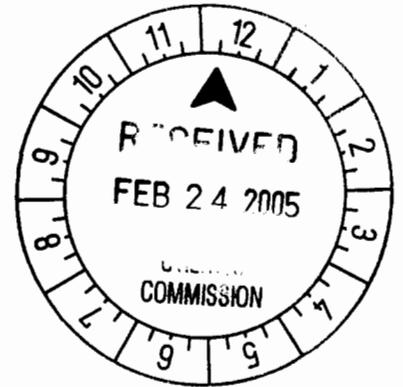


Fred S. Teeboom
24 Cheyenne Drive
Nashua, NH 03063
(603) 889-2316

19 February 2005

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



Re: Motion for Rehearing/Reconsideration
DW 04-048; City of Nashua/Pennichuck Water Works, Inc.

Enclosed are eight (8) copies that I had not enclosed with my original mailing on 21 February.

Sincerely,

Fred S. Teeboom

Attached: Copies (8)

Fred S. Teeboom
24 Cheyenne Drive
Nashua, NH 03063
(603) 889-2316

19 February, 2005

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

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

Attached: Sample Ballot, 14 January 2003 Election

Copy: Service List

Dear Ms Howland:

Please indicate to the PUC that I completely concur with Pennichuck's filing of reconsideration and/or a rehearing motion.

Pennichuck Water Works (PWW) serves not only the City of Nashua, but also the 10 towns of Amherst, Merrimack, Milford, Hollis, Bedford, Derry, Plaistow, Epping, Salem and Newmarket. PWW serves approximately 23,600 service connections or customers; 20,903 in the City of Nashua and 2,697 in the ten towns (see Rizzo Report pages i and ii). Thus these ten towns contain more than 10% of the customers served by PWW.¹

The City of Nashua consumes an average of 12 millions of gallons per day, according to the Nashua City Engineer.²

PWW's largest single customer is the Anheuser-Bush plant in Merrimack. An average of 1.8 millions of gallons per day (MGD) are consumed by this plant, in addition to 1.2 millions of gallons per day (MGD) by Merrimack's other customers. Thus the total daily consumption by Merrimack (3 MGD) represents 25% that of Nashua.¹

The PUC's own analysis concerning the legislative intent of taking property of a utility outside the municipal boundary within the definition of RSA 38 (Order No. 24,425 page

¹ "Summary Report - Comprehensive Review Pennichuck Water System Nashua new Hampshire" dated 1 November 2002. The Rizzo Report commissioned by the City of Nashua uses the designation of "service connection" and "customer" interchangeably.

² Information obtained with personal telephone calls to Nashua and Merrimack engineering departments. These figures may be slightly high and need to be verified, as the Rizzo report (page 15) states total water consumption supplied by PWW is 4,974 million gallons per year, or 13.6 million gallons per day (MGD) average.

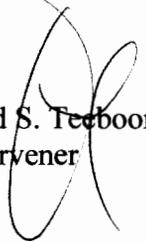
14), quoting Representative Below, "*.....some customers that would otherwise be stranded with a small distribution line that crosses a municipal boundary.....*" It is inconceivable that 25% consumption in an adjacent community or that 11% of the utility's customers outside the Nashua municipality fit within the RSA 38 legislative intent of "*some customers...with a small distribution line*".

Furthermore, the vote under RSA 38:3 was only taken by Nashua residents, without benefit of explanation of the meaning of "*.....all or a portion of the water works system currently serving the inhabitants of the city and others...*" on the 14 January ballot (see Exhibit I of the Brief filed on 23 October by F. Teeboom, attached), and thus excluded the 11% customers in the towns affected by the PUC decision. The citizens of the Towns affected were never given the opportunity to express an opinion by vote.

Clearly the PUC Order No. 24,425 ignores the New Hampshire legislative intent of RSA 38 and ignores the interests of citizens in the ten towns affected who represent 11.4% of the customers, and in case of Merrimack alone, 25% of Nashua's consumption.

Sincerely,

Fred S. Teeboom
Intervener

A handwritten signature in black ink, appearing to read 'Fred S. Teeboom', is written over the typed name and title. The signature is fluid and cursive, with a large loop at the end.

City Clerk's Office

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Sample Ballot

**SPECIAL MUNICIPAL ELECTION – SAMPLE BALLOT
CITY OF NASHUA, NH
JANUARY 14, 2003**

INSTRUCTIONS TO VOTERS:

To vote, make a cross (X) in the square to the right of the answer you desire to give. If you wrongly mark, tear, or deface this ballot, return it to an election official and obtain another.

“Shall the resolution of the Board of Aldermen adopted on November 26, 2002 determining that it is expedient for the City to establish a water works system and, in order to establish such water works system, to acquire all or a portion of the water works system currently serving the inhabitants of the City and others be confirmed?”



YES

NO

City Clerk's Office
Administrative Services Division
229 Main Street P.O. Box 2019 Nashua, NH 03061-2019
Phone: 603-589-3010 Fax: 603-589-3029
Email: cityclerk@cl.nashua.nh.us
Hours: 8:00 a.m. - 5:00 p.m. Monday - Friday
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