

Temporary Releases Program For 2008 Rondout West Branch Tunnel Shutdown

In order to perform necessary dive work on an unwatering shaft, the Rondout to West Branch Tunnel (RWBT) is tentatively scheduled to be shutdown in the fall of 2008. The RWBT will be shutdown for the minimum period of time required to perform this critical work. In accordance with Section 17 of the Flexible Flow Management Program, the New York City Department of Environmental Protection is herein authorized to implement a temporary release program for the duration of this work as described below.

Shutdown releases may be made in accordance with Figures 1 and 2, based upon the combined and individual usable storage in the New York City Delaware System Reservoirs. In Figure 1, the “L1 Shutdown” curve is lower than L1 by 23.8 billion gallons which is equal to the average total RWBT diversion quantity for the estimated shutdown period. In Figure 2 “L1-a Shutdown”, “L1-b Shutdown” and “L1-c Shutdown” have also been lowered a proportional amount.

Figure 1
NYC Delaware System Usable Combined Storage

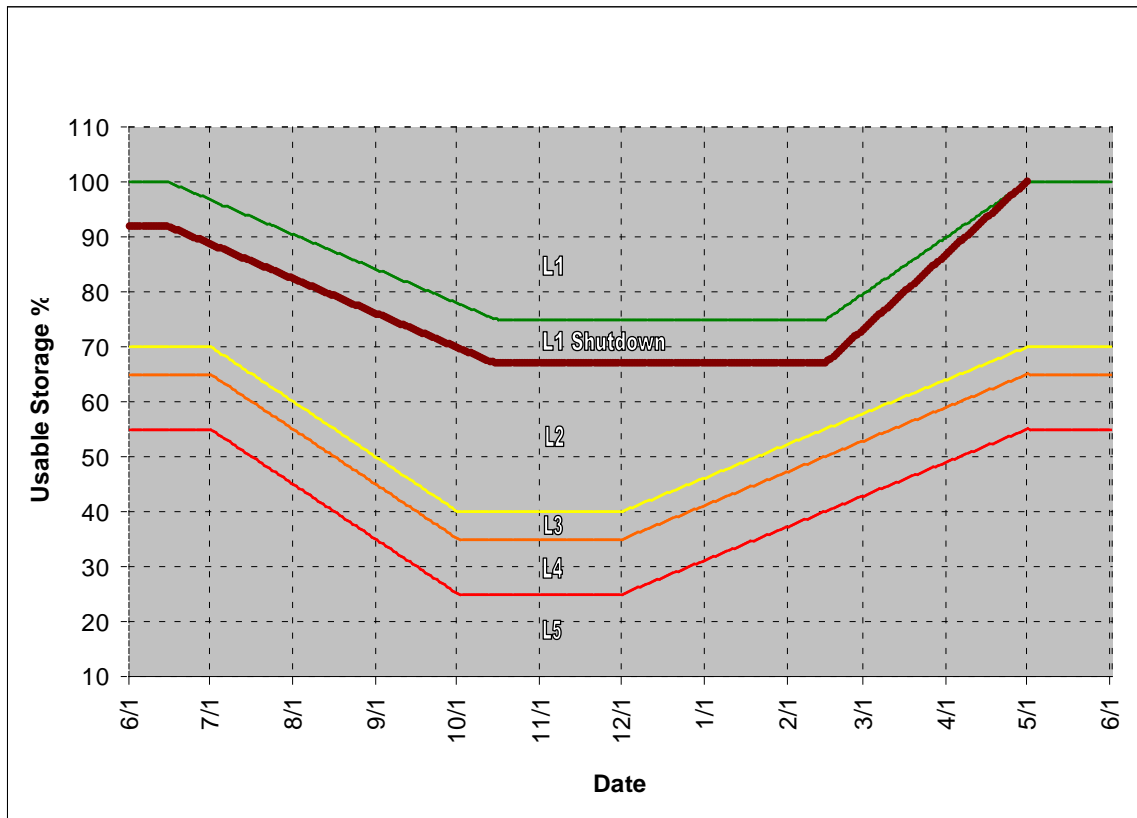
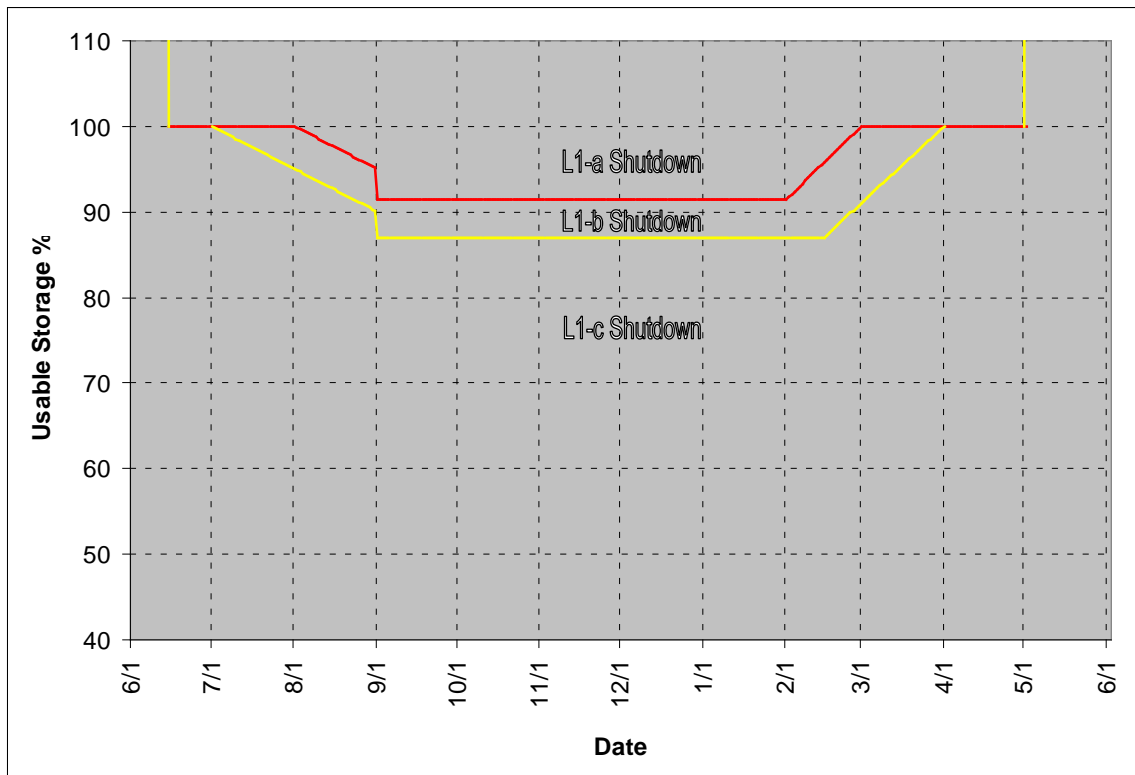


Figure 2
 NYC Delaware System Usable Individual Storage



These shutdown release curves allow for greater compensating releases to be made earlier. Releases may be made as follows:

- If combined storage, in Figure 1, is in the L2 zone – releases are made according to the FFMP L2 rates
- If combined storage, in Figure 1, is in the “L1 Shutdown” zone - releases are made based on the individual “L1-a,-b or -c Shutdown” storage zones in Figure 2 according to FFMP L1-a,-b or -c rates
- If combined storage, in Figure 1, is in the L1 zone – enhanced release rates above FFMP L1, may be considered individually for each reservoir

Authorization under this temporary releases program shall become effective October 1, 2008 and shall continue until May 1, 2009 unless by unanimous agreement prior to that

date the Parties approve a modification, suspension or earlier termination, as hydrologic conditions may dictate.

State of Delaware Date

State of Delaware Date

State of New Jersey Date

State of New York Date

Commonwealth of Pennsylvania Date

City of New York Date