

**The State of New Hampshire**

**Public Utilities Commission**

**DW 16-804**

**RE: Aquarion Water Company of New Hampshire**

**TOWN OF HAMPTON'S PETITION TO INTERVENE**

NOW COMES the Town of Hampton in the above entitled matter and petitions the Commission to allow it to intervene in these proceedings as a party, and in support of said Petition says as follows:

1. The Town of Hampton has approximately 15,000 year round residents and lies at the heart of the Seacoast region of New Hampshire.
2. The population of Hampton in the summer months rises dramatically to the point where Hampton becomes one of the largest municipalities population-wise in the State.
3. The vast majority of the residents in Hampton receive their water service from Aquarion Water Company of New Hampshire, Inc. (hereinafter, "Aquarion").
4. The Town of Hampton contains about three quarters of the residential customers who are served by Aquarion, and the Town of Hampton's Fire Department utilizes more than half of the public fire hydrants for which Aquarion insures the availability of water.
5. The Operations Manager of Aquarion sent a letter dated August 8, 2016 to the Commission requesting Commission approval after the fact of completing a connection to provide water on a temporary basis to the Wiggin Farm Homeowner's Association, a subdivision located in Stratham, New Hampshire, which is a Town not previously part of

Aquarion's franchise area. This letter has been docketed as a Petition under the above Docket.

6. The Town of Hampton was not copied on the aforesaid letter of August 8, 2016 and learned only indirectly from the North Hampton Water Commissioners about the proposed emergency interconnection.
7. Before the Commission's August 22, 2016 Order No 25,938 was posted to the Commission's on-line docket book in this Docket, the Town of Hampton Town Manager submitted a letter dated August 23, 2016 to the Commission setting forth the Town of Hampton's objections to any permanent connection in Stratham by Aquarion, in part because of the recent shortage in Aquarion's water production capacity that have put in jeopardy its ability to meet the demands of its customers in its current service territory. This letter dated August 23, 2016 has only been docketed as a "comment," and the Town of Hampton has not been added to the Docket related service list.
8. The Commission's August 22, 2016 Order No 25,938 set a deadline of October 5, 2016 for Aquarion to file a "petition for a permanent solution" to the water problem of the Wiggin Farm in Stratham or the Commission will hold a status conference on October 5, 2016 at 10:00 am. This Order was not preceded by a public hearing and was not noticed to any of the towns currently served by Aquarion, which include Hampton, North Hampton and two water districts in Rye.
9. Officials from Hampton, North Hampton and Rye met with Aquarion officials on September 2, 2016 and expressed opposition to a permanent petition to provide service to Stratham. The Aquarion officials present at said meeting indicated that they would let

Certificate of Service

I hereby certify that I have this 20<sup>th</sup> day of September 2016 e-mailed the foregoing Petition to Intervene to the service list electronically.

A handwritten signature in dark ink, appearing to read "Mark S. Gearreald", is written over a horizontal line.

Mark S. Gearreald, Esq.

the currently served Towns know one way or the other whether Aquarion would be filing a permanent petition as to serving Stratham.

10. To date, the Town of Hampton has received no further indication from Aquarion officials regarding their intentions as to Stratham.

11. Intervention by Hampton is needed now in order for Hampton to be kept fully informed of the Company's and the Commission's intentions and to be in a position to voice the Town's concerns in a timely and meaningful way before any temporary connection is made permanent.

12. The Town of Hampton has participated in all the recent rate cases before this Commission that have been filed by Aquarion.

WHEREFORE, the Town of Hampton requests that the Commission:

- A. Allow the Town of Hampton to intervene as a party in this matter;
- B. Notify the Town in advance of any further proceedings herein; and
- C. Grant such other and further relief as may be just.

September 20, 2016

Respectfully submitted,  
Town of Hampton  
By its Town Attorney



Mark S. Gearreald, Esq.

Hampton Town Attorney  
100 Winnacunnet Road  
Hampton, NH 03842  
Phone (603) 929-5816  
N.H. Bar I.D. #913