

## **Statement on the record of facts relating to the Colonial Water Co.'s capacity to service its existing consumer base.**

- The company has had reported capacity problems as demonstrated by pressure problems and consistent consumer complaints.
- Company over-pumps in excess of its MA WMA (Groundwater protection) permit of 130,000 gal./day. It self-reports (“ASR”) that for 7 months a year it pumps high, some months as much as 40-50% over permitted level. Some years its report shows as high as 30% over permitted level with the most recent self-report (2020” ASR”) reduced to still nearly 6.5% still over permitted on an annual basis despite pressure from Town and consumers.
- The company has never met the EPA and MA DEP per person usage (“RGPCD”) of 65 gal/person and for 2020 per person usage was 73 gal/day.
- It fails to meet the EPA & DEP standard of not more than 10% “Unaccounted Water” (“UAW”); in 2020, it reported 12% of water pump lost or unaccounted..
- It’s one day maximum pumping was 368,000 gal. (2.83X daily allowance; 183% excess).
- In 2019, the company suffered a contamination event involving its Draper St. wells with coliform and E.coli detected. At that time, the company acknowledged it had no water sanitation system installed and no capacity to execute that need.
- In fact, the only water treatment in place at all until the summer of 2020 was the use of potassium hydroxide for corrosion control; this was a measure imposed on its predecessor company, Dover Water Co., in the late 1970’s by the DPU after successful action of consumers before the DPU.
- In August, 2020, the company suffered a lengthy (many weeks) of contamination within the predominance of its distribution system (Draper, Francis, and Knollwood) with again E.coli present. The company demonstrated great difficulty in understanding how to successfully decontaminate its distribution system. Only the independent and unconnected Springdale and Chickering systems were not affected. Television reports on WCVB showed the provisioning of bottled water to consumers over the long period endured.
- The company, in televised and recorded meetings with Town Selectboard has acknowledged that in fashion similar to many public water supply companies its operation is not profitable until the irrigation season commences and that season is what allows it to reach profitability. Then, the company has in public statements blamed consumers doing irrigation as the reason for its difficulties in water quality and water pressure.
- The company in a second televised and recorded meeting acknowledged that it did not know and had concerns that it lacked sufficient volume capacity to meet demands. It stated it was engaging a consultant to assist it in determining its condition. At that same televised meeting, the company stated that any letter commitment made to expand the customer base to new housing was made some three years ago but would now have to wait for determination from the consultant on whether or not there was sufficient capacity.
- The company experienced a contamination of its water drawn from its primary well(s) on Francis St. in 2021, a contamination stated to be excessive manganese that has now continued for multiple months. The DEP has designated the contamination at a

secondary level and has suggested that it is not a threat to public health. This is in contrast to the public documents published by other states municipal water systems. In any case, consumer complaints have continued for many months now of discoloured water that is tainted by odiferous smell and bad taste. Consumers have also, anecdotally, reported damage to bathroom and kitchen sinks. The difficulty continues even now with the company providing a \$20/week payment to consuming households.

- The company published on its website and made other public statements that assigned blame for the contamination in August, 2021, on consumers using excessive water in July for irrigation. July, as was also August, a month of extreme precipitation against the norm leading to the wettest July and likely wettest year on record. The statement would seem to be inconsistent with the facts of the precipitation.
- The company has in September published a statement, now some two weeks old but still in place, that in order to attempt to correct the secondary contamination one of the Francis St wells, being the newest and highest capacity in the system, was being taken offline and requesting consumers to minimize water usage because with that well offline the company acknowledged there would be insufficient capacity.