

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
PUBLIC UTILITIES COMMISSION

IN RE: PROVIDENCE WATER SUPPLY :
BOARD'S REQUEST FOR APPROVAL : DOCKET NO. 4022
TO APPLY \$5 MILLION PROPERTY TAX REFUND :

ORDER

In 2009, in Order No. 19691, the Public Utilities Commission (PUC) approved the Providence Water Supply Board's (Providence Water) proposal to establish a water protection restricted fund to be funded with a \$5 million property tax refund received from the Town of Scituate. The proceeds were to be restricted for the purpose of expanding the area of the watershed under Providence Water's control through the purchase of real property in Scituate over the course of five years. The PUC found that the proposal would provide a long term benefit to the ratepayers by protecting the quality and quantity of water provided by Providence Water. As part of its order, the PUC required the filing of annual reports detailing the activity in the fund for the prior year. Providence Water has complied with the reporting requirements each year.¹

Providence Water filed its final report on June 16, 2014. In the report, Providence Water noted that it had one property under contract and expected the purchase to close during the summer of 2014. The balance in the water protection restricted fund was anticipated to be approximately \$56,000 after closing on the property. Rather than retaining a separate restricted account beyond the five-year period, Providence Water proposed to transfer the balance to the existing restricted Water Quality Protection Fund and earmark the balance such that it would be

¹ Order No. 19691 (issued Jul. 7, 2009); [http://www.ripuc.org/eventsactions/docket/4022-PWSB-Ord19691\(7-7-09\).pdf](http://www.ripuc.org/eventsactions/docket/4022-PWSB-Ord19691(7-7-09).pdf).

utilized toward the next purchase of land in Scituate that draws funds from the Water Quality Protection Fund for the purchase.²

At an open meeting held on June 30, 2014, the PUC reviewed Providence Water's filing. Having treated it as a motion, the PUC noted that there had been no objection during the ten-day objection period.³ Because the remaining balance is relatively small and the funds are proposed to be transferred from one water quality protection fund to another, with the same purpose, Providence Water's request is reasonable and the transfer is approved effective after closing on the property under contract as of June 16, 2014.

Accordingly, it is hereby

(21560) ORDERED:

1. The Providence Water Supply Board shall transfer the remaining balance from the Scituate Watershed Protection Restricted Fund to the Water Quality Protection Fund, earmarking the amount of the balance to utilize same toward the next purchase of land in Scituate that draws funds from the Water Quality Protection Fund for the purchase.
2. The transfer shall occur promptly following the closing on the property identified as Assessor's Plat 13, Lot 4, 7 acres in Scituate.

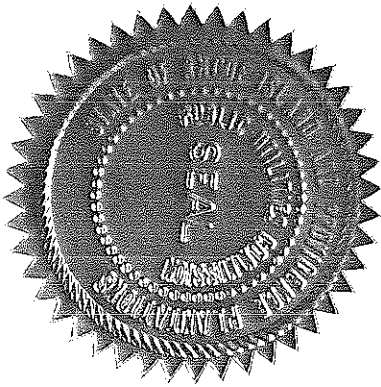
² Providence Water's fifth annual report regarding the Scituate watershed protection fund (Jun. 16, 2014) at 1. http://www.ripuc.org/eventsactions/docket/4022-ProvWater-AnnualRept_6-12-14.pdf

³ PUC legal counsel had sent an email to all of the parties advising of the ten-day objection deadline. At her request, Providence Water's attorney forwarded the email to Scituate's solicitor who advised that if there was an objection, he would respect the ten-day period.

3. Providence Water shall notify the Public Utilities Commission and Division of Public Utilities and Carriers when the transfer is complete.

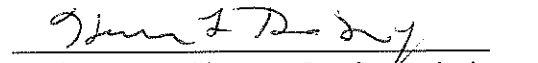
EFFECTIVE AT WARWICK, RHODE ISLAND PURSUANT TO AN OPEN MEETING DECISION ON JUNE 30, 2014. WRITTEN ORDER ISSUED AUGUST 12, 2014.

PUBLIC UTILITIES COMMISSION




Margaret E. Curran, Chairperson


Paul J. Roberti, Commissioner


Herbert F. DeSimone, Jr., Commissioner

NOTICE OF RIGHT OF APPEAL: Pursuant to R.I. Gen. Laws § 39-5-1, any person aggrieved by a decision or order of the PUC may, within seven days from the date of the order, petition the Rhode Island Supreme Court for a Writ of Certiorari to review the legality and reasonableness of the decision or order.