

FILE



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PUCO

July 13, 2007

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

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RE: Huber Ridge Discoloration Remediation
Case No. 06-433-WS-AIR & 07-252-WS-UNC
Letter Docketed by OAWC, June 27, 2007.

Dear Ms. Jenkins:

The cover letter submitted with the submission of the May and June 2007 progress reports on the Huber Ridge Discoloration Commitment included the following statement:

"This report shows that the discoloration issue in the Huber Ridge system has been solved."

Staff grants that much has been done towards the resolution of the discoloration water quality issues in Huber Ridge, but feels any statement saying that it has been solved is premature and not supported by a review of the section of the stipulation dealing with this commitment, No. 20 G on page 14 of the Stipulation.

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.

Staff does not disagree that this part of the commitment has apparently been met for the months of April and May, in so far as the distribution monitoring samples for April and May have been under the average of 1 nephelometric turbidity units (NTU's) permitted. However, the next sentence of the stipulation has not been fully met.

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"After June 30, 2007, once the discoloration has been eliminated for a given month, the Company may make 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."

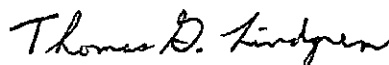
According to this section of the stipulation, the company must continue producing water with less than 1 NTU for four more months before the commitment has been fully met.

Staff would also like to point out that there was a second standard to be used to determine if the Huber Ridge Discoloration issue had been successfully addressed. No more than 5% of samples from the water treatment plant may exceed the secondary maximum contaminant levels (SMCL) for Iron (Fe) and Manganese (Mn). The Manganese for May, 2007 had a maximum reported level of 0.06 mg/l, which is in excess of the 0.05 SMCL. The company may have met the standard, but this cannot be determined by the way the data was submitted.

Further, the Company is required per section 12(B)(i) of the stipulation to continue monitoring and reporting all Ohio EPA reportable standards from the Huber Ridge water treatment plant, until for a period of 12 consecutive months, 95% of the samples meet the criteria set forth in the plan applicable to the plant. Quarterly reports are to be submitted to the Staff, OCC and Ohio EPA which include actions taken in the past quarter, actions to be taken in the next quarter, and observations and recommendations resulting from the plan's implementation.

In summary, the Staff cannot conclude and does not agree that the Huber Ridge Discoloration issue has been resolved at this time. Staff also requests that the Company resubmit its plant data in a format that can be used to show if the levels for Manganese and Iron have not exceeded their SMCL's for more than 5% of the time.

Respectfully submitted,



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Cc: Counsel of Record