

THE STATE OF NEW HAMPSHIRE

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PUBLIC UTILITIES COMMISSION

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January 29, 2013

George Dana Bisbee
Devine Millimet
111 Amherst Street
Manchester, NH 03101

Re: DA 13-001, Rosebrook Water Company, Inc.
Affiliate Agreements

Dear Mr. Bisbee:

On January 2, 2013, Rosebrook Water Company, Inc. (Rosebrook) filed pursuant to the terms of RSA 366 affiliate agreements with BW Club, LLC (BW Club); BW Services, LLC (BW Services); MWH Construction Company, LLC (MWH); and Resort Waste Management (Resort Waste). Rosebrook also filed a contract for construction services with MWH related to a pump station generator. In addition, Rosebrook filed copies of invoices for services provided to Rosebrook by MWH. Rosebrook's filing acknowledges that the filing of these agreements and contracts is not timely in accordance with the requirements of RSA 366.

On January 23, 2013, Commission Staff filed a letter recommending that the Commission accept the filing of these agreements and close this docket. Staff noted that the agreements with BW Club, BW Services, and MWH are no longer in force as Rosebrook has directly hired four employees who provided the services previously under the affiliate agreements. Staff further indicated that Rosebrook's agreement with Resort Waste, effective January 1, 2013, provides that Rosebrook will provide management, accounting, and customer relations services to Resort Waste. Staff expressed concern that most of Rosebrook's operational and management costs in its current rate proceeding, Docket No. DW 12-306, arises from the now-defunct affiliate agreements, but that Staff intends to address those issues in that rate case. Staff noted that a prehearing conference in DW 12-306 is scheduled for January 29, 2013.

This letter serves as an acknowledgement that Rosebrook, pursuant to the requirements of RSA 366:3, has filed contracts between a public utility and an affiliate for the provision of services in exchange for compensation that exceeds \$500. This acknowledgement does not constitute approval of any rate or revenue requirement change that may be claimed as a result of the service provided for in the filed documents. As issues arising under the filed agreements can be

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addressed in Rosebrook's current rate proceeding DW 12-306, the Commission will not open a separate investigation at this time under RSA 366:5. The Commission will accept the contracts as filed and will close this docket. Any further modifications of affiliate contracts must be filed with the Commission pursuant to RSA 366:3.

Sincerely,



Debra A. Howland
Executive Director

cc: Service List (Electronically)
Docket File

SERVICE LIST - EMAIL ADDRESSES - DOCKET RELATED

Pursuant to N.H. Admin Rule Puc 203.11 (a) (1): Serve an electronic copy on each person identified on the service list.

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Docket #: 13-001-I Printed: January 30, 2013

FILING INSTRUCTIONS:

- a) Pursuant to N.H. Admin Rule Puc 203.02 (a), with the exception of Discovery, file 7 copies, as well as an electronic copy, of all documents including cover letter with: DEBRA A HOWLAND
EXEC DIRECTOR
NHPUC
21 S. FRUIT ST, SUITE 10
CONCORD NH 03301-2429
- b) Serve an electronic copy with each person identified on the Commission's service list and with the Office of Consumer Advocate.
- c) Serve a written copy on each person on the service list not able to receive electronic mail.