

Office of

AUBURN WATER DISTRICT

Office Telephone # 784-6469

The regular monthly meeting of the Trustees of the Auburn Water District will be held at the office of the Auburn Water District, 268 Court Street, on Wednesday, September 19, 2012 at 4:00 P.M.

AGENDA

1. Approve Minutes of Regular Meeting of August 22, 2012
2. Monthly Financial Report Update - *Greg Leighton*
3. Ratify Payment of Bills
4. Open session
5. Activity Report - *Sid Hazelton*
6. New Business
 - ◆ Review District FOAA Policy for new Trustees.
 - ◆ Lake Auburn Water Quality
 - ◆ Authorize Superintendent to prepare editorial letter for State SRF Bond.
 - ◆ Authorize Superintendent to issue testimonial for Public Utilities Commission Notice of Inquiry 2012-00315.
 - ◆ MMA refund check for Worker's Compensation.
 - ◆ 2013 Budget considerations
7. Old Business
 - ◆ On-going construction projects, update on progress
 - ◆ External pipe corrosion
8. Adjourn Regular Meeting

August 22, 2012

The regular monthly meeting of the Trustees of the Auburn Water District was held on Wednesday, August 22, 2012 at the office of the Auburn Water District, 268 Court Street, at 4:00PM.

Members present: President, K.C. Geiger and Treasurer, Bruce Rioux. Trustees: Preston Chapman, Lee Upton, James Wilkins and Robert Cavanagh. Also present: Tizz Crowley, Mayor's Representative, John Storer, Superintendent, Sid Hazelton, District Engineer and Greg Leighton of Maine Water Company.

Two new Trustees, Lee Upton and James Wilkins were welcomed as new members of the Board of Trustees.

On motion of Tizz Crowley, seconded by K.C. Geiger, it was unanimously voted: **To approve the minutes of the Regular Meeting of July 18, 2012.**

FINANCIAL REPORT UPDATE – Revenues are up 5% over last year. The projection remains for a surplus of \$200,000 at year end.

RATIFY PAYMENT OF BILLS

On motion of K.C. Geiger, seconded by Robert Cavanagh, it was unanimously voted: **To ratify the payment of bills in the amount of \$ 454,103.22 as shown on the printout dated July 12, 2012 –August 17, 2012.**

Superintendent Storer explained Gull Management for the benefit of the new Trustees. He will e-mail them the Annual Report.

OPEN SESSION : Bethel Shields was in attendance. She told the Trustees about a meeting that will be held at AVCOG concerning the corner of Lake Shore Dr. and Route 4 where there seems to be a lot of accidents.

ACTIVITY REPORT : The July Activity Report was presented by Sid Hazelton.

Robert Cavanagh requested a report on Lake Patrol. There appears to be problems with swimmers.

Tizz Crowley would like a total cost of the Center St. break.

Sun Press prints the District's State mandated "Consumer Confidence Report".

Tizz Crowley questioned the refund to Auburn Middle School.

The District is installing 6 permanent bleeders to replace hydrants being run to improve water quality.

The Meter Change-out Program will hopefully be completed this Fall.

Sid Hazelton explained the gum drop test as a means of cleaning out old galvanized services. He also explained that the District was responsible for the service from main to property line.

NEW BUSINESS

MODIFY CAPITAL IMPROVEMENTS PROGRAM –CITY PAVING HOTEL RD. INSTEAD OF SOUTH MAIN STREET.

The District will put South Main St. on hold and move on to Hotel Road from Minot to Manley.

August 22, 2012

Page 2

LAB RESULTS-EXTERNAL CORROSION OF NEWER DUCTILE IRON PIPE - Leaks on Center St. and Gamage @Oakland showed evidence of accelerated pipe corrosion. Soil samples were taken to determine the cause. It appears that the soil is severely corrosive to ductile iron pipe. The District will take soil samples on Hotel Rd. to see if the pipe should be wrapped to prevent corrosion. The District will continue to monitor leaks.

Bruce Rioux suggested the possibility of purchasing different pipe. PVC pipe becomes brittle and subject to UV degradation and polyethelene pipe is very difficult to tap or conduct field repairs. The District should consider wrapping the ductile iron pipe with plastic.

PROSECUTION OF SWIMMING VIOLATIONS – POLICE ENFORCEMENT – For information only

LITTLEFIELD BRIDGE –STRUCTURAL ASSESSMENT FOR OUR TROLLEY BRIDGE – The District owns the Trolley Bridge. It could be a liability due to structural condition. The Sewer District hopes to obtain a waiver for the sewer line to hang below the bridge. Superintendent Storer will check with the Mayor with regards to the historical significance of the bridge.

Wright-Pierce has conducted a preliminary assessment of Littlefield Interurban Bridge. Option #1 – Relocating utilities on the new Bridge appears to have the lowest cost and impact to the District. Due to time constraints Superintendent Storer would like to negotiate with Wright-Pierce for the design of supports for a pipe on the new bridge.

On motion of Tizz Crowley, seconded by Preston Chapman, it was unanimously voted: **To authorize Wright-Pierce to design pipe supports on the new bridge, which will allow the District to get rid of the old bridge, at a cost not to exceed \$7500 per District.**

OLD BUSINESS

ON-GOING CONSTRUCTION PROJECTS – UPDATE ON PROGRESS – The District has done what needed to be done on Summer, Winter and Dennison streets. The City will be putting a binder pavement coat on this Fall. The District will finalize the project in the Spring of 2013 when the Chloramine Facility is activated.

UV PHASE 2 & CHLORAMINES UPDATE – The UV Plant is up and running. As soon as the CO2 is installed the District will fire up the Chloramine Facility.

TOWN OF POLAND - The District is ready for new customers. Letters have been sent to the residents to inform them of the availability for hook-up.

OTHER BUSINESS

The municipal beach had to be closed due to bacteria in the water because of the ducks. It has re-opened. The District is working with the City to keep the beach in operation.

On motion of Preston Chapman, seconded by K.C. Geiger, it was unanimously voted: **To adjourn the meeting.**

**AUBURN WATER DISTRICT
OPERATING STATEMENT -TRUSTEES' REPORT
EIGHT MONTHS ENDED AUGUST 31, 2012**

	2012 BUDGET	August YTD	% USED	BALANCE
<u>REVENUES:</u>				
Water Sales	\$2,078,228	\$1,394,793	67.11%	\$683,435
Rent income	55,000	36,057	65.56%	18,943
Interest Income	12,000	14,334	119.45%	(2,334)
Mdse. & Jobbing	90,000	47,387	52.65%	42,613
Hydrant Rental	556,918	372,610	66.91%	184,308
Private Fire Prot.	272,483	181,200	66.50%	91,283
Misc. Op. Revenue	60,000	25,085	41.81%	34,915
TOTAL	3,124,629	2,071,466	66.29%	1,053,163
<u>EXPENSES:</u>				
Payroll	669,850	422,873	63.13%	246,977
Pump Stations:				
Chemicals	80,000	41,362	51.70%	38,638
Power	158,000	105,761	66.94%	52,239
Other	5,620	(2,752)	-48.97%	8,372
Trans & Dist Maint:				
Maint of Mains	76,680	41,491	54.11%	35,189
Dist System	73,446	48,922	66.61%	24,524
Outside Lab	12,060	8,966	74.35%	3,094
Other	28,584	42,188	147.59%	(13,604)
Administration	431,142	330,769	76.72%	100,373
Vehicles	50,584	43,421	85.84%	7,163
Gull Management	78,000	68,678	88.05%	9,322
Lake Auburn Watershed	180,607	117,736	65.19%	62,871
TOTAL	1,844,573	1,269,415	68.82%	575,158
INTEREST			66.67%	standard
Interest	204,664	136,400	66.65%	68,264
TOTAL EXPENDITURES	2,049,237	1,405,816	68.60%	643,421
SURPLUS FROM OPS	1,075,392	665,650	61.90%	409,742
Bonds - Principal Payments	809,850	110,909	13.70%	698,941
Equipment	109,750	36,759	33.49%	72,991
SURPLUS/(DEFICIT)	155,792	517,982		(362,190)

**AUBURN WATER DISTRICT
BALANCE SHEET
PERIOD ENDING - AUGUST 31, 2012**

	<u>8/31/2012</u>	<u>12/31/2011</u>	<u>8/31/2012</u>	<u>12/31/2011</u>
Property, Plant and Equipment:				
Plant in Service	28,208,845.04	23,584,555.74	133,191.15	133,191.15
Less: Accumulated Depreciation	<u>(7,607,395.51)</u>	<u>(6,187,463.69)</u>	8,974,251.94	8,837,051.96
Construction Work in Progress	<u>20,601,449.53</u>	<u>17,397,092.05</u>	80,112.04	(569,860.05)
	2,800,294.00	5,764,670.21	<u>361,204.55</u>	<u>735,002.83</u>
Net Utility Plant	23,401,743.53	23,161,762.26	9,548,759.68	11,122,612.68
Non - Utility Property	0.00	0.00	0.00	0.00
Other Special Funds	0.00	3,160.05		
Current Assets:				
Cash & Working Funds	128,200.54	330,325.93	166,859.12	71,727.25
Temporary Cash Investments	1,514,135.40	2,058,018.17	8,535.00	8,220.00
Accounts Receivable - Net	380,068.29	376,308.59	71,950.57	36,288.05
Accounts Receivable - Auburn Sewer	0.00	0.00	54,244.07	44,639.11
Materials & Supplies	0.00	0.00	301,588.76	160,874.41
Prepayments	25,316.35	29,688.74		
Other Current Assets	<u>24,376.43</u>	<u>346,223.85</u>		
Total Current Assets	<u>2,072,097.01</u>	<u>3,140,565.28</u>		
Deferred Debits:				
Unamortized Debt Issuance	94,564.16	101,358.08	0.00	0.00
Other Deferred Debits	117,730.93	129,030.28	0.00	0.00
Total Deferred Debits	<u>212,295.09</u>	<u>230,388.36</u>	25,625.56	166,141.56
Total Assets	<u>25,686,135.63</u>	<u>26,535,875.95</u>	4,798,457.33	5,950,861.41
Capitalization:				
Other Paid In Capital				
Appropriated Retained Earnings				
Unappropriated Retained Earnings				
Current Year Earnings				
Bonds				
Short-term Debt				
Total Capitalization			<u>20,560,463.98</u>	<u>20,257,998.57</u>
Current Liabilities:				
Accounts Payable				
Customer Deposits				
Accrued Interest				
Miscellaneous Liabilities				
Total Current Liabilities			<u>0.00</u>	<u>0.00</u>
Deferred Credits:				
Unamortized Premium on Debt			0.00	0.00
Other Deferred Credits			0.00	0.00
Total Deferred Credits			<u>0.00</u>	<u>0.00</u>
Operating Reserves			25,625.56	166,141.56
Contributions in Aid			4,798,457.33	5,950,861.41
Total Equity Capital and Liabilities		<u>25,686,135.63</u>	<u>25,686,135.63</u>	<u>26,535,875.95</u>

**Auburn Water District
Accounts Payable Numeric Check Register
August 18 2012 thru September 14,2012**

<u>Check #</u>	<u>Date</u>	<u>Per</u>	<u>Vendor</u>	<u>Inv Date</u>	<u>Inv #</u>	<u>Description</u>	<u>Amount</u>
4562	8/24/2012	8	Bell/Simons Companies	8/20/2012	S87365	Poland Water	55.99
							55.99
4563	8/24/2012	8	Constellation NewEnergy	8/7/2012	691505268	Court St	1,201.89
							1,201.89
4564	8/24/2012	8	G.A. Downing Co., Inc.	8/13/2012	32869	water main	90.00
							90.00
4565	8/24/2012	8	Environmental Resource	8/9/2012	662249	lab supplies	163.52
							163.52
4566	8/24/2012	8	Gilman Electrical Dist.	8/21/2012	743252	Poland Water	164.36
4566	8/24/2012	8	Gilman Electrical Dist.	8/17/2012	742953	Troy St	210.62
							374.98
4567	8/24/2012	9	Group Dynamic Inc	8/14/2012	2828	September	82.50
							82.50
4568	8/24/2012	8	Hach Company	8/3/2012	787881	lab supplies	75.73
4568	8/24/2012	8	Hach Company	8/3/2012	787881	lab supplies	75.72
4568	8/24/2012	8	Hach Company	8/7/2012	788342	lab supplies	976.40
4568	8/24/2012	8	Hach Company	8/7/2012	788342	lab supplies	976.40
4568	8/24/2012	8	Hach Company	8/1/2012	787448	lab supplies	12.45
							2,116.70
4569	8/24/2012	8	K & K Excavation, Inc.	8/3/2012	11478	Winter St	86.00
							86.00
4570	8/24/2012	7	Bisson Enterprises, Inc. I	7/31/2012	11563	July	282.50
4570	8/24/2012	7	Bisson Enterprises, Inc. I	7/31/2012	11563	July	282.50
4570	8/24/2012	7	Bisson Enterprises, Inc. I	7/31/2012	11625	July cleaning UV	253.50
4570	8/24/2012	7	Bisson Enterprises, Inc. I	7/31/2012	11625	July cleaning UV	253.50
							1,072.00
4571	8/24/2012	7	City of Lewiston	7/26/2012	600-39	USDA-May	6,657.99
4571	8/24/2012	7	City of Lewiston	7/26/2012	600-39	USDA-April	7,354.89
							14,012.88
4572	8/24/2012	8	Longchamps & Sons, Inc	8/7/2012	10509	Winter St	108.00
							108.00
4573	8/24/2012	8	Hetl Water Program	8/17/2012	2827	August	353.00
							353.00
4574	8/24/2012	8	Idexx Distribution, Inc.	8/6/2012	261770	lab supplies	76.82
4574	8/24/2012	8	Idexx Distribution, Inc.	8/6/2012	261770	lab supplies	76.81
4574	8/24/2012	8	Idexx Distribution, Inc.	8/6/2012	261770	lab supplies	835.64
4574	8/24/2012	8	Idexx Distribution, Inc.	8/6/2012	261770	lab supplies	835.64
							1,824.91
4575	8/24/2012	9	Maine Municipal Emp.HI	8/14/2012	2826	September	13,388.58
4575	8/24/2012	9	Maine Municipal Emp.HI	8/14/2012	2826	September	16.10
4575	8/24/2012	9	Maine Municipal Emp.HI	8/14/2012	2826	September	589.32
4575	8/24/2012	9	Maine Municipal Emp.HI	8/14/2012	2826	September	536.23
4575	8/24/2012	9	Maine Municipal Emp.HI	8/14/2012	2826	September	3,667.67
							18,197.90
4576	8/24/2012	7	Maine Water Company	7/31/2012	15965	G Leighton-July	1,498.00

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4576	8/24/2012	7	Maine Water Company	7/31/2012	15965	G Leighton-July	1,498.00
							2,996.00
4577	8/24/2012	8	Maine Water Utilities As	7/30/2012	186430	Clambake	290.00
4577	8/24/2012	8	Maine Water Utilities As	7/30/2012	186430	Clambake	35.00
							325.00
4578	8/24/2012	8	W. B. Mason Co., Inc.	8/1/2012	I06490	paper,pencils,clipboards	46.37
4578	8/24/2012	8	W. B. Mason Co., Inc.	8/1/2012	I06490	paper,pencils,clipboards	46.36
							92.73
4579	8/24/2012	8	McMaster-Carr Supply C	8/16/2012	345059	Poland Water	552.62
							552.62
4580	8/24/2012	9	Pitney Bowes, Inc.	8/3/2012	384068	postage mach-9/1 to 11/30	200.00
4580	8/24/2012	9	Pitney Bowes, Inc.	8/3/2012	384068	postage mach-9/1 to 11/30	200.00
4580	8/24/2012	9	Pitney Bowes, Inc.	8/3/2012	384067	scale rental 9/1 to 11/30	30.00
4580	8/24/2012	9	Pitney Bowes, Inc.	8/3/2012	384067	scale rental 9/1 to 11/30	30.00
							460.00
4581	8/24/2012	7	E.J. Prescott, Inc.	7/31/2012	456476	meters	461.40
							461.40
4582	8/24/2012	8	EIC., Inc. (prompto)	8/20/2012	593989	tk#31 oil change	26.25
							26.25
4583	8/24/2012	8	Redlon & Johnson	8/13/2012	949284	service box stock	29.45
							29.45
4584	8/24/2012	8	Reggie's Sales & Service	7/18/2012	164001	saw pull cord-tk#24	3.00
							3.00
4585	8/24/2012	8	Spiller's	8/9/2012	127601	marking paint	84.72
4585	8/24/2012	8	Spiller's	8/9/2012	127601	marking paint	84.71
							169.43
4586	8/24/2012	9	Wells Fargo Financial Le	8/5/2012	675558	Sept	107.10
4586	8/24/2012	9	Wells Fargo Financial Le	8/5/2012	675558	Sept	107.10
							214.20
4587	8/31/2012	8	Ace Detective & Security	8/27/2012	4243	Chloramines	404.25
							404.25
4588	8/31/2012	9	Bel-Tone Answering Ser	8/22/2012	1607B5	Sept	30.25
4588	8/31/2012	9	Bel-Tone Answering Ser	8/22/2012	1607B5	Sept	30.25
							60.50
4589	8/31/2012	8	Central Maine Power	8/10/2012	2825	Poland Water Booster	133.86
4589	8/31/2012	8	Central Maine Power	8/15/2012	2831	Poland Tank	33.00
							166.86
4590	8/31/2012	8	Virginia E. Anderson-Co	8/27/2012	409094	measuring of the lake	1,055.50
4590	8/31/2012	8	Virginia E. Anderson-Co	8/27/2012	409094	measuring of the lake	1,055.50
							2,111.00
4591	8/31/2012	8	Hach Company	8/9/2012	788791	lab supplies	31.34
							31.34
4592	8/31/2012	7	City of Lewiston	8/8/2012	600-39	Rodrigue-July	2,330.10
4592	8/31/2012	7	City of Lewiston	8/8/2012	600-39	Rodrigue-OT-UV plant	248.35

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4592	8/31/2012	7	City of Lewiston	8/7/2012	600-399	July-flouride	1,050.29
4592	8/31/2012	7	City of Lewiston	8/8/2012	600-399	Rodrigue-July	1,422.33
4592	8/31/2012	7	City of Lewiston	8/8/2012	600-399	Rodrigue-July	862.56
4592	8/31/2012	7	City of Lewiston	8/8/2012	600-399	Rodrigue-July	45.23
							5,958.86
4593	8/31/2012	8	Lowe's Business Account	8/17/2012	2830	Watershed	77.80
							77.80
4594	8/31/2012	8	O'Connor Motor Co.	8/13/2012	105474	tk#23 electrical-wouldn't star	481.93
							481.93
4595	8/31/2012	8	Maine Oxy-Acetylene Cc	8/10/2012	307474	UV Plant-nitro	130.11
4595	8/31/2012	8	Maine Oxy-Acetylene Cc	8/10/2012	307473	UV Plant-nitro	24.16
							154.27
4596	8/31/2012	8	W. B. Mason Co., Inc.	8/8/2012	I06610	trash bags&pens&tape	8.66
4596	8/31/2012	8	W. B. Mason Co., Inc.	8/8/2012	I06610	trash bags&pens&tape	21.98
4596	8/31/2012	8	W. B. Mason Co., Inc.	8/8/2012	I06610	trash bags&pens&tape	30.63
4596	8/31/2012	8	W. B. Mason Co., Inc.	7/19/2012	I06265	dust cleaner-computer	12.50
4596	8/31/2012	8	W. B. Mason Co., Inc.	7/19/2012	I06265	dust cleaner-computer	12.49
							86.26
4597	8/31/2012	8	McMaster-Carr Supply C	8/17/2012	346259	Poland Water	239.53
							239.53
4598	8/31/2012	8	New England Truck Tire	8/21/2012	52159	backhoe-tire change	129.00
							129.00
4599	8/31/2012	8	Paul's Clothing & Shoe	8/9/2012	8912	Leavitt	205.96
							205.96
4600	8/31/2012	8	E.J. Prescott, Inc.	8/7/2012	456797	Main St	2,317.17
4600	8/31/2012	8	E.J. Prescott, Inc.	8/6/2012	456798	Winter St	24.05
4600	8/31/2012	8	E.J. Prescott, Inc.	8/8/2012	457019	returns-Winter St	-235.22
4600	8/31/2012	8	E.J. Prescott, Inc.	8/6/2012	456862	Winter St	20.67
4600	8/31/2012	8	E.J. Prescott, Inc.	8/3/2012	456069	meters	9,674.80
							11,801.47
4601	8/31/2012	8	Redlon & Johnson	8/22/2012	955137	268 Court	62.52
4601	8/31/2012	8	Redlon & Johnson	8/22/2012	955137	268 Court	62.51
4601	8/31/2012	8	Redlon & Johnson	8/22/2012	955138	gauge&tester tk#24	38.73
							163.76
4602	8/31/2012	8	Rent-It Of Maine, Inc.	7/3/2012	30947	Winter St	12,603.75
							12,603.75
4603	8/31/2012	8	Skelton, Taintor & Abbot	8/22/2012	501545	July	128.25
4603	8/31/2012	8	Skelton, Taintor & Abbot	8/22/2012	501545	July	42.75
							171.00
4604	8/31/2012	8	Super Shoe Stores, Inc.	8/31/2012	48674-	Stevens	69.97
							69.97
4605	8/31/2012	8	U.S. Cellular	8/16/2012	2829	August	30.00
4605	8/31/2012	8	U.S. Cellular	8/16/2012	2829	August	30.00
4605	8/31/2012	8	U.S. Cellular	8/16/2012	2829	August	183.14
4605	8/31/2012	8	U.S. Cellular	8/16/2012	2829	August	183.13

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							426.27
4606	8/31/2012	8	United Way Of Andr.Cot	8/28/2012	2832	August	194.00
4606	8/31/2012	8	United Way Of Andr.Cot	8/28/2012	2832	August	24.00
							218.00
4607	9/7/2012	8	Al's Auto & Truck Garag	8/29/2012	2318	tk#31 inspection	12.50
							12.50
4608	9/7/2012	9	Androscoggin Registry O	9/6/2012	2838	place liens	64.00
							64.00
4609	9/7/2012	8	Analytical Services, Inc.	8/30/2012	19769	August water test	292.00
4609	9/7/2012	8	Analytical Services, Inc.	8/30/2012	19769	August water test	292.00
							584.00
4610	9/7/2012	8	Auburn Concrete	8/21/2012	85206	Chloramines- blocks	180.00
							180.00
4611	9/7/2012	7	City of Auburn	8/14/2012	108595	July gas & traffic control	232.16
4611	9/7/2012	7	City of Auburn	8/14/2012	108595	July gas & traffic control	85.37
4611	9/7/2012	7	City of Auburn	8/14/2012	108595	July gas & traffic control	266.81
4611	9/7/2012	7	City of Auburn	8/14/2012	108595	July gas & traffic control	199.40
4611	9/7/2012	7	City of Auburn	8/14/2012	108595	July gas & traffic control	176.40
4611	9/7/2012	7	City of Auburn	8/14/2012	108595	July gas & traffic control	265.51
4611	9/7/2012	7	City of Auburn	8/14/2012	108595	July gas & traffic control	625.91
4611	9/7/2012	7	City of Auburn	8/14/2012	108595	July gas & traffic control	2,146.00
4611	9/7/2012	7	City of Auburn	8/14/2012	108595	July gas & traffic control	176.40
4611	9/7/2012	7	City of Auburn	8/14/2012	108595	July gas & traffic control	73.71
4611	9/7/2012	7	City of Auburn	8/14/2012	108595	July gas & traffic control	177.03
4611	9/7/2012	7	City of Auburn	8/14/2012	108595	July gas & traffic control	57.02
4611	9/7/2012	7	City of Auburn	8/14/2012	108595	July gas & traffic control	446.67
4611	9/7/2012	7	City of Auburn	8/14/2012	108595	July gas & traffic control	261.14
4611	9/7/2012	7	City of Auburn	8/14/2012	108595	July gas & traffic control	125.69
4611	9/7/2012	7	City of Auburn	8/14/2012	108595	July gas & traffic control	213.57
							5,528.79
4613	9/7/2012	8	City of Auburn	8/15/2012	108603	st permits	2,844.00
4613	9/7/2012	8	City of Auburn	8/15/2012	108603	st permits	1,000.00
							3,844.00
4614	9/7/2012	9	Budget Document Techn	9/4/2012	148594	contract 9/3 to 12/2	135.34
4614	9/7/2012	9	Budget Document Techn	9/4/2012	148594	contract 9/3 to 12/2	135.33
							270.67
4615	9/7/2012	8	DirigoNet	9/3/2012	1243	UV op & email	170.00
4615	9/7/2012	8	DirigoNet	9/3/2012	1243	UV op & email	25.00
4615	9/7/2012	8	DirigoNet	9/3/2012	1243	UV op & email	25.00
							220.00
4616	9/7/2012	9	John B. Storer	9/5/2012	2839	Sept	175.00
4616	9/7/2012	9	John B. Storer	9/5/2012	2839	Sept	175.00
							350.00
4617	9/7/2012	9	Gilman Electrical Dist.	9/5/2012	744775	UV op	18.11
4617	9/7/2012	9	Gilman Electrical Dist.	9/5/2012	744760	UV op	96.18

**Auburn Water District
Accounts Payable Numeric Check Register
August 18 2012 thru September 14,2012**

<u>Check #</u>	<u>Date</u>	<u>Per</u>	<u>Vendor</u>	<u>Inv Date</u>	<u>Inv #</u>	<u>Description</u>	<u>Amount</u>
							114.29
4618	9/7/2012	8	Hach Company	8/20/2012	790297	lab supplies	13.28
4618	9/7/2012	8	Hach Company	8/20/2012	790297	lab supplies	13.27
4618	9/7/2012	8	Hach Company	8/17/2012	790085	lab supplies	422.25
4618	9/7/2012	8	Hach Company	8/17/2012	790085	lab supplies	422.25
							871.05
4619	9/7/2012	8	Harcros Chemicals, Inc.	8/14/2012	300110	hypo-end of pipe	269.60
							269.60
4620	9/7/2012	8	Vantagepoint Transfer A	8/31/2012	2841	August	1,935.80
							1,935.80
4621	9/7/2012	8	Vantagepoint Transfer A	8/31/2012	2840	August	2,502.98
							2,502.98
4622	9/7/2012	8	Ti-Sales, Inc.	8/21/2012	15700	pump repair kit	75.40
							75.40
4623	9/7/2012	9	Lake Auburn Watershed	9/5/2012	2837	Sept	11,717.25
							11,717.25
4624	9/7/2012	8	Lebel's Heating & Sheet	8/21/2012	12-811	Chloramines	44.40
							44.40
4625	9/7/2012	8	Longchamps & Sons, Inc	8/21/2012	10526	Winter St	200.00
							200.00
4626	9/7/2012	8	Maine Heavy Equipment	8/30/2012	7521	tk#23 radiator& inspect	2,265.96
							2,265.96
4627	9/7/2012	8	Occupational Health Cen	8/30/2012	120212	drug test	21.50
4627	9/7/2012	8	Occupational Health Cen	8/30/2012	120212	drug test	21.50
							43.00
4628	9/7/2012	8	Maine Oxy-Acetylene Cc	8/9/2012	307468	UV plant-nitro	63.01
4628	9/7/2012	8	Maine Oxy-Acetylene Cc	8/15/2012	307485	Ammonia	456.85
							519.86
4629	9/7/2012	8	Napa Auto Parts	8/31/2012	2834	August	23.74
4629	9/7/2012	8	Napa Auto Parts	8/31/2012	2834	August	23.73
4629	9/7/2012	8	Napa Auto Parts	8/31/2012	2834	August	18.38
4629	9/7/2012	8	Napa Auto Parts	8/31/2012	2834	August	21.55
4629	9/7/2012	8	Napa Auto Parts	8/31/2012	2834	August	89.77
4629	9/7/2012	8	Napa Auto Parts	8/31/2012	2834	August	77.69
4629	9/7/2012	8	Napa Auto Parts	8/31/2012	2834	August	-12.00
4629	9/7/2012	8	Napa Auto Parts	8/31/2012	2834	August	109.75
							352.61
4630	9/7/2012	8	Ness Oil Co.	8/31/2012	2835	August	262.78
4630	9/7/2012	8	Ness Oil Co.	8/31/2012	2835	August	115.40
4630	9/7/2012	8	Ness Oil Co.	8/31/2012	2835	August	334.72
4630	9/7/2012	8	Ness Oil Co.	8/31/2012	2835	August	390.20
4630	9/7/2012	8	Ness Oil Co.	8/31/2012	2835	August	101.89
4630	9/7/2012	8	Ness Oil Co.	8/31/2012	2835	August	127.97
							1,332.96
4631	9/7/2012	8	Northeast Pump & Instru	8/21/2012	008850	lab supplies	26.93

**Auburn Water District
Accounts Payable Numeric Check Register
August 18 2012 thru September 14,2012**

<u>Check #</u>	<u>Date</u>	<u>Per</u>	<u>Vendor</u>	<u>Inv Date</u>	<u>Inv #</u>	<u>Description</u>	<u>Amount</u>
4631	9/7/2012	8	Northeast Pump & Instru	8/21/2012	008850	lab supplies	26.93
							53.86
4632	9/7/2012	8	Petro's	8/30/2012	72139	trimmer line	3.00
4632	9/7/2012	8	Petro's	8/30/2012	72139	trimmer line	2.99
4632	9/7/2012	8	Petro's	8/29/2012	72127	maintenance-Waterview	14.00
4632	9/7/2012	8	Petro's	8/29/2012	72124	maint-Waterview	14.00
							33.99
4633	9/7/2012	8	E.J. Prescott, Inc.	8/9/2012	457017	Main st	259.57
4633	9/7/2012	8	E.J. Prescott, Inc.	8/14/2012	457245	meters	3,056.13
4633	9/7/2012	8	E.J. Prescott, Inc.	8/13/2012	457009	Academy St	329.78
4633	9/7/2012	8	E.J. Prescott, Inc.	8/13/2012	457168	Academy St	456.09
4633	9/7/2012	8	E.J. Prescott, Inc.	8/17/2012	457476	credit-ref#4535891-Winter st	-2,430.66
							1,670.91
4634	9/7/2012	9	EIC., Inc. (prompto)	9/5/2012	595005	tk#24 oil change	25.75
							25.75
4635	9/7/2012	8	Stratham Tire Inc.	8/22/2012	603706	tk#29 tires & inspection	445.34
							445.34
4636	9/7/2012	8	US Bank Corporate Trust	8/24/2012	320183	2005 bond fees	1,750.00
							1,750.00
4637	9/7/2012	8	Wallingford Equipment C	8/31/2012	PS7046	skid steer-parts	187.98
							187.98
4638	9/14/2012	8	Camp Dresser & McKee	5/14/2012	804269	UV#2	4,834.65
4638	9/14/2012	8	Camp Dresser & McKee	5/26/2012	804283	UV#2	3,823.67
4638	9/14/2012	8	Camp Dresser & McKee	8/23/2012	804358	UV#2	760.00
4638	9/14/2012	8	Camp Dresser & McKee	9/6/2012	804369	UV#2	2,834.69
4638	9/14/2012	8	Camp Dresser & McKee	6/30/2012	804315	UV#2	4,108.50
4638	9/14/2012	8	Camp Dresser & McKee	5/26/2012	804285	UV#2	6,092.74
4638	9/14/2012	8	Camp Dresser & McKee	4/28/2012	804259	UV#2	17,401.57
4638	9/14/2012	8	Camp Dresser & McKee	2/25/2012	804203	UV#2	9,359.34
							49,215.16
4639	9/14/2012	8	Constellation NewEnergy	8/28/2012	713275	UV Facility	17,387.09
							17,387.09
4640	9/14/2012	9	Dig Safe System, Inc.	9/5/2012	46818	Sept	296.30
4640	9/14/2012	9	Dig Safe System, Inc.	9/5/2012	46818	Sept	296.30
							592.60
4641	9/14/2012	8	DirigoNet	8/16/2012	1234	UV#2	595.00
							595.00
4642	9/14/2012	9	Emerson Chevrolet	9/7/2012	32095	tk#26 bumper	391.78
							391.78
4643	9/14/2012	8	FedEx	9/3/2012	4-0271	August	20.49
4643	9/14/2012	8	FedEx	9/3/2012	4-0271	August	20.49
4643	9/14/2012	8	FedEx	9/3/2012	4-0271	August	56.54
							97.52
4644	9/14/2012	9	Gilman Electrical Dist.	9/11/2012	744857	UV#2 op	32.44
4644	9/14/2012	9	Gilman Electrical Dist.	9/10/2012	745086	UV#2	309.98

**Auburn Water District
Accounts Payable Numeric Check Register
August 18 2012 thru September 14,2012**

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							342.42
4645	9/14/2012	8	Harcros Chemicals, Inc.	8/20/2012	300110	hypo	2,568.88
							2,568.88
4646	9/14/2012	8	Home Depot Credit Servi	9/1/2012	2842	August	93.09
4646	9/14/2012	8	Home Depot Credit Servi	9/1/2012	2842	August	50.94
4646	9/14/2012	8	Home Depot Credit Servi	9/1/2012	2842	August	26.91
4646	9/14/2012	8	Home Depot Credit Servi	9/1/2012	2842	August	246.27
4646	9/14/2012	8	Home Depot Credit Servi	9/1/2012	2842	August	29.59
4646	9/14/2012	8	Home Depot Credit Servi	9/1/2012	2842	August	27.15
4646	9/14/2012	8	Home Depot Credit Servi	9/1/2012	2842	August	72.28
							546.23
4647	9/14/2012	8	K & K Excavation, Inc.	8/24/2012	11554	Chloramines	536.00
							536.00
4648	9/14/2012	8	K. L. Jack & Co., Inc.	8/28/2012	530852	shop-screws	29.50
4648	9/14/2012	8	K. L. Jack & Co., Inc.	8/28/2012	530852	shop-screws	29.50
4648	9/14/2012	8	K. L. Jack & Co., Inc.	8/28/2012	530853	Chloramines	34.17
							93.17
4649	9/14/2012	8	City of Lewiston	8/24/2012	600-39	USDA-June	6,621.98
							6,621.98
4650	9/14/2012	8	Maine Oxy-Acetylene Cc	8/27/2012	307525	ammonia	456.85
							456.85
4651	9/14/2012	8	W. B. Mason Co., Inc.	9/7/2012	530143	UV#2-bookcase	340.08
							340.08
4652	9/14/2012	9	Morin Excavating, Inc.	9/10/2012	09-821	Hotel Rd	1,161.50
							1,161.50
4653	9/14/2012	9	NEP/UCOM	9/1/2012	159079	Sept to Nov	72.69
4653	9/14/2012	9	NEP/UCOM	9/1/2012	159079	Sept to Nov	72.69
							145.38
4654	9/14/2012	8	Northern Data Systems, I	8/23/2012	732	August	707.49
4654	9/14/2012	8	Northern Data Systems, I	8/23/2012	732	August	707.49
							1,414.98
4655	9/14/2012	8	Oxford Networks	8/31/2012	2844	June, July, Aug	90.00
4655	9/14/2012	8	Oxford Networks	8/31/2012	2844	June, July, Aug	365.53
4655	9/14/2012	8	Oxford Networks	8/31/2012	2844	June, July, Aug	365.52
4655	9/14/2012	8	Oxford Networks	8/31/2012	2844	June, July, Aug	500.00
4655	9/14/2012	8	Oxford Networks	8/31/2012	2844	June, July, Aug	500.00
4655	9/14/2012	8	Oxford Networks	8/31/2012	2844	June, July, Aug	425.00
4655	9/14/2012	8	Oxford Networks	8/31/2012	2844	June, July, Aug	425.00
							2,671.05
4656	9/14/2012	8	Pike Industries, Inc.	8/24/2012	669324	Chloramines	606.05
							606.05
4657	9/14/2012	8	Pine Tree Waste	9/1/2012	113067	Aug	54.18
4657	9/14/2012	8	Pine Tree Waste	9/1/2012	113067	Aug	54.17
							108.35
4658	9/14/2012	8	E.J. Prescott, Inc.	8/22/2012	457730	vas usage	143.84

**Auburn Water District
Accounts Payable Numeric Check Register
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4658	9/14/2012	8	E.J. Prescott, Inc.	8/22/2012	457730	vas usage	614.10
4658	9/14/2012	8	E.J. Prescott, Inc.	8/22/2012	457730	vas usage	276.34
4658	9/14/2012	8	E.J. Prescott, Inc.	8/22/2012	457730	vas usage	12.91
4658	9/14/2012	8	E.J. Prescott, Inc.	8/22/2012	457731	vas usage	41.98
4658	9/14/2012	8	E.J. Prescott, Inc.	8/22/2012	457731	vas usage	181.98
4658	9/14/2012	8	E.J. Prescott, Inc.	8/21/2012	457432	Auburn school	73.01
4658	9/14/2012	8	E.J. Prescott, Inc.	7/31/2012	456642	vas usage	13,280.61
4658	9/14/2012	8	E.J. Prescott, Inc.	7/31/2012	456642	vas usage	183.32
4658	9/14/2012	8	E.J. Prescott, Inc.	7/31/2012	456642	vas usage	352.07
4658	9/14/2012	8	E.J. Prescott, Inc.	9/5/2012	458028	credit on inv#4566429	-11,257.69
							3,902.47
4659	9/14/2012	8	Rent-It Of Maine, Inc.	8/31/2012	32498	Hotel Rd	50.00
							50.00
4660	9/14/2012	9	Reserve Account	9/12/2012	2845	postage	600.00
4660	9/14/2012	9	Reserve Account	9/12/2012	2845	postage	400.00
4660	9/14/2012	9	Reserve Account	9/12/2012	2845	postage	1,000.00
							2,000.00
4661	9/14/2012	8	Unifirst Corp	6/29/2012	193237	UV#2 Op -June	69.63
4661	9/14/2012	8	Unifirst Corp	7/6/2012	193438	UV#2 op-July	69.63
							139.26
4662	9/14/2012	8	UNITIL ME	8/29/2012	2836	268 Court St	8.73
4662	9/14/2012	8	UNITIL ME	8/29/2012	2836	268 Court St	8.73
							17.46
4663	9/14/2012	8	Wright-Pierce	8/27/2012	10473	water test-lead&copper	720.00
							720.00
<u>Grand Total</u>							<u>210,820.34</u>

Net + Payroll + taxes

59,884.12
\$ 270,704.46

AUBURN WATER DISTRICT
MONTHLY ACTIVITY REPORT
August 2012

MAINS

Location	Ck'd	Comments	Leak Check				Misc.	New
			PT/Cl ₂	Leak	On Owner	OK		
Dennison St	1	Change over services					1	
Taylor St @ Dennison St	1	Switch over to 24" line					1	
South Main St	1	Temporary @ Roy St					1	
N River Rd @ Bradman St	1	Install bleeder					1	
Chloramine Facility	1	Remove spool pieces & Flush					1	
Taylor Pond	1	Repair 3" Galv. Main		1				
Turner St	1	Aspen Dental - flow 8" - 6" sprinkler					1	
Turner St	1	Apen Dental - pressure test	1					
Poland	1	Check bleeders					1	
Monthly Totals	9		1	1	0	0	7	0
2011 Monthly Totals	6		0	0	0	0	6	0
YTD Totals	28		3	4	0	0	18	3

GATES

Location	Ck'd	Comments	Adjust	Leak	New	Misc.
Summer St	1	Raise gates	1			
Perryville	1	Raise gates	1			
Park Ave	1	Raise gates	1			
Monthly Totals	3		3	0	0	0
2011 Monthly Totals	1		0	0	1	0
YTD Totals	16		13	0	0	3

SERVICES

Location	No.	Comments	Leak Check				Frozen	Box	Misc.
			OK	Leak	On Owner				
Perryville	1	Mark services						1	
South Main St	1	Temporary services						1	
10 Newell Av	1	Repair service box					1		
207 North River Rd	1	RPZ leaking on owner			1				
Center St - Subway	1	Check leak - over flowed toilets	1						
848 Minot Av	1	Pulled by St Laurent		1					
155 Bennett Av	1	Repair service					1		
Perryville	1	Service work						1	
131-133 Lake St	1	Repair service box					1		
132 Winter St	1	Repair service					1		
29 Lehouillier Dr	1	Repair service box					1		
Oak Hill Rd	1	Repair service boxes					1		
67 Harvard St	1	Repair service box					1		
489 Turner St	1	Repair service box					1		
44 Giroux St	1	Repair service box					1		
71 Summer St	1	Repair service box					1		
29 Elmwood Rd	1	Clean & raise service box					1		
34 Whitney St	1	Clean & raise service box					1		
Monthly Totals	18		1	1	1	0	12	3	
2011 Monthly Totals	9		0	1	1	0	6	1	
YTD Totals	68		1	7	3	0	36	21	

METERS

Activity	Comments	Test/Repair	Changed	Misc.	Read Hours	Special Reads	Delinquent	
							Notify	Turn off
Test meters	5/8"							
Test meters	3/4"							
Test meters	1"							
Test meters	1 1/2"							
Test meters	2"							
Repair T.T.R.'s.								
Meters In/out	140							
Dead			0					
Frozen			0					
Terminate Service			4					
Activate Service			12					
Summer In			0					
Winter Out			0					
Temporary Meter				0				
Turn off & on for repairs				4				
Reading Meters					39			
Final Reads	Ownership Transfer					27		
Recheck Readings	High or low reading.					0		
Red Tags	Notify for non-payment.						56	
Turn off for non-payment								3
Monthly Totals		0	16	4	39	27	56	3
2011 Monthly Totals		0	10	2	19.5	28	0	0
YTD Totals		0	146	57	231.3	176	240	21

LABORATORY

Month	Dist. Sys. Tests	Temp (°C)		Avg. NaOH gal/MG	Avg. Cl mg/l	Avg. FI mg/l	Avg. Turb. (ntu)	SWTR Tests
		Air	Water					
January	42	-4.3	2.8	3.57	2.79	0.84	0.54	31
February	42	-2.2	3.3	3.37	2.73	0.87	0.35	29
March	43	3.7	4.4	5.04	2.73	0.74	0.46	31
April	46	7.2	8.1	2.51	2.60	0.82	0.74	30
May	49	13.9	14.1	1.19	2.56	0.79	0.79	31
June	50	17.4	20.1	1.85	2.53	0.74	0.75	30
July	56	22.3	25.5	0.15	2.58	0.70	0.65	31
August	46	22.4	26.1	0.23	2.67	0.71	0.98	31
September								
October								
November								
December								
YTD Avg				2.24	2.65	0.78	0.66	
2011 Avg				3.30	2.75	0.77	0.77	
YTD Totals	374							244

LAKE AUBURN

Month	No. Patrols	Withdrawals *			Elevations **					
		AWD	LWD	Total	1st	High	Yr.	Low	Yr.	2011
January	daily	2.41	4.06	6.07	260.81	261.4	1974	257.20	2002	261.31
February	daily	2.31	4.02	6.33	-----	261.7	1996	257.10	2002	260.99
March	daily	2.36	4.05	6.31	260.64	261.4	2010	257.40	2002	260.93
April	daily	2.38	3.97	6.35	261.09	262.4	1953	258.20	2002	260.89
May	daily	2.36	4.23	6.59	261.51	261.5	2012	258.78	2007	260.83
June	daily	2.61	4.28	6.89	261.20	261.8	2012	259.49	1984	261.38
July	daily	2.92	5.24	8.16	260.88	261.6	1973	258.75	1960	261.00
August	daily	2.88	4.80	7.68	260.03	261.1	1981	258.00	1999	NR
September										
October										
November										
December										
Avg. Daily	daily	2.53	4.33	6.80						
YTD Totals	0	20.23	34.65	54.38						

* Average Daily Withdrawals MGD ** Elevation Above Sea Level

WEATHER*

Month	Precipitation					Temperature			
	Snowfall (in.)	Total (in)	Heating Degree Days	Normal Precip	Days of Precip.	Max. (°F)	Min. (°F)	Avg. (°F)	Dep. from Norm
January	14.7	1.91	1308	3.26	9	51	-11	23	3.5
February	5.5	1.03	975	2.55	7	48	0	28	5.1
March	0.0	1.08	783	3.64	6	82	12	40	7.5
April	0.0	4.31	593	3.78	7	82	21	45	1.3
May	0.0	5.21	286	3.90	11	82	33	56	0.6
June	0.0	11.73	148	3.58	11	93	44	62	-2.4
July	0.0	1.95	3	3.43	13	86	48	70	-0.1
August	0.0	3.72	13	3.25	10	86	46	69	0.3
September									
October									
November									
December									
YTD Totals	20.20	30.94							

* From www.wunderground.com

DIG SAFE

Month	Total	Contractors	MDOT	AHD	School Dept.	Lewiston Water	Fairpoint	AWD	CMP	ASD	GAS	MTA
January	34	19	0	3	0	0	-1	6	4	0	1	0
February	32	13	0	8	0	0	3	2	5	1	0	0
March	91	36	6	31	0	0	0	4	4	2	8	0
April	119	71	0	18	0	0	1	6	8	2	12	1
May	142	74	2	27	0	0	2	12	17	1	7	0
June	138	70	9	26	0	0	0	8	5	1	16	3
July	153	74	1	44	0	0	0	7	5	1	21	0
August	168	83	3	45	1	0	0	7	5	0	22	2
September												
October												
November												
December												
YTD Totals	877	440	21	202	1	0	7	52	53	8	87	6
2011 Totals	750	399	11	174	1	3	6	46	41	2	63	4

DUTY FOREMAN CALLS

(Overtime)

Districts	Total	High/Low Pressure	Water Quality	Alarms	Sewer Service	Leak	Misc.	Locates	Hydrants	Meter	Fire Calls
Sewerage District	0			0	0	0	0	0	0	0	0
Water District	6	0	0	3		0	2	0	0	0	1
Monthly Totals	6	0	0	3	0	0	2	0	0	0	1
2011 Monthly Totals	30	3	4	0	4	2	9	4	2	2	0
YTD Totals	123	7	4	8	17	22	24	11	4	22	4

OTHER ACTIVITIES

1. Paint hydrants
2. Pump Station Training
3. Repair flooded wiring Troy St PRV
4. Whitman Spring Rd - Install wood harvesting signs
5. Whitman Spring Rd - mulch culverts
- 6.
- 7.

AUBURN WATER DISTRICT

Policy On Maine's Freedom of Access Law: Its Requirements and Compliance

The Auburn Water District ("AWD" or the "District") has established the following policies and procedures to assure compliance with the requirements of the Freedom of Access Law, 1 M.R.S.A. § 401 *et seq.*, by the District and AWD officials. The Law gives citizens important rights of access to records and to proceedings. However, the Law does not require public officials to create new records, perform legal research, or provide legal advice to members of the public.

The contact person for FOAA requests is:

John Storer, P.E.
Superintendent of AWD
Auburn Water District
268 Court Street, P.O. Box 414
Auburn, Maine 04212-0414
(207) 784-6469

(A) **Freedom of Access to Public Records and Proceedings**: Since 1959 Maine people have had a legal right by statute of access to public records and proceedings. In 1975 the Maine Legislature rewrote the Freedom of Access Law to make it broader, to correct perceived problems in the way it worked, and to overcome perceived abuses. It added to the Law a statement of purpose that public business be conducted openly and that the right to know law should be "liberally construed" to achieve that. The courts look to that statement of purpose when resolving disputed cases, and give the law a broad interpretation.

(1) **It grants rights not to information, as such, but of access to (1) public records and (2) public proceedings.** 1 M.R.S.A. sections 403, 408. Any person "shall have the right to inspect and copy any public record during the regular business hours of the custodian" of such record provided that "such inspection may be scheduled to occur at such time as will not delay or inconvenience the regular activities of the agency or official having custody of the record sought." The law does not require the District to compile or analyze information. It only compels the District to grant access to "public records."

(2) **If the District or a District official denies a request for access, it must give written reasons for denial within five working days of the request.** The person making the request may appeal the denial to Superior Court, but must do so within five working days of the denial. 1 M.R.S.A. § 409(1).

(3) **Public Records** are all documents, records, written, printed or graphic matter "or any mechanical or electronic data compilations from which information can be obtained" which is in the possession or custody of a public official. 1 M.R.S.A. section 402(3). This includes computer data bases and electronic data compilations. This very broad definition is subject to certain exceptions. The most important is "records that have been designated **confidential by statute.**" For AWD, the most likely exceptions would be certain personnel records covered by Title 30-A (reproduced below), and records that would fall within the attorney-client privilege if the records or inspection is sought in connection with a court proceeding. The Legislature also maintains a helpful website for searching public records exceptions at <http://www.mainelegislature.org/legis/foa>.

(4) **Public Proceedings** means the "transactions of any functions affecting any or all citizens" by various government entities, in particular by "any board, commission, agency or authority of any county, municipality, school district or any regional or other political or administrative subdivision." 1 M.R.S.A. section 402(2)(C). Except authorized executive sessions, all public bodies must conduct their proceedings open to the public (and press) and with adequate notice to permit public attendance. 1 M.R.S.A. sections 403, 405, 406. Adequate notice does not require the preparation of a formal agenda. This right of access does not include meetings and work sessions of executive staff personnel, individual government officials, or members of an entity if no quorum is present. 1 M.R.S.A. Sections 402(3)(c), 406.

(5) Bodies shall give **Public Notice** in advance for all public proceedings (if the body consists of three or more persons and a quorum [usually a simple majority] is present). 1 M.R.S.A. section 406. The notice must be reasonably calculated to notify the public and must give ample time to allow public attendance. In case of an emergency meeting, whenever practical the body must notify local media representatives by the same or faster means used to notify its members.

(B) **Executive Sessions:** The Law only allows executive sessions (in private) subject to certain rigid conditions. Section 405 of Title 1 M.R.S.A. gives the following rules on executive sessions:

(1) They must not be used to defeat or circumvent the policy in favor of open meetings.

(2) No final action or approval can be taken in executive sessions.

(3) It takes a public vote of three-fifths of the body attending to approve an executive session.

(4) The motion to go into an executive session must state "the precise nature of the business" the body will discuss [which must be lawful business for an executive session].

(5) The body can discuss no other business.

(6) The body can legally take only the following matters up in an executive session:

a. Discussion or consideration of employment or discipline of public employees or officials, and then only if public discussion could damage his or her reputation or invade his or her privacy. The person being "charged or investigated" and any person bringing charges is allowed to be present. Any person being "charged or investigated" may request in writing that the meeting be conducted in an open session. Generally such a request must be honored. 1 M.R.S.A. § 405(6)(A).

b. School board proceedings regarding suspension or expulsion of students, provided that the student, legal counsel and the student's parents or guardians if that student is still an unemancipated minor, are permitted to attend. 1 M.R.S.A. § 405(6)(B).

c. Consideration of acquisition or use of real property or of "economic development," but only where premature disclosure would prejudice the position of the public body or agency. 1 M.R.S.A. § 405(6)(C).

d. Collective bargaining negotiations, unless both parties agree otherwise. 1 M.R.S.A. § 405(6)(D).

e. "Consultations between a body or agency and its attorney" regarding its legal rights or duties or litigation or other matters where public discussions "would clearly place [the government] at a substantial disadvantage." 1 M.R.S.A. § 405(6)(E).

f. Discussion of information in records made confidential by law, such as personnel records. 1 M.R.S.A. § 405(6)(F).

Remedies for Violations. If a body illegally takes a final action in an executive session, a court can declare the action null and void. 1 M.R.S.A. § 409(2). A willful violation is subject to a civil forfeiture of up to \$500 in an action brought by the Maine Attorney General. 1 M.R.S.A. § 410.

(C) **Municipal Personnel Records**: Pursuant to 30-A M.R.S.A. § 2702, certain personnel records are confidential and are not “public records” as defined in the Freedom of Access Law. The full section reads as follows:

§ 2702. Personnel records

1. Confidential records. The following records are confidential and not open to public inspection. They are not "public records" as defined in Title 1, section 402, subsection 3. These records include:

A. Except as provided in this paragraph, applications, resumes, letters and notes of reference, working papers, research materials, records, examinations and any other documents or records and the information they contain, solicited or prepared either by the applicant or the municipality for use in the examination or evaluation of applicants for positions as municipal employees.

(1) Notwithstanding any confidentiality provision other than this paragraph, applications, resumes and letters and notes of reference, other than those letters and notes of reference expressly submitted in confidence, pertaining to the applicant hired are public records after the applicant is hired.

(2) Telephone numbers are not public records if they are designated as "unlisted" or "unpublished" in an application, resume or letter or note of reference.

(3) This paragraph does not preclude union representatives from access to personnel records which may be necessary for the bargaining agent to carry out its collective bargaining responsibilities. Any records available to union representatives which are otherwise covered by this subsection shall remain confidential and are not open to public inspection;

B. Municipal records pertaining to an identifiable employee and containing the following:

(1) Medical information of any kind, including information pertaining to diagnosis or treatment of mental or emotional disorders;

(2) Performance evaluations and personal references submitted in confidence;

(3) Information pertaining to the creditworthiness of a named employee;

(4) Information pertaining to the personal history, general character or conduct of members of an employee's immediate family; and

(5) Complaints, charges or accusations of misconduct, replies to those complaints, charges or accusations and any other information or materials that may result in disciplinary action. If disciplinary action is taken, the final written decision relating to that action is no longer confidential after the decision is completed if it imposes or upholds discipline. The decision must state the conduct or other facts on the basis of which disciplinary action is being imposed and the conclusions of the acting authority as to the reasons for that action. If an arbitrator completely overturns or removes disciplinary action from an employee personnel file, the final written decision is public except that the employee's name must be deleted from the final written decision and kept confidential. If the employee whose name was deleted from the final written decision discloses that the employee is the person who is the subject of the final written decision, the entire final written report, with regard to that employee, is public.

For purposes of this subparagraph, "final written decision" means:

(a) The final written administrative decision that is not appealed pursuant to a grievance arbitration procedure; or

(b) If the final written administrative decision is appealed to arbitration, the final written decision of a neutral arbitrator.

A final written administrative decision that is appealed to arbitration is no longer confidential 120 days after a written request for the decision is made to the employer if the final written decision of the neutral arbitrator is not issued and released before the expiration of the 120 days; and [1997, c. 770, § 3 (AMD) .]

C. Other information to which access by the general public is prohibited by law.

2. Employee right to review. On written request from an employee or former employee, the municipal official with custody of the records shall provide the employee, former employee or the employee's authorized representative with an opportunity to review the employee's personnel file, if the municipal official has a personnel file for that employee. These reviews shall take place during normal office hours at the location where the personnel files are maintained. For the purposes of this subsection, a personnel file includes, but is not limited to, any formal or informal employee evaluations and reports relating to the employee's character, credit, work habits, compensation and benefits which the municipal official may possess. The records described in subsection 1, paragraph B, may also be examined by the employee to whom they relate, as provided in this subsection.

(2) Written records of any refusal by the AWD Trustees to renew the contract of an employee or appointee, or the record of any decision involving the dismissal of a public official, employee or appointee (e.g. written decisions on grievances involving discipline or on employee appeals under section 501) are not confidential. 1 M.R.S.A. S 407 (2).

(3) An employee or former employee has the right to review his or her personnel file, upon written request during normal business hours, and to make copies at his or her expense.

GUIDELINES FOR RESPONDING TO FREEDOM OF ACCESS REQUESTS

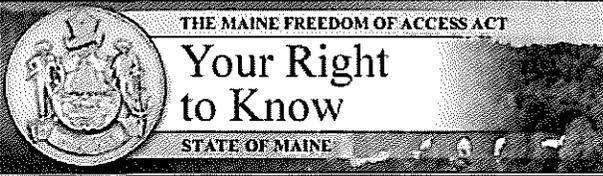
- Remember that all public records are normally accessible by any person upon request. This includes e-mail records, sound recordings, and computer files and databases.
- The wise thing to do is to draft every document and every written communication or record on the assumption that it will become public.
- However, if a document is confidential by law, consider stamping it or marking it "confidential" from the start. Then it will be less likely to be disclosed in error.
- If a person makes a vague or overly broad request, you can ask him or her to put the request in writing and to make it more specific so you can comply. The

reason is not to delay or obstruct the request. It is to make sure you respond properly and accurately without inefficient use of personnel.

- You should provide access as promptly as possible, but you do not have to disrupt the operation of the District to do so.
- If you can provide access to the records a person wants easily and quickly, then of course you should. But if it will take significant time to find the records or to put them aside, or if the request is so voluminous that it will disrupt operations, you can ask the person to wait a reasonable time. You can also ask the person to come back at a scheduled time when it will be more convenient.
- If a person requests copies, you can charge for them and can take the time you need to provide them without undue burdens on personnel. The right of access does not include the right to have copies made immediately. You can require payment in advance.
- Persons can copy computer data bases or sound recordings that contain public information. They can be asked to provide their own computer diskette or their own tapes. Right now it is unclear whether a person has a right to connect a computer hard drive or other electronic storage media to public infrastructure to copy records. If you receive such a request, promptly contact your legal counsel.
- If you are in doubt about whether records someone wants are “public records,” you can consult with the Clerk or Superintendent, who can consult with legal counsel.
- If you are going to deny access to all or part of a record, you have a duty to notify the person making the request within five (5) working days after you received the request. The notice must be in writing and must state the reason(s) why you denied access.
- You have a duty to permit reasonable access to public records. You do not have a duty to provide information, as such. If it will take more than an hour to identify and make the records requested available, the person making the request should be billed \$10 an hour for time over one hour. If you estimate the charges will be more than \$20, notify the person making the request first.
- Therefore, the Freedom of Access law does not require public officials to answer questions, collect or analyze information not already contained in public records, or perform research for people.

- However, if you can help a citizen or the press by answering questions, or by compiling information, and if you have the time to do so, you may choose to go beyond what the law requires. This promotes public confidence in the operation of government and of quasi-governmental organizations.

- If a person objects to an executive session, you may want to consider postponing it long enough to be sure the law permits it, including obtaining legal advice when in doubt.



Home | Contact Us

Site Map | Search Site: GO

FOAA INFORMATION

- [News & Updates](#)
- [How to Make a Request](#)
- [Frequently Asked Questions \(FAQ\)](#)
- [Training for Elected Officials](#)
- [Maine Freedom of Access Law](#)
- [Statutory Exceptions to the Freedom of Access Law](#)
- [State FOAA Contacts](#)
- [Right to Know Advisory Committee](#)
- [Related Websites](#)

Home > Training

Training For Elected Officials on Maine's Freedom of Access Law

Training related to public records and public proceedings

Beginning July 1, 2008, elected officials must complete training on the requirements of Maine's Freedom of Access laws relating to public records and proceedings. The law, enacted upon the recommendation of the Right to Know Advisory Committee, requires that those elected officials serving in office on July 1, 2008 must complete the training by November 1, 2008. Public officials elected after July 1st must complete the training within 120 days after the official takes the oath of office.

Minimum requirements for training

At a minimum, the training must be designed to be completed in less than 2 hours and include instruction in:

1. the general legal requirements regarding public records and public proceedings;
2. the procedures and requirements regarding complying with a request for a public record; and
3. the penalties and other consequences for failure to comply with the law.

Elected officials can meet the training requirement by conducting a thorough review of the material on the [Frequently Asked Question \(FAQ\) page](#) of this website or by completing another training course that includes all of this information but may include additional information. *Training courses do not need the approval of the Right to Know Advisory Committee, or any other State agency.*

Elected officials required to complete training

Elected officials required to complete the training include:

1. the Governor;
2. Attorney General, Secretary of State, Treasurer of State and State Auditor;
3. Legislators elected after November 1, 2008;
4. Commissioners, treasurers, district attorneys, registers of deeds, registers of probate and budget committee members of any county;
5. Municipal officers, clerks, treasurers, assessors and budget committee members of municipal governments;
6. Officials of school units and school boards; and
7. Officials of regional or other political subdivisions, including officials of water districts, sanitary districts, hospital districts, transit districts or regional transportation districts.

Certification and record of completed training

After completing the training, elected officials are required to make a written or electronic record attesting that the training has been completed. The record, which will be available to the public, must be kept by the elected official or filed with the public entity to which the official was elected. A sample training [completion form](#) (This file requires the free [Adobe Reader](#)) is available for use by elected officials.

CERTIFICATION OF COMPLETION OF
FREEDOM OF ACCESS TRAINING REQUIRED BY 1 M.R.S.A. § 412

I, _____, hereby certify that I have met the training
(Name of elected official)

requirements set forth in 1 M.R.S.A. § 412 on _____ by
(date of training)

completing the following training:

- A thorough review of all of the information made available on the Frequently Asked Questions portion of the State website, www.maine.gov/foaa/faq.

- Another training course that includes this information, identified as follows:

(Title of Course)

(Name of Course Provider)

Dated this _____ day of _____, 20____.

Signature

Printed Name

Elected Office

Note: Training must be completed within 120 days after an elected official takes the oath of office.

Please Help Protect Clean Water this November

Tough times or not, Maine residents expect their water to be safe to drink. They also expect wastewater to be adequately treated before it is discharged into our rivers, streams and coastal areas

Referendum Question #5

“Do you favor a \$7,925,000 bond issue to be expended over 2 years for revolving loan funds for drinking water systems and for wastewater treatment facilities, which will make the State eligible to secure \$39,625,000 in federal grants?”

What is the State Revolving Fund (SRF) and how does it affect YOU?

- The Drinking Water State Revolving Fund (DWSRF) and Clean Water State Revolving Fund (CWSRF) were created to establish a funding source for public health improvement projects and to maintain water quality.
 - Examples of SRF projects:
 - Water main replacements to continue safe supply of drinking water
 - Wastewater treatment plant improvements to ensure water released into streams and rivers is clean
- The federal amount available now is \$39,625,000, requiring a state match of \$7,925,000. This represents a 5:1 return on the investment.
- A majority vote of the general election held in November is required for passage – we need your vote for clean water!
- If these funds are not available, local ratepayers will need to pay the entire cost of the higher conventional interest rate loan. In these tough times we cannot afford to miss out on this opportunity to bring in federal dollars to strengthen the infrastructure of the State.

Why do we need the SRF?

- Water and wastewater treatment facilities, pump stations, and collection and distribution systems operate on a 24/7/365 basis. Based on needs surveys it is estimated that water and wastewater facilities in Maine will require \$750 million for capital repairs and replacement projects over the next five years.

Benefits:

- Safe drinking water
- Clean water in streams, rivers, lakes, and oceans for recreation and a strong economy
- Good paying construction and engineering jobs
- Dependable water and wastewater infrastructure are essential for the attraction of new industries with vital jobs for our communities.
- Use of low interest infrastructure loans and grants save ratepayers across the state substantial amounts of money.

What happens if the bond doesn't pass:

- Higher interest rates for borrowing money in the future.
- Regulations require that many of these projects be completed whether the bond referendum passes or not. If the bond does not pass, financing for those projects will be more costly to ratepayers than SRF funding.
- A missed opportunity for creating good paying jobs

Please vote YES for this bond issue in November

Prepared by Maine Water Utilities Association (MWUA) & Maine WasteWater Control Association (MWWCA) – September 5, 2012

2012 SRF Bond Issue Fact Sheet

“Tough times or not, Maine residents expect their water to be safe to drink. They also expect wastewater to be adequately treated before it is discharged into our rivers, streams and coastal areas.” (J. McNelly, October 2008)

What?

- The Drinking Water State Revolving Fund (DWSRF) and Clean Water State Revolving Fund (CWSRF) were created by Congress as amendments to the Safe Drinking Water Act and Clean Water Act to establish a funding source for public health improvement projects and to maintain water quality. The federal government through the budget process establishes the amount of money available to each state. This amount is called a Capitalization Grant. In order to obtain this federal money, the Capitalization Grant, the State must provide an annual 20% match. This match money is what is requested in the bond issue. The Capitalization Grant for 2012 and 2013 is \$39.625 million requiring a match of \$7.925 million. This represents a 5:1 return on the investment.
- Referendum question – “Do you favor a \$7,925,000 bond issue to be expended over 2 years for revolving loan funds for drinking water systems and for wastewater treatment facilities, which will make the State eligible to secure \$39,625,000 in federal grants?”
- A majority vote of the general election held in November is required for passage.
- The Treasurer of the State is authorized, under the direction of the Governor, to issue bonds. Usually bonds approved in November are sold in June. The Governor has said that he may not approve the sale of any bonds until 2014. Let’s work on the November vote now and appeal to the Governor later.
- Capitalization grants are only available for acceptance by the State for 2 years after they are allotted by the federal government. So prompt approval and issuance of the bond is essential.
- The bond issue provides the 5:1 State match money for federal fiscal years 2012 and 2013. The November election date already represents a delay in some construction projects for 2012. The 2013 money needs to be available in the spring of 2013 to avoid delays.
- The match money goes into capital improvements to water and wastewater facilities. So the \$7.925 million plus interest must be paid back to the Bond Bank by taxpayers over 10 years.
- A utility can get a loan from the State Revolving Fund for a 2% lower interest rate than a conventional market rate loan. For a \$1,000,000 loan over 20 years the interest savings would be \$223,000.
- If SRF funds are not available, local ratepayers will need to pay the entire cost of the higher conventional interest rate loan. In these tough times we cannot afford to miss out on this opportunity to bring in federal dollars to strengthen the infrastructure of the State.
- The bond package received strong bipartisan approval in the Maine Legislature and matching federal funds have received bipartisan support in Congress from our Representatives and Senators.
- Since its inception in 1997 the DWSRF has invested over \$179 million in public water systems. Since its inception in 1987 the CWSRF has made \$665 million in loans to municipalities and wastewater districts.

Why?

- Water and wastewater treatment facilities, pump stations, and collection and distribution systems operate on a 24/7/365 basis. Based on needs surveys, it is estimated that water facilities in Maine will require \$500 million for capital repairs and replacement projects over the next ten years. For wastewater facilities, it is estimated that \$500 million will be needed over the next five years to address combined sewer overflow issues and other facility needs.
- Many drinking water systems are over 100 years old and need upgrades to ensure the public has safe drinking water
- Some sewage collection systems are over 100 years old and are crumbling.
- A large number of Maine's wastewater treatment plants are over 25 years old. Sewage is very corrosive so eventually treatment plants and pump stations need major reconstruction and upgrades.
- Many sewage systems are combined systems which cannot handle heavy rain storms. They can overflow during storms and potentially contaminate our surface waters.
- Regulations are increasingly more stringent. We can now detect pollutants at lower levels. Upgrading water and wastewater treatment facilities to remove substances at part per billion and part per trillion levels is very costly.

Where?

- The following communities will benefit from the 2012 Drinking Water SRF:
 - Bangor, Portland, Kennebunkport, Kennebunk, Wells, Camden, Rockland, Hampden, Eastport, Vinalhaven, Southwest Harbor, Presque Isle, Bucksport, Caribou, Calais, and Hartland.
- The following communities are on the proposed 2012 Clean Water SRF list:
 - Eastport, St. Agatha, Mechanic Falls, Fairfield, Dixfield, Sanford, Wiscasset, Mapleton, Pittsfield, Brunswick, Castine, Eliot, Farmingdale, Limestone, and Oxford.

Benefits:

- Safe and abundant water is critical to human health, sustainable development and economic growth.
- Proper conveyance and treatment of wastewater is extremely important for the protection of public health, protection of the environment and a strong economy.
- Safe drinking water, swimmable lake and ocean beaches, fishable lakes, rivers, and ocean flats are all important for our Maine quality of life and for the economy.
- These infrastructure construction projects provide good-paying engineering and construction jobs.
- Dependable water and wastewater infrastructure are essential for the attraction of new industries with vital jobs to our communities.
- Use of low interest infrastructure loans and grants save ratepayers across the state substantial amounts of money.

Effects of a defeat by the voters or a delay in the issuance of the bonds:

- At this time interest rates are very low. They can only go up increasing the cost of borrowing.
- Many projects are compliance driven and cannot be put off until the economy or State indebtedness improves. Interim financing for those projects will be more costly to ratepayers than SRF funding.
- A missed opportunity for creating good paying jobs

July 31, 2012

MAINE PUBLIC UTILITIES COMMISSION
Inquiry Into Decreasing Revenues of
Water Utilities

NOTICE OF INQUIRY

WELCH, Chairman; LITTELL and VANNOY, Commissioners

I. SUMMARY

Pursuant to Private and Special Laws 2012, ch. 26 (the Act), and Part 12 of Chapter 110 of the Commission's Rules, we open this Inquiry into decreasing revenues of water utilities.

II. BACKGROUND AND DISCUSSION

On April 12, 2012, the Legislature enacted P. &S.L. 2012, ch. 26 "An Act To Amend the Charter of the Bingham Water District and To Direct That Certain Issues Be Studied" (the Act) in which the Legislature instructed the Commission to convene a stakeholder group to examine financial issues related to the loss of customers by water utilities and the effect the loss has on the utilities' ability to pay for infrastructure as well as the effects on remaining customers with a specific focus on the following:

1. whether there are appropriate means by which contributions to system costs may be collected from customers who discontinue service or from property owners whose property has been served or may be served by the system and if so how the collection may be done in a manner that is just and reasonable;
2. readiness-to-serve charges and requirements to take service; and
3. other mechanisms to develop appropriate models for addressing issues created by the loss of customers by water utilities.

The cost of water infrastructure lies at the core of the issue raised by the Legislature. Water infrastructure is expensive and the pumping and treatment facilities necessary to serve a thousand customers are roughly the same as those needed to serve a hundred customers. Additionally, pursuant to 35-A M.R.S.A. § 6105, a quasi-municipal water utility is allowed to recover the costs of constructing, operating, and maintaining its water systems from rates paid by customers. There are rarely any additional revenue streams available to water utilities and, therefore, the entire cost of providing water service is recovered exclusively through rates. Accordingly, the costs of a water system exist in a closed system wherein the static costs of providing the service are borne entirely by customers. As customers leave the system, the costs for infrastructure already in service must be reallocated to the remaining customers in

greater proportions. In areas experiencing economic turmoil and diminished development, this can result in higher rates for water service during times of economic hardship.

Water utilities generally serve a single municipality or contiguous area which is limited by charter or service territory. Accordingly, water utilities are dependent upon population growth and development within a significantly limited geographical area to increase the number of their customers in order to disperse the costs of infrastructure among as wide a pool of customers as possible. This reliance upon future growth, particularly for rural water systems, leaves water utilities vulnerable to demographic trends and population migration. As recently as March 2010, the State Planning Office projected that Aroostook, Franklin, Knox, Piscataquis, Sagadahoc, and Washington Counties will experience population decline by 2013. Androscoggin, Cumberland, Hancock, Kennebec, Lincoln, Penobscot, Somerset, Waldo, and York Counties are expected to see peak populations before 2028. The only county not expected to experience population decline prior to 2028 is Oxford County. See Maine State Planning Office, Maine County and State Population Projections 2012-2028 (March 2010), available at <http://www.maine.gov/tools/whatsnew/attach.php?id=97790&an=1>.

In order to determine the extent of migration problems, we ask that in addition to commenting on the areas below, that water utilities complete the following table. If the answer is zero, please indicate "0" as your response:

	2000-2005	2005 - 2010	2011 - Present
Number of customers leaving the system and obtaining water by drilling a well at their current location			
Number of customers leaving where housing unit remains vacant and no replacement customer is receiving service			
Decrease in revenues due to reduced consumption within water utility (100 ccf)			

A. Subsidization of Water District Costs, Universal Service Charges, and Privatization

The question of whether or not a public water supply is a public good that requires preservation is a matter of policy that appropriately resides with Legislature. However, Commission proposals seeking to resolve the issues facing water utilities hinge upon its answer.

As discussed above, the continued viability of water districts may depend upon the ability of water districts to allocate infrastructure and operations costs across a

wider customer base. One obvious method of alleviating the strain of decreased revenue due to customers migrating out of the system is to create mechanisms that allow for wide spread recovery of water service costs. Two of the mechanisms named in the Act do exactly this by either requiring customers who cease taking service from a water utility to continue to pay costs associated with the infrastructure once used to provide them with service, or alternatively, by requiring that any person who is sufficiently close to existing water infrastructure, such that they could choose to connect to the system pay, a demand charge to compensate the utility for the expenditures that make such a choice possible. In each instance, the proposed mechanism subsidizes the cost of water service to customers of the utility by charging persons that are not currently served by the utility.

Another mechanism is state-wide subsidization of utility services in less populous and/or high cost areas. It is generally accepted that areas of high density population allow utilities to serve greater numbers of customers at lower costs while rural areas require more infrastructure to serve fewer customers, thereby increasing the costs of service per customer.¹ This means that utilities either need to subsidize rural rates with urban rates or to charge higher rates in rural areas. In the telecommunications area, rather than allow for much higher rates in rural areas, legislatures and regulators have provided subsidies to rural telephone providers from revenue collected through a Universal Service Fund. Since 1997, telephone customers have paid a universal service charge in addition to charges for phone service in order to provide this subsidy. The revenue collected through this charge is then distributed to telecommunications providers serving rural areas to offset the higher per-customer cost of providing service.

A similar approach could be used to sustain small rural water districts by assessing a charge for every customer of public water within the state or, alternatively, to every resident within a given water utility's service area. While such a charge would help to offset the decline in revenue associated with customers migrating from rural areas to more urban areas within the state, it would not address the longer-term problem of decreasing population statewide, nor would it address the issue of sprawl type development that occurs outside of existing water utility infrastructure due to the high cost of the infrastructure.

The Commission particularly seeks comment regarding how such a charge would be calculated and imposed and what methods would be used to determine the distribution of revenue collected through the imposition of such a charge to smaller water districts.

¹ Current research suggests that any growth in population in Maine is happening outside of the State's major service centers, which contributes to sprawl. Sprawl places pressure on town and county infrastructure, planning and service provision systems. See The Brookings Institution Metropolitan Policy Program, *Charting Maine's Future; An Action Plan for Promoting Sustainable Prosperity and Quality Places* at 42-49 (Brookings Institute 2006).

B. Regionalization and Consolidation of Water Districts

The vast majority of water utilities in the United States serve less than 3,300 customers.² In Maine, 65 of 138 water utilities are designated as small water systems serving less than 600 connections (approximately 1500 people) or generating less than \$250,000 in yearly revenue. Of the remaining water utilities, 41 are considered medium sized, generating less than \$750,000 in yearly revenue and 31 are considered large, generating more than \$750,000 in yearly revenue.³ Only 28 water utilities have in excess of 3,300 customers. Of the water utilities designated as small or medium, 16 have interconnections with other water districts. However, in each instance, the interconnection serves simply as a conduit for the purchase of water. In 11 of these instances, the utility purchasing water has no source of water supply and purchases all of the water it sells to its customers from another district. In each of these cases, contiguous water utilities may be able to achieve greater economies of scope and scale through consolidation. Consolidation might have the effect of distributing the costs of service more directly across a wider customer base while allowing the combined water utilities to eliminate redundant management, operations, and supply costs.

An effective regionalization plan should require interconnection between contiguous water utilities wherever the consolidation of administration, production, and supply would provide greater benefit and decreased cost to the aggregate of the individual utility's customers. In the absence of actual consolidation of water transmission systems, consolidation of administration for water utilities should still reduce costs and achieve greater efficiencies in purchasing and operations.

The Commission seeks comment on how regionalization and consolidation of water utilities would affect the cost and quality of public water service in the State. Specifically, the Commission seeks comment on the appropriate level of regionalization to achieve economies of scope and scale sufficient to relieve financial pressure on water utilities due to decreasing populations.

C. Deregulation and Local Control

Each of the proposals discussed above assumes that the Legislature adopts the policy of encouraging and preserving the presence of public water in rural areas through increased state regulation, thereby decreasing the level of local control in what are generally small locally administered quasi-municipal entities. However, an alternative approach to decrease the operating costs and revenue limitations,

2 United States Environmental Protection Agency. *2006 Community Water System Survey*. EPA 815-R-09-001. February 2009 <www.epa.gov/safewater>

3. Definitions for small, medium and large sized systems are taken from 35-A M.R.S.A. 6104-A.

particularly of the smallest most rural water utilities, would be to increase local control of the operations of quasi-municipal water district's thereby allowing the determination of whether or not, and to what level, a community should invest in public water.

The majority of water utilities in Maine are quasi-municipal entities, created by the Legislature and governed, with the exception of water departments⁴, by elected or appointed trustees. This characteristic of locally elected government distinguishes water districts from the classic model of government regulated monopolies that are commonly subject to utility regulation. The regulation of monopoly public utilities by government is based on the long standing policy that customers who have no viable alternative source for a necessary public service should be protected through government regulatory action and oversight from unreasonably high prices, inadequate service, and unjust business practices.

Water districts have never fit comfortably into the mold of a monopoly utility, in great degree because of the democratic manner in which they are governed. A customer who is sufficiently dissatisfied with a water district's service can participate in the selection of different trustees (or in some cases, simply dig a well). Additionally, there is no profit motive present in the decisions of quasi-municipal water districts due to the absence of shareholders and the need for a return on investments. Furthermore, water districts have historically avoided raising rates. This tendency to avoid rate increases is so prevalent within water districts in Maine that the Legislature has taken recent action to alleviate the difficulty of generating new revenue to pay for necessary repair of water system infrastructure in hope that water districts will more actively adjust their rates to accurately reflect increases in the costs of providing water service.⁵ Additionally, the Legislature, in recognition of the local accountability of water districts, has decreased the Commission's oversight of rates set by water districts by enacting procedures for quasi-municipal water districts to change rates without recourse to a Commission investigation unless a sufficiently large percentage of customers affirmatively request, through a petition, that the Commission conduct such a proceeding. 35-A M.R.S.A. § 6104. As a result, the vast majority of rate changes by quasi-municipal water districts now take effect without investigation by the Commission. As a practical matter water districts have been removed from the ambit of economic rate regulation--the cornerstone of the Commission's role.

Absent the suspension, investigation, and approval of rates, the majority of the interactions of water districts with the Commission consist of assisting water districts in correctly complying with financial report and filing requirements required by Commission rules. These filing requirements, which exist for the purposes of determining the Commission's funding assessment and providing background

4. Water departments, however, operate under the same rate setting standards as water districts and have inherently the same problems with regards to reduced revenues as most towns cover the costs of water operations only with service revenues.

5 See Maine Public Utilities Commission, Report Regarding Additional Flexibility for Funding Infrastructure Improvements by Consumer-Owned Water Districts, January 15, 2012. Available at <http://www.maine.gov/mpuc/legislative/reports.shtml>

information for economic regulation if the utilities customers do petition for a rate review, no longer have intrinsic value given the Legislature's grant of local rate setting authority to quasi-municipal water districts and their customers. What remains is a circular pattern of assistance and compliance reporting that occurs in a regulatory vacuum with little benefit to rate payers or water districts. The alternative to this is to remove the final lingering ties of regulation on quasi-municipal water districts thereby alleviating unnecessary costs associated with regulatory compliance and allowing local officials to determine the value of public water to their communities and the best mechanisms to address problems of an inherently local nature.

The Commission seeks comment on the costs associated with compliance with Commission regulations and what, if any, benefits are gained from the Commission's regulatory oversight of water districts.

III. INQUIRY PROCESS

We are required to submit a report of the findings and recommendations of the stakeholder group, together with the Commission's analysis of those findings and recommendations, and any proposals of the stakeholder group for changes to law to the Joint Standing Committee on Energy, Utilities and Technology by February 15, 2013. The plan must contain the Commission's analysis of the stakeholder's findings and recommendations, and any proposals of the stakeholder group for changes to law necessary to implement the recommendations.

The Act requires the Commission to invite participation from a broad range of interested entities but does not require an adjudicatory proceeding. In order to fully capitalize on the information-gathering flexibility thus afforded by the Legislature, the Commission will seek input from interested parties in the several ways described below.

First, in the next several weeks we will convene one-day workshops on specific topics to provide an opportunity for a conversation between interested parties and the Commission and its Staff. Participation is strongly encouraged. The workshops will occur as follows:

- (i) **(September 6, 2012, at 10:00 a.m.);**
- (ii) **(September 12, 10:00 a.m.);**
- (iii) **(September 26, 10:00 a.m.);** and

Second, we will accept written submissions from interested persons. These proposals discussed above are intended to help guide submissions, but are not in any fashion intended to limit the issues that interested persons may address. Additionally, these proposals should not be read as an indication of any even preliminary conclusions on the part of the Commission, but rather are intended to ensure that all relevant issues are identified and addressed. To allow us to thoroughly review all of the information

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within **20** days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within **21 days** of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Appellate Procedure.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.

September 7, 2012

MAINE PUBLIC UTILITIES COMMISSION
Inquiry Into the Impact of Decrease Water
Revenues

PROCEDURAL ORDER

I. SCHEDULE

Based upon discussions at the initial stakeholder meeting held on September 6, 2012, the schedule below is adopted to for the purpose of providing a framework for the stakeholder process. The schedule contains dates and a general outline of topics for currently scheduled stakeholder meetings. The list of topics is not intended to be exhaustive and the schedule contains an additional stakeholder meeting to discuss proposals not adequately covered during previous meetings. To the extent possible, we ask parties to file relevant preliminary comments with the Commission prior to the dates indicated to allow the stakeholders to more constructively use each meeting.

September 12, 2012, at 10:00 a.m.

General discussion of mechanisms to increase revenue, including, but not limited to:

- Non-Customer/Former Customer Charges
- Revised Rate Structures
 - Decoupling
 - Single Tariff Pricing or Rate Bands
 - Revenue Adjustment Mechanisms
 - Low Income Assistance Programs
 - Revenue Normalization in Ratemaking

September 26, 2012, at 10:00 a.m.

General discussion of methods to lower the costs of providing utility service, including, but not limited to:

- Collaboration/Partnerships
- Regionalization, Consolidation, Municipalization, Privatization
 - Operations
 - Back Office Work

October 5, 2012, at 10:00 a.m.

- General discussion of the appropriate role of regulatory oversight.

October 17, 2012, at 10:00 a.m.

- This meeting time is reserved for any issues or proposals relevant to the scope of the Inquiry but either not identified in this schedule or not adequately addressed during prior meetings.

People interested in participating can do so in person at the Commission's Offices or can access the meetings using the Commission's telebridge by dialing 1-916-233-0499 and then entering 173464#.

II. FILING PROCEDURES

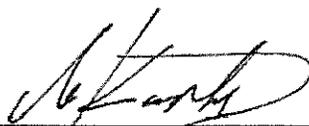
As of, July 18, 2012, the Commission has replaced the Virtual Case File with a new Case Management System (CMS). All of the data currently on the Virtual Case File has been migrated to the CMS. The CMS will be a vast improvement over the current filing system and contains many enhancements that will benefit the public, parties, and Commission Staff alike. Parties will now be served documents through the CMS without the use of paper filings or separate e-mails.

In order to use the CMS, parties and interested persons will need to become "registered users." To register, go to the Commission's website at www.maine.gov/mpuc and click on "Online Filing, Docketed Case, Forms, and RFP's" on the left hand side of the home page. Then click on the large "Registered Users" link in the large gray box. Then click on the "New User Registration" link at the bottom of the "Account Login" area. Further detailed instructions are available on the Commission's website at www.maine.gov/tools/whatsnew/index.php?topic=puc-pressreleases&id=414946&v=article08.

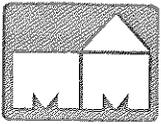
When registering, please remember to indicate the entity or entities that you represent and may be making filings on behalf of. Once registered, make sure to add yourself to the "notification list" for the dockets you are currently participating or for which you wish to receive notices of filings. **You will not receive notice of filings made in any docket for which you have not put yourself on the notification list.**

To take full advantage of the capabilities of the new system, the Commission is implementing a new requirement with regard to the format of electronically filed documents. The Commission will no longer accept for electronic filing .pdf files (or other file formats) that are not "text searchable;" *i.e.*, the text of the .pdf document must be able to be searched, highlighted, copied, and pasted. Older "image style" .pdf files (where the .pdf file is essentially a picture of a document) are no longer acceptable. Other "searchable" document types such as those created in Microsoft Word (.doc, .docx) or Microsoft Excel (.xls, .xlsx) will remain acceptable formats for electronic filing.

Dated at Hallowell, Maine, this 7th day of September, 2012.



Matthew S. Kaply
Presiding Officer



MAINE MUNICIPAL ASSOCIATION

Risk Management Services

60 Community Drive
P.O. Box 9109
Augusta, Maine 04332-9109

Telephone No.

(207) 626-5583
(800) 590-5583 Maine Only
Fax No. (207) 626-0513

DATE: August 31, 2012

TO: Members of the Workers Compensation Fund and the Property & Casualty Pool

FROM: Patricia Kablitz, CPCU, ARM
Director, Risk Management Services

RE: Dividend Payments

We are pleased to announce that the Board of Trustees of the **MMA Workers Compensation Fund** voted at its May 24, 2012 meeting to allow a dividend to the members of the Fund who meet the established criteria. Continuing members whose contributions are greater than \$25,000 annually, whose 2011 loss ratio is less than 40% and whose three-year loss ratio is less than 75% will receive a 6.94% dividend. Continuing members whose contributions are less than \$25,000 annually and whose loss ratio is less than 50% for the three years ending December 31, 2011, will receive a 6.94% dividend. All losses are valued as of June 30, 2012.

The Board of Directors of the **MMA Property & Casualty Pool** voted at its May 24, 2012 meeting to allow a dividend to current members of the Pool who meet the established criteria. To earn a dividend, a member must have a loss ratio of 50% or less for the qualifying year of July 1, 2010 to June 30, 2011, calculated and valued as of June 30, 2012. Continuing members whose participation began on July 1, 2006 or prior will earn a 5.48% dividend and members who joined after July 1, 2006 will receive a 4.48% dividend.

Cost savings are realized in providing services to members who participate in both the Property & Casualty Pool and the Workers Compensation Fund. In recognition of the savings, both boards voted to add 1% to the dividends for each program for members who qualify and earn a dividend. You are among the members who participate in both the Workers Compensation Fund and the Property & Casualty Pool. Therefore, if you earned a dividend for either or both programs, the additional 1% has been included in the calculation.

Dividends are being paid in the Workers Compensation Fund and Property & Casualty Pool totaling \$1,148,950. Both governing boards are very pleased with the results of their respective programs and thank you for your support and continued participation. Good management practices and sound loss prevention measures on the part of all of the members have contributed to the success of these programs. Your entity is a big part of this success.

Your check is enclosed with this letter. We have also enclosed a press release that may be used to announce the result of your successful risk management activities and good loss experience to your community. If you have any questions about the dividends or any of the Risk Management Services programs, please call me at 800-590-5583. Additional copies of this letter are included for your elected officials.

Fed ID 01-6001159

Maine Sales Tax Exempt E45376

DATE	8/22/2012	CHECK NUMBER	BSBGF159371
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INVOICE NUMBER	INVOICE DATE	DESCRIPTION	GROSS AMOUNT	DISCOUNT	NET AMOUNT
WC 2011 DIV	8/17/2012	Vchr: V087157	\$2,379.00	\$0.00	\$2,379.00
PRINT BATCH		VENDOR CODE	PAY TO NAME		NET TOTAL
2,334		39020	AUBURN WATER DISTRICT		\$2,379.00

BK 25
1658-0000
H

THIS DOCUMENT IS PRINTED WITH A COLORED BACKGROUND ON WHITE PAPER. THE BACK OF THIS DOCUMENT CONTAINS A WATERMARK. SEE BACK FOR ADDITIONAL SECURITY FEATURE DETAILS.



Maine Municipal Association
60 Community Drive
Augusta, Maine 04330-9486

Bangor Savings Bank
Bangor ME 04401
Fed ID 01-6001159
Maine Sales Tax Exempt E45376

52-7438/2112

DATE	8/22/2012	CHECK #	BSBGF159371
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AMOUNT	\$2,379.00
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PAY Two thousand three hundred seventy-nine and 00 / 100 Dollars Only *****

TO THE ORDER OF AUBURN WATER DISTRICT
PO BOX 414
AUBURN, ME 04212-0414

[Handwritten Signature]

Second Signature Required if over \$20,000

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