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November 20, 2017

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

**Re: *Providence Water Supply Board***  
***Docket 4618***

Dear Ms. Massaro:

Enclosed herewith please find an original and nine copies of the following documents:

1. Bristol County Water Authority's Motion to Strike Objections and Compel Responses to Data Requests.

Please be advised that electronic copies of these documents have been sent to the service list.

Thank you for your attention to this matter.

Sincerely,



Joseph A. Keough, Jr.

JAK/kf  
Enclosures

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
PUBLIC UTILITIES COMMISSION**

**IN RE: PROVIDENCE WATER SUPPLY BOARD:**

**DOCKET NO. 4618**

**THE BRISTOL COUNTY WATER AUTHORITY’S MOTION TO STRIKE OBJECTIONS AND  
COMPEL RESPONSES TO DATA REQUESTS**

**I. INTRODUCTION**

The Bristol County Water Authority (“BCWA”) hereby moves to strike the objection filed by the Providence Water Supply Board (“Providence”) to the BCWA’s Data Request 1-4(g), and compel its response.

**II. ARGUMENT**

In the pending Docket, Providence seeks to transfer \$2,394,651.28 from its restricted Revenue Reserve Account to its unrestricted Operating Account. Providence seeks this transfer because it claims to have suffered a decline in consumption in FY 2017. (See Nancy Parrillo Testimony). Providence further claims that the consumption decline is an ongoing trend. (*Id.*) However, it appears that Providence’s consumption for Fiscal Years 2011, 2012, 2014 and 2015 *exceeded* the consumption set by the Commission in Docket 4061 (25,760,032 hcf).

Thus, BCWA Data Request 1-4(g) asks:

(g) Please explain what Providence did with the extra revenue collected in Fiscal Years 2011, 2012, 2014 and 2015.

Providence Water objects stating that “events which occurred in Fiscal Years 2011, 2012, 2014 and 2015 are not in any way relevant or material to the filing in this docket.” (See Providence Objection) The BCWA disagrees.

In Docket 4618, the BCWA argued that the balances in Providence’s restricted accounts – including the Revenue Reserve – should be used to benefit ratepayers by lowering Providence’s rate increases. (See Docket 4618 Surrebuttal of Pamela Marchand) In particular, the BCWA suggested that Providence transfer money between restricted accounts to reduce the ongoing revenues needed to fund the restricted accounts. (*Id.*) Providence’s request seeks to move money from a restricted account into the unrestricted operating account.

Furthermore, Providence presented contradictory and confusing information regarding the balances in its restricted accounts during the litigation of Docket 4618. To that end, the Commission ordered that Providence submit quarterly reports showing the balances in the restricted accounts. Providence has yet to do so.

Now, Providence seeks to transfer approximately \$2.4 million dollars from the restricted Revenue Reserve Account into the unrestricted Operating Fund. If Providence transfers these funds, they won’t be available to offset future rate filings. Thus, the transfer should not be allowed without some showing of need. Providence is not “entitled” to transfer these funds. The fact that Providence may have had excess revenue in four fiscal years may offset its need to transfer the funds for the consumption decline in FY 2017. Thus, BCWA Data Request 1-4(g) is entirely relevant.

Furthermore, the Providence Water Supply Board is a ***public*** utility. Its revenue comes from ratepayers, including the BCWA. Providence is not exempt from inquiries about its use of ratepayer supplied revenue. If Providence collected more revenue than it needed to pay its Commission approved expenses in four fiscal years, its ratepayers

have a right to know how it spent the money. The BCWA is not aware of any statute of limitations on inquiries into the disposition of revenue collected by a regulated public utility from its ratepayers.

### **III. CONCLUSION**

For the reasons set forth herein, the Bristol County Water Authority prays that the Commission grant its Motion to Strike Objection and Compel Further Responses To Data Request 1-4(g) and all other relief the Commission deems meet and just.

THE BRISTOL COUNTY WATER  
AUTHORITY,  
By its attorney,



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## CERTIFICATION

I hereby certify that on November 20, 2017, I sent a copy of the within to all parties set forth on the attached Service List by electronic mail and copies to Luly Massaro, Commission Clerk, by electronic mail and regular mail.

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