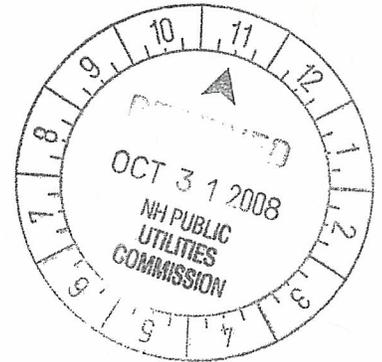


John Wolters
5 Hickory Pond Lane
Atkinson, NH 02811

ORIGINAL	
N.H.P.U.C. Case No.	<i>DW-08-088</i>
Exhibit No.	<i>#10</i>
Witness	<i>Panel 2 Wolters</i>
DO NOT REMOVE FROM FILE	

October 30, 2008

Debra A. Howland, Executive Director
N.H. Public Utilities Commission
21 S. Fruit Street, Suite 10
Concord, N.H. 03301-2429



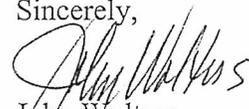
RE: Intervener Amended Testimony and William Bennett Witness Testimony
for DW 08-088 Hampstead Area Water Company

Dear Ms. Howland:

Please accept the enclosed amended testimony for November 4, 2008 as I mistakenly submitted the testimony as questions only and apologize for the oversight.

In addition, please accept testimony from Mr. Bennett who shall act as a witness on the intervener behalf.

Sincerely,


John Wolters
Intervener

Cc: emailed to: Robert Levine, Rorie Hollenberg, Stephen R. Eckberg, Mark Naylor,
and Marcia A.B. Thunberg

PUC Amended Testimony Questions
DW 08-088 HAWC

Q. Please state your name, address and occupational position.

A. My name is John M. Wolters. Located at 5 Hickory Pond Lane, Atkinson, NH 03811. I am currently retired, graduated from New York University, School of Finance

Q. Prior to the DES and PUC application filing, did HAWC request a hearing from the Atkinson Selectmen regarding the desire to expand their franchise within the town?

A. HAWC did not request a hearing which was a reasonable issue to address. Bypassing the town officials was not in the public good.

Q. Has HAWC made an application to the Atkinson Planning Board for site approval prior to filing an application with DES and/or PUC?

A.. HAWC did not apply to the planning board for site approval; once again bypassing the town officials which was not in the public good.

Q. In September 2007 the residents of Atkinson passed an ordinance against the sale or transport of Atkinson ground water from the town. Why did HAWC disregard the ordinance and apply for the interconnection in 2008?

A. HAWC ignored the ordinance as an issue to be dealt with. HAWC acted above the ordinance which is not in the public good.

Q. In the DES application, a need was given for a large water withdrawal. A major reason for the withdrawal was the future connection of 380 new customers. The 380 projected customers is an inaccurate estimate which appears to have no

validity. For the 18 months beginning in January 2007 and through June 2008 there was a net increase of only 6 customers while the projected amount of new customers were 65. The 65 new customers represented a 24 month period. Today's economic environment does not give much credence to future new hookups of 50 per year as projected. Please state the current need for the large water withdrawal?

A. The 380 new projected customers is an excessive estimate to justify a large water withdrawal. In the past 18 months only 6 new customers were obtained. Curing the excessive water loss would have a material effect on any new water needed.

Q. What was your water loss rate in Atkinson for 2005 and 2006?

A. According to annual statement filed with the PUC there was a 32% and 36% water loss. DES allows 15% loss.

Q. For 2007 HAWC's water loss rate is more than 100% over DES maximum allowed rate. Has HAWC annually informed DES of the high water loss?

A. It appears DES is either not informed or is ignoring their own rules.

Q. Please detail the specific efforts HAWC has conducted to correct the water loss in order to comply with DES's 15% formula.

A. There appears to be no concern from HAWC to find the water loss. The mindset appears to be pumping more water and lay more pipes. This is a major fault in the regulatory system.

Q. The requested franchise area consists of 1,185 acres. Has HAWC received or requested approval from the landowners whose land will be encumbered?

A. We have seen no evidence that HAWC has discussed with land owners

encumbering their property. HAWC has requested 49 abutting land owners to express their interest in connecting to HAWC's water supply. Not one of the 49 land owners wanted to connect. To encumber their property does not appear to be justified.

- Q. Since HAWC has already demonstrated propensity for a large water loss in conducting their business in the town of Atkinson. What is HAWC willing to do to substantially reduce the large water loss history?
- A. It appears this company finds large water loss acceptable. We need responsible businesses to act in the public good. I suggest detailed plans be developed to search, repair and minimize water loss.
- Q. The planning board of Atkinson was not given the opportunity for reasonable due diligence on this application since HAWC never applied for a hearing. The planning board has local jurisdiction over Atkinson water supply and quality. In bypassing the planning board which HAWC's President is a member demonstrates the lack of interest this business has towards the residents of Atkinson and the towns commitment to the health and stability of our wells and water supply. Is HAWC willing to present the site and franchise application to the planning board for its review?
- A. Since HAWC is unwilling to request and pursue basic town approvals, the state agencies need to have a set of standards an applicant must meet prior to filing an application.
- Q. Does that conclude your testimony?
- A. Yes, thank you.