



CITY OF DANBURY
DEPARTMENT OF PUBLIC UTILITIES
155 DEER HILL AVENUE
DANBURY, CT 06810

18

(203) 797-4637
FAX (203) 796-1590

May 26, 2009

Honorable Mark D. Boughton
Common Council
City of Danbury
155 Deer Hill Avenue
Danbury, CT 06810

RE: Revised Agreement Between the City of Danbury and Bethel Consolidated

Dear Mayor Boughton and Common Council Members:

An Agreement between the City of Danbury and Bethel Consolidated Company, Inc., dated October 26, 2001 allows Danbury to supply potable and fire protection water in the Defined Service of the Bethel Consolidated Water System located on the north side of Interstate 84 (Berkshire Corporate Park Area)

A Revised Agreement that supersedes and replaces the October 26, 2001 Agreement between Danbury and Bethel Consolidated has been drafted and is undergoing a formal review. The major purpose of the Revised Agreement is to provide a limitation on the maximum amount of water that can be sold or used in the Defined Service Area as well as eliminate Danbury's current responsibility to operate and maintain the Bethel Consolidated Water System within the Defined Service Area. A peak daily demand of 267,210 gallons per day has been negotiated with Bethel Consolidated as the maximum amount of water that can be sold or used within the Defined Service Area and is considered acceptable by the Public Utilities Department.

We request the Common Council's approval of the execution of this agreement with the understanding that such approval would be conditional upon the receipt of an acceptable document that confirms and conforms to the contents of this letter.

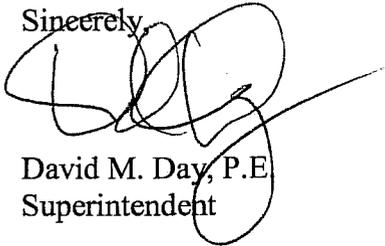
We also note that Bethel Consolidated has requested that Danbury consent to the assignment of this Agreement to United Water Connecticut, Inc. In accordance with the October 26, 2001 Agreement, this Agreement may be assigned by either party with the consent of the other. Essentially, United Water will be stepping into the position of Bethel Consolidated and the water system operations of Bethel Consolidated will continue in basically the same manner, but only under the ownership and management of United Water Connecticut, Inc. The Public Utilities Department can support this requested assignment provided that the conditions of the Revised Agreement are in place at the time of assignment.

18-1

The Common Council's approval of this request will help expedite Danbury's execution of the requested Consent to Assignment of the Agreement.

If you have any questions, please let me know.

Sincerely,

A handwritten signature in black ink, appearing to read "David M. Day", written over the word "Sincerely,".

David M. Day, P.E.
Superintendent

C: Laszlo L. Pinter, Esq.
Antonio Iadarola, P.E.

18-2

RESOLUTION

CITY OF DANBURY, STATE OF CONNECTICUT

_____ A. D., 200_

RESOLVED by the Common Council of the City of Danbury:



WHEREAS, the City of Danbury executed an agreement between the City of Danbury and Bethel Consolidated Company, Inc. dated October 26, 2001, which agreement allows the City of Danbury to supply potable water and fire protection water in the Defined Service Area of the Bethel Consolidated Water System; and

WHEREAS, the parties to the former agreement find it necessary and desirable to execute a revised agreement, to supersede and replace the prior agreement, for the purpose of imposing maximum limits on the amount of water than can be sold or used in said Defined Service Area, and to eliminate the City's current responsibility to operate and maintain the Bethel Consolidated water system in said Defined Service Area; and

WHEREAS, upon execution of the revised agreement, it is contemplated and anticipated that said agreement shall be assigned by Bethel Consolidated Company, Inc. to United Water Connecticut, Inc., with the consent of the City as provided for in said agreement;

NOW, THEREFORE, BE IT RESOLVED THAT the City of Danbury, through the Office of the Mayor, be and hereby is authorized to execute a revised agreement with the Bethel Consolidated Company, Inc., for the purposes stated above, and to take such other actions as are necessary to carry out this resolution, including executing any necessary assignment instruments.