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July 1, 2008

Enel North America, Inc.
One Tech Drive, Suite 220
Andover, MA 01810

RE: Enforcement of the August 26, 1980 Agreement Restricting Flashboard Height on
Pawtucket Dam

To Whom It May Concern:

This letter serves as notice of ongoing and potential future violations of the above-referenced agreement regarding the height of structures (including flashboards) used to hold back water rising over the level of the Pawtucket Dam (the "Agreement"). As you are well aware, the original signers to the Agreement were the Proprietors of the Locks and Canals on Merrimack River (the "Proprietors") and Wang Laboratories, Inc. ("Wang"). The City of Lowell, successor in title to Wang's interest in Parcel V (820 Pawtucket Blvd.), is hereby placing Enel North America, Inc., the successor in title of the Proprietors to the Pawtucket Dam, on notice of its intent to enforce the height restriction on flashboards at the Pawtucket Dam contained in the Agreement, a copy of which is enclosed for your reference. Should Enel North America, Inc. continue to flagrantly violate the express terms of the Agreement, the City of Lowell will be forced to take all necessary steps to enforce the Agreement, up to and including contemplated legal action.

Due to the ongoing safety issues and potential for property damage, the City requests that you respond in writing to this demand for corrective action within seven days of the date of this letter.

July 1, 2008
Enel North America, Inc.
Page 2

Your prompt attention and anticipated cooperation in this matter is appreciated.

Very truly yours,



R. Eric Slagle
Asst. City Solicitor

ES:mlp

cc: Bernard F. Lynch, City Manager ✓
Christine P. O'Connor, City Solicitor