

McLane

McLane, Graf,
Raulerson &
Middleton

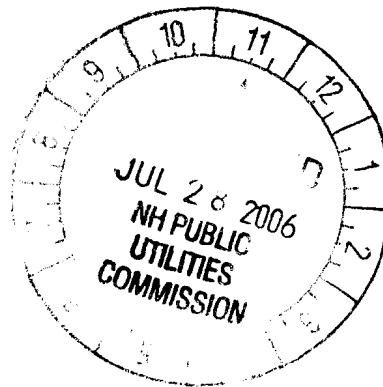
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July 27, 2006

OFFICES IN:
MANCHESTER
CONCORD
PORTSMOUTH



Debra A. Howland
Executive Director and Secretary
New Hampshire Public Utilities Commission
21 S. Fruit Street, Suite 10
Concord, NH 03301

Re: DW 04-048; City of Nashua—Taking of Pennichuck Water Works, Inc.

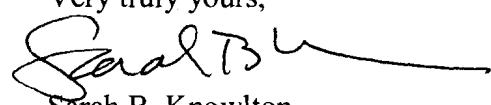
Dear Ms. Howland:

I am writing in follow up to Pennichuck Water Works, Inc.'s Motion to Compel the City of Nashua to Respond to Pennichuck Water Works, Inc.'s Fifth Set of Data Requests, which was filed with the Commission on July 21, 2006. The parties in this docket met at a technical session on July 10 in an effort to resolve outstanding discovery issues. Pennichuck filed the Motion to Compel because even after the technical session, a number of critical discovery issues remain unresolved.

At the technical session, we also discussed at length the recent change in the Commission's procedural rules and the parties' desire to maintain the procedural rules that were in effect at the time this docket began in order to avoid any confusion. Pennichuck raised the potential need to file a motion to compel relating to its Fifth Set of Data Requests and the fact that under the new rules, such motion would be due on July 14, within days of the technical session, thereby reducing the time for Pennichuck and Nashua to resolve its dispute. Nashua and Staff agreed that they would not object to Pennichuck filing the motion after July 14 in order to give the parties additional time to resolve these discovery issues. At the same time, we discussed the need to obtain a generic waiver from the Commission of the new requirements relating to motions to compel, and to this end, Staff filed such a motion on July 25. Pennichuck thus requests that to the extent necessary, the Commission grant a waiver of Puc 203.09(i)(2) as it relates to its July 21, 2006 motion.

I appreciate your assistance with this matter. Should you have any questions about this, please do not hesitate to call.

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Very truly yours,

Sarah B. Knowlton

cc: Service List
Hannah McCarthy, CEO and President, Pennichuck Corporation
Donald L. Ware, President, Pennichuck Water Works, Inc.
Ann Guinard, Librarian (by e-mail only)