

**WRITTEN TESTIMONY BY DAVID L. SIMMONS P.E.
GIVEN TO HOUSE CORPORATIONS COMMITTEE ON
MONDAY, FEBRUARY 01, 2021.
REGARDING
H-5030
HOUSE RESOLUTION**

**RESPECTFULLY REQUESTING RHODE ISLAND'S ATTORNEY GENERAL TO
REVIEW THE RECENT INCREASE IN WATER CHARGES BY THE KENT
COUNTY WATER AUTHORITY AND THE PUBLIC UTILITIES COMMISSION**

- 1 **Q. Please state your name and business address.**
- 2 A. My name is David L. Simmons, P.E. My current business address is 1072 Main Street,
3 West Warwick, Rhode Island 02893.
4
- 5 **Q. By whom are you employed and in what capacity?**
- 6 A. I am the Executive Director/Chief Engineer for the Kent County Water Authority
7 (KCWA or the Authority).
8
- 9 **Q. Please describe your qualifications and experience.**
- 10 A. I'm a Registered Professional Engineer in the State of Rhode Island. I have a Bachelor
11 of Science degree in Environmental Toxicology and Chemistry from the University of
12 Massachusetts at Amherst and a Master of Science Degree in Environmental
13 Engineering from Worcester Polytechnic Institute. I am certified by the R. I. Department
14 of Health as a Class 4 Drinking Water Distribution Operator and a Class 4 Water
15 Treatment Operator, and a Level 2 Assessor. I am the main licensed operator for Kent
16 County Water Authority (KCWA or the Authority). I am also a certified Grade 2
17 Wastewater Operator with the Rhode Island Department of Environmental Management
18 and a licensed membrane operator. I have 24 years of multidisciplinary experience
19 working in the water and wastewater fields including extensive field operations, design,
20 and management.
21
- 22 **Q. How long have you been employed at Kent County Water Authority?**

1 A. I have been employed at the Authority for the last eight years where I have been
2 interfacing with all aspects of the Authority's business, regulatory, and daily operations.
3 I became the Executive Director/Chief Engineer for the Authority in May of 2019. Prior
4 to coming to the Authority, I was the Water Superintendent for the Town of New
5 Shoreham.

6

7 **Q Do you belong to any professional organizations or committees?**

8 A. I am member of American Water Works Association, New England Water Works
9 Association, RI Water Works Association (Chair of the Legislative Committee), RI
10 Backflow Preventors Association, and I am a member of the American Society of Civil
11 Engineers. I am a committee member of the New England Water Works Association
12 Operator Certification Committee.

13

14 **Q. What are your duties and responsibilities?**

15 A. I am responsible for the administrative, financial, and supervisory oversight for the
16 organization including treatment plant operations, transmission, distribution, pumping,
17 and storage facilities within the KCWA service area servicing approximately 100,000
18 people within eight cities and towns. I am the overall RIDOH certified licensed
19 Distribution and Treatment drinking water operator for the Authority.

20

21 **Q. Are you for or against House Resolution 5030? Why?**

22 A. Against. The Kent County Water Authority is a regulated public utility that continuously
23 provides essential water services for safe consumption and fire protection approximately
24 100,000 Rhode Island citizens in eight communities. We have reviewed this Resolution
25 and would like to provide clarification and further information on the alleged issues
26 stated in the Resolution. For additional details on this matter, please refer to the attached
27 public release of a January 20, 2021 [email](#) presented to the Kent County Water Authority
28 Board of Directors.

29 This Resolution propagates and repeats the misrepresentations of the facts as presented
30 to multiple public bodies, to members of the General Assembly, and within the mass
31 media. The Kent County Water Authority has conducted a thorough and comprehensive
32 investigation to each and every complaint as required under the Division of Public

1 Utilities and Carriers Rules and Regulations Prescribing Standards/or Water Utilities,
2 815-RICR-40-00-01.30. Contrary to the allegations in the Resolution, the Kent County
3 Water Authority has implemented a comprehensive investigation into billing disputes,
4 has engaged in multiple conversations with local officials and members of the General
5 Assembly, and has complied with all regulations and requirements of the Division of
6 Public Utilities and Carriers.

7 This Resolution states, “*the water bill for Centerville Glen Condominium in the City of*
8 *Warwick, was reportedly an estimated four hundred fifty five percent higher than its*
9 *previous quarterly bill with no given reason for provided increase;*” The Centerville
10 Glen Condominium Association received a full and prompt investigation inclusive of
11 reasons for the increases, and the results were provided directly on November 17, 2020.
12 Copies of the investigation results were presented on Kent County Water Authority’s
13 website and to the media. The investigation found that the water usage was indeed
14 correct and was primarily attributed to increase Summer usage. Please note that
15 comparing Spring quarterly water usage to Summer quarterly water usage is not an
16 accurate comparison and would be the equivalent of comparing a winter heating bill to
17 a summer heating bill. Rather, Summer quarter usage should be compared against usage
18 in prior Summer quarters.

19 The Resolution states, “ *Numerous requests and inquiries have been issued to the Kent*
20 *County Water Authority for an investigation and explanation for the increases, but to*
21 *date, have not been vetted of answered;*” This statement is incorrect. The Kent County
22 Water has completed a full and prompt investigation for all customers that have filed
23 complaints. All results are presented on the website www.kentcountywater.org. We
24 have further engaged in conversations with several local officials and members of the
25 General Assembly and will continue to keep them informed as needed.

26 The resolution states, “ *this House of Representatives of the State of Rhode Island hereby*
27 *requests the Rhode Island Attorney General to review the major increases in water*
28 *charges by the Kent County Water Authority and Public Utilities Commission “.* On the
29 contrary, the Kent County Water Authority recently reduced its rates to its customers
30 across the board effective September, 1, 2020 as approved under [PUC Order 23896](#) in
31 its most recent [rate filing PUC Docket 5012](#) as submitted on January 31, 2020. The

1 cost of water is directly related to the amount a customer uses, thereby creating the
2 perception of increased “water charges or rate hikes” if the customer has increased usage
3 in a given quarter. Our comprehensive and thorough investigation findings have shown
4 that a hot Summer and extreme drought conditions were the primary causes of the vast
5 majority of the disputed water charges.

6 Please note that increased water usage in Summer 2020 was not unique to the Kent
7 County Water Authority. Public water systems throughout the State of Rhode Island
8 also experienced similar increases in water usage. Furthermore, we understand that the
9 City of Warwick water system, Warwick Water, has fielded a similar number of water
10 usage and billing disputes as the Kent County Water Authority. Many public water
11 systems nationally and locally, including Warwick Water and Kent County Water
12 Authority, utilize the same Neptune meters, which are [factory certified](#) in a registered
13 International Standard ISO 9001 :2015 facility that is audited annually by an accredited
14 third-party auditing firm to assure compliance to the AWWA standard prior to delivery.

15 Lastly, the Rhode Island Division of Public Utilities and Carriers, whom has appellate
16 jurisdiction/participation over such matters has, to date, arrived at the same conclusion
17 as KCWA on all completed investigations into customer complaints that remained
18 aggrieved after KCWA’s investigations.