

STATE OF NEW HAMPSHIRE
BEFORE THE
PUBLIC UTILITIES COMMISSION

RE: PITTSFIELD AQUEDUCT COMPANY, INC.

DOCKET NO. DW 08-052

MOTION TO CONSOLIDATE

Pittsfield Aqueduct Company, Inc. ("PAC") and Pennichuck East Utility, Inc. ("PEU") hereby move the New Hampshire Public Utilities Commission to consolidate this docket with a docket to be opened by the Commission in response to a filing being made this same day by PEU. In support of this motion, PAC and PEU state as follows:

1. PAC currently has a request for a rate increase pending before the Commission (Docket DW 08-052). Contemporaneous with the filing of this Motion, PAC is filing a Motion to Modify Rate Case Filing in which it seeks to change the rate relief that it seeks in DW 08-052. The proposed modification entails the transfer of PAC's assets used to serve customers of its North Country systems. At the same time, PEU and PAC are filing a Verified Joint Petition for Approval of the Transfer of Assets and Franchise Rights in which PAC seeks the authority to transfer the assets to PEU, and PEU to serve the North Country franchise at the proposed modified rates.

2. In this motion, PAC and PEU are requesting that the Commission consolidate DW 08-052, the PAC rate case, with the docket to be opened in which the Joint Petition will be considered. The companies believe that consolidation is appropriate given that the two matters are factually and legally interconnected. PAC's modified rate request is premised on the transfer of the North Country assets to PEU and is contingent upon the approval of that transfer. There has been an extensive factual record developed in the PAC rate case that is highly relevant to the

Commission's consideration of the proposed asset transfer. Further, consolidation of the two dockets will result in an efficient use of Commission resources and resources of the parties.

3. The Commission has approved a modified procedural schedule in DW 08-052 that takes into account the modified rate proposal and the proposed transfer. *See* February 18, 2009 Secretarial letter. If these matters are consolidated, the companies believe that the modified schedule will be sufficient for consideration of the issues raised by the Verified Petition.

4. For these reasons, PAC and PEU request that the Commission consolidate the two dockets and consider them in tandem.

5. Staff, Sunrise Lake Estates Association, Locke Lake Colony Association, Birch Hill Water District, the Town of Pittsfield, and the Office of Consumer Advocate assent to the relief sought in this motion.

WHEREFORE, PAC and PEU respectfully request that the Commission:

- A. Grant this Motion to Consolidate; and
- B. Such other relief as is just and equitable.

Respectfully submitted,

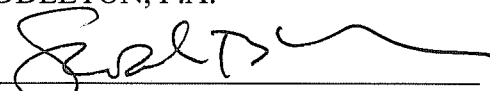
Pittsfield Aqueduct Company, Inc.
Pennichuck East Utility, Inc.

By Their Attorneys

MCLANE, GRAF, RAULERSON &
MIDDLETON, P.A.

Dated: March 13, 2009

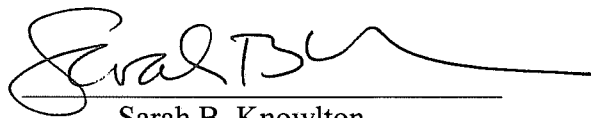
By:



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Certificate of Service

I hereby certify that a copy of this Motion has been forwarded to the parties in DW 08-052 and the Consumer Advocate by electronic mail on March 13, 2009.

A handwritten signature in black ink, appearing to read "Sarah B. Knowlton", written over a horizontal line.

Sarah B. Knowlton