



# City of Concord

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October 25, 2016

## VIA HAND-DELIVERY

Debra A. Howland  
Executive Director  
New Hampshire Public Utilities Commission  
21 South Fruit Street, Suite 10  
Concord, NH 03301-2429

**Re: Joint Petition to Establish Interconnection/Transition Fund for Non-Governmental  
Concord Steam Customers – Docket No. DG 16-827**

Dear Ms. Howland,

Please accept the City of Concord's letter in support of Senator Dan Feltes' objection to the PUC Staffs' Motion to Dismiss (without prejudice) the Joint Petition referenced above.

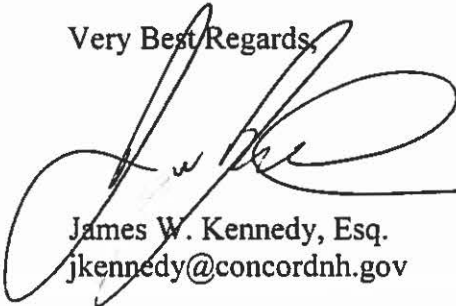
With respect to Staff's ripeness argument, time is of the essence and immediate preparations must be made for the Concord community to successfully transfer from steam heat to an alternative heat source. In considering whether a matter is ripe for adjudication, the New Hampshire Supreme Court "evaluates the fitness of the issue for judicial determination and the hardship to the parties if the court declines to consider the issue." *Appeal of State Employees' Ass'n of N.H., Inc.*, 142 N.H. 874, 878 (2004).

The Joint Petition is ripe due to the undisputed hardship of Concord Steam's customers' pressing need for heat. With May 31, 2017 as the projected deadline for Concord Steam customers to transfer from steam and to install a new heat source, delaying this Joint Petition may result in undue harm. Existing Concord Steam customers must establish the funds and viable plans to make the transfer from steam heat to another heat without any delay.

As to PUC Staff's concerns relative to whether Liberty Utilities is a party in this Joint Petition, Liberty's October 21, 2016 letter and motion to intervene in this Joint Petition resolves all of those concerns. Liberty Utilities has confirmed that it supports the relief requested in the Joint Petition.

If you have any questions, please do not hesitate to contact me.

Very Best Regards,

A handwritten signature in black ink, appearing to be 'J. Kennedy', with a long horizontal flourish extending to the right.

James W. Kennedy, Esq.  
jkennedy@concordnh.gov

cc: Service List