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January 9, 2019

luly.massaro@puc.ri.gov

Luly Massaro
Clerk
Rhode Island Public Utilities Commission
89 Jefferson Boulevard
Warwick RI 02888

RE: Petition of Lincoln Water Commission for Non-Regulatory Request
for Approval of Water Main Extension Outside Service Area to
Anchor Auto Group/Benoit Realty, LLC, Premises in North Smithfield RI

Dear Ms. Massaro:

I represent Anchor Auto Group/Benoit Realty, LLC, which has received approval from the Lincoln Water Commission for a water main extension to its premises in North Smithfield, RI, subject to approval by the Public Utilities Commission of the enclosed Petition, which has been approved and signed by the Lincoln Water Commission.

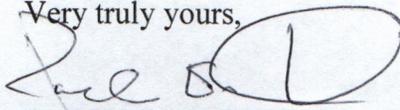
Please be so kind as to place the Petition on the Commission's docket at your earliest convenience, and inform the undersigned, as well as Daniel V. McKinnon, Esquire, Legal Counsel for the Lincoln Water Commission, as follows:

Ralph E. Iannitelli, Esquire
Iannitelli Law Offices
3 Austin Avenue, PO Box 284
Greenville RI 02828
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Daniel V. McKinnon, Esquire
McKinnon & Harwood
1168 Newport Avenue
Pawtucket RI 02861
Telephone: 401-723-9655
dvm@mckinnonharwood.com

Thanking you for your attention to this matter, I am

Very truly yours,



RALPH E. IANNITELLI

cc: Daniel V. McKinnon, Esquire

Note: original Petition and four copies transmitted via U.S. Mail, postage prepaid

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
PUBLIC UTILITIES COMMISSION

IN RE: PETITION OF LINCOLN WATER COMMISSION
FOR NON-REGULATORY REQUEST FOR APPROVAL
OF WATER MAIN EXTENSION OUTSIDE SERVICE
AREA TO ANCHOR AUTO GROUP/BENOIT REALTY,
LLC, PREMISES, NORTH SMITHFIELD, RI

The Lincoln Water Commission hereby petitions the Public Utilities Commission for a non-regulatory approval of a *de minimus* change to its water system service area to permit a water main extension to the Anchor Auto Group/Benoit Realty, LLC premises located on Route 146 adjacent to the Lincoln Water Commission boundary, in North Smithfield, Rhode Island. The Lincoln Water Commission seeks this non-regulatory approval so that providing public water service to this particular business in the Town of North Smithfield, Rhode Island will not result in the Lincoln Water Commission being treated as a public utility, pursuant to the Regulations of the Public Utilities Commission.

The Lincoln Water Commission further recognizes that there is no existing public water transmission main or service in Route 146 in the vicinity of the Anchor Auto Group/Benoit Realty, LLC premises; that the existing well servicing the premises is non-conforming and, while a new well has been approved on a preliminary basis by the Rhode Island Department of Health, such well is neither a permanent nor effective alternative to the provision of a public water supply to the Anchor Auto Group/Benoit Realty, LLC premises by extension of a transmission line from the Lincoln Water Commission service area. This conclusion is supported by the Rhode Island Water

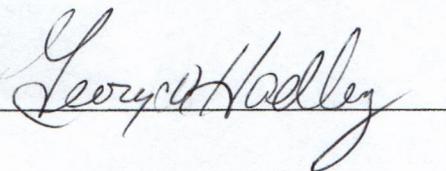
Resources Board and indeed by the Rhode Island Department of Health.

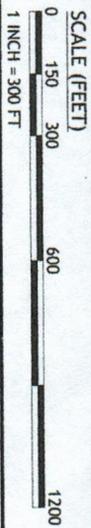
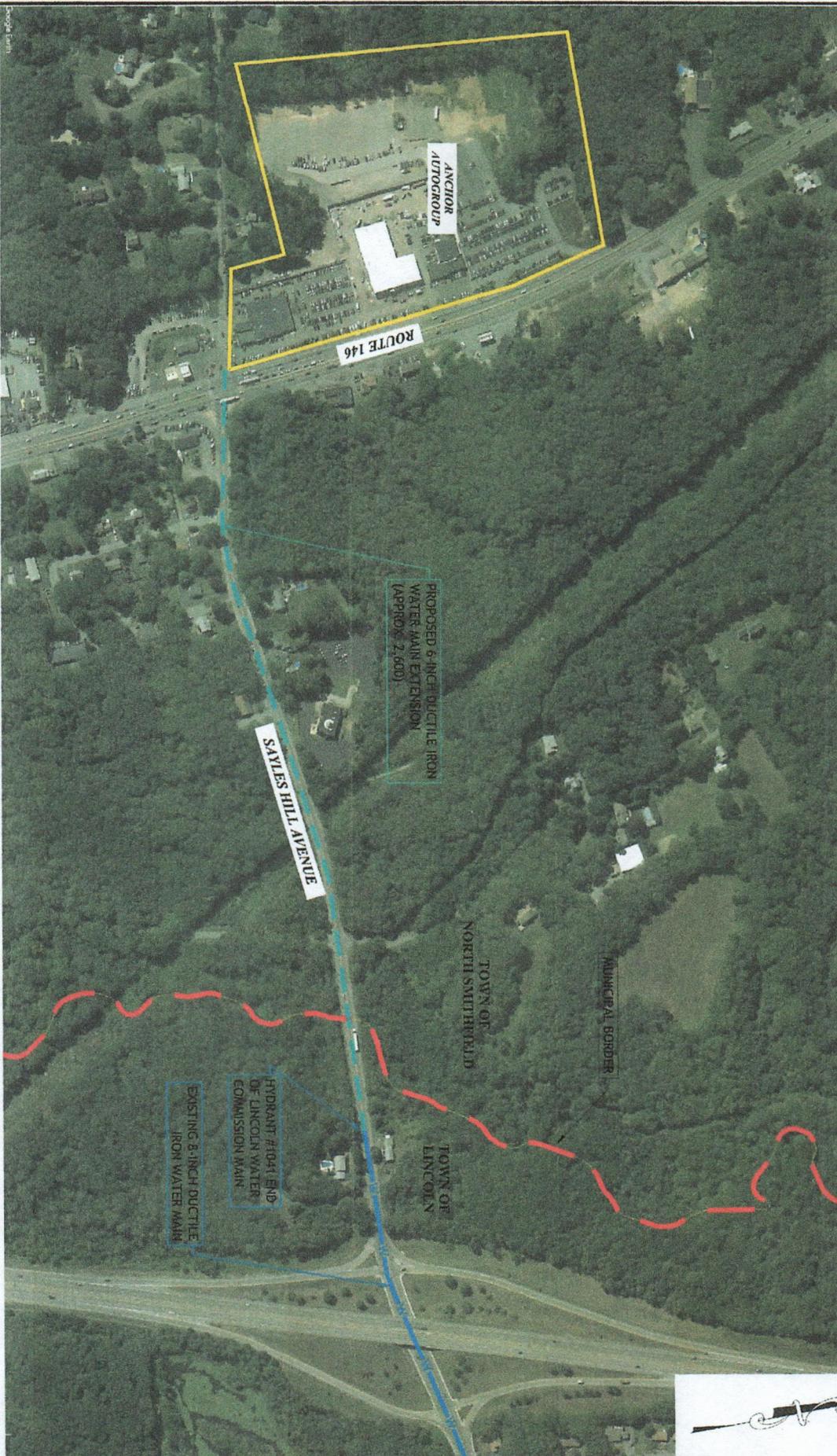
Finally, the extension of a public transmission line from the Lincoln Water Commission service area to the premises of Anchor Auto Group/Benoit Realty, LLC is *de minimus*, in accord with a 1976 legal opinion from the-Attorney General Julius C. Michaelson, that the Public Utilities Commission was free to conclude that “supplying a small number of non-residents...if no other service is available to them...[is] inconsequential and that such water service is free from regulation by the Commission.’

Current Lincoln Water Commission customers total 6,426 and consumed 687,747.810 gallons of water in its most recent fiscal year. The Anchor Auto Group/Benoit Realty, LLC premises will consume less than 10,000 gallons of water per day. which will result in a minimal additional demand of 0.53 % upon the Lincoln Water Commission system.

Respectfully submitted,

The Lincoln Water Commission

By: 



DESIGNED BY: JH	CHECKED BY: JH	DATE: 03/20/14	PROJECT NO.: 03-47	SHEET NO.: 1 OF 1

ANCHOR AUTO GROUP
 EDDIE DOWLING HIGHWAY
 NORTH SMITHFIELD, RHODE ISLAND

PRELIMINARY, NOT FOR CONSTRUCTION

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