

NORTH BALDWIN UTILITIES

Water System Flow Test Policy

Effective June 30, 2008

North Baldwin Utilities (NBU) is experiencing an increasing volume of inquiries from various parties regarding flow availability and flow delivery capabilities of our water system. Response to these inquiries routinely requires the performance of flow testing within the system. Such flow testing can waste a considerable volume of water and, if performed by NBU personnel, require assignment from other duties. Such testing can also impose stresses upon the water system that must be managed to minimize the potential for service level deficiencies during the testing procedure.

NBU has determined that the majority of the system capability inquiries are sourced from entities engaged in the development market (i.e. property owners, realty agents, developers, engineering consultants, etc.) and that the system capability inquiry directly results from such activities. It is recognized that information from such testing can have significant impact on the viability or feasibility of a development project.

NBU desires to be responsive to such inquiries and reasonably assist the market in its efforts to establish the adequacy of water supply availability. NBU desires to ensure that private parties relying upon the flow testing information retain the ultimate responsibility for its accuracy and that the public is not unduly burdened with the expenses of providing the information and/or the liability for its accuracy.

NBU recognizes that accountability for the testing results is of paramount importance to the utility, the development interest, and the public. Toward this end NBU has implemented protocols to assure appropriate response to these inquiries; to wit:

NBU will not perform water system flow testing for private parties. The party requesting the system data will be responsible for the performance of any necessary flow testing. NBU will provide personnel to monitor access to NBU facilities and to ensure the continuity of water service levels throughout the testing process. NBU will not in any manner certify the results of any flow testing. NBU will not charge a fee for such testing, nor charge for the time of its personnel to monitor the testing, nor charge for the water used in the performance of the test, so long as the testing is reasonably accomplished.

The party requesting flow testing shall submit written request to NBU identifying proposed test location(s) and test schedule, inclusive of a minimum two (2) working day notice. NBU will review the request and advise of acceptability. NBU will retain sole and absolute discretion regarding the accomplishment of the testing. Untimely performance by the testing party, unacceptable procedures by the testing party, water service level compromise during the testing, unanticipated system events, and any other circumstance at the sole discretion of the NBU monitor shall be cause for the immediate cessation of testing. Upon such occurrence, the testing party will be obligated to submit a new testing request.

Within ten (10) days of the performance of testing, the testing party shall formally submit a complete copy of all test reports, bearing appropriate certification, to NBU. Failure to submit such information may be cause for denial of subsequent testing requests.