copy of all comments or petitions to intervene must be filed with Mark D. Marini, Secretary, Department of Public Utilities, One South Station, 5<sup>th</sup> Floor, Boston, Massachusetts 02110. One copy of all comments or petitions to intervene must also be sent to Selma Urman, Hearing Officer at the Department of Public Utilities. One copy of all comments petitions to intervene must also be sent to counsel for the Company, Jon N. Bonsall, Esq., Keegan Werlin LLP, 265 Franklin Street, Boston Massachusetts 02110-3113, Gerald M. Moody, Esq., Town Hall, 52 Main Street, Milford, Massachusetts 01757, and John Geary, Massachusetts Attorney General, Office of Ratepayer Advocacy, One Ashburton Place, Boston, Massachusetts 02108.

All documents should also be submitted to the Department in electronic format using one of the following methods: (1) by e-mail attachment to [dpu.efiling@state.ma.us](mailto:dpu.efiling@state.ma.us) and the hearing officer [[selma.urman@state.ma.us](mailto:selma.urman@state.ma.us)]; or (2) on a CD-ROM. The text of the e-mail or CD-ROM must specify: (1) the docket number of the proceeding (D.P.U. 16-192); (2) the name of the person or company submitting the filing; and (3) a brief descriptive title of the document. The electronic filing should also include the name, title, and telephone number of a person to contact in the event of questions about the filing. All documents submitted in electronic format will be posted on the Department's website.

For further information regarding the petition, please contact counsel for the Company, Jon N. Bonsall, Esq., Keegan Werlin LLP, 265 Franklin Street, Boston, Massachusetts 02110-3113, 617-951-1400. For further information regarding this notice, please contact Selma Urman, Hearing Officer, Department of Public Utilities, One South Station, Boston, Massachusetts, 02110, 617-305-3500.



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## DEPARTMENT OF PUBLIC UTILITIES

### ORDER OF NOTICE

D.P.U. 16-192

December 19, 2016

Joint Motion by Milford Water Company, the Town of Milford and the Attorney General of the Commonwealth of Massachusetts for Approval of a Settlement Agreement designed to implement a Voluntary Program to Replace Water Service Connections between the Curb Valve and the Customers' Premises that Contain Non-conforming Materials.

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Milford Water Company ("Company") is required to publish the attached Notice of Filing and Public Hearing at least twenty-one (21) calendar days prior to January 19, 2017 in the Milford Daily News and either The Boston Globe or the Boston Herald.

In addition, the Company shall serve by mail a copy of the attached Notice no later than 21 calendar days prior to January 19, 2017 with: (1) the Town Clerk of the Town of Milford, along with a request that the notice be posted in Town Hall through January 19, 2017; and (2) any person who has filed a request for notice with the Company.

Further, the Company shall prominently display on its website the attached Notice from three calendar days following receipt of this Notice through January 19, 2017. Finally, the Company is required to provide notice of the public hearing (including date, time and location) to all of its customers through a postcard sent via first class mail at least 21 calendar days prior to January 19, 2017.

The Company shall provide the Department with proof of compliance with the directives of this Order of Notice at the time of the public hearing, January 19, 2017. Such proof shall include: (1) the return of service and proof of publication of the attached Notice, to include the original clippings of the newspaper publications; (2) appropriate verification that the Company made the attached Notice available for viewing according to this Order of Notice; and (3) appropriate verification that the Company notified its customers of the public hearing in accordance with this Order of Notice.

By Order of the Department,  
/s/

Mark D. Marini, Secretary