



Water Connection Serving Property Partially Located in a Non-MWRA Community

Policy #: OP.09

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Approved by Executive Director: Frederick A. Laskey	Date: 4/17/07

Purpose The purpose of this policy is to define the procedures for supplying water to a location, building or structure ("structure") situated entirely outside the MWRA water service area but located on a parcel of land, under single ownership, and which is subject to an integrated plan for use or development, that is partly inside the MWRA's water service area.

Eligibility This policy applies to all parties seeking to obtain water for a location, building, or structure ("structure") situated in a non-MWRA community as defined above, who cannot obtain water from the local water system of the community in which the structure is located. Structures which are located entirely or partially in MWRA water service area communities are entitled to receive water from the MWRA community.

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Policy Statement

This policy is not intended to alter, subvert, obviate, or supercede the current statutory limitations on the extension of MWRA water supply to communities outside of the current MWRA water service area as defined in Section 8(d) of the MWRA Enabling Act. This policy is intended to be consistent with the Final Report of the MWRA Advisory Board System Expansion Committee submitted to the Governor and Massachusetts General Court in December 1996.

The MWRA is committed to conserving and protecting existing water supplies to ensure that these supplies are sufficient to meet the current and future water needs of the MWRA user communities. The MWRA is required under its Enabling Act to encourage maximum use of available feasible local sources.

New Connection Approval

The application for a new water connection serving property partially located in a Non-MWRA waterworks system community must be approved by the following bodies:

- Non-MWRA water community (approval letters sent by DPW Director as well as Chief Executive Officer indicating that there is no objection to supply of MWRA water to the location, building, or structure).
- MWRA water user community (approval letters sent by the DPW Director as well as the Chief Executive Officer indicating that there is no objection to supply of MWRA water to the location, building or structure)
- Other regulatory bodies, where required
- MWRA Advisory Board
- MWRA Board of Directors

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Application Process

The following table describes the application process for a new connection:

Stage	Party	Conditions
1	Owner-applicant	Applies in writing to the non-MWRA water community for approval of the new connection. Applies in writing to the appropriate MWRA water user community for approval of the new water connection, providing such information as required by the community. Addressed to: The application is sent to the local water department or commission and the Chief Executive Officer in both the MWRA and non-MWRA communities.
2	MWRA water user community Non-MWRA water community	Reviews and approves or denies application Denial: If the application is not approved the process ends. Review and approves or denies application. Denial: If the application is not approved, the process ends.
3	Owner-applicant	Simultaneously submits applications to the: - Executive Director of the MWRA Advisory Board - MWRA Board of Directors through the MWRA Executive Director

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Application Process – continued This table is continued from the previous page.

Stage	Party	Conditions
4	MWRA Advisory Board	Reviews application and notifies the MWRA Board of Directors of their decision to approve or deny the application. Denial: If the application is not approved the process ends.
5	MWRA Board of Directors	Reviews application and approves or denies the new service connection. If approved, a Water Supply Agreement will typically be executed, specifying, at a minimum, an annual report of water usage.

Application Process - continued The application submitted to the MWRA Advisory Board and the Board of Directors must include the following:

Category	Information
Project overview	• Description of project and intended use • Justification of proposed connection, including a finding that alternative sources are not feasible • Size and location of project, including a map or schematic showing proposed connection location

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Application Process - continued This table is continued from the previous page.

Category	Information
Water	• Firm usage and peak limits that will be used to calculate entrance fees. (An increase beyond the stated amount will reopen the calculation of the entrance fee). • Thirty year annual estimate of the amount of MWRA water to be used by the project or potential expansion of the project. Provide information for locations, buildings and structures both inside and outside the MWRA water service. • Assurance that no additional connections or resale of water from the approved connections can occur without review and approval under terms of this policy • Assessment of how the requested connection is consistent with the objectives of the non-MWRA community and the MWRA community's comprehensive plan, including an alternative analysis and build-out analysis related to community's water and wastewater collection systems. MWRA also reserves the right to reject applications in those cases in which the community does not have a Master Plan. • Agreement by owner to be subject to and participate in all water conservation and demand management programs implemented by MWRA user community and those required by MWRA regulations

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**Application
Process,
continued**

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Category	Information
Permits and approvals	• Descriptions and status of all required permits and approvals. • Letter of approvals from DPW Director and Chief Executive Officer of the MWRA community, stating that the community will require the project to be subject to all conservation and demand management programs implemented by the community, including those required by MWRA regulations. • Letters of approval from other regulatory bodies, where required. • Letter of approval from DPW Director and Chief Executive Officer of non-MWRA community where structure is located, stating no objection to supply of MWRA water to site.

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Criteria for MWRA Approval

The MWRA Board of Directors and the MWRA Advisory Board apply the following criteria when deciding to approve an application

- The project must not jeopardize the MWRA water supplies or the ability to meet legitimate needs of existing user communities, including those with local sources. Any evaluation of new connections shall clearly evaluate all changes to system reliability. The MWRA reserves its rights to disallow any new water connection if the MWRA determines that the allowance of such connection would be contrary to sound water system management.
- The applicant property owner must demonstrate that they have met all legal requirements for connection. Water approvals hereunder shall not affect the applicant's other legal or regulatory obligations, such as the need to obtain any necessary approval of the Department of Environmental Protection or the need to observe additional water hook-up approval procedures established by individual user communities.
- The applicant property owner must demonstrate that, as a result of physical or hydraulic conditions, or insufficient local supply, or other valid reasons, the community in which the structure is located cannot supply sufficient water. Where appropriate, possible use of non-potable supplies will be considered.
- The applicant property owner, upon acceptance of connection to the MWRA system, will pay fair compensation through an entrance fee for past investment in the MWRA waterworks system by existing user communities.
- Whether the project provides environmental or MWRA water system benefits such as through the proponent or developer's initiation of water use reduction programs, water supply protection measures, local leak detection work, or water system rehabilitation.

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Entrance Fee The MWRA will charge an entrance fee for new connections serving property partially located in non-MWRA water system communities, so that the development will pay its fair share of the cost of the waterworks system in place at the time of entrance. This fee will only be applied to structures located fully in the non-MWRA water community. The entrance fee recovers the new user's proportional share of the waterworks system's asset base which has already been paid for by the existing users of the system.

The entrance fee must be paid up-front, in one lump sum payment.

The entrance fee recovers the new user's proportional share of the waterworks system's asset base, which has already been paid for by the existing users of the system. The net asset value charge will be determined through allocating 25% of the net asset value to peak use and the remaining 75% to average use.

MWRA system average annual use and peak six-month average use will be based upon the prior five calendar years of average of water consumption. The user's projected need for MWRA water will be based on their detailed analysis of shortfalls and its projected need, as approved. Firm contract limits will be established based on the usage volumes used in the entrance fee calculation. Any increase beyond the stated amounts will require a contract revision and recalculation of the entrance fee.

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Entrance Fee - continued

The formula is as follows:

75% of NAV Allocated to Average Use +25% of NAV Allocated to Peak Six-month system use = Total Entrance Fee

Average Use

New user's projected MWRA "average use" needs X NAV of Total Waterworks System
System "average use"

Peak Use

New user's projected MWRA "peak use" needs X NAV of Total Waterworks System
System "peak use"

In the event an entity's average or peak use is 20% or greater than estimated for two consecutive years, MWRA will charge an additional entrance fee to cover the incremental water usage.

Failure to meet any of the ratified parameters for payment will render all prior Advisory Board and Board of Directors approvals moot.

Connections, connection costs, and metering

Water connections between the applicant property and the MWRA user community must be approved by the MWRA community. Payment of connection costs and associated water system improvements projects in the MWRA user community are to be resolved by the applicant and user community. An appropriate meter must be installed to register water use by the structure(s) in the non-MWRA community and records must be sent to the MWRA Planning Department and Finance Division on an annual basis for the purpose of determining if any additional entrance fee should be charged. It is assumed that the entity will pay retail charges to the MWRA community.

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Meetings/ additional information

The MWRA Advisory Board and the Board of Directors may request meetings with or additional information from the project proponents or developers.

Optional Approval conditions

The following table lists optional and required conditions of approval:

Party	Conditions
MWRA Water Served community	• May request owner to make effort to replace the amount of water used by providing water system improvements such as leak detection or infrastructure repair.
Other regulatory bodies	• May impose conditions as deemed appropriate
MWRA Advisory Board	• May impose conditions as deemed appropriate
MWRA Board of Directors	• May impose conditions as deemed appropriate, including annual reporting requirements.

Notice and reservations

Water connections approved under this policy do not effect the owner's other legal or regulatory obligations. The MWRA expressly reserves its rights under its enabling legislation to disallow any new MWRA water connections if the MWRA determines that the allowance of such a connection would be contrary to sound water system management.
