

Mary B. Shekarchi
Attorney at Law

33 College Hill Road, Suite 15-E
Warwick, Rhode Island 02886

Tel: (401) 828-5030

Fax: (401) 823-1400

Email: LAWOFFICEMARYB@HOTMAIL.COM

June 13, 2016

Ms. Luly Massaro, Clerk
Rhode Island Public Utilities Commission
89 Jefferson Blvd.
Warwick, RI 02888

RE: Kent County Water Authority – Docket No. 4611

Dear Ms. Massaro:

Please find enclosed an original and nine (9) copies of the Kent County Water Authority's Response to the Coventry Fire District's Data Request (Set 1). An electronic copy has been provided to the service list. Should you have any questions, please contact me. Thank you.

Sincerely,


Mary B. Shekarchi
Attorney at Law

MBS/mdc
Enclosure

Cc: Docket 4611 Service List (via electronic mail)

KENT COUNTY WATER AUTHORITY

Docket No. 4611

Response to First Set of Data Requests

From Coventry Fire District

June 7, 2016

CFD-1) List each public fire hydrant for which you seek to charge each Intervenor a rental fee by street and other identifying data in such manner that a layman can locate and identify the fire hydrant.

Response: Objection.

This request is irrelevant and immaterial under Rule 1.18 (c) of the Commission's Rules of Practice and Procedure. The Kent County Water Authority's request before this Commission is seeking a rate increase which has no relation to rental fees.

Prepared by: Mary B. Shekarchi, Esquire

CFD-2) As to each such public fire hydrant, set forth all facts, documents, deeds, grants, easements, licenses, bills of sale or other indicia upon which you rely in asserting by implication, or otherwise, that you own such fire hydrant and attach copies of the same.

Response: Objection

This request is irrelevant and immaterial under Rule 1.18 (c) of the Commission's Rules of Practice and Procedure. The Kent County Water Authority's request before the Commission is seeking a rate increase which has no relevance to this request.

Prepared by: Mary B. Shekarchi, Esquire

CFD-3) As to each such public fire hydrant, identify those which you contend were built, constructed or installed by any person, firm or entity other than you, set forth all facts, documents, deeds, grants, easements, licenses, bills of sale or other indicia upon which you rely in asserting by implication, or otherwise, that such fire hydrant was sold, conveyed or demised to you by any means whatsoever, including any consideration therefore, and attach copies of the same.

Response: Objection

This request is irrelevant and immaterial to under Rule 1.18 (c) of the Commission's Practice and Procedure. The Kent Count Water Authority's request before the Commission is seeking a rate increase and this request has no relevance to the instant matter.

Prepared by: Mary B. Shekarchi, Esquire

CFD-4) As to each such public fire hydrant, which you contend was built, constructed or installed by any person, firm or entity other than you; identify the name and last known address of such person, firm or entity.

Response: Objection

This request is irrelevant and immaterial under Rule 1.18 (c) of the Commission's Rules of Practice and Procedure. The Kent County Water Authority's request before the Commission is a seeking a rate increase and this request is irrelevant to the instant matter.

Prepared by: Mary B. Shekarchi, Esquire

CFD-5) Except as provided in response to a previous data request, as to each such public fire hydrant, which you contend was built, constructed or installed by any person, firm or entity other than you and which was conveyed to you, set forth the consideration for such conveyance.

Response: Objection

This request is irrelevant and immaterial under Rule 1.18 (c) of the Commission's Rules of Practice and Procedure. The Kent County Water Authority's request before the Commission is seeking a rate increase and the within request is irrelevant to the instant matter.

Prepared by: Mary B. Shekarchi, Esquire

CFD-6) As to each such public fire hydrant, which you contend you built, constructed or installed, advise of the date of construction, date the hydrant was placed in service (if different), set forth all costs of construction, set forth all costs of maintenance since construction (itemized by year), set forth the hydrant's life expectancy and attach records of all maintenance performed on said hydrants.

Response: Objection

This request is irrelevant and immaterial under Rule 1.18 (c) of the Commission's Rules of Practice and Procedure. The Kent County Water Authority's request is seeking a rate increase and the within request is irrelevant to the instant matter.

Prepared by: Mary B. Shekarchi, Esquire

CFD-7) Identify the number of public fire hydrants within each fire district whose cost of construction or installation has been recovered.

Response: Objection

This request is irrelevant and immaterial under Rule 1.18 (c) of the Commission's Rules of Practice and Procedure. The Kent County Water Authority's request before the Commission is seeking a rate increase and the within request is irrelevant to the instant matter.

Prepared by: Mary B. Shekarchi, Esquire

CFD-8) Identify the number of public fire hydrants within each fire district whose cost of construction or installation has not been recovered and the remaining balance thereof.

Response: Objection

This request is irrelevant and immaterial under Rule 1.18 (c) of the Commission's Rules of Practice and Procedure. The Kent County Water Authority's request before the Commission is seeking a rate increase and the within request is irrelevant to the instant matter.

Prepared by: Mary B. Shekarchi, Esquire

CFD-9) Set forth in detail your analysis, your assumption and the calculations which you made in arriving at the proposed tariff for public fire hydrant charges and attach any documents in your possession which you rely on in support thereof (including work papers).

Response: Please see both volumes of the Testimony and Data in Support of the Kent County Water Authority's Rate Filing with the Rhode Island Public Utilities Commission dated April 8, 2016. Considerable effort went into the preparation of this filing to provide the assumptions, background data, and calculations to support the Authority's proposed rates and charges, including the proposed public fire protection charges.

The Coventry Fire District should pay particular attention to the testimony of the four witnesses in addition to the attachments required by the RI PUC Rules of Practice and Procedure. The testimony of Mr. Woodcock includes 15 main schedules with numerous supporting schedules. While Schedules 4, 4A, 4B and 14 to Mr. Woodcock's testimony draw on information from other schedules, they contain many of the calculations and assumptions that were used to derive the public fire protection charges that are proposed by the Authority.

During the course of discovery, various data requests have been propounded on the Authority that may also contain data that is useful to the Coventry Fire District. A review of the attachment to Div 1-1 would be most helpful to the Fire District in following the calculations.

Prepared by Witness: C. Woodcock

CFD-10) Set forth and list by year, each tariff authorizing you to charge for public fire hydrants, the amount of the charge authorized by the tariff.

Response: Objection

This request is irrelevant and immaterial under Rule 1.18 (c) of the Commission's Rules of Practice and Procedure. The Kent County Water Authority's request before the Commission is seeking a rate increase and the within request is irrelevant to the instant matter.

Prepared by: Mary B. Shekarchi, Esquire

CFD-11) Set forth all facts or other matters which have arisen or which have changed or altered, since the next most recent tariff regarding public fire hydrants (believed to be December 7, 2013) which have occasioned the necessity for you to seek an increase in the amount which you charge for public fire hydrants from \$139.12 per quarter per hydrant plus \$6.12 billing (a total of \$580.96 per hydrant per year) to \$251.22 per quarter per hydrant plus \$9.06 billing (a total of \$1,041.12 per hydrant per year) and attach any documents which support the existence of such change in facts.

Response: The question contains incorrect assumptions regarding the current and proposed public fire protection charges. The amount for the current public fire charge per hydrant is incorrect – please see the existing tariff in the filing. In addition, there is a charge per quarter for each hydrant plus a single billing charge for each municipality or fire district. The billing charge is NOT per hydrant.

Please see the full file of Docket 4142

(<http://www.ripuc.org/eventsactions/docket/4142page.html>) and Docket 4417

(<http://www.ripuc.org/eventsactions/docket/4417page.html>) to see the basis for the existing tariffs that would be replaced with this filing. The Coventry Fire District should compare the documents in those filings with those in the current filing. There have been numerous changes in expenses, sales, numbers of services/hydrants/fire connections/etc. as well as the resulting allocation of costs that have caused the proposed changes. Page 6 of Mr. Woodcock's prefiled, direct testimony provides a summary of the changes in the revenues and expenses. The response to Div 1-1 will direct you to the derivation of these amounts.

Prepared by Witness: C. Woodcock

CFD- 12) Are you seeking a public fire hydrant billing increase of \$460.16 per hydrant per year?

Response: No.

Prepared by Witness: C. Woodcock

CFD-13) If your response to the prior data request is in the affirmative, does that amount to a percentage rate increase of 79.21%?

Response: While the response to the prior request is NOT in the affirmative, the percentage increase in the question is NOT correct. Please see Schedule 9, page 2 of the filing.

Prepared by Witness: C. Woodcock

CFD-14) Set forth in detail the total cost for construction (sic) the public fire hydrant system in each municipality or district, your projected cost of maintenance and repair, the cost of money for any borrowing made by you to pay for the construction of the fire hydrant system, and the money which you have recovered, to date, in amortizing or paying off the total cost of such construction.

Response: Objection

This request is irrelevant and immaterial under Rule 1.18 (c) of the Commission's Rules of Practice and Procedure. The Kent County Water Authority's request before the Commission is seeking a rate increase and the within request is irrelevant to the instant matter.

Prepared by: Mary B. Shekarchi, Esquire

CFD-15) If there is a percentage of profit which you have included in your response to the prior data request, set forth that percentage.

Response: The Kent County Water Authority is a non-profit entity. There is no profit element in any of the Authority's rates and charges.

Prepared by Witnesses: C. Woodcock/T. Brown

CFD-16) Under what theory do you bill fire districts for public fire hydrants?

Response: Potable water systems typically provide a dual role or function: the provision of potable water for domestic and non-domestic uses and the provision of water for fire protection. The recovery of the costs related to fire protection goes back more than 100 years. Recovering public fire protection costs through charges to municipal entities with taxing authority allows for the recovery of these costs from the beneficiaries of the service in relation to the value of the property being protected. This is believed to be an equitable cost recovery mechanism that has been in place and approved for over a century. The Fire District is referred to the American Water Works Association's M1 Manual – Principles of Water Rates, Fees and Charges (<http://www.awwa.org/store/productdetail.aspx?productid=28731>) for a more complete discussion of the theory and practice.

Prepared by Witness: C. Woodcock

CFD-17) Set forth each contract or other form of agreement whereby any fire district affected by your pending application agreed to pay a fee for any public fire hydrant.

Response: Objection

This request is irrelevant and immaterial under Rule 1.18 (c) of the Commission's Rules of Practice and Procedure. The Kent County Water Authority's request before the Commission is seeking a rate increase and the within request is irrelevant to the instant matter.

Prepared by: Mary B. Shekarchi, Esquire

CFD-18) When did you first begin to charge each fire district a rental or other fee (not tied to usage) for public fire hydrants?

Response: Objection

This request is irrelevant and immaterial under Rule 1.18 (c) of the Commission's Rules of Practice and Procedure. The Kent County Water Authority's request before the Commission is seeking a rate increase and the within request is irrelevant to the instant matter.

Prepared by: Mary B. Shekarchi, Esquire

CFD-19) What management or other similar studies have you done or had done to provide you with options that would allow you to run your business more efficiently?

Response: Objection

This request is irrelevant and immaterial under Rule 1.18 (c) of the Commission's Rules of Practice and Procedure. The Kent County Water Authority's request before the Commission is seeking a rate increase and the within request is irrelevant to the instant matter.

Prepared by: Mary B. Shekarchi, Esquire

CFD-20) Have you ever considered selling yourself to a larger water company (such as the Providence Water Company or Providence Water Supply Board) in order to obtain efficiencies of scale which are unavailable to you now? If not, why not?

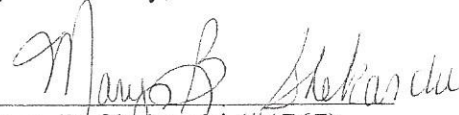
Response: Objection

This request is irrelevant and immaterial under Rule 1.18 (c) of the Commission's Rules of Practice and Procedure. The Kent County Water Authority's request before the Commission is seeking a rate increase and the within request is irrelevant to the instant matter.

Prepared by: Mary B. Shekarchi, Esquire

Respectfully submitted,
Kent County Water Authority

By its attorney,



Mary B. Shekarchi (#4767)
33 College Hill Rd., #15E
Warwick, RI 02886
Tel. (401) 828-5030
Fax (401) 823-1400
marybali@aol.com

Dated: June 13, 2016

CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of June, 2016, I sent a copy of the within Responses to the parties listed on the attached service list.



Docket No. 4611- Kent County Water Authority – Multi-Year Rate Plan
 Service List 5/17/16

Name/Address	E-mail Address	Phone
Kent County Water Authority (KCWA) Mary B. Shekarchi, Esq. 33 College hill Rd., Suite 15-E Warwick, RI 02886	marybali@aol.com ;	401-828-5030
Timothy Brown, P.E. General Manager Chief Engineer Kent County Water Authority PO Box 192 West Warwick, RI 02893-0192	tbrown@kentcountywater.org ;	401-821-9300
Christopher Woodcock Woodcock & Associates, Inc. 18 Increase Ward Drive Northborough, MA 01532	chris@w-a.com ;	508-393-3337
Division of Public Utilities & Carriers (Division) Leo Wold, Esq. Dept. of Attorney General 150 South Main St. Providence, RI 02903	Lwold@riag.ri.gov ;	401-274-4400 Ext. 2218
	john.bell@dpuc.ri.gov ;	
	steve.scialabba@dpuc.ri.gov ;	
	al.mancini@dpuc.ri.gov ;	
	Sam.lapatin@dpuc.ri.gov ;	
	jmunoz@riag.ri.gov ;	
Jerome Mierzwa Layfayette Morgan Exeter Associates, Inc. 10480 Little Patuxent Parkway, Suite 300 Columbia, MD 21044	jmierzwa@exeterassociates.com ;	
	lmorgan@exeterassociates.com ;	
City of Warwick Peter D. Ruggiero, City Solicitor Ruggiero, Brochu & Petrarca 20 Centerville Road Warwick, RI 02886	peter@rubroc.com ;	401-737-8700
	maryann@rubroc.com ;	
Coventry Fire District (CFD) Arthur M. Read, Esq. Del Sesto & Read, Inc. 100 Jefferson Blvd., Suite 200 Warwick, RI 02888	art@delamrlaw.com ;	401-439-2020
Central Coventry Fire District (CCFD) David M. D'Agostino, Esq. Nicholas Gorham, Esq.	daviddagostino@gorhamlaw.com ;	401-647-1400

<p>GORHAM & GORHAM INC. P.O. Box 46 25 Danielson Pike, Scituate, RI 02857</p>	<p>nickgorham@gorhamlaw.com;</p>	
<p>Original & nine (9) copies file w/: Luly E. Massaro, Commission Clerk Public Utilities Commission 89 Jefferson Blvd. Warwick, RI 02888</p>	<p>Luly.massaro@puc.ri.gov;</p>	<p>401-780-2107</p>
	<p>Cynthia.WilsonFrias@puc.ri.gov;</p>	
	<p>Sharon.ColbyCamara@puc.ri.gov;</p>	