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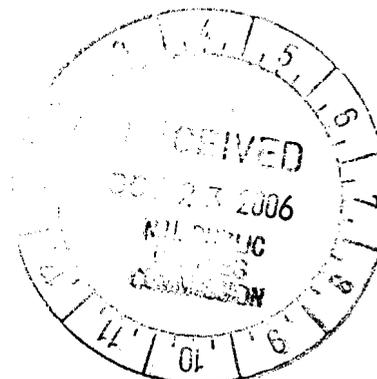
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OFFICES IN:
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October 23, 2006

VIA HAND DELIVERY

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:

Enclosed for filing with the Commission are an original and seven copies of Stipulation for Conduct of View. I have served all parties on the service list by e-mail and first class mail.

Thank you for your assistance with this matter. Please call me with any questions.

Very truly yours,

A handwritten signature in black ink, appearing to be "TJ Donovan", written over the typed name.

Thomas J. Donovan

TJD:dap
Enclosure

cc: Service List
Duane Montopoli, CEO and President, Pennichuck Corporation
Donald L. Ware, President, Pennichuck Water Works, Inc.

**STATE OF NEW HAMPSHIRE
BEFORE THE
PUBLIC UTILITIES COMMISSION**

City of Nashua: Taking Of Pennichuck Water Works, Inc.

Docket No. DW 04-048

STIPULATION FOR CONDUCT OF VIEW

NOW COME City of Nashua ("Nashua") and Pennichuck Water Works, Inc. ("Pennichuck") in the above-captioned docket and stipulate to the following procedure for the conduct of a view contemplated by the current procedural schedule to take place in December, 2006.

Background

The Commission adopted the procedural schedule in this docket on April 22, 2005 by its Order No. 24,457. That order called for a view to take place in September, 2006, with a hearing scheduled for that same month, later amended to December, 2006, with a hearing in January, 2007.

The Commission's procedural rules state that "[t]he commission shall take a view or conduct an inspection of any property which is the subject of a hearing before the commission if requested by a party, or on its own motion, if the commission shall have determined that the view or inspection will assist the commission in reaching a determination in the hearing." Puc 203.28. The Commission's hearing examiner, Donald M. Kreis, contacted Pennichuck and Nashua in August, 2006 concerning the view and asked whether Nashua and Pennichuck could come to some understanding as to the necessity for, and if so, the contents of, a view and convened a conference on September 26, 2006. Following that conference, counsel for Nashua and Pennichuck continued to discuss the necessity for, contents of, and procedures for a view.

Nashua and Pennichuck disagree as to the necessity for or benefit of a view. However, based on those discussions and the request of the Hearings Examiner that the parties reach agreement concerning these issues, Nashua and Pennichuck submit the following proposal for the Commission's approval:

Contents of the View

Nashua and Pennichuck propose the following locations to be viewed on a single day in December:

- Nashua treatment plant (treatment tanks, laboratory, control room, construction)
- Nashua Harris Pond (dam, intake and watershed)
- Nashua Sanderson Farm via Manchester Street and Tinker Road,¹
- Pennichuck Brook from Amherst St. CVS/Wendy's Parking Lot and Pennichuck Square
- Amherst/Milford distribution pipe and pumping station
- Nashua Shakespeare tanks and pumping station
- Nashua Will Street operations/maintenance center
- Derry Glen Ridge and Drew Ridge community systems and pumping stations

The locations above shall be viewed in their normal condition of operation. No party or any agents thereof shall cause or allow the locations or property observable at the above locations to be manipulated from its normal condition, except for reasons of public safety and upon notice to the parties in this proceeding.

¹ Noting the location of former water supply protection land to the northeast of Tinker Road. See e.g. June 20, 2006 Testimony of Bernard Streeter, Exhibit SMS 8.

Procedure for the View

The Commission should establish a date for a view as soon as possible. Any party or person intending to be present during the view should notify the Executive Director of the Commission no later than one week prior to the date of the view in order to allow the Commission, Pennichuck and Nashua to plan for the numbers of people likely to attend and so as to encourage car pooling, to the extent possible.

Nashua and Pennichuck counsel will conduct a pre-view tour of the above sites, so as to work out the logistics, create a written schedule and route map and observe the locations and conditions prior to the view. That schedule and map would be provided to the Commissioners and to parties who have given advance notice of attendance. During the pre-view, the parties shall agree to the items to be presented at each view site, and to the extent necessary, a factually-oriented description of items to be observed.

Without the benefit of time measurements to be conducted on that pre-view, the parties estimate that the view will extend from about 9 AM to about 3 PM. On the day of the view, the Commissioners will travel separately from and avoid unnecessary contact with any party to the case. Since a view is not a time to elicit testimony, the agreed-upon description(s) shall be presented by counsel and no witnesses will answer questions or elaborate about any site. Except for good cause or to respond to questions from a Commissioner, items and descriptions presented shall be limited to those agreed-upon during the pre-view. The view will not be recorded. Should a Commissioner have a question concerning a location, that question will be directed to the attorneys who may provide an answer by way of an offer of proof. The attorney may consult privately at the site with a party representative to help him or her make the offer of proof.

WHEREFORE, City of Nashua and Pennichuck Water Works, Inc. request that the Commission:

- A. Conduct the view in accordance with the above Stipulation
- B. Order such other and further relief as may be just.

Respectfully submitted

City of Nashua
By Its Attorneys,
UPTON & HATFIELD, LLP

Date: October 23, 2006

By: Justin Richardson
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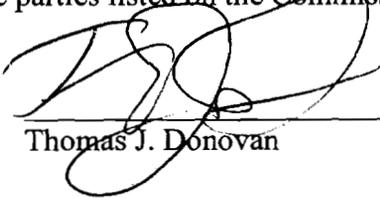
Pennichuck Water Works, Inc.
By Its Attorneys,
McLANE, GRAF, RAULERSON & MIDDLETON,
PROFESSIONAL ASSOCIATION

Date: October 23, 2006

By: Thomas J. Donovan
Thomas J. Donovan
Steven V. Camerino
Sarah B. Knowlton
Bicentennial Square
Fifteen North Main Street
Concord, NH 03301
Telephone (603) 226-0400

Certificate of Service

I hereby certify that on this 23rd day of October, 2006, a copy of this Stipulation for Conduct of View has been forwarded to the parties listed on the Commission's service list in this docket.



Thomas J. Donovan