

REPRESENTATIVE POLICY BOARD
CONSUMER AFFAIRS COMMITTEE
NOVEMBER 21, 2022
MEETING TRANSCRIPTION

- Stephen: I'd like to call the November Consumer Affairs Committee meeting to order at 5:30. There may be some people that are coming shortly, so we can start with the safety moment. As always, Jennifer has listed some great suggestions under the topic of environment and health. Take a look at it if you're not doing some of these things, I imagine you might be. They're all good suggestions. So thank you Jennifer for that.
- We have two executive sessions tonight. We're going to... Do we have to vote to go into both of them?
- Larry: Yes.
- Stephen: Okay. Second item on the agenda is lead and copper rule revision briefing. Jim Hill is with us tonight to do that and I'll entertain a motion to go into executive session to review that.
- Rich: I move, we go into executive session.
- Naomi: I second it.
- Rich: You have to state the reason for executive session when you make the motion?
- Larry: Yes. And the language is on the agenda, which will be incorporated into the minutes.
- Jeff: And also identify who besides the members of the Consumer Affairs Committee are being invited in.
- Rich: Right, exactly.
- Rich: I make a motion to go into executive session pursuant to general statute section 1-200(6) to discuss matters covered by sSection 1-210, Subsection B #'s 5 B pertaining to commercial and financial information.
- Stephen: I'm back. I lost my connection for a while.
- Jennifer: Okay. Rich started the motion for the executive session.
- Stephen: Okay. Do we have a second?
- Naomi: I second it.

Representative Policy Board
Consumer Affairs Committee
November 21, 2022

Stephen: Thank you Naomi. And all in favor?

Group: Aye.

Rich: Well we want to state who's going to be invited in, right?

Jeff: Right.

Rich: So do we have any members outside of the Water Company Committee Council?

Jamie: Jamie Young.

Rich: Jamie and who else?

Stephen: She's just outside the committee. That's fine.

Rich: Okay.

Jennifer: Yeah. There are no members of the public present.

Stephen: Jennifer knows the RWA staff and the Office of Consumer Affairs.

Jeff: So everybody that's on the meeting basically?

Stephen: Right.

Stephen: Okay. Jim, I will turn it over to you.

[EXECUTIVE SESSION FROM 5:31 P.M. TO 6:25 P.M.]

Stephen: All set we can go on.

Rochelle: But we have to go into executive session.

Stephen: Correct. Item 3 on our agenda today is the 10-year model. And I want to entertain a motion to go into executive session to hear that presentation. Somebody move this.

Anthony: So moved.

Stephen: Thanks Tony. Second?

Naomi: Second.

Stephen: Thank you. All those in favor?

Representative Policy Board
Consumer Affairs Committee
November 21, 2022

Group: Aye.

Stephen: Ok. We'll go into executive session, Jennifer?

[EXECUTIVE SESSION FROM 6:25 P.M. TO 7:09 P.M.]

Stephen: Jennifer, we can come out of executive session.

Jennifer: Okay, recording is back on.

Stephen: Okay. And I would like to just note for the record of the same staff and members were present for this executive session. No votes were taken. And I would like to thank Rochelle and Jim for effectively moving through a mountain of information in this time. Appreciate your being here. Thank you.

Rochelle: Thank you.

Jim: Thanks.

Stephen: Item four on our agenda is approval of the minutes. Do I have a motion?

Tony: So moved.

Stephen: Thank you, Tony. Second?

Naomi: Second.

Stephen: Thank you, Naomi. Are there any questions on the minutes? Any corrections, omissions, additions? Hearing none all those in favor?

Group: Aye.

Stephen: Any opposed? Motion carries, thank you. Item five is the report of the OCA. Jeff?

Jeff: Thank you. We have one, I will say, consumer complaint that's been escalated to us. It's a matter where a vacant property in New Haven has a very small usage charge, about \$10. In addition to the service charge. So, what we have done is my office has coordinated with Louise at the Authority to schedule an appointment to test the meter. So the customer's agreed with that. And the meter is scheduled to be tested on November 23rd. So hopefully that resolves the matter. With respect to the lead and copper rule. I had a meeting with Larry and Sonny and Rochelle a month ago, I think it was October 21st, as a matter of fact. And pretty much received the same presentation that you received tonight and had a chance to have a good Q&A to get me up to speed on it. And since then I've had the opportunity to review the final rule, which consists of about 115 pages of single spaced material. And one of the things about these, the federal rule making process, is that it takes so long for the final rule to actually be

published, that often to the extent that there's fiscal concerns reflected in the final rule, the information is stale.

For example, the final rule, even though it was published in January 2021, contains a pretty considerable analysis of sampling costs and technology control, corrosion control, technology costs, and replacement costs for the service lines. But all of the dollars that are identified in the final rule are 2016 dollars. So here we are less than 45 days away from 2023, and when I first looked at this, I said, "Okay, so the EPA has jurisdiction to promulgate regulatory revisions to the National Primary Drinking Water Regulation." And that comes under the Safe Drinking Water Act. And there's an awful lot in here in terms of why these revisions are necessary. And I don't question for one minute the science. I don't question for one minute the legitimacy of the revisions in terms of the technical aspects of it. But what I was going to say is that when I first read this, I said, "Gee, why are they spending so much time talking about the dollars?" Because certainly from a utility perspective and a consumer perspective, the cost associated with this is relevant.

But I just thought that Mark Levine had asked the question about what can be done. And I don't want to really go into any more detail, but just in terms of what can be done with regard to communication. And one thing that occurs to me is that since there is so much effort by the EPA to discuss costs of various components of the program, that at some point there should be a communication about updating the cost data. Because the final rule is exactly that. And the fact that it was issued in January 2021 and reports 2016 dollars to me, is somewhat problematic. And that's even of course before the current inflationary environment that we're in. So, I guess if you take the 2016 numbers and adjust them for inflation for six years, including the inflation that we've experienced in 2022, and what's projected for 2023, it changes the numbers significantly.

And again, I don't report to understand why so much attention was given to the numbers and the final rule, but I just throw that out to you because it's something that I do think is an ongoing dialogue at all water utilities in the United States. And again, I don't want to go into anything that was properly discussed in executive session, other than to say that this is an issue that the OCA is very concerned with. And my focus has been properly placed on it. And I've been informed both through my meeting of October 21st with management and with the finance committee, consumer affairs committee, and RPB discussions on and over the last month. Thank you.

Stephen: Okay. Hey, Jeff, this customer, is this the one you've been talking about for the last couple of meetings, right?

Jeff: Yes.

Stephen: Okay. And is the check on the meter to prevent any future issues, or is this supposed to resolve the current one?

Representative Policy Board
Consumer Affairs Committee
November 21, 2022

- Jeff: Well, the customer is adamant that there's no leaks in the property and the bill is not legitimate. There's no usage going on, there's no leaks, and therefore the meter has to be defective. So when the customer takes that kind of position, a logical path to resolution is to test the meter. So, that's what's going to happen next Wednesday. The meter's going to be taken out and tested. And like I said, it was a \$10 usage, \$9.53 cent usage charge so I think I've already spent more time talking about it than it's worth, but that's what it's is.
- Stephen: Okay. Thank you, Jeff.
- Jeff: Sure.
- Stephen: Appreciate your input. Item six on the agenda is approval of the OCA invoice for October \$2,745. Do I have a motion?
- Naomi: I so move that we pay the OCA bill.
- Stephen: Thank you. Second?
- Mark: Second.
- Stephen: Thank you, Mark. Any questions for Jeff on the bill? Hearing none. Call for a vote. All those in favor? Aye.
- Group: Aye.
- Stephen: Any opposed? Motion carries to pay the bill. Item seven is set the calendar year meeting dates, and it is the third Monday. As you'll note, we run into holidays again so several of those have been altered. Are there any comments on the calendar? Do I have motion to approve the calendar as it's presented?
- Tony: So moved.
- Stephen: Thank you. Second?
- Naomi: Second.
- Stephen: Thank you Naomi. All those in favor?
- Group: Aye.
- Stephen: Aye. So our calendar here is set. And item eight, our next meeting is Monday, December 19th at 5:30. Hopefully, a little shorter meeting. Any other comments, questions from anyone?
- Mark: Move for adjournment.

Representative Policy Board
Consumer Affairs Committee
November 21, 2022

Stephen: Thank you. All those in favor?

Group: Aye.

Stephen: Aye. We're adjourned. Have a good night everyone.