

GREAT LAKES WATER AUTHORITY,

Claimant,

and

**CITY OF DETROIT,
through its Water and Sewerage
Department**

Respondent.

**GREAT LAKES WATER AUTHORITY'S
NOTICE OF AND DEMAND FOR ARBITRATION**

To:

City of Detroit
Detroit Water and Sewerage Department
735 Randolph Street
Detroit, Michigan 48226
Attention: Gary Brown, Director

Pursuant to Sections 7.2 and 7.3 of the Water and Sewer Services Agreement between the City of Detroit (the "City") and the Great Lakes Water Authority (the "Authority"), and Section 8.2 of the Regional Water Supply System Lease ("the Lease") between the City and the Authority, the Authority gives notice of and demands arbitration to the City to finally resolve which 24-inch and larger water mains are the City's responsibility to operate and maintain as Detroit Local Water Facilities because those mains support the Local Water System only.

The Authority seeks an award:

- a. amending the description of the Leased Water Facilities to conform to the "actual use" of the Leased Water Facilities by the Authority;

- b. requiring the City to pay all costs associated with the maintenance and operation of the Detroit Local Water Facilities, including those mains and facilities transferred to the City by this arbitration from the January 1, 2016 to the transfer date of the mains, as the Authority has disputed the assignment of said mains since it began operating the Leased Water Facilities; and
- c. confirming the City granted the Authority the right to use the Detroit Local System for the Term of the Lease, in order to provide water service to wholesale customers (the "License") and the License is without costs, except for the payment of fines, penalties, costs, losses or damages related to a violation of Performance Standards.

From the date of this notice, the Parties have fifteen (15) days to appoint an engineer with experience in design, construction, or operation and maintenance of a water and sewer utility system to the Engineering Panel. The Parties respective panelists will select the third panelist.



Digitally signed by
Randal Brown
Date: 2018.10.19
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By: _____
Randal M. Brown
General Counsel for Great Lakes Water
Authority
Dated: October 19, 2018