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FILE

November 30, 2007

VIA HAND DELIVERY

Ms. Renee Jenkins
Public Utilities Commission of Ohio
Administration/Docketing
180 East Broad Street, 13th Floor
Columbus, OH 43215-3793

**Re: Ohio American Water Company
Case No. 07-1112-WS-AIR**

PUCO

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Dear Ms. Jenkins:

This letter serves as an *Erratum* to the testimony filed on November 27, 2007 in the above-referenced proceeding. DKL Exhibit 2 was inadvertently omitted from the Direct Testimony of David K. Little. Attached is DKL Exhibit 2

If you have any questions, please call me at the number listed above.

Sincerely,

Sally W. Bloomfield

Cc: Party of Record (w/Enclosure)

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**Ohio-American Water Company
PUCO Case No. 06-433-WS-AIR**

Summary of Stipulation Commitments Met

Status of Ohio American Water Company Stipulation Commitments
Case No. 06-433-WS-AIR

Stipulation Page, ¶ or Order Ref.	Commitments	Due Date	Completion Date/Filing Date In Case No. 07-WS-UNC
O&O at p. 14	<u>Softening Educational Program</u> Company should immediately begin to work with Staff to develop and institute customer information on softening issues that would be provided to Lake Darby customers.	April 6, 2007	3/27/07 – Met with Staff and OCC to develop an educational program 4/24/07 – Brochure mailed to customers 5/1/07 – Brochure filed with the PUCO May 2007 – Articles published in two local papers
3, ¶6	<u>Continuing Property Records (CPR)</u> Within <u>three months</u> of the Opinion & Order, Company will provide supporting documentation that it has complied with the following recommendations with respect to its continuing property records (CPRs) of the Commission Order in this case. The CPRs will correctly reflect plant additions and associated retirements, replacements, and transfers by plant location. Staff and the Company will meet with representatives of the Company who are implementing a new CPR software program to discuss the parameters of the CPR program and to address how the CPR records that originated in prior years, particularly those from the former Citizens Utilities Company of Ohio, can be made acceptable for Staff review.	June 5, 2007	5/8/07 – Met with representatives of the PUCO Staff and OCC regarding the implementation of a new CPR program, the parameters of the program, and how the records originated in prior years. 6/5/07 – An electronic version of all of Ohio American's plant as of December 31, 2005, the Date Certain in the 2006 rate case, was sent to Staff via electronic mail. 6/5/07 – Letter was filed with the PUCO stating the Company had fulfilled its commitment.

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Stipulation Page, ¶ or Order Ref.	Commitments	Due Date	Completion Date/Filing Date In Case No. 07-WS-UNC
4, ¶7	Ohio American agrees not to request rate relief for customers in "Water C", former Citizens water customers in the form of an increase in rates (AIR) until the discoloration issue has been resolved.	Undetermined Date	The discoloration issue was resolved by May 2007, and the PFN wasn't filed until October 12, 2007
5-6, ¶9 D	<u>Summer/Winter Educational Program</u> Within <u>three months</u> of the Opinion and Order Summer/Winter Sewer Billing educational campaign directed to all applicable customers to begin: Company work with Staff and OCC to develop and conduct it. The Staff to meet with the Company to evaluate the costs associated with the campaign and to develop an amortization schedule for the recovery of those costs.	June 5, 2007	3/27/07 – Met with Staff to develop an educational program 4/16/07 – Brochure Mailed to customers 4/19/07 – Copy of the Brochure filed with the PUCO 5/1/07 – Updated letter filed May 2007 – Article published two times in local newspaper
6, ¶9 E	<u>Portage County Surcharge</u> When the present Portage County contract expires and new increase has been announce, the Company will work together with Staff to correct/agree upon a methodology for the surcharge increase.	Undetermined Date	Conferences with the Staff concluded with the Company and Staff agreeing that the better procedure was to make the adjustment in this rate case and to carry the future adjustments forward in purchased water adjustment applications.

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Stipulation Page, ¶ or Order Ref.	Commitments	Due Date	Completion Date/Filing Date In Case No. 07-WS-UNC
6, ¶9 F	<u>Preble County Contract</u> The next purchased water contract for Preble County, the Company shall negotiate a rate that is no more than the total cost under the Indiana American Water Company tariffed rates.	Early 2007	1/8/07 – Company began paying rates from Indiana American sales for resale schedule that has been effective in Indiana since 11/22/04. 4/6/07 – Letter filed along with the Indiana American Schedules of Rates and Tariffs.
6, ¶9 G	<u>Cost of Service Studies</u> In future rate filings, the cost distribution categories in the cost of service studies will be reconciled to the different class categories, including private fire service in the Schedule E filings.	At filing of next rate case	The Company's application made this adjustment as agreed.
	<u>Disconnect Notice</u> Company will modify its notice to include new statements concerning assistance that could be rendered by both the Staff and OCC and to modify certain other language.	No specific date	Modification was made.
7, ¶11 A	<u>Abeyance Fund</u> Company will set aside \$50,000 for categories consisting of (1) Unaccounted-for-Water, Identification, Reporting, Reduction; (2) Meter-reading, Change-out Program; (3) Valve Maintenance, Operation; (4) Tank Inspections, Storage Studies and Replacements; (5) Hydrant Flushing and Painting.		

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7, ¶11 A i	Within <u>ninety (90) days</u> of the Opinion and Order for category (1), unaccounted-for-water, the Company, Staff and OCC will work out a process for the distribution of the \$10,000 abeyance on behalf of low-income residential customers to Ohio American.	June 5, 2007	Company worked with the PUCO Staff and OCC in the selection of the appropriate recipients for the \$10,000 abeyance fund. 6/14/07 – Filed table showing the service area, the name of each agency with the address and contact information, the number of residential customers in each service area and the percentage of customers in each service area, and the amount of the \$10,000 that would be allocated to each agency.
7-8, ¶11 A ii	Upon written notice by a party to the Company stating that the party believes that Ohio American is not in compliance with a specific commitment, Ohio American will, <u>within 30 days</u> of its verifying non compliance, either credit equal amounts of the \$10,000 per category to all customers if the noncompliance is in a category other than unaccounted-for-water or provide written notice to the Parties that it will seek a Commission determination concerning whether it should credit customers for the \$10,000.		8/19/07 – Table was once again filed.

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	In the case of the unaccounted-for-water category, the same procedure shall be followed for abeyance distribution agreed upon the Company, Staff and OCC.		\$10,000 UFW abeyance fund was distributed to the agencies on 11/12/07 and 11/13/07 except for Salvation Army for the Mansfield District. That check is scheduled to be disbursed on 11/27/07 Letter regarding distribution of the \$10,000 was filed 11/26/07.
8, ¶11 B 8, ¶ B i	<u>Unaccounted for Water Category</u> <u>Within 60 days of the Opinion and Order</u>, Ohio American will file a remedial action plan specific to each of the following systems: Huber Ridge Blacklick Madison Marion Company will reduce unaccounted for water to 15% on the following schedule: Madison	May 6, 2007	The remedial plans were filed with Ohio American's 1 st quarter unaccounted-for-water reports.
8, ¶11 B ii	Marion	Dec. 31, 2007	The UFW rate was reduced from 20.1% in the 1 st quarter 2007 to 13.4% in the 2 nd quarter with a slight increase to 15.3% in the third quarter.
		Dec. 31, 2007	Commitment will not be met. See ¶11 A ii above

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8, ¶11 B <i>iii</i>	Blacklick Huber Ridge Maintain no more than 15% unaccounted-for water on a rolling 12-month basis on a per system basis for: Marion Tiffin* Ashtabula Lawrence County* Lake White* Madison Blacklick Valley* Huber Ridge Timberbrook* Lake Darby* Aurora East Beechrest*	June 30, 2008 June 30, 2008 Ongoing	Unable to maintain 15% in all districts. * = those systems that have met the goal.
8-9 ¶11 B <i>iv</i>	If the rolling 12-month average for unaccounted-for water level for: Ashtabula Franklin Marion or Tiffin Districts risers above, 15% for any 12-month period during the test period, the Company will adjust the test period chemical and power expense in its next rate case to reflect an average of 15% unaccounted-for water level for that district.	Ongoing	The Company adjusted the test period chemical and power expenses in those districts where the 15% was not met.

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9, ¶11 B v	If in the test period for the Company's next rate case, the 12-month rolling average unaccounted-for-water is in excess of 15% in the aggregate for the service areas for which the increase is sought; the Company will adjust the test period chemical and power expense to reflect an average 15% unaccounted-for-water level.	Ongoing	The Company adjusted the test period chemical and power expenses in those districts where the 15% was not met.
9, ¶11 B vi	Further, the Company will provide Staff, OCC and the cities of Marion and Tiffin quarterly, rolling 12-month-average unaccounted-for-water reports desegregated by each of the systems: Marion Tiffin Ashtabula Lawrence County Lake White Blacklick Valley Huber Ridge Aurora East Beechcrest	Quarterly	5/4/07 – 1 st Quarter Reports filed including: UFW Report; Leak Logs; Remedial Plans 7/18/07 – 2 nd Quarter Leak Logs filed 9/17/07 – 2 nd Quarter UFW and Remedial Plans filed 10/22/07 3 rd Quarter Leak Logs filed
9, ¶11 B vii	With each quarterly report where the rolling average is above 15% for the Districts of Ashtabula, Franklin, Lawrence County, Marion, or Tiffin, the Company will provide a remedial report for the affected District that will reflect the actions taken to date where the unaccounted for water is above 15%, the progress made to date and the actions contemplated in the next quarter	Quarterly	Remedial plans were filed with the UFW quarterly reports.

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9, ¶11 C i	<u>Meter-reading, Change-out Program Commitment Category</u> The Company will complete its encoder meters installation program in: Marion District by January 1, 2007 Ashtabula District by January 1, 2008 Franklin County District by December 31, 2008 <i>Compliance will be deemed met when all encoder meters are installed except to the extent that replacement by encoder meters is not technically feasible or where customers oppose encoder meter replacement.</i>	Jan 1, 2007 Jan 1, 2008 Dec 31, 2008	3/15/07 – Letter filed regarding installation of encoders was completed. 3/27/07 – Update filed Completed
10, ¶11 C ii	The Company will continue providing Staff the annual meter reading and encoder data of the previous year by the 31st of January every year, and will follow the yearly meter reading requirement found in O.A.C. Rule 4901:1-15-19(A) (2).	Ongoing	1/19/07 – Annual meter reading report and the encoder data for the year ending 2006 was submitted to Staff.
10, ¶11 C iii	Company will send the customer two written notices concerning inside meter reading, the second one with a separate date from the first inside meter reading date. Each notice will state that failure to allow the Company access to the inside meter may result in disconnection. The Company shall send at least one of the notices to the customer forty-five (45) days before an actual disconnection goes into effect.		
10, ¶11, C iv	Company will be deemed compliant with O.A.C. Rule 4901:1-15-19(A)(2) where it (1) has sent two notices as outlined above and has made at least two separate attempts to read a customer's meter within a calendar year, or (2) has agreed to Staff's recommendations for a later		

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	actual read in special customer situations. If Ohio American has not met either condition in (1) or (2) above, it shall limit any back billing to twelve months.		
10-11, ¶11 D	<u>Valve Maintenance, Operation Category</u> Company commits to remain in compliance with O.A.C. Rule 4901:1-15-10(B) (5) throughout all of its service area. The valves located on distribution mains in the Ashtabula, Marion, Tiffin and Lawrence County districts are subject to an obligation is to inspect and operate every four years, rather than every two years as required by the O.A.C. The Company will submit a similar waiver request for Franklin and Portage Counties' service areas. Records verifying the date and type of each inspection and all maintenance will be available in the respective district office to review by Staff upon request.		

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11, ¶11 E i	<u>Tank Inspections, Storage Studies and Replacements Category</u> Company will complete, within six (6) months of the Opinion & Order, its distribution and storage study of the Marion storage tank and make these confidential reports available to the Staff. It will provide the final Lowry & Associates report to Staff (and to the other Parties, a redacted version that omits pictures) and keep the Parties apprised of the proposed improvements that the Company is considering.	Sep 3, 2007	11/2/07 – A confidential distribution and storage study of the Marion storage tank prepared by Steven G. Lowry & Associates, Inc. and the Capital Asset and Planning Department of the American Water Works Company – Central Region was submitted to representatives of Staff, OCC and the City of Marion
11, ¶11 E ii	Within 180 days of the Opinion and Order, Company will provide to Staff a plan for alternative methods for maintaining the Ashtabula Bunker Hill distribution tank pressure during inspection. Among the measures to be considered, Ohio American will include providing temporary storage.	Sep 3, 2007	10/1/07 – A memorandum prepared by Steven G. Lowry & Associates regarding the Plan for Pressure Maintenance with Bunker Hill Tank Out of Service was filed.
11, ¶11 E iii	By June 30, 2008, Ohio American commits to completing construction of a new Lake White storage tank.	June 30, 2008	Preliminary construction is underway
11, ¶11 F	<u>Hydrant Flushing and Painting Category</u> Company will continue the commitment to repaint each fire hydrant in the Ashtabula and Marion Districts at least once every five years, or approximately 20% of these hydrants each year. Ohio American agrees to continuing flushing in accordance with O.A.C. Rule 4901:1-15-10(B)(4).	Annually	Company performed the flushing as required by the Commission rules. Company also completed the specific schedule for regular painting of fire hydrants in the Marion and Ashtabula districts.

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12, ¶12	<u>Huber Ridge Discoloration Program:</u> Company will address the discoloration issue in Huber Ridge. The objective of the additional steps is to eliminate discoloration caused by water chemistry in the Company's system, including its distribution system (excluding minor discoloration which would occur at the time of the semi-annual flushings and that might occur in the event large quantities of water are used for firefighting or similar activities).		
12, ¶12 A	By January 31, 2007, the Company will submit a report to the Staff, OCC and to representatives of Ohio Environmental Protection Agency, Central District ("OhioEPA") with the results of prechlorination efforts undertaken in the Huber Ridge system in late 2006.	Jan. 31, 2007	Report filed January 31, 2007 Updated report filed March 12, 2007
12, ¶12 B	By January 31, 2007, Ohio American shall submit a plan and send a copy to the Staff, OCC and to representatives of OhioEPA for both the Huber Ridge Water Treatment Plant and for the Huber Ridge water distribution system ("the Plan").	Jan. 31, 2007	1/31/07 – Plan submitted 3/12/07 – Plan filed 3/19/07 – Updated plan filed 3/19/07 – Feb. 28, 2007 Progress Report filed 5/4/07 – Progress Report as of Mar. 31, 2007 5/18/07 – Progress Report for April 2007 5/31/07 – Letter filed serves as

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12, ¶12 B i	<u>Treatment Plant:</u> The criteria for determining that the remedial actions taken by the Company have been and continue to be successful at the Huber Ridge Water Treatment Plant shall be that 95% of all samples evaluated at the sample tap shall be at or below the secondary standards for iron and manganese. Until for a period of 12 consecutive months, 95% of all OhioEPA reportable samples from the Huber Ridge Water Treatment Plant meet the criteria set forth in the Plan applicable to the plant, the Company shall submit quarterly reports to the Staff, OCC and OhioEPA which include actions taken in the past quarter, actions to be taken in the next quarter, observations and recommendations, results of all Plan monitoring data and copies of the Huber Ridge Ohio EPA monthly operating reports for the past quarter.		notice to parties that the three progress reports previously submitted should be considered as the quarterly report. 6/29/07 – Progress Report for May and June 2007
12-13, ¶12 B ii	<u>Distribution System:</u> The Plan shall present objective measurable criteria for determining water quality in the Huber Ridge water distribution system. The Plan shall include sampling frequency (minimum of once per week), locations where there have been clusters of discolored water complaints/sampling locations (minimum of one control site/baseline		

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	site and four other sites), and parameters (minimum of iron, manganese, pH, chlorine, hardness, turbidity and stability index). Upon OCC's request, Ohio American agrees to conduct split sampling for OCC's consultant, provided the consultant uses the same laboratory procedure and testing method as Ohio American. Ohio American also agrees to continue consulting with OhioEPA and any expert consultants that OhioEPA would make available to the Company.		
13, ¶12 C	By February 28, 2007, assuming OhioEPA concurrence has been received or as soon thereafter as the OhioEPA concurrence has been received, the Plan shall be implemented	Feb. 28, 2007	Implementation of the Huber Ridge Plan filed 3/19/07
13, ¶12 D	By March 31, 2007, Company will complete a distribution model to develop a unidirectional flushing program. Company will survey the distribution system, including location of valves, hydrants and mains. All hydrants will be flushed twice during 2007 concurrent with valve operation necessary to develop unidirectional approach.	Mar. 31, 2007	Completed a distribution model for unidirectional flushing program by March 31, 2007 and began uni-directional flushing in the latter part of March 2007, again in June 2007 and finally in October 2007.
	The above program will be completed by December 31, 2007. Thereafter the Company will continue operating valves and performing a unidirectional flushing program at a minimum frequency as needed to properly flush out the Huber Ridge distribution system.	Dec. 31, 2007	Two system-wide uni-directional flushings were promised; the Company conducted system-wide uni-directional flushing three times.
14, ¶12 E	By April 30, 2007, Company will complete and report to Staff, OCC and Ohio EPA the results of its evaluation of the internal status of the Huber Ridge pipes through the removal and examination of five to six pipe	Apr. 30, 2007	4/30/07 – Filed report showing the results of its evaluation of the internal status of the Huber

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14, ¶12 F	sections to be determined in consultation with the Staff, OCC and Ohio EPA to assess internal pipe condition. In advance of the pipe segment removals, Ohio American will notify the Staff, OCC and Ohio EPA of the time and location of the pipe sampling process so that any of them may send representatives to observe. By May 31, 2007, if more than 5% of the Huber Ridge Water Plant Ohio EPA reportable samples analyzed in the previous quarter under the Plan do not meet iron and manganese secondary standards, Company will present the Staff and OCC with a report evaluating the use of a chemical additive to the finished water for controlling water quality in the Huber Ridge water distribution system. At a minimum, the report shall include for each chemical evaluated: the advantages/disadvantages of the chemical's use; the cost of its addition; the recommended initial and maintenance chemical dosages; and objective criteria for measuring its effectiveness, including distribution site locations, testing frequency and parameters to be monitored. If Ohio American provides a recommendation as to the use of a chemical addition, then the Company shall apply for Ohio EPA approval no later	May 31, 2007	Ridge pipes through the removal and examination of four pipe segments in compliance with the stipulation. Samples were taken in accordance with the consultation with Staff and representatives of the OCC and the Ohio EPA. A report concerning the March, April and May iron and manganese reportable samples analyzed against the secondary maximum contaminant level standards was filed in PUCO Case No. 07-252-WS-UNC on May 31, 2007. The monthly report for May and June showed that the plant criteria of no more than .030 mg/L of iron and 0.05 of manganese had been met by the Huber Ridge Treatment Plant and that in the distribution system all samples had a turbidity level of lower than 1.0 NTU.

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	than June 30, 2007 and shall implement such chemical addition approved by the Ohio EPA within 60 days of the permit approval. <i>By June 30, 2007, if discoloration continues in the Huber Ridge distribution system, the Company will cease charging the reverse osmosis surcharge each month until the discoloration has been eliminated.</i> After June 30, 2007, once the discoloration has been eliminated for a given month, the Company may reinstate the reverse osmosis surcharge, but if discoloration returns prior to the elimination of discoloration for a period of six (6) consecutive months, the Company shall cease charging the reverse osmosis surcharge for each month that the discoloration standard has not been met. Once the Company has provided water that is not discolored for six (6) consecutive months, the Company may continue to charge the reverse osmosis surcharge without reference to the discoloration standard. The standard for determining that discolored water has been eliminated shall be that each month the turbidity level of at least 95% of the samples of water taken at the distribution system sampling locations (except the control sampling location) defined in the Plan shall be (i) equal to one (1) nephelometric turbidity unit (NTU) or (ii) equal to or less than the average NTUs at the control site, whichever measurement is greater.	60 days later June 30, 2007	Since Ohio American has been able to eliminate the discoloration for at least six months beginning in May 2007, it did not have to cease charging the reverse osmosis surcharge as a penalty for failing to meet this commitment.
15, ¶12 H	By September 30, 2007, if more than 5% of the samples from the Huber Ridge Water Treatment Plant analyzed in the previous quarter under the Plan do not meet secondary standards, Company will meet with Staff, OCC and Ohio EPA prepared to discuss additional steps and with a proposed revised timeline. Under the topic of additional steps, options to be discussed will include the use of alternative oxidants, including but not limited to, potassium permanganate and an option of changing filter media to green sand.	Sept. 30, 2007	Since the samples from the Huber Ridge Water Treatment Plant that were analyzed met the secondary standards, Ohio American did not have to meet with Staff, OCC and Ohio EPA to discuss additional steps to resolve the discoloration issue.

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Stipulation Page, ¶ or Order Ref.	Commitments	Due Date	Completion Date/Filing Date In Case No. 07-WS-UNC
15, ¶ 12 I	<u>Letter to Customers:</u> Whenever the discoloration as a result of water chemistry has been eliminated in the Company's system, the Company will send a letter to customers informing them of the elimination of the discoloration in the Company's system and suggesting procedures to customers in the event that they experience any discoloration that may be caused by customer service lines or other customer-owned facilities or equipment.	Whenever discoloration is solved	10/24/07 – Letter to customers mailed 10/25/07 – Letter filed
16, ¶ 13	<u>Lake Darby Softening Commitment:</u> Company will make the following improvements to the Lake Darby treatment plant by January 15, 2007, and to notify the Staff and OCC when this schedule is completed:	Jan. 15, 2007	Jan. 15, 2007
16, ¶ 13 A	Install new flow meters to monitor the softening process and activate system recharge prior to hard water break-through	Jan. 15, 2007	Letter filed 3/12/07; Erratum filed 3/23/07
16, ¶ 13 B	Install new electronic controllers for each water softener to accurately control the softening process based on softening demand.	Jan. 15, 2007	Jan. 15, 2007
16, ¶ 13 C	Install an instrumentation system for monitoring treatment plant performance and mechanical operating systems. The instrumentation system has appropriate alarms and 24/7 remote reporting systems.	Jan. 15, 2007	Jan. 15, 2007
16, ¶ 13 D	Implement process control testing and monitoring to operate the water softening process within a specific control band to consistently and reliably produce finished water softness for a daily average of between 120 mg/l and 150 mg/l for at least 95% of the reported test results.	Jan. 15, 2007	Jan. 15, 2007

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16, ¶13 E	The Company will continue to provide the Commission Staff monthly softening reports showing a daily average of all process control and certified plant tap testing of the softened water. In the event that after May 1, 2007, the Company fails to meet at least 95% of the reported test results for finished water softness of a daily average of between 120 mg/l and 150 mg/l, <i>the Company will provide an aggregate credit of \$1,000 per month to be spread among the Lake Darby customers within two billing cycles.</i>	Monthly May 1, 2007	Monthly hardness reports were submitted to Staff and OCC the first of every month. Copies of the reports were also filed in 07-252-WS-UNC. The 95% reported results were met so this penalty was not triggered.
16, ¶ 14	<u>Mansfield Main Commitment:</u> By <u>December 31, 2007</u>, Company will complete the replacement of approximately 3,000 feet of main in the Harpcrest system, Apple Lane and McElroy projects.	Dec. 31, 2007	Ohio American replace approximately 2,750 feet of main in the Harpcrest, Apple Lane and McElroy projects.

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	<i>This commitment will not apply in situations where labor strikes, acts of God, circumstances beyond the control of the Company or where the number of leaks on the same system occurring within the same period of time are beyond the reasonable ability of the Company to address within the prescribed repair period.</i> The Company will give Staff notices of instances where service-affecting leaks cannot be repaired within seven days and list the cause of the leak, the proposed remedies to address the leak and the date when the leak is expected to be repaired.		to communicate to the Company of its activities in concrete repair and scheduling, the contractor who performed the concrete work disturbed the restoration that have previously been made by Company personnel, but the Company was unaware of that fact until the Staff took issue with the Ohio American's assertion that the Company fulfilled this commitment. Once the Company reviewed the Staff letter of August 17, 2007, it re-restored the areas at the six sites and filed a letter in Case No. 07-252-WS-UNC on September 20, 2007, providing a detailed explanation.
18, ¶18	<u>Restoration of Property Commitment:</u> The following requirements under this section do not address ratemaking treatment and do not exempt or absolve the Company from meeting any requirements by local or other governments regarding work and property restoration or from any legal action, remedies or penalties, whether civil, administrative or criminal, related to Ohio American's work and property restoration.		

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18, ¶18 A	Company shall meet with the Cities on a <u>semi-annual</u> basis to discuss plans for projects that will require street repairs in order to identify opportunities for coordination with the Cities' other activities.	January & June of each year	Company representatives met with officials of Marion, Tiffin, Ashtabula, Lawrence County, Portage County and Pike County. Ohio American completed projects with Marion. Letter filed with the PUCO 07/9/07
18, ¶18 B	Company shall keep detailed records that include the costs incurred and justification for projects that could have been completed in conjunction with the Cities' activities but for which the Company chose to act independently. Ohio American shall provide such records to the Cities upon request.	Continuously	To date no projects have been completed in conjunction with the Cities.
18, ¶18 C	Company will reasonably restore (including leveling and seeding), as soon as weather permits, public and private property to the condition that existed prior to the Company's repair.		This commitment was met as soon as the weather permitted.
18, ¶18 D	When such repairs occur between May 1 and September 30, Company shall, as soon as weather permits, fill the holes, wait for the settling of the fill (approximately 30 days), then fill and/or level as necessary prior to seeding. The repair process will be completed no later than 45 days from the date the work that necessitated the hole is completed.		Process was completed within 45 days.
18, ¶18 E	When Company makes repairs from October 1 through April 30, it shall	June 30 annually	On 8/17/07 Staff filed a letter objecting to Ohio American's

Status of Ohio American Water Company Stipulation Commitments
Case No. 06-433-WS-AIR

Stipulation Page, ¶ or Order Ref.	Commitments	Due Date	Completion Date/Filing Date In Case No. 07-WS-UNC
	complete lawn restorations by June 30, as soon as weather permits.		statement that it was in compliance with this commitment.
19, ¶18 F	Further, Company shall complete final road opening repairs by June 30, as soon as weather permits, when such road openings occur from October 1 through April 30.		Upon reviewing Staff's letter, Ohio American re-restored the areas of six sites and filed a letter on 9/20/07 providing a detailed explanation.
19, ¶18 G	Road openings that occur between May 1 and September 30 shall receive final road opening repair no longer than 60 days from the road openings.		Repairs were made within 60 days of the opening.
19, ¶18 H	At all times during any weather condition, Company shall provide signs and other necessary markings, in accordance with the Ohio Manual of Uniform Traffic Control, to warn motorists and pedestrians of all such road openings.		Ohio American provided the requisite signs.

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19, ¶18 I	Immediately following Company's repair, and until final road opening repair is completed and accepted by Cities, all road openings shall be promptly and completely filled and compacted with suitable materials and regularly maintained by Company such that they remain in a condition that permits safe travel by the public over such opening. This maintenance includes, but is not limited to, the regular application and compaction of proper aggregate and/or asphalt cold patch to the road opening's surface to provide and maintain a surface level consistent with the surrounding undisturbed roadway.		Since no road openings were found to be in an unsuitable manner, there was no need to provide a 10-day notice that the necessary maintenance was required.
19, ¶18 J	At any time, if such openings are found to be maintained in an unsuitable manner, the affected community/township shall give Company 10-days' notice that it will make the necessary maintenance and require Company to reimburse them if the maintenance is not completed by Company the 10-day notice period.		

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19, ¶18 K	The Company agrees to keep records of all service and non-service affecting leak excavations including, but not limited to the following information: The date the company became aware of the leak. The date the leak was repaired. The number of customers affected, and if applicable, whether a boil order was implemented (including when it was issued, rescinded and the method of notification). The latest date excavation restoration should be completed under the provisions of this stipulation, and the date it/they were actually completed. This item should include the size and type of restoration work required for each excavation and the address of the restorations.	Quarterly	Leak logs were filed on a quarterly basis. 1st Quarter filed 5/4/07 2nd Quarter filed 7/18/07 3rd Quarter filed 10/22/07
20, ¶19	<u>Customer Service Monitoring:</u> The Company will provide Staff access to records and business activities including such records and activities as would allow Staff to effectively monitor Ohio-specific customer calls made to the Company. Access includes the provision of remote access from the Commission offices for Staff to monitor Ohio American's customer call center.	Continuously	Worked with PUCO Compliance Staff to allow for the monitoring of Ohio-specific customer calls. Upon request of the Staff, the original procedure was modified, and the modified program has been implemented.

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21, ¶20	<u>Ohio EPA Loan Programs:</u> Within four months of the issuance of the Opinion and Order in this proceeding, a working group consisting of representatives of the Staff, OCC, Ohio EPA and the Company shall convene to analyze and discuss the efficacy and cost efficiency of Ohio American's application for either (i) the Ohio Water Supply Revolving Loan Account or (ii) the Disadvantaged Community Loan Program.	July 5, 2007	Met by teleconference with representatives from OCC, Staff and the Ohio EPA. Ohio American ran hypothetical financial models showing the differences across multiple factors between a state loan program financing and conventional financing. OCC and Staff took issue with Ohio American's submission, whereby OCC and Staff stated that in its opinion the commitment had not been met. After the OCC and Staff filed letters in opposition, Ohio American filed a reply letter and provided an interactive worksheet showing how it estimated costs of the loan program.