

CITY OF PORTLAND, MAINE

**Report Of The Investigation
Into The Failure to Bill Shipyard Brewery
For Sewer Charges, 1996-2011**

April 6, 2012

Respectfully submitted by,

Bryan M. Dench, Esq.
SKELTON TAINTOR & ABBOTT
95 Main Street
Auburn, Maine

I. Introduction

The City Manager for the City of Portland ("City") engaged the undersigned to assist with an investigation into the failure of the Portland Water District ("PWD") to bill Shipyard Brewing Company ("SBC") for sewer user fees on a 6" water service line from 1996 to 2011.¹ The purpose of this review was to determine, if possible, how the failure to bill sewer for this line occurred, and whether there was any improper activity involved by anyone in the City or by anyone else.

According to PWD, which acts as billing agent for the City's sewer user charges, a senior employee of the Department of Public Services instructed the PWD to set up the account for the 6" line as "water no sewer," in 1996, meaning that the account would be billed for water consumption only and not for sewer charges. The stated reason for this was that the 6" water line was a "product line" that would not be introducing water into the sewer. There is no document that corroborates that such an instruction was given though there is one document, a PWD work order to install a water meter, which reflects no sewer charges would be billed for this 6" water line. That document does not state who authorized or approved setting this account up as a "no sewer" account.

As will be explained in more detail, the conclusion this 6" line would not contribute to the sewer was not correct but stood until 2011 despite follow up inquiries by the PWD in 2004 and 2007. The City employee who is said to have

¹ The older 4" service line in the SBC plant was properly billed for water and sewer.

given the instruction to set up the account as no sewer and his immediate supervisor are deceased, which obviously has made it difficult to determine for certain who gave the "no sewer" instruction or the basis for it.

II. Method of Investigation

In this investigation I reviewed available City records and records provided by PWD and by SBC, as well as other records I researched in the Cumberland County Registry of Deeds and Registry of Probate. I received excellent cooperation and assistance from many people. City and PWD personnel also assisted me in finding records and reviewing records for information that could be helpful. I would single out particularly Harold Downs, of the City Department of Public Services, and Elaine Gervais of the PWD, who among the many who helped me worked especially hard. Although under no duty to do so, SBC also assisted me by seeking information in its records, and I was afforded the opportunity to tour its plant with plant manager Paul Hendry. Department of Public Services Director Michael Bobinsky met with and assisted me, as did PWD Director Ronald Miller. SBC owners Fred Forsley and Alan Pugsley both also met with me. I interviewed and had discussions with current and former City and PWD employees who might have some recollection of events from 1996 forward, as well as others, speaking altogether with 16 individuals, many more than once.² I reviewed files from the City's Departments of Public Services,

² Those with whom I met or spoke by telephone were Director Michael Bobinsky, Bradley Roland, James Sloan, Frank Brancely, Harold Downs, Katherine Early, and Steven Harris of DPS; Ronald Miller, Elaine Gervais, Donna Katsiaficas, Linda Fallona, Mary Calder, Donna Katsiaficas,

Planning, Economic Development, Inspections and Corporation Counsel.³ PWD provided the City and me with many documents from its records regarding SBC's accounts and Ms. Gervais assisted me in interpreting and summarizing the data. I also benefited from substantial research performed by Elizabeth Boynton of the office of Corporation Counsel, who turned over her files to me when I was engaged to work on this project.

What must also be noted, however, is the general lack of records that would be important to resolving fully the questions presented by this inquiry. For example, as is discussed in more detail below, there is no written record of any communication between the City and PWD before 1998 concerning SBC. Somehow PWD established the new account for the 6" water main added by SBC in 1996 to be billed for water only, not sewer. The only document that refers to this is the PWD generated work order for the primary water meter on the line. It says, "Bill sewer: no" but does not state who decided not to bill sewer on the line or on what basis. SBC also put submeters on its two water lines in 1994 and 1997, which are typically used to measure water that does not enter the sewer. Under the procedures then in effect the customer had to file a three part application for such a meter. One copy went to the PWD, one to the City Inspection Department, and one to the customer. No one can find a copy of either of the two applications that must have been filed. The records of PWD do not have

and former employee James Pandiscio of PWD; Thomas J. Peterson, Esq., the personal representative of the estate of David E. Peterson, and Harriet Benton.

³ The City could not locate any e-mails on its server; Mr. Peterson died months before the City began saving all e-mails.

any. The records of DPS do not have any. The records of the City inspection department do not have any. SBC does not have any. There is no way to verify that either submeter was duly applied for, purchased, installed or inspected. We can only assume it based on the fact the submeters are there.

One of course recognizes that the events these records might illuminate occurred some 16 years ago, but it still seems reasonable to expect that the records would exist somewhere. In this instance we have an important question to investigate where many vital records do not exist and two key participants in the events are deceased, making it challenging indeed to come to any satisfactory conclusions.

III. Documents

Records That Could Not Be Found

At my request, personnel of the City inspection department and DPS, and personnel of the PWD have made a diligent search for the application submitted by SBC for the submeter installed on the new 6" line in 1996. Unfortunately, no one can find a copy. When I met with officials at SBC, I also asked them if they had the applicant's copy, and they said they did not. It would of course have been helpful to review the submeter application submitted by SBC in 1996 and it is not a little frustrating that no copy of it can be found.

In addition, by law at the time of any installation entering a public drain, the property owner must obtain a permit for that connection and undergo inspections. Although this may have been required in 1996, too, because of the

connection of the new 6" waterline into new or the existing drains no record of any such permit can be found.

In 1996 the procedures established by the City and PWD required persons wishing to use a submeter for sewer billing purposes to apply for the use of the meter, demonstrate why the water metered would not enter the sewers, and obtain approval. The form was a three part form devised by Senior Engineering Technician Frank Brancely. The PWD provided me a sample of a residential submeter application filed in 1997, but despite a diligent search the City was not able to find the submeter application for any of three submeters installed in the SBC plant between 1994 and 1998, nor could the PWD or SBC.

The procedures called for the customer to purchase the submeter from the PWD (not the City). The customer would then install the submeter, following which the City (not PWD) would inspect it before the customer was allowed to employ it. No one has been able to provide any submeter application or purchase order or other purchase or inspection documents for any submeter in the SBC plant.

Records Reviewed and Documents Provided

There are many records and documents I did receive and review, some of which are discussed in this Report. **Exhibit A** is a document called "Shipyard Brewing History - 86 Newbury St Portland" which was put together by PWD and given to the City. This document goes back to the installation of the 4" line in 1979 and covers the period from 1994-1998, before the start of the PWD Utility

Account Details for both of SBC's lines. Records from this period are very limited. The PWD Utility Account Detail reports referenced in the Exhibit are internal PWD documents that log contacts and issues that may arise in regard to each account.

Exhibit B is a PWD Utility Account Detail which goes back to 1998 for the newer 6" water service line, Account number 175539-01. **Exhibit C** is the PWD Utility Account Detail for SBC's older 4" water service line, again back to 1998, Account number 148225-03. I verified that these logs are continuous official records prepared and maintained in the ordinary course of business of the PWD and that they could not be altered after the fact without that appearing on the record. These detailed records reflect contemporaneous entries in the PWD customer service records made by PWD customer service personnel at the time calls come into the PWD concerning water and sewer accounts. These are very important records to this inquiry as they would normally be considered highly reliable, or the "best evidence," of the facts they record.

Exhibit D is the 1996 PWD Work Order for a 4" primary water meter on the new 6" water service line. The PWD installed the meter on September 3, 1996. This order states, "Bill sewer: no." The work order contains no explanation for this notation. The documents in the record provide no evidence to determine how PWD established this as an account with no sewer billing.

Exhibit E is an excerpt from David Peterson's work diary for August 15, 1996. **Exhibit F** is an excerpt from Mr. Peterson's work diary for November 28,

2007. **Exhibit G** is a schematic showing the water lines, submeters and filtration configuration based on a recent City review by Department of Public Services as part of the City's Industrial Pretreatment Program, which SBC plant manager Paul Hendry has confirmed is substantially accurate.

Exhibit H is a 1977 memorandum concerning a meeting between PWD and City officials about submeter procedures. **Exhibit I** is a 1993 memorandum concerning another meeting they had to review submeter procedures. **Exhibit J** is the City's instructions regarding residential submeter applications issued in 1995. **Exhibit K** is a sample of a 1997 residential submeter application (unrelated to this matter) obtained by me from PWD from its files, showing the form of the application. As noted elsewhere, PWD was not able to locate in its files any submeter application for SBC from 1994, 1996, 1997, or any other time, nor could anyone else locate any such application though one would have been required to be filed for any submeter installed in the SBC plant.

Exhibit L is a "screen shot" of the field notes regarding the removal "on paper" of the submeter on the 6" water line in the SBC plant.

Exhibit M is representative water and sewer bills on the SBC 4" line account # 146225-03 for one month in each of the years 2005-2010. **Exhibit N** is representative water and sewer bills on the SBC 6" line account # 175539-01 for one month in each of the years 2005-2010.

All of these documents are attached to this Report.

IV. The SBC Operation in Portland

In 1992 Longfellow, Inc., bought the former Crosby Laughlin Foundry site located on Fore, Hancock, Mountfort and Newbury Streets from the City of Portland ("the City") for \$135,000. This abandoned industrial building was in very poor condition and contaminated with hazardous wastes. It was occupied by transients and had an open water main running inside. Fred Forsley and Alan Pugsley, who were brewing beer in Kennebunk, undertook to clean up and restore the building and moved their brewing operations into it with financial support from the City through a tax increment financing district.

In November 1995 Longfellow, Inc., conveyed the property to SBC Brewing Company Limited Liability Company, which obtained financing from American Craft & Specialty Beer Co., a wholly owned subsidiary of Miller Brewing Company, for up to \$1.05 million, using that financing to expand the operations of the SBC Brewing Company from the capacity to produce 54,000 barrels to 80,000 barrels within two years, a 48% increase in capacity, and an increase of more than eight times the actual production in 1994 of 9,829 barrels. At that time Miller obtained a controlling interest in the brewery. It was hoped the affiliation of SBC and Miller would produce a rapid expansion of SBC's markets for the sale of its craft and specialty beers. Miller's engineers assisted SBC in the design of expanded facilities at the existing plant, anticipating this growth in its bottling output. A major part of this was increasing the water supply to the plant, as the brewing process demands large quantities of good quality water. According to SBC, its brewing process consumes some 7 or 8

gallons of water for every gallon of beer produced, because the process requires washing and rinsing of fermenting vessels and bottles. In the brewing industry the average is 5-1, and only the most efficient operations can sometimes approach 3-1.

When SBC occupied the old plant in 1994, it was served by a 4" water line, which was adequate for SBC's output. According to the PWD SBC apparently installed a 2" submeter on this line on June 13, 1994, the evident purpose of which was to enable it to separate out some of the water flow for sewer billing purposes. The standard method of charging water and sewer customers in Portland (and elsewhere) is to meter water coming in to the property and to assume that an amount equal to the water coming in is discharged into the sewer. (See Part V below) However, when circumstances warrant, such as when water will be used for irrigation or other uses not contributing to the sewer, a customer may obtain permission to meter separately the water the customer can show will not go into the sewer and thus reduce the customer's sewer bill. When there is a submeter, the water and sewer utility subtract from the sewer bill computation the water measured by the submeter that does not go down the drain.

Installation of a new 6" water service line was a significant part of the reconstruction of the brewery in 1995 and 1996. This aspect of the design and reconstruction project was, according to SBC, handled by Miller personnel. I have not talked to Miller concerning this matter. The project required site plan

review by the City because it would involve the change in use of more than 10,000 square feet of the building.⁴ The planning staff report for this project included comments on the approval criterion “sewer, water, and solid waste.” It did not mention water. As to sewer, it states,

Sanitary sewer needs are addressed by existing sewer lines in the adjacent street. **Specific sewer line connections for the building should be shown on the plan.**⁵ (Emphasis added)

The review did not include any review of the water needs of the facility after the renovation project nor of its impact on sewer other than the above comment. SBC did not submit a detailed interior plan of the facility that would depict the plumbing of it, the new 6” water line, or where that line would drain into the sewers. In giving final approval on October 10, 1995, the Portland planning board did not require SBC to provide any additional details on the final plan concerning water and sewer and did not adopt the recommendation of the staff quoted above that specific sewer line connections for the building be shown on the final recorded plan. There is only one recorded plan for the facility following the project.⁶ Note 8 to the plan states, “underground and overhead utilities (gas, water, sewer, electric, telephone) are not shown on this plan.” Thus the City does not possess a plan showing the water lines and sewer lines within the SBC facility or where the water drains into the sewer. Hindsight is always easy, but had the City in fact obtained a plan showing the plumbing of the facility in 1995

⁴ Planning Report #47-95, September 26, 1995, at page 1.

⁵ *Id.* at third unnumbered page.

⁶ Cumberland County Registry of Deeds, Plan Book 195, Page 398, recorded December 7, 1995.

that might have been useful in future efforts to assure proper billing for water and sewer services to the facility.

Adding the new 6" line in addition to the existing 4" water service line more than doubled the plant's available supply of water. Over the years SBC's water consumption grew more than fourfold. The following chart prepared by me from data supplied by PWD shows the increases from 2004 to 2010 measured in hundred cubic feet of water (HCF). It also shows the amount of water billed to sewer with respect to the 4" line (none was billed on the 6" line).

SBC Brewery History

<u>Period</u>	<u>6" Water</u>	<u>4" Water</u>	<u>Total</u>	<u>Sewer</u>
04-05	18,140	2,301	20,441	1,662
05-06	21,315	2,740	24,055	2,103
05-06	35,350	4,912	30,262	4,155
06-07	30,130	4,864	34,994	4,372
07-08	31,685	4,185	36,050	3,483
08-09	35,110	4,044	39,154	3,290

Based on PWD bills (Exhibits M and N).

Looking at this we can see that total water consumption increased from 20,441 HCF to 39,154 over six years (an increase of 92%). Sewer consumption over the same period increased from 1,662 to 3,290, an increase of 98%. In that sense the increases were proportional.

Based on what SBC told me, that it consumed 7 or 8 gallons of water for every gallon of beer produced, we can easily see that far more water went into the sewers than SBC was billed for, and that this would have been obvious at all times. For example, for the years depicted above SBC drew an average of 30,826 HCF on its combined 4" and 6" water lines. Assuming that 7/8ths of that water went into the sewers, 26,973 HCF annually ought to have been considered sewer discharge for billing purposes, whereas over that period from the information we have from PWD SBC was never billed for more 4,372 HCF.

The sewer user charges actually billed and paid by SBC from 1998 to 2010 according to PWD records are as follows:

Year	Account No. 146225-03 (4" water line)	Account No. 175539-01 (6" water line)
1998	\$2,058.81	\$0.00
1999	\$3,555.09	\$0.00
2000	\$4,013.94	\$0.00
2001	\$5,829.39	\$0.00
2002	\$9,470.01	\$0.00
2003	\$10,803.94	\$0.00
2004	\$9,447.02	\$0.00
2005	\$9,568.97	\$0.00
2006	\$20,925.55	\$0.00
2007	\$26,120.25	\$0.00
2008	\$31,303.15	\$0.00
2009	\$22,120.12	\$0.00
2010	\$26,036.63	\$0.00

So we have a period of almost fifteen years, from late 1996 to 2011, during which SBC received monthly bills from PWD on two accounts, the 4" line dating back to before 1994 and the 6" line installed in 1996. Illustrative bills are included as

Exhibits M and N. The bills include a table of the previous 13 months of water and sewer consumption billed. These show nothing being billed for sewer on the account for the 6" line. SBC therefore saw that it was being billed for sewer only on the 4" line account and not on the 6" line account. There is no record that SBC ever questioned this or brought it to the attention of the PWD that it was being billed for sewer only on one account. Nor does SBC say that it did so. On the other hand, SBC did pay sewer bills in increasing amounts over that period and may not have understood that the sewer bills did not reflect its combined water usage on the 4" and 6" lines together. From 2000 to 2005, for example, while SBC's water usage increased by 72% its sewer bills paid increased by 138%.⁷ SBC insists that it did not know it was not being billed properly during those years or at any other time. Nor does it appear anyone from PWD or the City ever talked to SBC about its being billed or not billed for sewer on the 6" line.

SBC obviously knew in 1996 that the installation of the new 6" water line would be key to its plans to increase its production. As Mr. Pugsley, the brewmaster, told me, the most important thing for a brewery is a good supply of pure water. The plant renovation project was designed to increase capacity by 48%, and the addition of the 6" line would more than double the volume of water available to the brewery. SBC knew and has always known that its brewing

⁷ Based on figures supplied by PWD. This comparison is not as meaningful as a comparison of water use to sewer discharge would be, because it does not account for possible rate changes, but those actual sewer discharge figures were not available to me from PWD.

process produces 7 or 8 times as much wastewater as beer, so it is hard to imagine SBC would have told anyone that the 6" line would contribute nothing to the sewer, a statement which would have been blatantly false. Nor is it plausible that David Peterson, with his experience and skill, would have accepted such a representation at face value had it been made. He was known by everyone I interviewed for always checking things out for himself.

Initially SBC did not realize the increase in sales that everyone hoped for when Miller and SBC formed their strategic alliance. In fact, it was only after Messrs. Forsley and Pugsley bought out Miller in 2000 that through their efforts the hoped for success truly began to be realized. SBC kindly provided me with the figures from which I compiled the following history of its gradual increase in production of beer:

Year	Barrels	% increase
1994	9,829.00	
1995	30,456.00	
1996	39,070.00	28.3%
1997	32,895.00	-15.8%
1998	25,297.00	-23.1%
1999	28,893.00	14.2%
2000	30,985.00	7.2%
2001	34,019.00	9.8%
2002	39,279.00	15.5%
2003	45,256.00	15.2%
2004	50,508.00	11.6%
2005	56,151.00	11.2%
2006	69,700.00	24.1%
2007	82,641.00	18.6%

This shows SBC built its production by 25,166 barrels from 2000 to 2005, an increase of 81%.

V. Water and Sewer Service, Submetering

It is necessary to understand some basics about water and sewer service in Portland in order to make sense of the history of this problem. First, jurisdiction over water and sewer service is shared between the PWD and the City. PWD was established by a private and special law and is a quasi-municipal nonprofit organization, with its own PWD trustees and employees. It provides water services not only to Portland but also to eleven surrounding communities. PWD provides wastewater treatment and intercept service to Portland. The City is responsible for the sewer collection system and for issuing permits for new sewer connections. PWD water rates are set by the PWD and approved by the PUC. Sewer rates are set by the City as described below.

Since October 24, 1977, by agreement between the City and PWD, PWD also provides sewer billing services to Portland. Under the contract as currently in force,⁸ PWD "agrees to perform for the City as their agent, the billing and collection of sewer user fees in conformity with the District's Charter and City's Ordinance related to Sewer User Charges." In turn the City "agrees to reimburse the District for all of its costs and expenses relating to the implementation and operation of" the agreement. Customers in Portland are charged for sewer service based upon the volume of water going to their property, so PWD adds

⁸ Portland Water District and City of Portland Sewer User Charges Collection Agreement dated January 23, 1997.

the sewer charge to the water bill at the City sewer user rate. The sewer user rate is set by the City of Portland annually as part of the budget process. The sewer user fund is an enterprise account in which revenues and expenses are accounted for separately from the City general fund. Sewer revenues collected through the PWD billing process go to the sewer enterprise account. The sewer rate is set annually by the City based upon a number of factors, including the past history of sewer revenues, the City's share of the wastewater treatment plant costs⁹, debt service costs, and maintenance costs.

PWD installs and maintains the customer's primary water meter which measures the amount of water volume going into the customer's property. The water and sewer rates are then applied to this volume and a bill is generated showing the separate water and sewer charges to the customer. The customer pays the bill directly to the PWD, which then transfers the revenues attributable to the sewer portion of the bill to the City.

In addition to a primary water meter, when justified a customer may reduce the customer's sewer charges by installing a submeter at the customer's own cost under Section 24-75 (c) of the Portland City Code, which presently¹⁰ reads as follows:

⁹ The East End wastewater treatment plant is owned and operated by the PWD.

¹⁰ I have not reviewed whether this provision is materially different from the provisions in effect in 1996, but it does not appear to be different because the submeter procedures in effect by the City in 1996 are consistent with this ordinance as it reads today. The current ordinances derive from ordinances formerly codified in 1968, amended in 1976, 1979, 1984, and 1987 before being revised and recodified in 1996 in substantially their current form at the time of enactment of the industrial pre-treatment (IPT) provisions and surcharge to address wastes with high levels of total suspended solids (TSS) or high biochemical oxygen demand (BOD).

Any person who feels that recorded water records are not a reliable index of his discharge volume may install an addition water meter of a type approved by the public works authority to measure the volume of water **which can be shown not to enter the sewerage system.** The person installing such a meter shall immediately notify the public works authority of such installation and shall be responsible to the public works authority for reporting meter readings once every month. Such person shall be credited with the volume charges for the volume shown by such meter, which meter shall be accessible for reading by the city or its agents at all reasonable times. (Emphasis added)

As can be seen, this provision places the burden on the customer to show that the water the submeter will measure will not enter the sewer system. In 1996 it was the City Department of Public Services that verified this upon review of the customer's application for permission to have the submeter, which the customer had to submit on a three part, color coded form devised by Frank Brancely, one copy of which went to the City, one to the PWD, and one to the applicant (that is, the customer). The form required a diagram of the installation and a statement that, "the volume of water to be submetered can be shown not to enter the sewerage system by virtue of its use for: _____." ¹¹

The purpose of a submeter is to measure any water which goes to the property, but is *not* then discharged into the sewer system. A common reason for a residential submeter is to measure the water which is used in an irrigation system or a swimming pool. Submeters are also used by commercial property owners to measure any portion of their water which is either being used up in a commercial process (*e.g.*, a cooling tower) or which is otherwise not being

¹¹ Sale and reading of submeters is now done through the PWD and not through the City. The City's Building Inspections Division used to be involved in inspecting meters, but that ended in 1999.

discharged into the sewer system (*e.g.*, irrigation systems). The submeters are read by the PWD and a credit is granted against the monthly sewer charges to reflect the amount of water not going into the sewer system.

Exhibit K to this report is a sample residential submeter application dated October 20, 1997, provided to me by PWD, which I have redacted to protect the privacy of the customer. This is very close in time to the submeters installed by SBC December 5, 1997, so it is reasonable to presume the papers in Exhibit K would be the same form of papers used for the SBC submeters, if those papers could be found. You can see the applicant has to provide an statement supporting the use of the submeter, in this case "water lawn," and that the application had to be approved by Inspection Services and inspected once installed by the plumbing inspector. The second page shows that the PWD submeter purchase receipt showing the customer purchased the submeter from the PWD, and it calls for photocopies to be delivered to the meter shop and attached to the submeter application. It records that the submeter was installed August 26, 1998.

VI. Discussion

First, it is important to note that the review of available City documents and discussion with current and former employees did not reveal any evidence of deliberate wrongdoing in the decision made in 1996 that no sewer would be

charged on the new 6" water service line.¹² I looked for any evidence of a corrupt motive or purpose on the part of any City employee and found absolutely none. Nor is there any reason to suspect any wrongful motive on the part of any PWD personnel. None of them would have any reason to set up the account incorrectly. Certainly there would be no benefit to the City let alone PWD in purposely failing to bill SBC for sewer charges on the 6" line. The City was providing development incentives to SBC through the TIF but would not have had any authority to provide a further benefit by waiving sewer charges, nor is there any evidence of any such arrangement granted or requested. On the contrary, the records of the development review and TIF proceedings in 1994 and 1995 show that the City rigorously required SBC to demonstrate the benefits to the City of the TIF itself.

As to SBC itself, in 1996 and 1997 it was anticipating hoped for growth in production and sales due to the strategic partnership with Miller, but there would have been no reason for it to seek by some improper means to avoid paying for sewer on its new water line because sewer charges would have simply been a cost of doing business and the growth had not yet been realized in any case. In the event, the hoped for growth did not occur until many years later.

¹² I went so far as to review the estate records for the Estate of David E. Peterson, Cumberland County Probate Court docket no. 2008-0890, and to speak with the personal representative of his estate, Thomas J. Peterson, Esq., and a long time companion with whom he lived at his death, Harriett Benton, who now resides in Delaware. I also reviewed records in the Cumberland County Registry of Deeds. Mr. Peterson owned no real estate and lived in a mobile home park in Westbrook all the years he worked for the City and at his death. His probate estate was under \$150,000.

There is no evidence that SBC attempted to influence or mislead City personnel improperly.

It is clear, however, that somehow the PWD set up the account on the new 6" line in 1996 not to be billed for sewer. This was clearly wrong and a mistake by PWD. How did this happen? The available evidence does not permit a confident conclusion on this all important question. PWD states with rationality that as a billing agent for the City it would not have made such a determination on its own, and the recorded questions raised by PWD personnel in 2004 and 2007 confirm that it took direction from the City and from David Peterson in particular. As discussed below, it would be completely out of character for the Mr. Peterson to have made such an error. It could have happened, and it does not appear he or other City personnel were familiar necessarily with brewing operations. The evidence rather shows an error or mutual misunderstanding that started in 1996 and 1997, lack of follow up by the City in 2004 and again in 2007-08, resulting in the continuing problem that was finally corrected in 2011.¹³

A. 1996 Installation of 6" water service line.

The schematic drawing that is Exhibit G shows the basic configuration of two water service lines, one 4" and one 6," going to a common point and into a water filtration system. After being filtered, the water goes into the brew room at two separate points. The older 4" service account has a 2" primary meter and

¹³ In early 2011, the City through the administration of its Industrial Pretreatment Program learned that SBC was being charged for water only on the 6" line, and not for sewer. This had been the case since the installation of the 6" sewer line in 1996. The lack of sewer billing on this line was corrected in April of 2011, and both lines are now being charged for water and sewer.

a 2" submeter on it to account for the amount going into product.¹⁴ The account for this line has always been charged both water and sewer, with a credit for the submeter.

When SBC moved into the old factory the property was served by a 4" water service line SV27P622 with account number 148225-03 installed in 1979. According to the PWD this line also has a single 2" submeter (#S47395703), which went on that line June 13, 1994. I presume SBC put that meter in when it located its brewing operations there but I do not have the submeter application nor any Utility Account Detail for that account back to 1994.¹⁵ The PWD summary also states that the new 6" line SV27100672, account 175539-01, was installed June 25, 1996, the primary meter on it was installed September 3, 1996, and that the two 2" submeters were installed on that line December 5, 1997 (#S50025678 and #S50025681). The record does not give any answer to why SBC delayed placing the additional 2" submeters on the line until 1997. Then the PWD summary states on March 4, 1998, submeter #S50025681 "was moved from Account #148225-03 to Account #175539-01" but I did not receive any document explaining why or by whom that was done.

The PWD provided the City with a copy of the 8/26/1996 work order for a SBC primary water meter which is attached as Exhibit D. It shows that a 4"

¹⁴ A "memo meter" is also shown. This apparently is strictly an internal meter for SBC's use with reference to soda production and does not affect water or sewer services or billing.

¹⁵ The only information provided to me about the 1994 installation and submeter and the 1996 installation and 1997 submeters is a VAX system summary provided by PWD that lists the dates of installation and serial numbers of the water services, primary meters, and submeters.

water meter was to be installed at Shipyard Brewing Co at 86 Newbury Street, and confirms that it was installed September 3, 1996. It states "Bill sewer: no," which makes no sense as SBC itself has stated that its brewing process consumes 7 or 8 gallons of water for every gallon of beer produced. Therefore, most or perhaps all of the water coming into the plant on the new 6" line should have been expected to enter the sewer.

This is the start of the problem. There is no written documentation from 1996 in PWD or City records as to the basis for the statement of "no sewer" or how it was understood at PWD. Nor is there direct evidence of who made this determination. Mr. Peterson was PWD's regular City contact on sewer issues. The PWD provided a notation of a comment it obtained from a retired PWD employee as follows:

Shipyard Brewery: service installed in 1996

"Per James Pandiscio, 1/20/2012; He remembered this as a 2" service and it was for brew water only, nothing was going into the sewer. He said Dave Peterson signed off on "no sewer billing."

This statement is ambiguous. The water meter on the 6" line was a 4" meter, not a 2" water service meter. The 2" meter on the 6" line would be a submeter not a primary meter. In 1996 the only 2" meter would have been the primary water meter on the 4" line. Saying Dave Peterson "signed off" on no sewer billing could be read to mean Mr. Pandiscio made the determination and Mr. Peterson accepted it. I interviewed Mr. Pandiscio myself on March 1, 2012. He had a clear recollection of once speaking with Mr. Peterson at the public counter at the

PWD offices, where Mr. Peterson often stopped in on business, though he was not sure exactly when the conversation took place.

He confirmed that he remembered Mr. Peterson telling him the new line would be a "product line." It is not completely clear when the conversation took place, or whether they were discussing the 4" meter measuring water or the 2" submeter that went onto the line later.¹⁶ When I spoke to him Mr. Pandiscio did mention the 2" meter to me, which could be a reference to the 2" primary meter on the older 4" line or to the 2" submeter installed on the 6" line for the apparent purpose of measuring water going entirely into product.¹⁷ Therefore, it is not clear whether David Peterson ever instructed the PWD not to bill anything for sewer on the 6" line or simply not to bill for sewer on the product water being measured by a 2" submeter. For David Peterson to have instructed PWD not to bill anything for sewer on the new 6" line would have been an obvious error out of character for him given his knowledge, experience, and manner of doing his. On the other hand, the decision to set up an account as a "water no sewer" account would not have been made by PWD on its own initiative.

Records of David E. Peterson, his background

David E. Peterson was the City's senior sewer technician and his regular daily work involved sewer inspections and investigations. He was experienced,

¹⁶ In fact, it was not even completely clear his recollection applied to the SBC line and not to another, such as a D. L. Geary water line that also went into service in 1996 that appeared on the "water no sewer" list in January 1997.

¹⁷ According to the PWD this meter went onto the line December 5, 1997, some 15 months after the 6" line was installed and available to SBC. The records do show some water drawn on the 6" line in 1996 and 1997.

conscientious, and highly qualified. He was involved in the installation and inspection of the SBC 6" line though all the details are difficult to reconstruct without Mr. Peterson to talk to us about it.

I reviewed diaries and work notes kept by David Peterson for 1996, 1997, 2004, and 2007 and I reviewed his personnel file. Mr. Peterson was hired by the City as a Senior Engineering Technician in 1985, and in 1994 became the Senior Wastewater Technician handling a variety of sewer issues until his death on February 24, 2008. Mr. Peterson was an experienced public official, having trained and worked in Delaware, including service as a town manager and extensive experience with water treatment and collection systems. He had an associate's degree in civil engineering and was trained in wastewater treatment. He held a Class III-B wastewater operator's license issued by the State of Maine, had good performance evaluations, and no disciplinary record.

His reputation among the many I spoke to who knew and worked with him was excellent, and he was noted for being thorough and careful. He worked hard, putting in long hours and often taking work home with him on the weekends. People described him as someone who would not accept representations without checking them out carefully. His diaries reflect records of his daily work, often including sketches and diagrams of drainage systems and installations he had inspected. With fellow workers he frequently engaged in inspections of commercial and industrial facilities and the "reconnoitering" of

drains to see where water went. He was curious and inquisitive and enjoyed solving problems. He was not one to take representations at face value.

Annual Review of "No Sewer" Accounts

Among other things he annually reviewed printouts of sewer service data, including a report of accounts with "water no sewer" status, meaning customers who received water from the PWD but were not billed for sewer with respect to their water lines. In a list prepared in January 5, 1997, there were 1388 such accounts, many of them residential with water service but no connection to the City sewer because of on-site subsurface wastewater disposal systems. There were also commercial services with water lines not billed for sewer, such as fish processing operations, irrigation systems, and in two instances breweries (SBC and D. L. Geary), both of which appear for the first time in this report.¹⁸ Mr. Peterson reviewed this list every year to determine whether it was still correct not to bill the accounts for sewer, and the ledgers bear notations he made to change the status of the accounts or to review them. However, none shows any notation with respect to either Geary's or SBC.

When I interviewed Alan Pugsley, the brew master for SBC since its founding, he explained that the water measured by the submeter on the 6" line all goes exclusively into product and that the water used for washing and other

¹⁸ The D. L. Geary brewery located at 40 Evergreen Drive appeared in the "no sewer" reports for the first time in the report for January 1997, the same time as SBC. It is still listed in the "no sewer" list of water accounts. The PWD listing of accounts that are not being charged sewer lists only one of three lines serving this facility, which is in fact a product line and does not discharge into a sewer drain. Two other lines in fact have been charged water and sewer.

aspects of the brewing process that drain into the sewer do not flow through that meter. This makes sense, as otherwise why have the submeter in the first place? It also suggests that at the time it installed the submeter, SBC expected to be billed for sewer charges on the 6" line except to the extent it could show the water went into its products.

Mr. Peterson often worked with other DPS personnel on inspections and reconnoitering of drains. The diary of Frank Brancely, an engineer in DPS, shows that he was scheduled to go to the SBC brewery on August 1, 1996, to meet with Paul Hendry, the Plant Manager of SBC, between 8 and 9 a.m. His recollection of the visit is limited, but he recalls going to the plant with Mr. Peterson, being greeted by Fred Forsley, and meeting with Paul Hendry. He recalls touring the plant that day or on one or more other occasions and he recalls also speaking to Alan Pugsley the brewmaster. He does not, however, recall what Mr. Peterson did on that day or any other time or whether they worked together or in different areas of the plant. He does not recall any specific statement to him about the new 6" line or how it would be used in the brewing process. Mr. Peterson's diary, the notes in which are often very detailed and extensive, are silent on any meeting at SBC in August 1996, or for that matter, at any time, and contain no notations that would explain any conclusions he reached with regard to the new 6" water line.

It is interesting to observe, however, that there is a note in Mr. Peterson's work diary for August 15, 1996, eleven days before the PWD work order for the installation of the 4" meter on the 6" line, that he

"Went to Water District talked to Jim Pandisio (*sic*) ref two services, one dedicated to non sewer use. He said OK".

However, SBC is not mentioned by name, and it is only the proximity in time to the August 26, 1996, PWD Work Order that it makes it *possible* that Mr.

Peterson's note refers to the SBC service. It also could refer to other services, including for example the water no sewer line installed in 1996 in the Geary's brewery.

If Mr. Peterson did approve no sewer bill for all the water in the 6" line in 1996, there is no evidence to show why Mr. Peterson would have believed that this 6" line was dedicated entirely to non-sewer uses. Certainly SBC knew that was not the case. Was there a misunderstanding? Did Mr. Peterson think there was or would be a submeter? Submeter approval would have involved PWD and City inspection personnel as well. If Mr. Pandiscio's recollection is correct, then it may be that both parties were talking at that time about a 2" submeter on the old 1994 line or one to be added to the new 6" line, not the 4" primary meter on the new 6" line.¹⁹ PWD states in its history (Exhibit A) that in December of

¹⁹ Exhibit A shows that a 2" submeter had been installed on the older 4" line on 6/13/94 and had been replaced on the 4" line by one of the two submeters installed on 12/5/97. Note that once this submeter was moved, Shipyard did not receive any credit against its sewer bills with respect to his submeter because it was on the 6" line as to which no sewer charges were being made in the first place. If at some time a calculation is done retrospectively to bill for sewer charges as to water on the 6" line this would have to be taken into account.

1997, two 2" submeters were installed by SBC, one replacing a 1994 submeter on the older 4" service line. The second submeter was also listed as being on the older 4" service line account. A few months later, on March 4, 1998, the PWD's Utility Account Detail for the newer 6" line notes the following:

"Moved submtr here [to 6" service account] from P-P622 (old 4" service line account) using QBF. 'Installed' like a new sub using the last posted read from the other account. We have a new manual read of 5636-00 which Duane got today but didn't want any usage to show and possible confuse the billing which is set for Friday. -M-"

This shows that in March 1998 it was still expected that only water measured by a submeter should be excluded from the sewer bills. There is no mention of any involvement by Mr. Peterson or any City employee in this transaction, although PWD states it would not have moved the meter from one account to another without instructions from the City. The record does not state that PWD communicated with Mr. Peterson nor that it informed him that the 2" submeter had been moved to the account for the 6" line, which may explain his apparent confusion later on noted below when the issues came up again in 2004 and 2007. Why was a submeter being transferred to a service line account which in 1998 did not have any sewer service on it? Perhaps it was assumed that the 4" line and 6" line were merged and serving the same functions so that one submeter would capture the non sewer "product" usage for both?

In any case, had sewer billing on this account been verified in March 1998 at the time of the reassignment of the submeter to the 6" water line account, the parties might have corrected the error early, when Mr. Peterson and Mr.

Pandiscio were both available to verify the actions were correct and when SBC itself could have been consulted if necessary.

B. PWD New Billing System - 2004

There is no further documentation of any contact between PWD and the City regarding the lack of sewer fees being charged on this account until 2004. In 2004, PWD went to a new billing system and encountered problems with its water billing for SBC's 6" service line. On 6/22/2004, the PWD's Utility Account Detail (references are to Exhibit B) for this account notes:

"No sewer on this!! So why are we reading and why do they have a submeter??"

According to a later notation on the PWD Utility Account Detail, the new billing system

"cannot have a water service and a sewer sub service without a sewer service or remove the sewer subservice."

In follow up to the 6/22/2004 notation, the next day (6/23/2004), PWD's Utility Account Detail under "Sub Meter" states that

"W spoke to: Dave Peterson Submeter he will look to see if the sub s/b reverse mode and on sewer."²⁰

PWD personnel state that this was a "walk-in" contact with Mr. Peterson on 6/23/2004. Mr. Peterson was at PWD on other business that day, and the issue was raised with him during that visit. Mr. Peterson's diary notes confirm that he

²⁰ A reverse mode submeter measures the volume of water which is being discharged into the sewer system.

went to the PWD on that date, but state only that he talked to Jim Pandiscio and Mary Calder about Island View Apartments, a property unrelated to this matter.

There is no record of any further contact by PWD or the City in regard to this submeter situation until a notation four months later in the PWD's Utility Account Detail on October 7, 2004, when a PWD employee put a long note on the Utility Account Detail again under "Submeter":

"Left message for Dave Peterson that the City needs to make a decision on whether Shipyard is supposed to be billed for sewer or not. Our new billing system cannot have a water service and a sewer sub service without a sewer service. We either have to install a sewer service or remove the sewersub service. If cust should be billed for sewer, the City is losing a lot of revenue. Mary Calder began calling on this on March 26, 2004."²¹

An hour later, another notation was made in the PWD Utility Account Detail:

"Dave Peterson called back to tell us to remove the submeter on paper. He will get back to us later. He understands the City is not getting revenue for sewer."

The City reviewed Mr. Peterson's diary for all of 2004 and particularly around the June and October dates of contact indicated by the PWD's Utility Account Detail. I also reviewed it. There was no reference to SBC or to this issue.

Assuming Mr. Peterson already understood that the City was getting no sewer user fee revenue for any of the water coming in on the 6" line his instruction to remove the submeter "on paper" makes no sense even if he had expected the

²¹ No documentation was provided regarding any contact on March 26, 2004. Mary Calder does not have any memory now of the calls.

other submeter on the account to capture the "product water" SBC was not sending down the drain.

This reference on October 7 to removing the meter on paper is also puzzling because the field note in the PWD system on the removal of the submeter on paper, Exhibit L, is dated 08/19/2004, which is some six weeks *before* the notation in the log that Dave Peterson says to remove the meter on paper. What would explain the fact that the PWD system records a field note removing the meter on paper on August 19, 2004, stating "Dave Peterson is aware and told us to remove the submeter on paper until he gets this straightened out" and the detail log records Dave Peterson calling on October 7, 2004, to give that instruction?

Again, no one appears to have checked with SBC in 2004. There is no record that Mr. Peterson ever in fact got back to the PWD.

There is no record of further communication on this issue between the City and PWD for three more years. It is impossible to know whether Mr. Peterson did follow up on this issue, or talk to a colleague or supervisor about it. If he did neither do we know why there is nothing about it in his work diary.²² With the billing problem apparently resolved by removal of the submeter from the 6" line account, PWD also did not pursue the matter further until 2007.

Between 2006 and 2009 PWD converted to an automatic read meter system. New meters were installed by an independent contractor on all PWD

²² One of his supervisors in the City's sewer division William Goodwin has also died.

accounts. Customers who had submeters were advised to upgrade their submeters as well. Thus, the next notation on the PWD Utility Account Detail (Exhibit B) for SBC's 6" service line is on 11/27/2007 and may be connected with the new meters and submeters:

"Left message for Dave Peterson regarding sewer billing at this property."

The next notation on the PWD Utility Account Detail for SBC's 6" service line is on the next day, 11/28/2007:

"Dave Peterson will call me back once he has verified no sewer here - make sure he calls not later than 12.10.07"

Mr. Peterson's diary for that date of 11/28/2007 also noted a call from PWD on that date regarding SBC:

"talked to Elaine Gervais [PWD employee] ref Ship Yard Brewery on Newbury St. ref submeter for product water? She asked if submeter is still needed. "

On 11/29/2007, PWD's Utility Account Detail notes another conversation with Dave Peterson:

"Dave Peterson - needed date when sewer service was closed"

This exchange raises more questions. Why would Elaine Gervais ask David Peterson if the submeter on the 6" line is still needed when in fact it had been "removed on paper" three years earlier? Mr. Peterson's question about when the sewer system was "closed" would be inconsistent with his knowing that sewer had *never* been charged on the account. If he knew that why would he ask when the sewer service was closed? This may show a lingering misunderstanding as

to which SBC account was being discussed at that time and in the past and what submeter or submeters were functioning on what account.

On 12/12/2007, the PWD Utility Account Detail notes:

"Dave P has not checked this yet will check and get back to me".

On January 3, 2008, PWD's Utility Account Detail notes that the contractor working for the PWD to install new meters asked if the submeter on the 6" line should be upgraded to automatic read. PWD responded to hold off as "pwd is waiting to hear from Dave Peterson as we are not billing sewer here." There is no record of any further contact between PWD and Mr. Peterson before his death on February 24, 2008, or between PWD and any other City employee afterward.

On February 1, 2008, the PWD Utility Account Detail notes a conversation with Paul Hendry, SBC Brewery's plant manager, about why the submeter on this account had not been upgraded. It states:

"spoke with paul hendry wanted to know why vsi [the installer] did not upgrade this submeter. advised him of why this sub was removed he is going to be doing more investigating on this and also is going to talk to Dave Peterson. See note on submeter service"

There is no record in Mr. Peterson's diary about talking to anyone from SBC after February 1, 2008, and he died shortly afterward.

Mr. Hendry states that he does not remember this call to PWD at all.²³ He states he does not recall ever checking this matter with Mr. Peterson. The call

²³ The PWD employee who logged the call is retired. Her last known address was in Topsfield, Maine. However, the phone number I obtained for her is listed as out of service and I could not find any other phone number or contact information for her on the Internet. Time did not permit me to locate her or to speak to her to see whether she remembers the conversation.

makes sense, however, if Mr. Hendry believed that SBC was being billed for sewer on the 6" water line and needed the benefit of the submeter to prevent billing for water being put into product. Usual principles of evidence would regard the contemporaneous record of this conversation by PWD highly reliable evidence that the conversation took place and of its substance. Therefore it is appropriate to conclude that the conversation took place and that PWD informed Mr. Hendry at that time that the submeter had not been upgraded because it was "removed" from the account. The note states "advised him of why this sub was removed" and refers to a note in the PWD record. What did the PWD customer service person advise Mr. Hendry? The field note that would have appeared on the computer screen during the call is attached as Exhibit L to this report. It reads as follows:

This meter is removed on paper. Account has a water service and a submeter service but no sewer service. Dave Peterson is aware and told us to remove the submeter on paper until he gets it straightened out.

This is strong evidence the PWD employee told Mr. Hendry the submeter had been removed because the PWD was not billing for sewer charges on the 6" line in the first place.

After Mr. Peterson's death, there is no further PWD notation regarding sewer charges on this account until some years later on 2/22/2011 when the PWD was asked to add SBC to the IPT program and begin charging the sewer surcharge. Exhibit B, PWD Utility Account Detail for 2/22/2011 on the 6" line

notes that the PWD informed Steve Harris that sewer was not billing sewer on this account. Mr. Harris got back to PWD on 2/28/2011 stating that SBC should be being billed sewer on the account, which began with the April, 2011 billing.

VI. Findings and Conclusions

1. When SBC installed its new 6" water line in 1996 PWD set up the account for the new line as "water no sewer" for billing purposes, meaning that SBC would be billed for water usage only and not sewer.
2. This was not correct, as most of the water coming in on the 6" line would be going into the sewer, a fact known to SBC at all times.
3. The error that occurred was a result of human error and miscommunication by City and PWD employees and not deliberate on the part of any City or PWD employee.
4. There is no basis to conclude that SBC deliberately misled anyone about the uses of the water from its new 6" water line in 1996 or afterward. In fact, SBC had installed a 2" submeter on its original 4" water line to capture "product water" that should not be billed for sewer charges and it installed another 2" submeter on the newer 6" line in 1997 for the same reason. It would have had no reason to do that if it knew it was not going to be billed anything for sewer on the newer 6" line or if it had something to hide.
5. PWD listed both 2" submeters as being on the account for the 4" water line when they were installed in 1997. PWD reassigned the one 2" submeter to

the newer 6" water line in March 1998. It is not clear how that happened or at whose direction.

6. When PWD changed its billing system in 2004 it could not have a water line with no sewer charges on it that also had a submeter because the two were inconsistent. It checked with the City and was told to remove the submeter "on paper," which it did. No one talked to SBC at this time.
7. The billing on the 4" account reflected a deduction for a 2" submeter at all times. SBC received bills for the two accounts, the 4" line and the 6" line. The 4" line bills reflected water and sewer charges (after the deduction for the submeter) and the 6" line reflected no sewer charges.
8. In late 2007 PWD again sought to verify the "no sewer" status of the 6" water line resulting in confused exchanges between PWD and the City before the City's lead employee died in February 2008, after which PWD did not pursue the matter further.
9. Also in February 2008, SBC inquired why its submeter on the 6" line had not been upgraded in a system wide upgrade of meters. PWD informed SBC that the 6" line was not upgraded because the submeter had been "removed" from the account as it was not being billed for sewer at all.

One purpose of this review was to determine if there was any evidence of misconduct on the part of a City employee, *i.e.*, was SBC improperly allowed to escape payment of sewer fees on one of its two water lines. There is no evidence of any such misconduct and much evidence that no such thing occurred. Instead

the evidence shows apparent confusion and human error concerning the two SBC accounts being billed by PWD.

As shown in the discussion above and the Exhibits, there is evidence (*i.e.*, the PWD work order for the installation of the 4" water meter) that in 1996 a determination was made that one of the two water service lines at SBC Brewery was dedicated to non sewer use, which may reflect a mistaken belief that all of the water from that line was to be used in the brew product. There is no evidence in City or PWD records as to the basis for any such determination, and I am not convinced by the evidence that David Peterson could have or would have made such an obvious mistake. I believe it is more likely that communications were misunderstood in 1996 and 1997 and that PWD in good faith but in error understood it was to set the account up without billing for sewer. The one record from that period is a record generated by PWD saying "Bill sewer: no." Without more one cannot attribute that instruction to David Peterson, nor for that matter to anyone else.

In the absence of records from that period or the ability to ask everyone involved, it is an inference not a certainty, but a reasonable inference, that the people who communicated about this issue misunderstood each other, and that any discussion of "no sewer" billings would only make sense in reference to a relatively small part of the volume on the 6" line not to the entire volume of water that line used. In any case, this initial determination not to bill at all for sewer on the 6" line was simply not correct, and resulted in today's problem.

When PWD employees posed questions to the City in 2004 and again in 2007 about the lack of sewer billing, the communications reflect a continuing misunderstanding about the water lines and submeters in place in the SBC facility and also inadequate follow up by Mr. Peterson and the PWD staff for unknown reasons. District employees pursued the issue again in 2007, and Mr. Peterson's question then about when the sewer service on the 6" line was discontinued is baffling if he knew all along the PWD was not billing at all for that 6" line.

The PWD staff, to its credit, tried a number of times to clarify why no sewer charges were being made for the 6" water line. Mr. Peterson's responses seem to reflect his assumption that the submeter moved from the 4" line to the account for the 6" line was capturing the "product" water, but he did not follow up on it the way he said he would, which is uncharacteristic of him. Nor was this issue brought to the attention of higher level management in either organization who might have resolved it earlier, as finally happened in 2011.

Recommendations

Before any substantial commercial water customer is permitted to install a submeter to avoid billing for sewer charges, there should be a sufficient demonstration that a volume of water "can be shown not to enter the sewerage system," as section 24-75 (c) of the Portland City Code provides. Given the potential significance of such sewer charge reductions, as shown by this case, it would be wise to require a formal process for the approval of a submeter by

more than one individual in the DPS, perhaps even by the Director, when substantial volumes of water are involved. I am not qualified to say at what level such a review should be required but the engineering experts and technicians within DPS are skilled in their work and should be able to identify a reasonable threshold for such a review that will not unduly burden the Department while assuring the public that such revenue reductions are fully justified.

In complex installations, it might also be important to require plans to be submitted with a higher level of detail about water services, piping, metering, and drains than would be necessary in other installations.²⁴ This would assist in verifying any submeter credits at the time and in reviewing them in the future. It is also important to assure that information is timely exchanged by the various agencies and departments involved to be sure each one has followed up on its areas of responsibility, and something should be done to assure that adequate records are kept and can be found for future reference for a reasonable period related to the useful life of the facilities involved.

It would also be important for the City and PWD to develop a procedure for high level periodic review of substantial accounts with "no sewer" or submeters, at least annually. There has already been a lot of progress in this area

²⁴ In 1995 SBC submitted an application for site plan review for its plant expansion. The plan submitted did not show utilities including water and sewer lines within the building. The planning staff for the city recommended requiring a final plan to show all aboveground or in ground utilities, including water and sewer. The planning board approval, however, did not require that nor has any such plan been filed or recorded. This is not the fault of SBC, as it submitted what was required. But if the City had received a plan showing where the water lines, pipes, meters, and drains were and how they connected the problems that occurred here might have been avoided or more easily corrected.

and PWD and DPS are currently communicating effectively about these issues to review and resolve all doubtful accounts.

Lastly, there should be a procedure by which both PWD and City personnel refer substantial billing questions above a certain threshold to higher level management personnel. In this case, busy field personnel and busy customer service personnel interacted several times with respect to a substantial loss of sewer revenues by the City without complete follow up on either side. Perhaps if there had been an automatic procedure for the questions to be referred to higher level personnel the error that occurred here could have been corrected sooner.

Respectfully submitted April 6, 2012.



Bryan M. Dench
SKELTON TAINTOR & ABBOTT
95 Main Street
Auburn, Maine

Shipyard Brewing History – 86 Newbury St Portland ME

(Prior address names of 143 Fore St & 31 Hancock St)

- 11/02/1979 – A new 4" water Service Line SV27P622 with an Account number of 148225-03 was installed. This account was billed for water and sewer.
- 06/13/1994 – one 2" sub meter #S47395703 was installed at Account 148225-03
- 06/25/1996 – A new 6" water Service Line was installed SV27100672 with an Account # of 175539-01. This account was billed for water only. PWD install work order clearly stated Sewer "No".
- 12/05/1997 - two 2" sub meters were installed, Serial #S50025678 and Serial #S50025681. Serial #S50025678 replaced Serial # S47395703 on Account 148225-03.
- 03/04/1998 – Sub meter # S50025681 was moved from Account #148225-03 to Account #175539-01. The account continued to be billed for water only.
- 06/23/2004 – PWD began working on data conversion for the new billing system. Our new CIS System was unable to bill an account that had a water service with a sub meter, without a sewer service. Mary Calder (PWD) contacted Dave Peterson at the City of Portland to inquire whether the sub meter was supposed to be a reverse mode and if the account should be billed sewer. He said he was going to check into it.
- 10/07/2004 – Left the following message: Left message for Dave Peterson that the City needs to make a decision on whether Shipyard is supposed to be billed for sewer or not. Our new billing system cannot have a water service and a sewer sub service without a sewer service. We either have to install a sewer service or remove the sewersub service. If cust should be billed for sewer, the City is losing a lot of revenue. Mary Calder began calling Dave on this on March 26, 2004.
- 10/07/2004 – Dave Peterson returned Linda's and told us to remove the sub meter on paper. He will get back to us later. He understands the City is not getting revenue for Sewer.
- 11/27/2007 – Blaine Gervais left a message for Dave Peterson to ask him if he had verified "No Sewer"
- 11/29/2007 – Dave called Blaine back to ask when the sewer service was closed. Sewer was never active on this account.
- 12/12/2007 – Blaine called Dave back to see if he had checked on this sewer service yet and he had not.
- 01/03/2008 – As part of the AMR project Jay Arnold contacted Blaine to see if the sub meter should be upgraded (ertified). Blaine told Jay to hold off as PWD was waiting to hear from the Dave @ the City.
- 02/01/2008 – Jan Walker (PWD) spoke with Paul Hendry from Shipyard wanted to know why vsi did not upgrade this submeter. advised him of why this sub service was closed he is going to be doing more investigating on this and also is going to talk to Dave Peterson.
- 02/22/2011 – Blaine Gervais (PWD) called Steve Harris @ the City of Portland regarding the fact that we are not billing sewer on this account. He will update

the spreadsheet with any changes and send the spreadsheet back to me. The Elaine made the call was Steve had listed this account on his IPT spreadsheet.

- 02/28/2011 - Elaine left voice mail for Steve Harris to call me back regarding the surcharge for this property. We are not currently billing sewer on this meter See logs from 2004
- 02/28/2011 - Steve Harris called me back to discuss the sewer service at this property. He said that they should be being billed sewer even though a lot of the water does not enter the wastewater system. The City will be calculating an abatement to the brewery based upon the information that the brewer gives to the IRS stating how much beer they actually bottle. Steve also stated that the surcharge should be effective beginning March 1st. I explained that the surcharges are reading based and that the March bills only go thru mid Feb. He said they should get the new surcharges effective with Aprils bills.
- 02/28/2011 -- Elaine spoke with Steve Harris again to see if the sub meter should be activated. He said to leave it closed until he did their annual inspection as he does not know what it feeds.
- 04/13/2011 -- Elaine removed the sub meter number from the sewersub billing service as it was causing issues to the consumption chart once we re-activated the sewer billing service. The sub meter # was S50025681

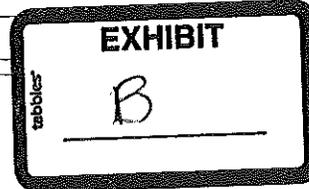
Portland Water District
 225 Douglass Street, P.O. Box 3553
 Portland, ME 04104
 (207)774-5961 Fax (207)761-8307

Utility Account Detail

Report Date 01/03/2012 03:33 PM

Submitted By

Page 1



Account # 175539-01
 Customer SHIPYARD BREWING CO
 Address 86 NEWBURY ST
 PORTLAND ME 04101-

Initiated	09/03/1996 00:00	Group/Cycle	CYCLE 1	PORTLAND AND SOUTH PORTLAND
Initiated By		Subgroup	WS	WATER AND SEWER
Status	ACTIVE	Account Class	INDWS	INDUSTRIAL WATER & SEWER
Status Date	09/03/1996 00:00	Account Area	27P	PORTLAND
Status By		External Account #	100672	
Billing Status	ACTIVE	Penalty Exempt		
Blng Status Date	09/03/1996 00:00	Aggregate Account #		

Pre-select for Bill Staging Pre-select for Bill Print Do Not Send Bills

Bill Messaging cv1	0.00	Fire Line Mtr Sz cv5	0.00
Seasonal Mtr Sz cv2	0.00	Contact Key cv6	0.00
Fire Service Sz cv3	0.00	Swr XOr Pen Area cv7	0.00
Sgle&Rv 0,Dual 1 cv4	0.00	Sewer Surcharge cv8	175539.00

Log Type	Description	Log Date	To	Entered By
PASS	INSPECTION THAT PASSED WO# 685259, WBF 3349: Tom Ziellnski Sprinkler Systems ABPA # 20-172	11/16/2011 09:32		2224
WWQRY	WASTEWATER QUERY I recd abatement request from Steve H. I forwarded to Mary to perform the abatements and save on line. I also copied Linda, David and Mike B at the City of Portland	10/25/2011 12:49		E728
WWQRY	WASTEWATER QUERY Steve Harris from City of Portland wanted the date the water service was installed. It was installed 06.25.1996	10/25/2011 12:43		P728
WWQRY	WASTEWATER QUERY I received a voice message from Steve Harris requesting that I send over the request from Dave Peterson to discontinue the sewer billing at this location. I emailed all of the logs and highlight the ones that were relevant to the sewer billing. I cc Mike Bobinsky @ the City of Portland and saved a copy in Correspondence 2011	10/21/2011 14:14		P728
WWQRY	WASTEWATER QUERY Mike Bobinsky requested to be cc'ed on adjustment requests received from his staff. His staff will be informed and told to add Mike name to the email requests. Linda and Elaine were informed of his request.	10/05/2011 17:02		967
WWQRY	WASTEWATER QUERY Mike Bobinsky sent email to Ron Miller inquiring whether we are billing account based on water consumption. Responded yes. Noted that we have not processed any abatement on account; however did process Allagash Brew abatement at Steve Harris direction. Asked whether direction from Steve Harris is acceptable?	10/05/2011 08:44		967
LTR1B	LETTER 1 FOR BACKFLOW PROCESS WO# 685259, WBF 3349:	10/04/2011 11:48		2224
WWQRY	WASTEWATER QUERY Steve Harris from the City requested print outs exported to excel for the past 12 months. Melanie will run and reformat the reports and I will forward them to Steve.	08/24/2011 15:33		P728
L&M	LOCATED AND MARKED SERVNO=228247 SR Comment: OK NO PWD	07/08/2011 14:10		962
WWQRY	WASTEWATER QUERY Ron had a discussion with Mike B @ City of Portland about three weeks ago - David, So, Harris is not clear about when he had this discussion with his director. But Mike B. mentioned three weeks ago that Harris had brought it up. I informed him that we had only complied w/ a city representative's directive. He thanked me for that new information. R	04/13/2011 14:33		O728

Report Date 01/03/2012 03:33 PM

Submitted By

Page 2

Log Type	Description	Log Date	Entered By
ACTHIS	ACCT HIST (INCOME TAX,GENERAL)	04/13/2011 12:07	P728
Steve Harris called me and wanted usage history on account. I exported to excel and emailed it to him. He indicated that the director was not happy that this account had not been being billed sewer. I sent Linda and David an email summarizing the contacts.			
SUBMTR	SUB METER	04/13/2011 11:33	O728
I removed the sub meter number from the sewersub billing service as it was causing issues to the consumption chart once we reactivated the sewer billing service. The sub meter # was S50025681			
USGQRY	USAGE QUERY	04/04/2011 10:31	P819
harold downs/city will pick up history			
WWQRY	WASTEWATER QUERY	03/24/2011 12:05	O728
Created Surcharge Bill Line Item and Rate table of SURCP9 at a rate of 2.4256 effective 03.01.2011. Added *175539* to Conval 8 on the Utility Account.			
ACTMTN	ACCT MAINT(NOT FOR SERV ADRESS	02/28/2011 14:45	O728
I added a sewer billing service per Steve Harris at City of Portland. I made it effect the day after the last billed read date per his request. I changed the sub group to WS and Account Class to INDWS. I pre-selected it and it billed the wastewater correctly			
SUBMTR	SUB METER	02/28/2011 14:30	P728
I spoke with Steve Harris again to see if the sub meter should be activated. He said to leave it closed until he did their annual inspection as he does not know what it feeds.			
WWQRY	WASTEWATER QUERY	02/28/2011 14:24	P728
Steve Harris called me back to discuss the sewer service at this property. He said that they should be being billed sewer even though alot of the water does not enter the wastewater system. The City will be calculating an abatement to the brewery based upon the information that the brewer gives to the IRS staging how much beer they actually bottle. Steve also stated that the surcharge should be effective beginning March 1st. I explained that the surcharges are reading based and that the March bills only go thru mid Feb. He said they should get the new surcharges effective with Aprils bills			
WWQRY	WASTEWATER QUERY	02/28/2011 13:57	P728
left another message for Steve Harris to call me regarding the lack of sewer billing on this account			
WWQRY	WASTEWATER QUERY	02/28/2011 09:32	P728
I left voice mail for Steve Harris to call me back regarding the surcharge for this property. We are not currently billing sewer on this meter See logs from 2004			
WWQRY	WASTEWATER QUERY	02/22/2011 10:46	P728
I called Steve Harris @ the City of Portland regarding the fact that we are not billing sewer on this account. He will update the spreadsheet with any changes and send the spreadsheet back to me			
ACTHIS	ACCT HIST (INCOME TAX,GENERAL)	01/11/2011 08:38	P2307
sylvia faxing copy of current bill to fax# 775-5562.			
L&M	LOCATED AND MARKED	06/28/2010 08:46	733
SERVNO=202099 SR Comment: Work is being done on private. Marked out Hyd branch and 3 services nearby			
PASS	INSPECTION THAT PASSED	06/03/2010 15:10	2224
WO# 652189, WBF 3349: Tom Zelinski 2-4 Avon St. Lewiston 207-782-0104 ABPA # 20-172			
PASS	INSPECTION THAT PASSED	10/06/2009 13:16	733
WO# 621148, WBF 3349:			
BFT	BACKFLOW TEST	10/02/2009 09:49	P775
PAUL HENDRY CALLED TO SET UP APPT FOR WO 621148 10/6 10:30 AM APPT-ALSO WO 620986			

Report Date 01/03/2012 03:33 PM

Submitted By

Log Type Log Type Comments	Description	Log Date	To	Entered By
LTR1	LETTER 1 FOR BACKFLOW PROCESS WO# 621148, WBF 3349:	09/30/2009 09:46		001
PASS	INSPECTION THAT PASSED WO# 588171, WBF 3349:	10/09/2008 09:40		733
BFT	BACKFLOW TEST 10/9 9:00 wo 587977 & 588171 (paul hendry # 761-0807 ext 7115)	09/30/2008 08:49		P819
LTR1	LETTER 1 FOR BACKFLOW PROCESS WO# 588171, WBF 3349:	09/26/2008 07:51		001
SUBMTR	SUB METER spoke with paul hendry wanted to know why vsi did not upgrade this submeter. advised him of why this sub was removed he is going to be doing more investigating on this and also is going to talk to dave peterson. see note on submeter service	02/01/2008 12:58		P727
WWQRY	WASTEWATER QUERY jay called wanted to know if he should upgrade the sub meter advised no - pwd is waiting to hear from Dave Peterson as we are not billing sewer here	01/03/2008 13:16		P728
WWQRY	WASTEWATER QUERY Dave P has not checked this yet will check and get back to me	12/12/2007 09:58		P728
WWQRY	WASTEWATER QUERY Dave Peterson - needed date when sewer service was closed	11/29/2007 09:17		P728
FUP	FOLLOW UP REQUIRED Dave Peterson will call me back once he has verified no sewer here - make sure he calls not later than 12.10.07	11/28/2007 15:19		P728
WWQRY	WASTEWATER QUERY left message for Dave Peterson regarding sewer billing at this property	11/27/2007 11:27		P728
PASS	INSPECTION THAT PASSED WO# 553539, WBF 3349:	10/10/2007 13:05		617
BFT	BACKFLOW TEST PAUL: APPT: 10/10/07 @ 12 NOON MEET: PAUL HENDRY # 761-0807 TEST BACKFLOW	10/04/2007 10:36		P2166
LTR1	LETTER 1 FOR BACKFLOW PROCESS WO# 553539, WBF 3349:	10/02/2007 10:28		001
LKPLMB	LEAK TOILET/ INTERNAL PLUMBING sr 128902-7/27-no leak	07/31/2007 08:03		O775
WTSVQY	WATER SERVICE QUERY 7/27 anytime go to further parking lot on newbury go to office and ask david hall # 761-0807 ext 7114 water coming up thru floor test water to see if our water/leak on private or our side?	07/26/2007 08:40		P819
PASS	INSPECTION THAT PASSED WO# 470037, WBF 3349: ok	11/03/2006 15:22		733
BFT	BACKFLOW TEST spoke with david hall 11/3 9:00 meet David Hall 761-0807 wo 469836 470037	10/26/2006 08:42		P727
LTR2	LETTER 2 FOR BACKFLOW PROCESS WO# 470037, WBF 3349:	10/25/2006 13:28		2223

Log Type / Log / Comments	Description	Log Date	TO	Entered By
BFT	BACKFLOW TEST 10/18 10:00 am appt. meet david hall tel#761-0807	10/10/2006 08:43		P775
LTR1	LETTER 1 FOR BACKFLOW PROCESS WO# 470037, WBF 3349:	10/04/2006 10:16		2223
TRANSF	TRANSFER WTR CHGS OR W&S PMTS trn credit of 1432.82 from 144028-04 to 175539-01	07/25/2006 14:42		O819
WTSVQY	WATER SERVICE QUERY CONTACT; DAVE HALL; CALLED BECAUSE THEY ARE HAVING PROBLEMS WITH THERE 1 1/2 INCH LINE; TOLD HIM WE ARENT DOING ANYTHING OUT THERE TO EFFECT IT; THE PRESSURE IS FINE NOW. TOLD HIM IF IT HAPPENS AGAIN TO CALL US AND WE WILL SEND SOMEONE OUT TO TAKE A LOOK	01/30/2006 14:09		P2114
PASS	INSPECTION THAT PASSED WO# 440818, WBF 3349:	10/14/2005 13:14		239
BFT	BACKFLOW TEST lft message with receptionist to let mr hall know we will be about 10 mins late (per duanne)	10/14/2005 08:59		P819
BFT	BACKFLOW TEST contact; mr hall; appt 10/14 @9am to test backflow; tel: 761-0807	10/06/2005 15:14		P2114
LTR1	LETTER 1 FOR BACKFLOW PROCESS WO# 440818, WBF 3349:	10/04/2005 07:46		2198
WTSVQY	WATER SERVICE QUERY PAUL: 761-0807 - NO WATER PRESSURE - SOMEONE ELSE CAME IN TO TALK TO HIM & HE SAID THEY WILL GO CHECK IT OUT SOME MORE - WILL HOLD OFF UNTIL THEY CALL BACK	08/19/2005 12:09		P2092
SUBMTR	SUB METER Dave Peterson called back to tell us to remove the submeter on paper. He will get back to us later. He understands the City is not getting revenue for sewer.	10/07/2004 17:10		P2074
SUBMTR	SUB METER Left message for Dave Peterson that the City needs to make a decision on whether Shipyard is supposed to be billed for sewer or not. Our new billing system cannot have a water service and a sewer sub service without a sewer service. We either have to install a sewer service or remove the sewersub service. If cust should be billed for sewer, the City is losing a lot of revenue. Mary Calder began calling Dave on this on March 26, 2004.	10/07/2004 16:10		P2074
WTSVQY	WATER SERVICE QUERY SOURCE: P SPOKE_TO: CO LOT OF AIR IN WATER & WATER COMING OUT GREEN - WHILE I WAS CHECKING W/CENTER - THEY FIGURED OUT THE PROBLEM NEW FOAMING AGENT & PRESSURE WAS TOO HIGHT	09/28/2004 00:00	09/28/2004 00:00	2092
SUBMTR	SUB METER SOURCE: W SPOKE_TO: DAVE PETERSON SUBMETER HE WILL LOOK TO SEE IF THE SUB S/B REVERSE MODE AND ON SEWER	06/23/2004 00:00	06/23/2004 00:00	819
READ	READ METER SOURCE: O SPOKE_TO: EDIT LIST 'B'SUB=335300T';NO SEWER ON THIS!ISO WHY ARE WE READING AND WHY DO THEY HAVE A SUBMETER?? PRINTOUT TO MARY. -M-	06/22/2004 00:00	06/22/2004 00:00	662

Report Date 01/03/2012 03:33 PM

Submitted By

Page 5

Log Type Log Type Comments	Description	Reg Date Reg Date	To	Entered By
BFT	BACKFLOW TEST SOURCE: P SPOKE_TO: DAVE HALL 761-0807 7714 APPT 12/5 #239 8:00 BACKFLOW	11/24/2003 00:00	11/24/2003 00:00	819
BALQRY	BALANCE INQUIRY SOURCE: O SPOKE_TO: NOTE ON RETURN STUB TRANS CREDIT FROM P-P622-3	11/10/2003 00:00	11/10/2003 00:00	2092
BFT	BACKFLOW TEST SOURCE: P SPOKE_TO: ALAN PUGSLEY 761-0807 APPT 10-18 @ 3:00 TO TEST FORE ST F IRST THEN THIS ONE C 7103	10/10/2002 00:00	10/10/2002 00:00	2092
MTRRPR	METER REPAIR SOURCE: O SPOKE_TO: W/O344774, D PEDNEAULT ALAN PUGSLEY, MASTER BREWER/OWNER	03/06/2002 00:00	03/06/2002 00:00	556
BFT	BACKFLOW TEST SOURCE: P SPOKE_TO: ALAN PUGSLEY BACKFLOW TEST 2ND DEVICE 10-26-01 # 239 9AM	10/19/2001 00:00	10/19/2001 00:00	2062
OTHER	MISC WORK SOURCE: P SPOKE_TO: ALAN PUGSLEY LEFT VOICEMAIL MESSAGE- ANNUAL FOLL OW UP CALL TO INQUIRE ABOUT OUR SERVICE. LEFT VOICEMAIL MESSAGE LAST AUGUS T FOR MR. FORSLEY BUT NEVER RECEIVED A RESPONSE.	12/18/2000 00:00	12/18/2000 00:00	2092
ZCL_34	TRF - TRF CODE FOR PUC RPT SOURCE: P SPOKE_TO: DAVE PETERSON NO SURCHARGE FOR THIS PROPERTY	05/17/1999 00:00	05/17/1999 00:00	728
ZCL_34	TRF - TRF CODE FOR PUC RPT SOURCE: P SPOKE_TO: LEFT MESSAGE WAITING FOR DAVE PETERSON TO CALL	05/14/1999 00:00	05/14/1999 00:00	728
ZCL_90	BACKFLOW SOURCE: P SPOKE_TO: PAUL HENDRY 4/23 9:30 186 THIS TEST AND P-P62 2	04/09/1999 00:00	04/09/1999 00:00	727
ZCL_35	ACOUNT HISTORY SOURCE: P SPOKE_TO: PAUL ACCOUNT HISTORY	02/22/1999 00:00	02/22/1999 00:00	873
ZCL_7	NSF - BAD CHECK PENALTY SOURCE: P SPOKE_TO: PAYMENT ARRANGEMENT DATE DUE AMOUNT SEWER 04/10/98 815.09 0.00	04/02/1998 00:00	04/02/1998 00:00	727
ZCL_80	PAYMENT PROBLEM SOURCE: P SPOKE_TO: GEOFF FEB BILL NOT RECEIVED WILL FAX PRIN T OUT OVER MAKE ARRANGEMENT TO AVOID SHUT 775-5567	04/02/1998 00:00	04/02/1998 00:00	727

Portland Water District

225 Douglass Street, P.O. Box 3553
 Portland, ME 04104
 (207)774-5961 Fax (207)761-8307

Utility Account Detail

Report Date 01/03/2012 03:33 PM

Submitted By

Log Type	Description	Log Date	To	Entered By
ZCL_15	BACKFLOW TEST SOURCE: P SPOKE_TO: PAUL BILL LAYOUT / SYSTEM	03/13/1998 00:00	03/13/1998 00:00	727
ZCL_13	REF - REFUND CUSTOMER SOURCE: W SPOKE_TO: CHUCK HAMILTON, ELAINE G MOVED SUBMTR HERE FROM P-P622 USING QBF. 'INSTALLED' LIKE A NEW SUB USING THE LAST POSTED READ FROM THE OTHER ACCOUNT. WE HAVE A NEW MANUAL READ OF 5636-00 WHICH DUANE GOT TODAY BUT DIDN'T WANT ANY USAGE TO SHOW AND POSSIBLY CONFUSE THE BILLING WHICH IS SET FOR FRIDAY. -M-	03/04/1998 00:00	03/04/1998 00:00	662
ZCL_99	OTHER SOURCE: O SPOKE_TO: D PEDNEAULT TP READ 1382000B, 2/5	02/06/1998 00:00	02/06/1998 00:00	556
ZCL_26	MXU - MXU CHARGE SOURCE: O SPOKE_TO: C GREEN TP INACCESSIBLE, 1/29	02/04/1998 00:00	02/04/1998 00:00	662

Comments:

Small Craft Brewer

Portland Water District
 225 Douglass Street, P.O. Box 3553
 Portland, ME 04104
 (207)774-6981 Fax (207)761-8307

Utility Account Detail

Report Date 01/19/2012 03:27 PM

Submitted By

EXHIBIT

Page 1

Account # 146225-03
 Customer SHIPYARD BREWING CO
 Address 80 NEWBURY ST
 PORTLAND ME 04101-

tabbles

C

Inflated	01/24/1995 00:00	Group/Cycle	CYCLE 1	PORTLAND AND SOUTH PORTLAND
Inflated By		Subgroup	WS	WATER AND SEWER
Status	ACTIVE	Account Class	INEXWS	IND TAX EXEMPT-WATER & SEW
Status Date	01/24/1995 00:00	Account Area	27P	PORTLAND
Status By		External Account #	P622	
Billing Status	ACTIVE	Penalty Exempt		
Blng Status Date	01/24/1995 00:00	Aggregate Account #		

Pre-select for Bill Staging Pre-select for Bill Print Do Not Send Bills

Bill Messaging ov1	0.00	Fire Line Mir Sz ov5	0.00
Seasonal Mir Sz ov2	0.00	Contact Key ov6	0.00
Fire Service Sz ov3	0.00	Swr XOr Pen Area ov7	0.00
Sgle&Rv 0, Dual 1 ov4	0.00	Sewer Surcharge ov8	146225.00

PASS	INSPECTION THAT PASSED	11/16/2011 09:30	2224
WO# 687070, WBF 3123: Tom Ziolinski Sprinkler Systems ABPA # 20-172			
LTR1B	LETTER 1 FOR BACKFLOW PROCESS	10/05/2011 10:40	2224
WO# 687070, WBF 3123:			
USGQRY	USAGE QUERY	09/27/2011 16:42	P2307
I spoke to paul and he said that high usage is from increase of production, but he will double check to make sure there are no leaks.			
WWQRY	WASTEWATER QUERY	08/24/2011 16:33	P728
Steve Harris from the City requested print outs exported to excel for the past 12 months. Melanie will run and reformat the reports and I will forward them to Steve.			
ACTHIS	ACCT HIST (INCOME TAX,GENERAL)	04/13/2011 12:09	P728
Steve Harris called me and wanted usage history on account. I exported to excel and emailed it to him			
ACTHIS	ACCT HIST (INCOME TAX,GENERAL)	04/04/2011 10:31	P819
harold downs/city usage			
WWQRY	WASTEWATER QUERY	03/24/2011 12:04	O728
Created Surcharge Bill Line Item and Rate table of SURCP0 at a rate of 2.4256 effective 03.01.2011. Added *146225* to Consval 8 on the Utility Account.			
PASS	INSPECTION THAT PASSED	01/11/2011 11:18	2224
WO# 652063, WBF 3123: Tom Ziolinski Sprinkler Systems ABPA # 20-172			
LTR1F	LETTER 1 FAILED BACKFLOW	12/23/2010 11:32	2224
WO# 652063, WBF 3123:			
FAIL	FAILED INSPECTION	06/03/2010 16:08	2224
WO# 652063, WBF 3123: Tom Ziolinski 2-4 Avon St. Lewiston 207-782-0104 ABPA # 20-172 repairs are scheduled			

Portland Water District
 225 Douglass Street, P.O. Box 3553
 Portland, ME 04104
 (207)774-5961 Fax (207)761-8307

Utility Account Detail

Report Date 01/19/2012 03:27 PM

Submitted By

Code	Description	Date/Time	Amount
PASS	INSPECTION THAT PASSED WO# 620986, WBF 3123:	10/06/2009 13:12	733
LTR1	LETTER 1 FOR BACKFLOW PROCESS WO# 620986, WBF 3123:	10/05/2009 09:20	001
PASS	INSPECTION THAT PASSED WO# 587977, WBF 3123:	10/09/2008 09:41	733
LTR1	LETTER 1 FOR BACKFLOW PROCESS WO# 587977, WBF 3123:	09/30/2008 09:30	001
BFT	BACKFLOW TEST 10/9 9:00 wo 587977 & 588171 (paul hendry # 761-0807 ext 7115)	09/30/2008 08:50	P819
AMRSUR	AMR SURVEY INSPECTION WO# 488516, WMTR S60025678; vsl motor inspection, vsl retro fit sub meter	01/03/2008 14:49	402
CORRD	CORRECT READ changed usage from 54.00 per submeter was 53.00 and water meter estimated. mv	12/24/2007 09:01	O2168
LKPLMB	LEAK TOILET/ INTERNAL PLUMBING sr 137680-11/28-no leak. had leak in parking lot on private. ok now	12/05/2007 09:36	O776
LKPLMB	LEAK TOILET/ INTERNAL PLUMBING has water coming in see paul hendry 11/28 11:00 go to main office he will be there. call 760-3581 sr 137680	11/27/2007 11:10	P727
PASS	INSPECTION THAT PASSED WO# 553342, WBF 3123:	10/10/2007 13:03	817
LTR1	LETTER 1 FOR BACKFLOW PROCESS WO# 553342, WBF 3123:	10/04/2007 10:43	001
PASS	INSPECTION THAT PASSED WO# 469836, WBF 3123: ok	11/03/2006 16:16	733
BFT	BACKFLOW TEST 11/3 9:00 meet David Hall 761-0807 wo 469836 470037	10/26/2006 08:43	P727
LTR2	LETTER 2 FOR BACKFLOW PROCESS WO# 469836, WBF 3123:	10/25/2006 13:42	2223
LTR1	LETTER 1 FOR BACKFLOW PROCESS WO# 469836, WBF 3123:	10/10/2006 16:14	2223
TRANSF	TRANSFER WTR CHGS OR W&S PMTS transfer credit from 144028-04 to 146225-03 \$11.78	08/10/2006 16:03	O727
WKDOC	WORK DOCUMENTATION WO# 475177, WSL SV27P822: dug out 2.5 feet found service box blew out operated raised to grade	03/30/2006 14:59	1083
ADSTNM	ADDRESS STREET NAME CHG - AMAP changed from 31 hancock st	03/28/2006 15:16	O819

Report Date 01/19/2012 03:27 PM

Submitted By

Page 3

Code	Description	Work Date	Entered By
BFT	BACKFLOW TEST wo 440612 charged at null (\$10) should have been \$30.00. redid wbf single at \$20.00.	11/07/2005 12:44	O775
PASS	INSPECTION THAT PASSED. WO# 440612, WBF 3123: ok	11/04/2005 10:51	733
BFT	BACKFLOW TEST 11/4 10:00 am appl. all sol.	10/31/2005 14:15	E775
LTR1	LETTER 1 FOR BACKFLOW PROCESS WO# 440612, WBF 3123:	10/17/2005 08:36	2108
R	READ METER This is the 3rd acct I've seen this am that has '2' 'T' reads, 1 day apart. I'm del the 3/28/05 read.	03/30/2005 09:05	O862
R	READ METER rdg 476800, submtr, Craig Reynolds	03/29/2005 14:35	O556
RADRPR	REPAIR RADIO READ put S50025678 back in P46	02/01/2005 09:33	O556
RADRPR	REPAIR RADIO READ put submtr S50025678 in P03	11/04/2004 07:08	O556
BFT	BACKFLOW TEST SOURCE: O SPOKE_TO: DAVID HALL 761-0807 7114 APPT 12/5 #239 8:30 BACKFLOW	11/24/2003 00:00	11/24/2003 00:00 819
BALQRY	BALANCE INQUIRY SOURCE: M SPOKE_TO: NOTE ON RETURN STUB TRANS CREDIT BAL TO P-100872-2	11/10/2003 00:00	11/10/2003 00:00 2092
MTRRPR	METER REPAIR SOURCE: O SPOKE_TO: W/O 380486, DENIS FASULO NO NEED FOR RADIO READ, 318900,4/10	04/01/2003 00:00	04/01/2003 00:00 556
READ	READ METER SOURCE: O SPOKE_TO: CRAIG REYNOLDS SUBMTR-SSI CAN'T READ, 3/27	03/28/2003 00:00	03/28/2003 00:00 556
MTRRPR	METER REPAIR SOURCE: O SPOKE_TO: JERRY COURTOIS NEWBURY STREET REAR, 4 TP'S IN A ROW, 3 DONT WORK, THE PRIMARY IS HOOK TO MXU, SUBMTR IS 30' IN THE AIR W/O 380486	03/28/2003 00:00	03/28/2003 00:00 556
READ	READ METER SOURCE: O SPOKE_TO: W/O 380486, 4/10 NEED TO INSTALL MXU FOR SUBMTR S50025678	03/28/2003 00:00	03/28/2003 00:00 556
MTRRPR	METER REPAIR SOURCE: O SPOKE_TO: W/O 367309, DENIS FASULO TP OUTSIDE FOR SUBMETER WORKS FINE, 12/13 SUBMTR IS 200' FROM MXU	12/16/2002 00:00	12/16/2002 00:00 556

Report Date 01/19/2012 03:27 PM

Submitted By

Page 4

Activity	Description	Log On (C)	To	Entered By
READ	READ METER SOURCE: O SPOKE_TO: W/O 367438, 12/18 HOOK SUBMTR TO MXU#2427221	12/16/2002 00:00	12/16/2002 00:00	558
READ	READ METER SOURCE: O SPOKE_TO: W/O 367309, 12/13 TO HOOK SUBMTR TO MXU	12/11/2002 00:00	12/11/2002 00:00	558
MTRPRR	METER REPAIR SOURCE: O SPOKE_TO: W/O 367009, DENIS FASULO INSTALLED MXU#2427221, 295100, 12/10	12/11/2002 00:00	12/11/2002 00:00	558
READ	READ METER SOURCE: O SPOKE_TO: CRAIG REYNOLDS A-MTR SSI CAN'T READ W/O 367009, 12/10	12/05/2002 00:00	12/05/2002 00:00	558
READ	READ METER SOURCE: O SPOKE_TO: CRAIG REYNOLDS SSI CAN'T READ, 10/25	10/29/2002 00:00	10/29/2002 00:00	558
BFT	BACKFLOW TEST SOURCE: P SPOKE_TO: ALAN 781-0807 X 7103 APPT 10-18 @ 3:00 TO TEST THIS ONE THEN NEWBURY ST	10/10/2002 00:00	10/10/2002 00:00	2092
SUBMTR	SUB METER SOURCE: P SPOKE_TO: SHIPYARD SUBMETER EXPLAINED HOW THIS WORKS	09/16/2002 00:00	09/16/2002 00:00	819
BFT	BACKFLOW TEST SOURCE: P SPOKE_TO: MAN APPT 8/31 @ 10:00	08/20/2001 00:00	08/20/2001 00:00	728
ZCL_90	BACKFLOW SOURCE: P SPOKE_TO: PAUL HENDRY 10/30 9:30 188 BACKFLOW TEST	10/08/1998 00:00	10/08/1998 00:00	727
ZCL_28	MXU - MXU CHARGE SOURCE: O SPOKE_TO: C GREEN SSI CAN'T READ, 3/26	03/26/1998 00:00	03/26/1998 00:00	662
ZCL_13	REF - REFUND CUSTOMER SOURCE: W SPOKE_TO: CHUCK HAMILTON, ELAINE HAD TO MOVE SUBMTR FROM HERE TO P-100672-1. DID A 'QBF' FINAL HERE SO WE WOULDN'T DESTROY ANY HISTORY. LEFT THE USAGE HERE ALSO. -M-	03/04/1998 00:00	03/04/1998 00:00	662
ZCL_27	BILLING DEPT NOTE SOURCE: O SPOKE_TO: COLEMAN GREEN GAVE 42 HCF ON C-SUBMTR,(287),3/2	03/03/1998 00:00	03/03/1998 00:00	656
ZCL_17	BAD - PAID THRU THOMAS AGENCY SOURCE: P SPOKE_TO: PAUL HENDRY LETTER ABOUT SUBMETER NOT READING P ROPERLY; WILL CHECK WIRE	02/17/1998 00:00	02/17/1998 00:00	819

Portland Water District
225 Douglass Street, P.O. Box 3553
Portland, ME 04104
(207)774-5961 Fax (207)781-8307

Utility Account Detail

Report Date 01/19/2012 03:27 PM

Submitted By

Page 5

Log ID	Description	Log Date	Log Time	Bill Code
--------	-------------	----------	----------	-----------

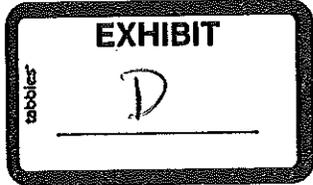
ZCL_27	BILLING DEPT NOTE SOURCE: O SPOKE_TO: JEANNE G. DOCUMENT 73 SENT 02/10. REASON: SUBMETER NEEDS REPAIRS.	02/12/1998 00:00	02/12/1998 00:00	603
--------	--	------------------	------------------	-----

ZCL_27	BILLING DEPT NOTE SOURCE: O SPOKE_TO: GAVE 73 HCF FOR SUB-C CREDIT, (231)	01/30/1998 00:00	01/30/1998 00:00	558
--------	---	------------------	------------------	-----

ZCL_28	MXU - MXU CHARGE SOURCE: O SPOKE_TO: C.GREEN SUBMTR-INACCESSIBLE, 9/22	01/02/1998 00:00	01/02/1998 00:00	602
--------	--	------------------	------------------	-----

Comment

Small Craft Brewer



184 8127 3:00

PORTLAND NEW SET
WATER INSTALL METER
DISTRICT

Date: 08/26/96
Account No: 0070

Work Ord.: 84203

REG/CODE: P 100672
Book: 11
REV. CLASS: IM
NAME: SHIPYARD BREWING CO
Service Address:
86 NEWBURY ST
PORTLAND

Mail to:

(1)

Meter size: 4
Bill sewer no

METER INSTALLATION DATA

	(1)	(2)
Size	4" S	
Ser #	1464353	
Reg ID	06595910	
Read	199999700	6 Wheel
TP loc	Fore st overhead door Near stairs to office	

Date: 9-3-96 By: DCP+BJ
9/10/96 RW

C50

THURSDAY 15

Went to City Hall gave Kevin Curran memo with copy of letter on sewer lateral no longer in use.

Spoke to B.G. got of C50 Tech Booklets. Saw date & final report.

Went to Water District talked to Jim Ponderio re two mains, one dedicated to non sewer use he said OK.

Revised several water records from Elaine. Serviced & Upgraded flow meters at St James St.

FRIDAY 16

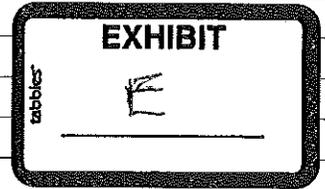
Vault research for #604 Washington Ave - found 1405 records were connected to main line. Close for Bertha St at approx 100 PM set up flow meter TSC (Cleveland only) on George St. Ocean Cliff St (Frank)

AUG

WEDNESDAY 231/135 18

17 SATURDAY

SUNDAY 18



JULY 1996						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

AUGUST 1996						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

SEPTEMBER 1996						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

NOVEMBER

28

WEDNESDAY

2007 332nd day - 33 days follow

2 M. IPT ALLAGASH BREWERY
2 hr ENS STAFF MEETING

DIVU Clear @ 0

" 35

3 1/2 STAFF

1/2 OT

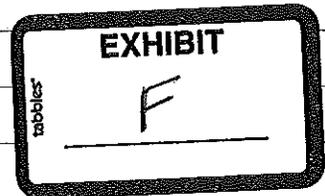
5:00 P.C. @ 32°

0:15 - 10:15 Eng. Staff meeting with ~~Tracy~~ Cathy Earle
Mouse B.E.K. 1/2 hr discussion

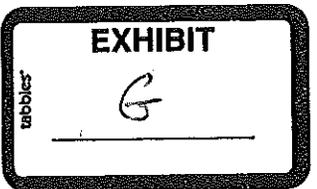
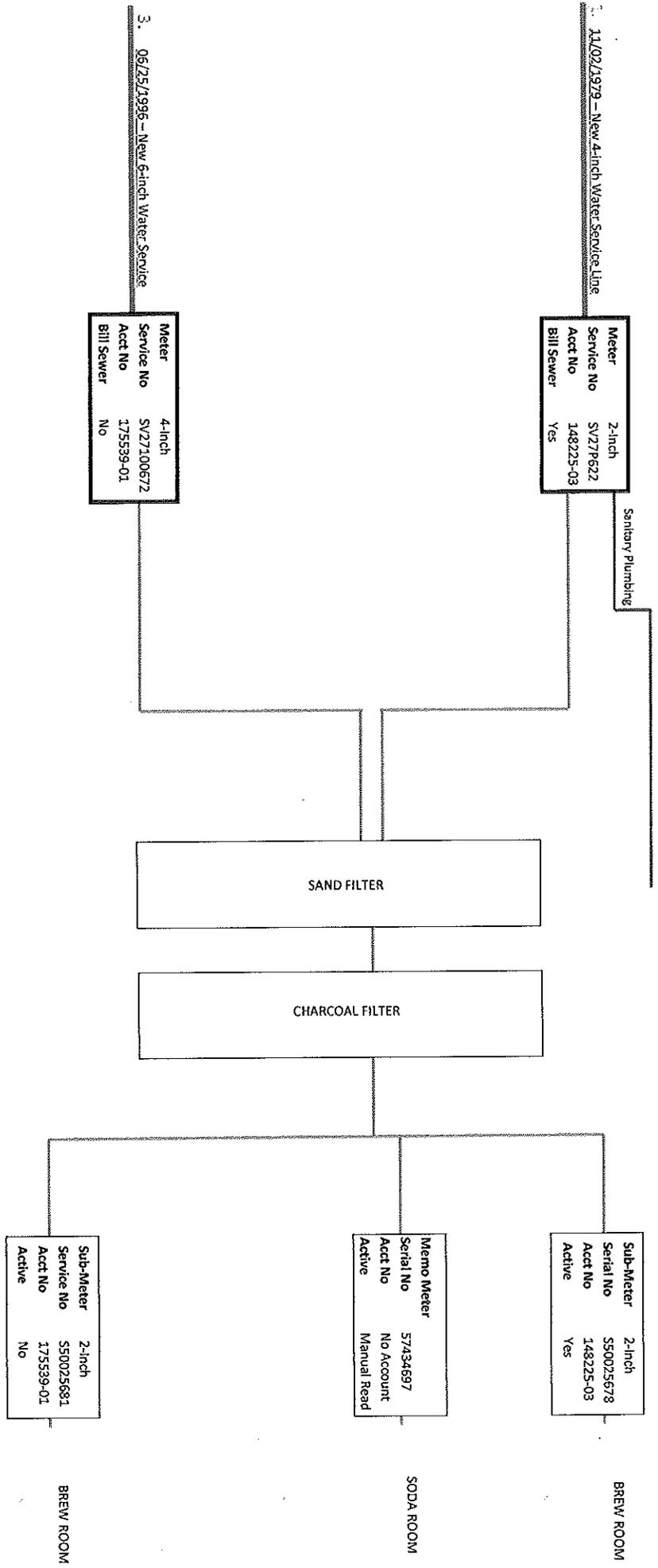
Went to Allagash Brewery no composite sample ~~done~~
mon. ~~Point up~~ sampled for pH, O&G, H₂.
reset sampler (Mike Moore)

Made list up sent send to Mary C. M.D on
Sewer Abatement etc

Talked to Elmi ~~Starr~~ ref Ship Yard Brewery on
Newbury St. ref submeter for product water? Elmi
~~asked~~ asked if ref submeter still needed.



Floor plan is only to assist in the visualizing of Shipyard Brewery's filtering system and sanitary plumbing it may not be accurate



August 19, 1977

MEMO - Meeting on Sewer Sub Metering.

ATTENDING - City of Portland - Flaherty, Beaulieu, Goodwin
Port. Water Dist. - Taylor, Wyman

Question - How often should abatements be made?
Answer - Every billing period. The City would like a copy of all abatements given for sub meters.

Question - What procedure should be set up to answer concerns and inquiries about sub metering?

Answer - The inquiries should be handled through the Director of Public Works office with the technical assistance of PWD personnel.

Question - What types of meters are going to be acceptable and how should they be equipped?

Answer - It was decided to recommend Neptune and Rockwell meters equipped with remote readers be utilized whenever possible. All meters shall be straight reading and register in cubic feet. The remote register will be located adjacent to the District's meter so all readings can be made at the same time.

Question - Will by-pass piping be required around sub meters?

Answer - Yes, wherever possible.

Question - How many sub meters will be allowed in one customer's plant?

Answer - If they utilize remote registers, as many as they wish to purchase. However, they will be encouraged to consolidate their piping to the greatest possible extent.

Question - What schedule for maintenance and testing should be set up for sub meters?

Answer - It was decided to inform the owners of sub meters about the mechanics of how a meter operates and that it will be to their advantage to properly maintain the meter.

Question - How can the City be sure the meters have not been tampered with?

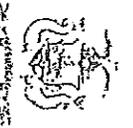
Answer - All meters must be sealed. Any meter not sealed would not qualify for an abatement.

Portland Water District
225 Douglass Street
Portland, ME 04104

NEW METER SPECIFICATIONS

The Portland Water District has standardized on purchasing and installing either Rockwell or Neptune water meters. All meters purchased by the District shall conform to the following specifications:

1. be cold water meters.
2. shall meet or exceed AWMA accuracy test requirements and be accompanied by a certificate of test accuracy.
3. the 5/8"; 3/4"; 1" meters to be furnished with threaded ends. The 1-1/2" and 2" meters are to have flanged ends. All meters are to be furnished less meter connections and companion flanges.
4. shall have either a rotating disc or oscillating piston.
5. shall have a bronze case.
6. the 5/8"; 3/4"; 1" meters shall be of frostproof design.
7. the meters shall be magnetic drive.
8. the meters shall be equipped with generator type remote registers.
9. the meters will have straight reading, cubic foot registers.
10. the meters will have the meter number stamped into the main case.



CITY OF PORTLAND

January 6, 1993

RECEIVED

JAN 8 1993

DEPARTMENT OF PUBLIC WORKS

George A. Rabarby
Director

A meeting was held Tuesday, December 15, 1992 at 2:00 p.m. at the Portland Water District to discuss the Department of Parks & Public Works' need to obtain information from the Portland Water District's customer accounts record system.

Attached is a list of those who attended this meeting.

Issues

Customer account records information

Customer Records: Information listed below represents some of the types of information needed by the City of Portland.

- Meter number
- How last bill was calculated, meter reading or estimated?
- Volume of water used by customer.
- Credits issued?

Submeter

- Number
- Location
- Approved date

Industrial Pretreatment Program

Legal Description of Property

When records are turned over to the City for the City to collect as delinquent accounts, it no longer contains customer account chart-block-lot information.

Portland Water District data system has a field to record the City assessor's information chart-block-lot data.

Submeter

City needs to authorize the installation of the submeters. City allows one abatement after a submeter has been installed per customer.

55 Portland Street · Portland, Maine 04101 · (207) 874-8493

MEETING MINUTES (CONTINUED)
PAGE 2

Suggestions

- 1) City to have a data link to the District's records.
- 2) Water District to send data to City's mainframe.
- 3) Water District to send Parks & Public Works Department a disk of their customers' records.

Note: Customer Records refer only to Portland, Deering and Peaks Island customers.

I.P.T. Data

65% of I.P.T. data on the District's PC.

35% of I.P.T. data on the District's mainframe.

The District has agreed to allow the City of Portland to connect into their PC system.

U.S.E.P.A.

Requires that duplicate records be maintained by the Portland Water District and the City of Portland. Currently, the P/W staff receives printouts from the Water District of all the data in hard copy which they are now asking the District to allow P/W to view via a data system.

Issue:

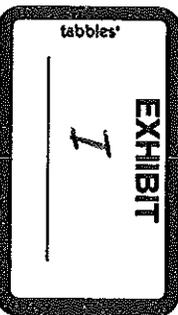
The City's Department of Parks & Public Works has to have the requested information because Portland Water District has turned certain customer issues over to the City.

Other Issue

Open mailbox between the city and the District would improve communication between the City and the District.

Portland Water District

- Data system may need another port?
- Are two companies sharing one data system an issue for the Water District?
- Perhaps the City would have to develop a software program.
- The Portland Water District does not want to allow the City of Portland employees use of their system or the ability to look at data currently in Water District system!



Issues

- Don't want to share data!
- System security!

Summary

Meeting adjourned to allow the Portland Water District time to rethink their position.

Hopefully, the Water District will make a decision to allow the situation to be resolved to the City's satisfaction.

[Handwritten signature]
GWF/sjf

Attachment

pc: Elizabeth A. Hoemann, Director of Marketing and Customer Service,
Portland Water District, P.O. Box 3553, Portland, Maine 04104-3553

Duane G. Kline, Finance Director
William B. Goodwin, Environmental Project Engineer
David Peterson, Senior Technician
Desk file

Parks & Public Works



CITY OF PORTLAND

NOV 15 1992

George A. Riherty
Director

November 5, 1992

Mr. Daniel Jellis, General Manager
Portland Water District
P. O. Box 3553
225 Douglas Street
Portland, Maine 04104-3553

Dear Dan,

I am submitting additional information for our request for a modem to be connected to the district's computer so we can view the water and sewer user records pertaining to the Portland and Deering areas in a timely manner as per our telephone conversation.

Listed below are several reasons for needing the modem hook-up.

1. Access is needed for customers requesting sewer bill adjustments.
2. Access is needed for customers requesting sewer abatements.
3. Access is needed to verify customer status (non-sewered, sewerd, or standby).
4. Access is needed to verify if past due accounts have been turned over to the city. This timing is critical if they are due credit. This information would dictate whether correspondence needs to be sent to the city's finance department and the FWD or to just only one department.
5. Access is needed to check customer records for submeter credit. Some commercial accounts have more than one submeter. We need to know the readings, the serial numbers of each, and when they were installed and/or removed.

As with your Customer Representatives, they could access files and answer customers' requests in a timely fashion. This makes for good customer relations. We would like to have the same capability as you do in these areas.

Also, our Industrial Pretreatment Program has some present and future needs which are listed below.



Portland
Water District

225 Douglass St. • P. O. Box 3553 • Portland, ME 04104-3553

(207) 774-5961
FAX (207) 761-8307

RECEIVED

November 23, 1992

NOV 24 1992

PARKS/PUBLIC WORKS

George Flaherty, Director
Department of Parks & Public Works
55 Portland Street
Portland, Me 04101

Dear George:

Enclosed is a draft of our 1993 Financial Plan, which shows the 1993 wastewater assessments. I look forward to meeting with you at 8:30 A.M. on Thursday, December 3rd, at the District's office on Douglass Street to discuss the assessment. Please remember this is a draft and is subject to change.

Very truly yours,

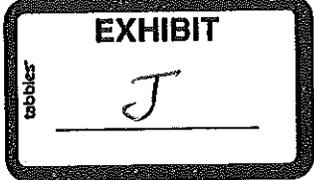
~~PORTLAND WATER DISTRICT~~



Douglas Stegert
Controller

DS/ajr

enc.



Inspection Services
P. Samuel Hoffses
Chief



Planning and Urban Development
Joseph E. Gray Jr.
Director

CITY OF PORTLAND

RESIDENTIAL SUBMETER REQUIREMENTS/INSTRUCTIONS

SUBMETER REQUIREMENTS:

- * Your submeter is to be connected to a pipe that will supply water which will not enter the sewer system, i.e. outside use only.
- * All water from the street water main must pass thru the Portland Water District's meter prior to entering the submeter.
- * Locate the remote meter reading device for submeter on the outside wall near regular existing meter reading device. The wire for this remote reader shall be either 2 strand door bell or thermostat wire.
- * All submeters must be installed inside of the building in an up-right position and in a permanent manner. You may need a licensed plumber.
- * Backflow preventers are required on all outside faucets, even existing ones. See attached information. The backflow preventer must be a Watts #8 or equivalent, which may be purchased at a plumbing/hardware store for about \$9.00. Please note that if your house has been built within the last few years, the faucet may have a backflow preventer built into it. You must be able to verify the presence of one before inspections gives its final approval.

APPROVAL PROCESS:

1. The owner returns a filled-in, completed application (all copies), including the required sketch in Section "A" to Inspection Services, Room 315, City Hall along with a check for \$20.00 made out to the City of Portland.
2. Inspections will review the information and give initial approval to install your submeter by filling out section "B" and notifying Portland Water District (PWD),
3. When PWD receives their copy of your application, they will then sell the submeter to you for installation. A meter costs \$75.00 but subject to change. It is up to you to purchase it.
4. After the submeter is installed per your sketch, you must again contact Inspection Services for a final inspection at 874-8693. You will not receive credit on your sewer bill until there is an inspection of the final installation. This is an owner responsibility. The pipe which the submeter is installed on as well as the rest of the line leading to the outside faucet, must be exposed for this inspection.
5. After the meter is inspected and approved, the Local Plumbing Inspector signs off on the back of our application section "C".
6. A copy of all approvals is then sent to the PWD so they can set-up proper billing and you can then receive the sewer credits that your submeter was installed for.

6/1/95

/el

Inspection Services
Samuel P. Hoffses
Chief



874-8300

Ext. 8711

Planning and Urban Development
Joseph E. Gray Jr.
Director

CITY OF PORTLAND RESIDENTIAL SUBMETER REQUIREMENTS/INSTRUCTIONS

SUBMETER REQUIREMENTS:

- * Your submeter is to be connected to a pipe that will supply water which will not enter the sewer system, i.e. outside use only.
- * All water from the street water main must pass thru the Portland Water District's meter prior to entering the submeter.
- * Locate the remote meter reading device for submeter on the outside wall near regular existing meter reading device. The wire for this remote reader shall be either 2 strand door bell or thermostat wire.
- * All submeters must be installed inside of the building in an up-right position and in a permanent manner. You may need a licensed plumber.
- * Backflow preventers are required on all outside faucets, even existing ones. See attached information. The backflow preventer must be a Watts #8 or equivalent, which may be purchased at a plumbing/hardware store for about \$9.00. Please note that if your house has been built within the last few years, the faucet may have a backflow preventer built into it. You must be able to verify the presence of one before Inspections gives its final approval.

APPROVAL PROCESS:

1. The owner returns a filled-in, completed application including the required sketch in Section "A" to Inspection Services, Room 315, City Hall along with a check for \$20.00 made out to the City of Portland.
2. Inspections will review the information and give initial approval to install your submeter by filling out Section "B" and notifying Portland Water District (PWD).
3. When PWD receives their copy of your application, they will then sell the submeter to you for installation. A meter costs ~~\$67.29~~. It is up to you to purchase it.
4. After the submeter is installed per your sketch, you must again contact Inspection Services for a final inspection at 874-8693. You will not receive credit on your sewer bill until there is an inspection of the final installation. This is an owner responsibility. The pipe which the submeter is installed on as well as the rest of the line leading to the outside faucet, must be exposed for this inspection. *Subject to change 6701*
5. After the meter is inspected and approved, the Local Plumbing Inspector signs off on the back of our application Section "C".
6. A copy of all approvals is then sent to the PWD so they can set-up proper billing and you can then receive the sewer credits that your submeter was installed for.

7/1/93

WATTS No. 8

BACK-SIPHONAGE BACKFLOW PREVENTER

FOR HOSE BIBB INSTALLATIONS

Provides back-siphonage protection for portable hoses connected to hose thread faucets

PURPOSE:

Watts No. 8 is a unique new back-siphonage preventer specially made for portable hoses attached to hose thread faucets. Its purpose is to prevent the flow of contaminated water back into the potable water supply . . . and its installation requires no plumbing changes as it is screwed directly to the sill cock.

APPLICATION:

It can be used on a variety of installations such as service sinks, swimming pools, developing tanks, laundry tubs, wash racks, dairy barns, and general outside gardening uses.

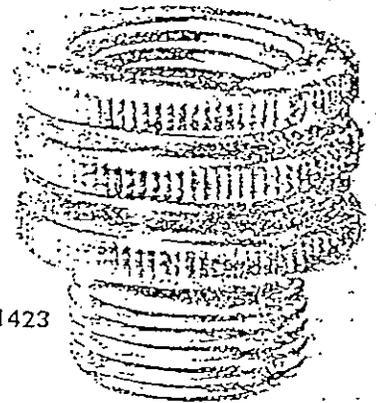
CONSTRUCTION:

No. 8 is suitable for hot or cold water service and for either inside or outside use. It features brass construction and a primary check valve utilizing a soft silicone disc which seats against a soft rubber mating part to ensure tight closing against reverse flow. The device is also provided with generous waterways which permit better than average flow rate and consequently lower pressure loss. An atmospheric venting feature allows water to spill to atmosphere should the supply pressure become negative. This provides two-fold protection of the water supply against contamination by back-siphonage or backflow.

Inlet Connection: $\frac{3}{4}$ " std. female hose thread.
Outlet Connection: $\frac{3}{4}$ " std. male hose thread.

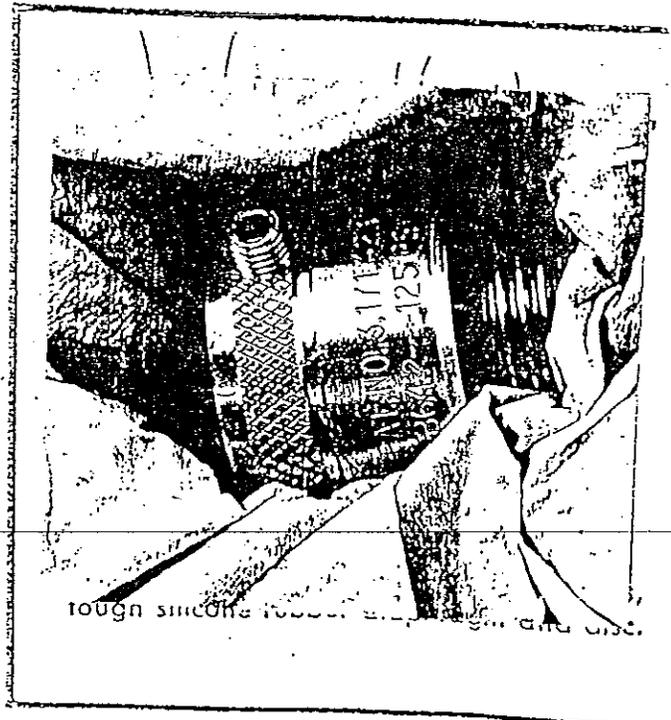
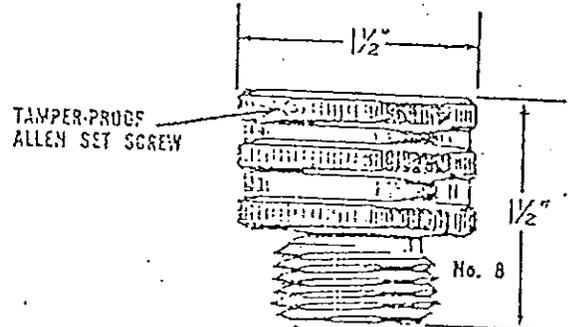
No. 8C — Same as above but with Chrome-finish body.
Inlet Connection: $\frac{3}{4}$ " standard female hose thread.
Outlet Connection: $\frac{3}{4}$ " standard male hose thread.

No. 8A — Same operational construction as No. 8 except furnished with an exclusive (patent applied for) "non-removable" feature to prevent unauthorized removal from sill cock or hose hydrant. Also available with chrome finish, specify No. 8AC.



Pat. No. 3171423

DIMENSIONS:



tough silicone rubber seal and disc.

NOTICE

The mention of trade names or commercial products in this handout is for illustration purposes and does not constitute endorsement or recommendation for use by the City of Portland, Maine.

From: TIME::ROURKE 16-JUN-1992 12:04:01.03

To: @REPS

CC:

Subj: City of Portland - Post-Installation Inspections of Submeters

The City of Portland's Engineering Division reminds us that customers should be calling the Plumbing Inspection Division at 874-8300, ext 8701, for post-installation inspections - NOT the Engineering Division.

Please make a note of this, as it's the second time they've asked, and they're getting a little chippy.

Thanks, Steve.

#4 K. Carroll



Inspection Service
Samuel P. Hoffes
Chief

SUBMETER APPLICATION

(For Sewer User Charge Adjustments)

TO BE COMPLETED BY APPLICANT

Address where sub-meter is requested: 26 [redacted]

Property owner name: [redacted]

Property owner address:(if different from submeter location) _____

Person to be contacted to schedule inspections: As same telephone# [redacted]

Portland Water District Acct. No. (on bill): 0403678-1

Billing Name & Address (on bill) [redacted]

26 [redacted]

Location and size of existing Portland Water District Service Meter cellar Riverside front of house

Proposed location and size of sub-meter same

Will a remote reading register be utilized? No Yes _____ (If yes, state location)

The volume of water to be submetered can be shown not to enter the sewerage system by virtue of its use for: water lawn

The undersigned hereby requests permission to install an additional water meter ("sub-meter") in accordance with Section 24-76 (c) of the "Code of Ordinances, the City of Portland, Maine". It is understood that all expenses related to the purchase, installation, and maintenance of the meter is to be borne by the applicant.

I certify that above information is true and correct:

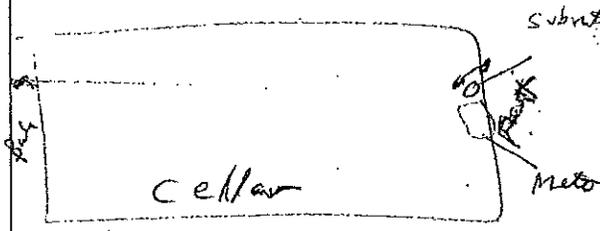
[Signature]
Signature

10/20/97
Date

Inspection Fee: \$20.00
Paid on: 10-26-97
CK# _____
Cash receipt# _____

A. TO BE COMPLETED BY APPLICANT

A sketch showing the location of the existing and proposed meters; the proposed plumbing changes; and the water flow through the submeter to the non-discharge equipment (or location).



B. TO BE COMPLETED BY INSPECTION SERVICES

YES NO Automatic reading system to be installed
 A Watts #8 Back Flow Preventer, or equal, shall be installed on each outside faucet

Application Approved Denied

Date: 11-26-97 By: [Signature]

Comments: _____

C. TO BE COMPLETED BY THE PLUMBING INSPECTOR

An inspection of the completed submetering system installation shown on this application was conducted on:

By: [Signature]

LPI for City of Portland, Maine

The submetering System installed as approved
 No cross connections found
 All back flow preventers installed
Reading: 001189
 Approved Disapproved the installation

D. TO BE COMPLETED BY THE WATER DISTRICT

Date submeter sold _____
Submeter account number _____
Submeter make and serial number _____
Submeter installation readings _____
Submeter account entered into computer _____
Submeter account entered into meter book _____

SUBMETER

PORTLAND WATER DISTRICT CUSTOMER SERVICE 781-4310

SUBMETER PURCHASE

DATE

10/20/97

CUSTOMER NAME:
ACCOUNT NUMBER:
SERVICE LOCATION:

~~Portland Water District~~
~~123456789~~
~~123456789~~
~~123456789~~
Mc...

PURCHASE BY:
METERS:

ITEM NO	DESCRIPTION	PRICE	QUANTITY	TOTAL
413162	5/8 METER	65.50	1	65.50
413156	3/4 METER	88.66		
413138	1 METER	112.00		
413168	1.5 METER	240.00		
413144	2 METER	299.73		
FITTINGS:				
152270	2 SPN R 5/8 MET CONN X MALE IP	6.92	1	6.92
152289	2 SPN 1 5/8 MET CONN X 3/4 MALE IP	8.09		
152300	2 1.5 METER FLANGE	27.88		
152307	2 1.5 METER GASKETS	0.94		
152402	2 2 METER FLANGE	40.34		
152403	2 2 METER GASKETS	0.80		
152300	2 SPN R 3/4 X 3/4 MALE	6.82		
152360	S SPN 3 1 X 1 MIP	10.90		
207288	5/8 X 2.5 GALV UNITS & BOLTS	0.41		
TOTAL				592.00
GRAND TOTAL				657.50

SALES TAX

PRICE	QUANTITY	TOTAL	SALES TAX
65.50	1	65.50	
6.92	1	6.92	
65.50		65.50	
592.00		592.00	
65.50		65.50	
657.50		657.50	

1. TP NEEDS TO BE BESIDE EXISTING ONE.
2. METER NEEDS TO BE IN HORIZONTAL POSITION.
3. ARROW ON METER NEEDS TO BE TOWARD THE FLOW OF WATER.

Installed 10/20/97

ACCOUNTING:
 A AAA 6416 4819M 65.50
 B AAA 6415 0929J 5.92
 C A 24131 4.29
 D TOTAL 75.71

PAYMENT:
 CASH/CHECK
 P.O. #
 BILLING ADDRESS

Cash
None

METER DATA:
 SERIAL # *25041973*
 ID# *0795057*
 READING *0*
 SOLD BY: *MFL*

NOTE: MAKE 2 PHOTOCOPIES - ORIGINAL TO REGISTER IF PAID IN CASH (TO ACCOUNTING IF CREDIT)
 - COPY TO METER SHOP
 - COPY FOR ATTACHMENT TO SUBMETER APPLICATION (PENDING APPROVAL AND ACTIVATION)

ACCOUNTING INELSENSUBMETER PURCHASE
 EFFECTIVE JANUARY 9 1997

Water Meter Inventory

Meter ID: S50025681

Address:

Reading Date	Reac	Sou	Re	Reading	Usage	Billable	Rc	Es	Init	Fir	Re	Co	Field Notes
08/19/2004		T		5401.00	1028.00	028.00	N	N	N	N	N	N	
08/19/2004	2074			5401.00	0.00	0.00	N	N	Y	N	N	N	THIS METER IS REMOVED SERVICE BUT NO SEWER SUBMETER ON PAPER UN
07/20/2004		T		4373.00	1020.00	020.00	N	N	N	N	N	N	
06/18/2004		T		3353.00	801.00	801.00	N	N	N	N	N	N	
05/21/2004		T		2552.00	596.00	596.00	N	N	N	N	N	N	

Acco Usage Reading

Reading Date: 08/19/2004 Initial Estimated

Reading By: 2074 Final Ready to Bill

Reading Source:

Reading Reason:

Reading: 5401.00 0.00 Reading

Billable Usage: 0.00 0.00 Billable Usage

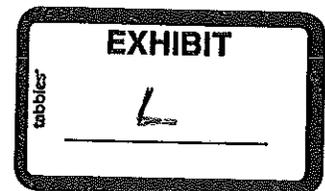
Usage: 0.00 Average Daily Usage: 0.000

Reader Code: Days Between Readings: 30

Field Notes: THIS METER IS REMOVED ON PAPER. ACCOUNT HAS A WATER SERVICE AND A SUBMETER SERVICE BUT NO SEWER SERVICE. DAVE PETERSON IS AWARE AND TOLD US TO REMOVE THE SUBMETER ON PAPER UNTIL HE GETS THIS STRAIGHTENED OUT.

Location / Structural / Associated / Assets / Perf / Readings / Accounts / Comments / Maint / PWD

Screen shot of field notes regarding the removal on paper of the sub meter. 02.13.12





Customer Name

SHIPYARD BREWING CO

Account Number

146225-03

Service Address

86 NEWBURY ST PORTLAND

Payment due by 08/02/2010

Page 1 of 1

Portland Water District

Send Correspondence to:

Address: 225 Douglas St, P.O. Box 3553, Portland, ME 04101-3553
Office Hours: 8:30 a.m. - 4:30 p.m. Monday through Friday
Phone: 207-761-8310

Web Site and E-Mail: www.pwd.org, customerservice@pwd.org

Account Detail	MEMBER WATER CHARGES	CITY OF PORTLAND WASTEWATER CHARGES	TOTAL
PREVIOUS BALANCE			\$5,301.11
Payment - Thank You			\$5,731.88 CR
BALANCE FORWARD			\$430.77 CR
Total Current Charges	\$602.44	\$2,421.88	\$3,024.32
TOTAL AMOUNT DUE			\$2,593.56
CURRENT CHARGES DETAIL			
Consumption Charge	\$602.44	\$2,421.88	

WASTEWATER RATES ARE SET BY CITY OF PORTLAND

Customer Meter Summary:

METER TYPE: P = Primary S = Submeter R = Reverse Submeter F = Fireline

METER NUMBER	METER TYPE	READ DATE	PRIOR READ DATE	BILL DATE	CURRENT METER READING	PRIOR METER READING	CONSUMPTION (HCF)
A16115313	P	06/21/10	05/20/10	07/09/10	15425	15034	391
S50025678	S	06/21/10	05/20/10	07/09/10	8312	8238	74

YOUR 13-MONTH CONSUMPTION SUMMARY (Hundred Cubic Feet)

Month	Water	Waste Water	Days
07/10	391	317	32
06/10	363	298	29
05/10	354	310	30
04/10	284	197	31
03/10	299	242	30
02/10	264	193	34
01/10	246	180	31
12/09	287	229	27
11/09	428	373	35
10/09	370	303	29
09/09	405	331	31
08/09	379	319	29
07/09	385	318	31

Hundred Cubic Feet = 748 Gallons

Notes

Summer brings thousands of visitors to Sebago Lake, our water supply! Read the latest Watershed News to learn about critical barriers that ensure Greater Portland enjoys clean, safe water. Call to request a copy or read it online www.pwd.org.

Refer to back for customer information, to apply for direct payment, or to make mailing address changes. Remit Total Payments to:

Portland Water District
PO Box 6800
Lewiston ME 04243-6800



SHIPYARD BREWING CO
86 NEWBURY ST
PORTLAND, ME 04101-4274 USA

BILL DUE UPON RECEIPT

ACCOUNT NUMBER 146225-03

Water \$ _____
Wastewater \$ _____
AMOUNT ENCLOSED \$ _____

To avoid late fees of 89200% for water and 15600% for wastewater, PAY TOTAL AMOUNT DUE BEFORE 08/08/2010.

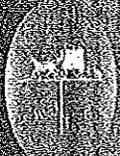
Total Amount Due: \$2,593.55

1146225030001716700242188000259 3

EXHIBIT

tabbies

M



Portland Water District

Send Comments to:
Address: 225 Douglas St, PO Box 6800, Portland, ME 04112-6800
Office Hours: 8:30 am - 5:00 pm, Monday through Friday
Phone: 207/633-3210
Website: www.pwd.org
www.pwd.org/customer-service/020001

Customer Name

SHIPYARD BREWING CO

Account Number

146225-03

Service Address

86 NEWBURY ST PORTLAND

Payment due by 08/03/2009

Page 1 of 1

Account Detail

PREVIOUS BALANCE \$4,010.32
Payment - Thank You \$1,981.75 CR

BALANCE FORWARD \$2,028.57
Total Current Charges \$573.38 \$2,351.27 \$2,924.65
TOTAL AMOUNT DUE \$4,953.22

CURRENT CHARGES DETAIL

Consumption Charge \$572.54 \$2,337.30
Late Fees \$0.84 \$13.97

*WASTEWATER RATES ARE SET BY CITY OF PORTLAND

Customer Meter Summary:

METER TYPE: P = Primary S = Submeter R = Reverse Submeter F = Fireline

Table with columns: METER NUMBER, METER TYPE, READ DATE, PRIOR READ DATE, BILL DATE, CURRENT METER READING, PRIOR METER READING, CONSUMPTION (HCF). Rows include meters A16115313 and S50025678.

YOUR 13 MONTH CONSUMPTION SUMMARY (Hundred Cubic Feet)

Table with columns: Month, Water, Waste Water, Days. Rows from 07/09 to 07/08.

Hundred Cubic Feet = 748 Gallons

Notes

Are you interested in what's making waves around your water source, Sebago Lake? Visit www.pwd.org to download the latest edition of the Watershed News.

Refer to back for customer information, to apply for direct payment, or to make mailing address changes. Remit Total Payments to:

Portland Water District
PO Box 6800
Lewiston ME 04243-6800



SHIPYARD BREWING CO
86 NEWBURY ST
PORTLAND, ME 04101-4274 UNITED STATES

BILL DUE UPON RECEIPT

ACCOUNT NUMBER 146225-03

Water \$
Wastewater \$
AMOUNT ENCLOSED \$

To Avoid late fees of 94900% for water and 72000% for wastewater, PAY TOTAL AMOUNT DUE BEFORE 08/09/2009

Total Amount Due: \$4,953.22



Customer Name: SHIPYARD BREWING CO
 Service Address: 86 NEWBURY ST PORTLAND
 Account Number: 146225-03

Payments received after 05/08/2008 will appear on your next bill. Page 1 of 1

Account Detail:	MEMBER WATER CHARGES	CITY OF PORTLAND* WASTEWATER CHARGES	TOTAL
PREVIOUS BALANCE			\$4,654.63
Payment - Thank You			\$4,666.41 CR
BALANCE FORWARD			\$11.78 CR
CURRENT CHARGES			
Consumption Charge	\$480.33	\$2,092.86	\$2,573.19
Total Current Charges	\$480.33	\$2,092.86	\$2,573.19
TOTAL AMOUNT DUE			\$2,561.41

Send your correspondence to:
 Attention: Customer Service
 200 Douglas St
 Portland, ME 04102-1374
 Office Hours: 8:30 am - 5:00 pm
 Monday through Friday
 Please call 1-800-851-1111
 Web site and Email: www.portlandwater.com
 Customer Inquiries

* WASTEWATER RATES ARE SET BY THE CITY OF PORTLAND

Customer Meter Summary:

METER TYPE: P = Primary, S = Submeter, R = Reverse Submeter, F = Fireline

METER NUMBER	METER TYPE	READ DATE	PRIOR METER READING	THIS METER READING	CONSUMPTION (GALLONS)
A16115313	P	04/11/08	03/13/08	05/09/08	6298
S50025678	S	04/11/08	03/13/08	05/09/08	6704

YOUR 13 MONTH CONSUMPTION SUMMARY (rounded cubic feet)

Month	Water	Waste Water	Days
05/08	358	302	29
04/08	274	226	28
03/08	366	321	28
02/08	657	616	22
01/08	239	186	29
12/07	54	28	35
11/07	513	486	22
10/07	531	510	38
09/07	421	394	29
08/07	390	291	29
07/07	433	433	34
06/07	379	323	29
05/07	407	359	30

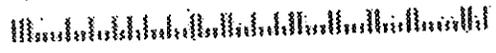
Hundred Cubic Feet = 748 Gallons

Notes

The Portland Water District reminds you before you dig, call 1-888-Digsafe to have underground utilities located at not cost to you. One call could prevent personal injury and property damage caused by ruptured pipes and cables.

Refer to back for customer information, to apply for direct payment, or to make mailing address changes. Remit Total Payments to:

Portland Water District
 PO Box 6800
 Lewiston ME 04243-6800



BILL DUE UPON RECEIPT

ACCOUNT NUMBER: 146225-03

Water: \$ _____

Wastewater: \$ _____

AMOUNT ENCLOSED: \$ _____

To Avoid Late Fees Of 0.1205% For Water And 0.0873% For Wastewater

PAY TOTAL AMOUNT DUE BEFORE 06/08/2008

SHIPYARD BREWING CO
 86 NEWBURY ST
 PORTLAND, ME 04101-4274

1477

Total Amount Due: \$2,561.41



11462250300046855002092860002561415



Portland Water District

Send correspondence to:

Address:
225 Douglas St
P.O. Box 3653
Portland, ME 04102-3653

Office Hours:
8:30 a.m. - 4:30 p.m.
Monday through Friday
Phone: 207.761.6310
Web Site and E-Mail:
www.pwd.org
customerhelp@pwd.org

Customer Name	SHIPYARD BREWING CO	Account Number	146225-03
Service Address	86 NEWBURY ST PORTLAND		

Payments received after 07/05/2007 will appear on your next bill. Page 1 of 1

Account Detail:	MEMBER WATER CHARGES	CITY OF PORTLAND* WASTEWATER CHARGES	TOTAL
PREVIOUS BALANCE			\$5,315.40
Payment - Thank You			\$2,779.02 CR
BALANCE FORWARD			\$2,536.38
CURRENT CHARGES			
Consumption Charge	\$523.34	\$2,753.88	\$3,277.22
Total Current Charges	\$523.34	\$2,753.88	\$3,277.22
TOTAL AMOUNT DUE			\$5,813.60

* WASTEWATER RATES ARE SET BY THE CITY OF PORTLAND

YOUR 13 MONTH CONSUMPTION SUMMARY (Hundred Cubic Feet)

Month	Water	Waste Water	Days
07/07	433	433	31
06/07	379	323	29
05/07	407	359	30
04/07	298	223	32
03/07	220	171	29
02/07	212	150	33
01/07	332	295	18
12/06	414	324	40
11/06	453	390	27
10/06	678	598	34
09/06	523	451	29
08/06	485	360	29
07/06	511	511	33

Hundred Cubic Feet = 748 Gallons

Customer Meter Summary:

This bill was estimated.
METER TYPE: P = Primary, S = Submeter, R = Reverse Submeter, F = Fireline

METER NUMBER	METER TYPE	READ DATE	PRIOR READ DATE	BILL DATE	CURRENT METER READING	PRIOR METER READING	CONSUMPTION (HCF)
A16115313	P	06/27/07	05/24/07	07/06/07	2297	1864	433
S50025678	S	06/30/07	05/31/07	07/06/07	6262	6262	0

Notes

Paying your water and wastewater bill just got easier! PWD now offers FREE online payment services to view and pay your bill. To learn more, read the enclosed brochure or visit our web site. Register and log on at www.pwd.org.

Refer to back for customer information, to apply for direct payment, or to make mailing address changes. Remit Payments to:

Portland Water District
PO Box 6800
Lewiston ME 04243-6800



SHIPYARD BREWING CO
86 NEWBURY ST
PORTLAND, ME 04101-4274

1453



BILL DUE UPON RECEIPT

ACCOUNT NUMBER	146225-03
Water	\$ _____
Wastewater	\$ _____
AMOUNT ENCLOSED	\$ _____
To Avoid Late Fees Of: 0.1263% For Water And: 0.0949% For Wastewater	
PAY TOTAL AMOUNT DUE BEFORE 08/05/2007	

Total Amount Due: \$5,813.60

11462250300098377004829830005813602



Portland Water District

Send Correspondence to Address:

225 Douglas St
P.O. Box 3553
Portland, ME 04104-3553
Office Hours:
8:30 a.m. - 4:30 p.m.
Monday through Friday
Phone: 207.761.0810

Web Site and E-Mail:
www.pwd.org
customerhelp@pwd.org

Customer Name

SHIPYARD BREWING CO

Account Number

146225-03

Service Address

86 NEWBURY ST PORTLAND

Payments received after 07/06/2006 will appear on your next bill.

Page 1 of 1

Account Detail:

	MEMBER WATER CHARGES	CITY OF PORTLAND* WASTEWATER CHARGES	TOTAL
PREVIOUS BALANCE			\$3,162.94
Payment - Thank You			\$1,547.54 CR
BALANCE FORWARD			\$1,615.40
CURRENT CHARGES			
Consumption Charge	\$546.03	\$2,979.13	\$3,525.16
Total Current Charges	\$546.03	\$2,979.13	\$3,525.16
TOTAL AMOUNT DUE			\$5,140.56

* WASTEWATER RATES ARE SET BY THE CITY OF PORTLAND

YOUR 13 MONTH CONSUMPTION SUMMARY (Hundred Cubic Feet)

Month	Water	Waste Water	Days
07/05	511	510	33
06/06	284	217	28
05/06	283	208	29
04/06	246	166	34
03/06	143	94	24
02/06	191	148	33
01/06	148	39	29
12/05	246	246	33
11/05	235	195	29
10/05	221	183	30
09/05	262	215	33
08/05	257	226	31
07/05	224	166	33

Hundred Cubic Feet = 748 Gallons

Customer Meter Summary:

This bill was estimated.

METER TYPE: P = Primary S = Submeter R = Reverse Submeter F = Fireline

METER NUMBER	METER TYPE	READ DATE	PRIOR READ DATE	BILL DATE	CURRENT METER READING	PRIOR METER READING	CONSUMPTION (HCF)
S47395708	P	06/28/06	05/26/06	07/07/06	1594	1083	511
S50025678	S	06/29/06	05/26/06	07/07/06	5505	5505	0

Notes

Refer to back for customer information, to apply for direct payment, or to make mailing address changes.
Remit Payments to:



Portland Water District
PO Box 6800
Lewiston ME 04243-6800



SHIPYARD BREWING CO
86 NEWBURY ST
PORTLAND, ME 04101-4274

1501



BILL DUE UPON RECEIPT	
ACCOUNT NUMBER	146225-03
Water	\$ _____
Wastewater	\$ _____
AMOUNT ENCLOSED	\$ _____
To Avoid Late Fees Of 0.1183% For Water And 0.0873% For Wastewater	
PAY TOTAL AMOUNT DUE BEFORE 08/06/2006	

Total Amount Due: \$5,140.56

11462250300088573004254830005140569



Portland Water District

Send Correspondence to:
 Address:
 125 Douglas St.
 P.O. Box 3853
 Portland, ME 04104-3853
 Office Hours:
 8:30 a.m. - 4:30 p.m.
 Monday through Friday
 Phone: 207.761.8310
 Web Site and E-Mail:
 www.pwd.org
 customerhelp@pwd.org

Customer Name SHIPYARD BREWING CO **Account Number** 146225-03
Service Address 143 FORE ST PORTLAND

Payments received after 07/07/2005 will appear on your next bill. Page 1 of 1

Account Detail

	MEMBER WATER CHARGES	CITY OF PORTLAND WASTEWATER CHARGES	TOTAL
PREVIOUS BALANCE			\$2,148.32
Payment - Thank You			\$2,148.32 CR
BALANCE FORWARD			\$0.00
CURRENT CHARGES			
Consumption Charge	\$279.44	\$954.80	\$1,234.24
Total Current Charges	\$279.44	\$954.80	\$1,234.24
TOTAL AMOUNT DUE			\$1,234.24

YOUR 13 MONTH CONSUMPTION SUMMARY (Hundred Cubic Feet)

Month	Water	Waste Water	Days
07/05	234	166	28
06/05	209	167	28
05/05	195	135	29
04/05	160	89	32
03/05	197	133	35
02/05	147	77	29
01/05	166	110	23
12/04	162	123	28
11/04	236	164	39
10/04	211	161	30
09/04	203	167	30
08/04	240	196	32
07/04	185	140	29

Hundred Cubic Feet = 748 Gallons

Customer Meter Summary:

METER TYPE: P = Primary S = Submeter R = Reverse Submeter F = Fireline

METER NUMBER	METER TYPE	HEAD DATE	RIOR READ/DATE	BILL DATE	CURRENT METER READING	RIOR METER READING	CONSUMPTION (HCF)
S47395708	P	06/27/05	05/25/05	07/08/05	8567	8343	224
S50025678	S	06/27/05	05/25/05	07/08/05	4926	4868	58

Notes

Effective June 1, 2005, the City of Portland's sewer rate will increase by 8 percent. This increase is due to several factors, including ongoing investment in storm water discharge and wastewater treatment projects.

Refer to back for customer information, to apply for direct payment, or to make mailing address changes.
 Remit Payments to:

Portland Water District
 PO Box 6800
 Lewiston ME 04243-6800



SHIPYARD BREWING CO
 86 NEWBURY ST
 PORTLAND, ME 04101-4274

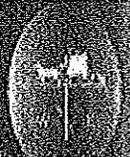


BILL DUE UPON RECEIPT
 ACCOUNT NUMBER 146225-03

Water	\$	
Wastewater	\$	
AMOUNT ENCLOSED	\$	
To Avoid Late Fees: 0.01005% For Water And: 0.0624% For Wastewater		
PAY TOTAL AMOUNT DUE BEFORE 08/07/2005		

Total Amount Due: \$1,234.24

11462250300027944000954800001234246



**Portland
Water District**

Send Correspondence to:
Address:
225 Douglass St.
P.O. Box 3553
Portland, ME 04104-3553
Office Hours:
8:30 a.m. - 4:30 p.m.
Monday through Friday
Phone: 307.261.0210
Web Site and E-Mail:
www.pwd.org
customerservice@pwd.org

Customer Name SHIPYARD BREWING CO **Account Number** 175539-01
Service Address 86 NEWBURY ST PORTLAND

Payments received after 07/07/2005 will appear on your next bill. Page 1 of 1

Account Detail:

	MEMBER WATER CHARGES	WASTEWATER CHARGES	TOTAL
PREVIOUS BALANCE			\$2,579.12
Payment - Thank You			\$2,579.12 CR
BALANCE FORWARD			\$0.00
CURRENT CHARGES			
Consumption Charge	\$1,434.53	\$0.00	\$1,434.53
Sales Tax	\$71.73	\$0.00	\$71.73
Total Current Charges	\$1,506.26	\$0.00	\$1,506.26
TOTAL AMOUNT DUE			\$1,506.26

Customer Meter Summary:

METER TYPE: P = Primary S = Submeter R = Reverse Submeter F = Fireline

METER NUMBER	METER TYPE	READ DATE	PRIOR READ DATE	BILL DATE	CURRENT METER READING	PRIOR METER READING	CONSUMPTION (GCF)
S1641851	P	06/23/05	05/24/05	07/08/05	55090	53255	1835

**YOUR
13 MONTH CONSUMPTION SUMMARY**
(Hundreds of Cubic Feet)

Month	Water	Waste Water	Days
07/05	1835		30
06/05	1690		28
05/05	1345		31
04/05	1210		32
03/05	980		25
02/05	1325		36
01/05	1435		30
12/04	1180		26
11/04	1710		37
10/04	1780		33
09/04	1975		30
08/04	1985		32
07/04	1545		28

Hundred Cubic Feet = 748 Gallons

Notes

Refer to back for customer information, to apply for direct payment, or to make mailing address changes.
Remit Payments to:

Portland Water District
PO Box 6800
Lewiston ME 04243-6800

SHIPYARD BREWING CO 1451
86 NEWBURY ST
PORTLAND, ME 04101-4274

BILL DUE UPON RECEIPT

ACCOUNT NUMBER: 175539-01

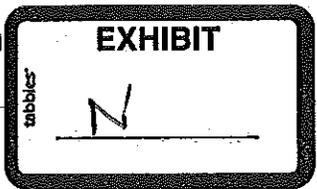
Water: \$ _____
Waste Water: \$ _____
AMOUNT ENCLOSED: \$ _____

To Avoid Late Fees Of: 91005% For Water

PAY TOTAL AMOUNT DUE BEFORE 08/07/2005

Total Amount Due: \$1,506.26

1175539010015062600000000000





Portland Water District

Send Correspondence to:

Address:
225 Douglass St.
P.O. Box 3553
Portland, ME 04110A-3553

Office Hours:
8:30 a.m. - 5:30 p.m.
Monday through Friday
Phone: 207-761-6310

Web Site and E-Mail:
www.pwd.org
customerservice@pwd.org

Customer Name SHIPYARD BREWING CO

Account Number

175539-01

Service Address 86 NEWBURY ST PORTLAND

Payments received after 07/06/2006 will appear on your next bill.

Page 1 of 1

Account Detail

	MEMBER WATER CHARGES	WASTEWATER CHARGES	TOTAL
PREVIOUS BALANCE			\$3,263.98
Payment - Thank You			\$1,683.71 CR
BALANCE FORWARD			\$1,580.27
CURRENT CHARGES			
Consumption Charge	\$1,402.03	\$0.00	\$1,402.03
Sales Tax	\$70.10	\$0.00	\$70.10
Total Current Charges	\$1,472.13	\$0.00	\$1,472.13
TOTAL AMOUNT DUE			\$3,052.40

Customer Meter Summary:

METER TYPE: P = Primary S = Submeter R = Reverse Submeter F = Fireline

METER NUMBER	METER TYPE	READ DATE	PRIOR READ DATE	BILL DATE	CURRENT METER READING	PRIOR METER READING	CONSUMPTION (HCF)
S1641851	P	06/24/06	06/01/06	07/07/06	76355	74570	1785

YOUR 13 MONTH CONSUMPTION SUMMARY (Hundred Cubic Feet)

Month	Water	Waste Water	Days
07/06	1785		23
06/06	1915		35
05/06	2095		35
04/06	1480		29
03/06	1409		26
02/06	981		24
01/06	1500		33
12/05	1670		34
11/05	2665		30
10/05	1803		33
09/05	1692		28
08/05	2270		36
07/05	1835		30

Hundred Cubic Feet = 748 Gallons

Notes

Refer to back for customer information, to apply for direct payment, or to make mailing address changes. Remit Payments to:

Portland Water District
PO Box 6800
Lewiston ME 04243-6800



SHIPYARD BREWING CO
86 NEWBURY ST
PORTLAND, ME 04101-4274

1502



BILL DUE UPON RECEIPT

ACCOUNT NUMBER	175539-01
Water	\$
Wastewater	\$
AMOUNT ENCLOSED	\$
To Avoid Late Fees Of 01163% For Water	
PAY TOTAL AMOUNT DUE BEFORE 08/06/2006	

Total Amount Due: \$3,052.40

117553901003052400000000000003052409



Portland Water District

Send Correspondence to:

Address:
 225 Douglas St.
 P.O. Box 6553
 Portland ME 04104-3553
 Office Hours:
 8:30 am - 4:30 pm
 Monday through Friday
 Phone: 207.761.6110
 Web Site and E-Mail:
 www.pwd.org
 customerhelp@pwd.org

Customer Name SHIPYARD BREWING CO

Account Number

175539-01

Service Address 86 NEWBURY ST PORTLAND

Payments received after 07/05/2007 will appear on your next bill.

Page 1 of 1

Account Detail:

	MEMBER WATER CHARGES	WASTEWATER CHARGES	TOTAL
PREVIOUS BALANCE			\$4,512.87
Payment - Thank You			\$2,191.88 CR
BALANCE FORWARD			\$2,320.99
CURRENT CHARGES			
Consumption Charge	\$2,294.50	\$0.00	\$2,294.50
Sales Tax	\$114.73	\$0.00	\$114.73
Total Current Charges	\$2,409.23	\$0.00	\$2,409.23
TOTAL AMOUNT DUE			\$4,730.22

Customer Meter Summary:

METER TYPE: P = Primary S = Submeter R = Reverse Submeter F = Fireline

METER NUMBER	METER TYPE	READ DATE	PRIO READ DATE	BILL DATE	CURRENT METER READING	PRIO METER READING	CONSUMPTION (HCF)
S1641851	P	08/26/07	05/24/07	07/06/07	102925	100010	2915

YOUR 13 MONTH CONSUMPTION SUMMARY (Hundred Cubic Feet)

Month	Water	Waste Water	Days
07/07	2915		33
06/07	2755		29
05/07	2616		30
04/07	2155		32
03/07	1560		29
02/07	2325		33
01/07	1368		30
12/06	1805		30
11/06	1772		28
10/06	2750		34
09/06	2450		32
08/06	2100		27
07/06	1785		23

Hundred Cubic Feet = 748 Gallons

Notes

Paying your water and wastewater bill just got easier! PWD now offers FREE online payment services to view and pay your bill. To learn more, read the enclosed brochure or visit our web site. Register and log on at www.pwd.org.

Refer to back for customer information, to apply for direct payment, or to make mailing address changes. Remit Payments to:

Portland Water District
 PO Box 6800
 Lewiston ME 04243-6800



SHIPYARD BREWING CO
 86 NEWBURY ST
 PORTLAND, ME 04101-4274



1454

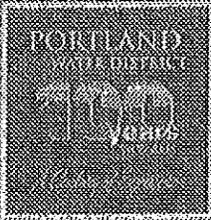
BILL DUE UPON RECEIPT

ACCOUNT NUMBER 175539-01

Water	\$	
Wastewater	\$	
AMOUNT ENCLOSED	\$	
To Avoid Late Fees Of 0.1263% For Water		
PAY TOTAL AMOUNT DUE BEFORE 08/05/2007		

Total Amount Due: \$4,730.22

117553901004730220000000000004730227



Customer Name: SHIPYARD BREWING CO
 Account Number: 175539-01
 Service Address: 86 NEWBURY ST PORTLAND

Payments received after 05/08/2008 will appear on your next bill. Page 1 of 1

Account Detail:	MEMBER WATER CHARGES	WASTEWATER CHARGES	TOTAL
PREVIOUS BALANCE			\$3,009.26
Payment: Thank You			\$3,009.26 CR
BALANCE FORWARD			\$0.00
CURRENT CHARGES			
Consumption Charge	\$1,636.74	\$0.00	\$1,636.74
Sales Tax	\$81.84	\$0.00	\$81.84
Total Current Charges	\$1,718.58	\$0.00	\$1,718.58
TOTAL AMOUNT DUE			\$1,718.58

Send correspondence to:
 Address:
 239 Douglas St
 P.O. Box 6800
 Portland, ME 04101-4274
 Office Hours:
 8:30 am - 4:30 pm
 Monday through Friday
 Phone: 207 743-6130
 Web Site and E-Mail:
 www.pwd.org
 pwd@pwd.org

YOUR 13 MONTH CONSUMPTION SUMMARY
 (hundred cubic feet)

Month	Water	Waste Water	Days
05/08	1815		29
04/08	1420		28
03/08	1644		22
02/08	2056		36
01/08	2170		29
12/07	2780		27
11/07	3205		28
10/07	3230		32
09/07	2765		29
08/07	2675		30
07/07	2915		33
06/07	2755		29
05/07	2615		30

Hundred Cubic Feet = 748 Gallons

Customer Meter Summary:

METER TYPE: P = Primary, S = Submeter, R = Reverse Submeter, F = Fireline

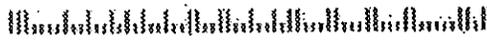
METER NUMBER	METER TYPE	READ DATE	PREV. READ DATE	BILL DATE	CURRENT METER READING	PREV. METER READING	CONSUMPTION (HCF)
S1641851	P	04/11/08	03/13/08	05/09/08	126585	124770	1815

Notes

The Portland Water District reminds you before you dig, call 1-888-Digsafe to have underground utilities located at not cost to you. One call could prevent personal injury and property damage caused by ruptured pipes and cables.

Refer to back for customer information, to apply for direct payment, or to make mailing address changes.
 Remit Total Payments to:

Portland Water District
 PO Box 6800
 Lewiston ME 04243-6800



SHIPYARD BREWING CO
 86 NEWBURY ST
 PORTLAND, ME 04101-4274



BILL IDENTIFICATION RECEIPT

ACCOUNT NUMBER: 175539-01

Water: \$ _____

Wastewater: \$ _____

AMOUNT ENCLOSED: \$ _____

To Avoid Late Fees Of 01200% For Water

PAY TOTAL AMOUNT DUE BEFORE 09/09/2008

Total Amount Due: \$1,718.58

1175539010017185800000000000001718588



**Portland
Water District**

Send Correspondence to:

Address:
225 Douglas St
PO Box 6800
Portland, ME 04104-2751
Office Hours:
8:30 a.m. - 4:30 p.m.
Monday through Friday
Phone: 207-753-8310
Web Site and E-Mail:
www.pwd.org
custserv@pwd.org

Customer Name	SHIPYARD BREWING CO	Account Number	175539-01
Service Address	86 NEWBURY ST. PORTLAND		

Payment due by 08/03/2009

Page 1 of 1

Account Detail:	MEMBER WATER CHARGES	WASTEWATER CHARGES	TOTAL
PREVIOUS BALANCE			\$5,188.03
Payment - Thank You			\$2,062.89 CR
BALANCE FORWARD			\$3,125.14
Total Current Charges	\$3,117.61	\$0.00	\$3,117.61
TOTAL AMOUNT DUE			\$6,242.75
CURRENT CHARGES DETAIL			
Consumption Charge	\$2,940.90	\$0.00	
Sales Tax	\$147.05	\$0.00	
Late Fees	\$29.66	\$	

**YOUR
13 MONTH CONSUMPTION SUMMARY**
(Hundred Cubic Feet)

Month	Water	Waste Water	Days
07/09	3315		31
06/09	3361		26
05/09	2024		33
04/09	1935		31
03/09	991		26
02/09	2389		35
01/09	1705		34
12/08	2460		30
11/08	3795		28
10/08	3515		34
09/08	3740		31
08/08	2980		31
07/08	2970		32

Hundred Cubic Feet = 748 Gallons

Customer Meter Summary:

METER TYPE: P = Primary S = Submeter R = Reverse Submeter F = Fireline

METER NUMBER	METER TYPE	READ DATE	PRIOR READ DATE	BILL DATE	CURRENT METER READING	PRIOR METER READING	CONSUMPTION (HCF)
S1641851	P	06/18/09	05/18/09	07/10/09	164095	160780	3315

Notes

Are you interested in what's making waves around your water source, Sebago Lake? Visit www.pwd.org to download the latest edition of the Watershed News.

Refer to back for customer information, to apply for direct payment, or to make mailing address changes.
Remit Total Payments to:

Portland Water District
PO Box 6800
Lewiston ME 04243-6800



SHIPYARD BREWING CO
86 NEWBURY ST
PORTLAND, ME 04101-4274 UNITED STATES

BILL DUE UPON RECEIPT

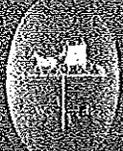
ACCOUNT NUMBER 17553901

Water	\$	
Wastewater	\$	
AMOUNT ENCLOSED	\$	

To avoid late fees of 94900% for water,
PAY TOTAL AMOUNT DUE BEFORE 08/09/2009

Total Amount Due: \$6,242.75

117553901006242750000000006242751



Customer Name SHIPYARD BREWING CO
Service Address 86 NEWBURY ST PORTLAND

Account Number
175539-01

Payment due by 08/02/2010

Page 1 of 1

**Portland
Water District**

Account Detail	MEMBER WATER CHARGES	WASTEWATER CHARGES	TOTAL
PREVIOUS BALANCE			\$5,876.81
Payment - Thank You			\$5,876.81 CR

Send Correspondence to:

Address:
225 Douglas St
P.O. Box 3353
Portland, ME 04104-3353
Office Hours:
8:30 am - 4:30 pm
Monday through Friday
Phone: 207/681-3310

Web Site and E-Mail:
www.pwd.org
customerservice@pwd.org

BALANCE FORWARD			\$0.00
Total Current Charges	\$3,358.46	\$0.00	\$3,358.46
TOTAL AMOUNT DUE			\$3,358.46
CURRENT CHARGES DETAIL			
Consumption Charge	\$3,198.53	\$0.00	
Sales Tax	\$159.93	\$0.00	

**YOUR
13 MONTH CONSUMPTION SUMMARY**
(Hundred Cubic Feet)

Month	Water	Waste Water	Days
07/10	3495		32
06/10	3045		29
05/10	3130		30
04/10	2095		31
03/10	2360		30
02/10	2045		34
01/10	1900		31
12/09	2565		27
11/09	3955		34
10/09	3835		30
09/09	3670		31
08/09	3195		29
07/09	3315		31

Hundred Cubic Feet = 748 Gallons

Customer Meter Summary:

METER TYPE: P = Primary S = Submeter R = Reverse Submeter F = Fireline

METER NUMBER	METER TYPE	READ DATE	PRIOR READ DATE	BILL DATE	CURRENT METER READING	PRIOR METER READING	CONSUMPTION (HCF)
S1641851	P	06/21/10	05/20/10	07/09/10	199385	195890	3495

Notes

Summer brings thousands of visitors to Sebago Lake, our water supply! Read the latest Watershed News to learn about critical barriers that ensure Greater Portl and enjoys clean, safe water. Call to request a copy or read it online www.pwd.org.

Refer to back for customer information, to apply for direct payment, or to make mailing address changes.
Remit Total Payments to:

Portland Water District
PO Box 6800
Lewiston ME 04243-6800



SHIPYARD BREWING CO
86 NEWBURY ST
PORTLAND, ME 04101-4274 USA

BILL DUE UPON RECEIPT

ACCOUNT NUMBER 175539-01

Water \$ _____
Wastewater \$ _____
AMOUNT ENCLOSED \$ _____

To avoid late fees of .89200% for water,
PAY TOTAL AMOUNT DUE BEFORE 08/08/2010

Total Amount Due: \$3,358.46

1175539010033584600000000003358462