

Prysby, Mike (DEQ)

From: Busch, Stephen (DEQ)
Sent: Thursday, May 23, 2013 10:36 AM
To: Shekter Smith, Liane (DEQ)
Cc: Bloemker, Jon (DEQ); Benzie, Richard (DEQ); Donaldson, Kristina (DEQ); Prysby, Mike (DEQ)
Subject: DWSD response on sunk costs and non-contracted rates
Attachments: SKMBT_65213051611350.pdf

Liane,

Attached is the letter from DWSD (Sue McCormick) to Treasurer Dillon regarding stranded or sunk costs and non-contracted water rates to the City of Flint and Genesee County water systems. These were requested by the Governor during the meeting I attended on April 20, though DWSD was supposed to provide actual figures by the April 24 response.

While the DEQ does not involve itself in rate negotiations between parties, continued delays in not having these costs and rates negotiated creates burdens on both sides which places the ability to complete other capital improvement and rehabilitation projects in limbo, creating the potential for compliance issues. Uncertainties regarding the future of the DWSD also add complexity to this situation.

As both the City of Flint and City of Detroit will continue to reside under auspices of emergency financial managers administered by the Treasury Department for the near future, it is hoped that resolutions to these issues can be reached in a timely manner.

We would greatly appreciate it if you and/or Director Wyant could relay these concerns as part of the DEQ's continued discussions with the Treasury Department and keep things moving forward. We of course, will continue to provide any technical assistance they might request.

Stephen Busch, P.E.
Lansing and Jackson District Supervisor
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517-643-2314

CITY OF DETROIT
WATER AND SEWERAGE DEPARTMENT
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April 24, 2013

Mr. Andy Dillon, Treasurer
Michigan Department of Treasury
Lansing, Michigan 48922

Dear Mr. Dillon:

Regarding: Rate Proposal for Flint / Genesee County

As you are aware, during our meeting on Friday, April 20, 2013, the Detroit Water and Sewerage Department (DWSD) was requested to provide a rate proposal to Flint and Genesee County by today based upon the specifications that Flint provided to DWSD on Monday, April 22, 2013. Early this morning, DWSD responded to that request with several documents that were also provided to your office by electronic communication.

In addition to the proposal document, the State of Michigan requested that DWSD include cost figures concerning DWSD's stranded costs associated with capital investment made by DWSD over the years related to serving both Flint and Genesee County as water customers. This issue of "stranded costs" has received significant media attention over the past several months, and my impression is that the State was looking for a clear figure so that there could be subsequent discussion and negotiation over all costs associated with Flint's decision on whether to join Karegondi Water Authority (KWA).

As you may know, State law requires that public utilities such as DWSD must base their rates upon the actual cost of service to particular customers. Additionally, state law limits the length of utility contracts to thirty years, while the useful life of capital assets in the water utility can greatly exceed that thirty year term.

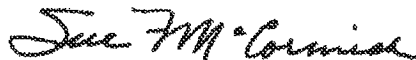
Unfortunately, the computation of stranded costs for DWSD's capital investments in capacity and transmission attributable to Flint's and Genesee's consumption of DWSD water, is a complex calculation that cannot be performed with any level of certainty over the short time period provided by the State of Michigan for this analysis. Further, I have been advised by DWSD's General Counsel that it would not be prudent to engage in a process of trying to guestimate a price range for such a complex computation.

Mr. Andy Dillon, State Treasurer
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Based upon DWSD's termination of Flint's existing water contract last week, DWSD has roughly twelve months to determine the appropriate cost structure for Flint and Genesee's water consumption over the remaining term of their non-contracted water service from DWSD. DWSD will, however, endeavor to finalize the rate impact of the stranded costs by the end of the current calendar year.

Please rest assure that DWSD's computation will be in accordance with State Law which dictates that such rates will not result in a rate structure that would generate a profit for DWSD. Our intent is simply to compute the rates so that costs properly attributable to Flint and Genesee County will not be borne by the remaining DWSD water customers.

Sincerely,



Sue McCormick
Director

xc: The Honorable Rick Snyder, Governor State of Michigan
Ed Kurtz, Emergency Financial Manager, City of Flint
Kevyn Orr, Emergency Financial Manager, City of Detroit
James Fausone, Chairman, Board of Water Commissioners
William Wolfson, DWSD General Counsel
Nicolette Bateson, DWSD Chief Financial Officer