

**MEMORANDUM OF UNDERSTANDING ("MOU")**

By and Between

The Rhode Island Division of Public Utilities and Carriers

And

The Rhode Island Department of Administration

For

Support to the Rhode Island Water Resources Board, Fiscal Year 2019

Whereas, the Rhode Island Division of Public Utilities and Carriers ("Division" or "DPUC") is charged with the responsibility of supervising and regulating the operations of public utilities that furnish supplies of water for domestic, industrial, and commercial use in order to protect and promote the convenience, health, comfort, safety, accommodation, and welfare of the people; and for the purpose of preserving the state's resources and assuring the state's citizens adequate water supplies (R.I.G.L. §39-1-1).

Whereas, the Division is further charged with the responsibility to partner with the Rhode Island Water Resources Board ("Water Resources Board" or "WRB") in reviewing and approving Water Supply Management Plans, prepared and submitted by the state's water suppliers, which are required by law to, *inter alia*, ensure that water suppliers protect and develop their water resources, properly manage peak and seasonal use of water, and endeavor to advance the safety and reliability of their water supply systems (R.I.G.L. §46-15.3-1, *et seq.*).

Whereas, the Division and the Water Resources Board additionally share statutory responsibilities to carry out the goals and requirements of the Rhode Island Water Facilities Assistance Program (See R.I.G.L. §46-15.2-1, *et seq.*), the Clean Water Infrastructure Act (See R.I.G.L. §46-15.6-1, *et seq.*), the Public Drinking Water Supply System Protection Act (See R.I.G.L. §46-15.3-1, *et seq.*), the Water Protection Revolving Loan Fund (See R.I.G.L. §46-12.8-1, *et seq.*), and provisions associated with Water Suppliers Subject to Rate Regulation (See R.I.G.L. §39-15.1-1, *et seq.*).

Whereas, based on the above-delineated overlapping responsibilities and in response to a legislative mandate that OMB and the Governor's Office effectuate a \$25 million budget reduction, the Rhode Island Office of Management and Budget ("OMB") shifted the staff and operations of the Water Resources Board from the Department of Administration to the Division during Fiscal Year 2018.

Whereas, the enacted Fiscal Year 2019 budget retains the funding and supervision in the Department of Administration, Division of Statewide Planning Budget.

Whereas, parties agree that the current location of, and Division support to, WRB staff and Board of Directors is mutually advantageous and offers professional collaboration, administrative and program enhancements.

Now therefore, the parties agree to the following support:

1. The Department of Administration, through the Director, shall arrange for the supervision and funding for all expenses associated with the Water Resources Board.
2. Division Support provided shall be professional collaboration, administrative and program support and enhancements based on overlapping legislative and policy responsibilities:
  - a. CFO services related to collections and administration of the water quality protection surcharges;
  - b. CFO services for all non-personnel accounting/RIFANS support;
  - c. Administrative support to the General Manager and the Board of Directors;
  - d. Deputy Administrator of Operations shall approve all time-sheets in concert with DOA.
3. Supervision:
  - a. The Department of Administration, Division of Planning will provide oversight of issues related to the WRB, including, but not limited to budget and personnel.

This Memorandum of Understanding shall be effective July 1, 2018 and shall terminate June 30, 2019.

This Memorandum of Understanding is hereby ratified on this 6<sup>th</sup> day of September, 2018.

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MICHAEL DIBIASE  
Director, Department of Administration

  
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MACKY MCCLEARY  
Administrator, DPUC