



CITY OF PORTSMOUTH

DW 13-249
LEGAL DEPARTMENT

Robert P. Sullivan, City Attorney – 603-610-7204 (Direct Dial)
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Municipal Complex
1 Junkins Avenue
Portsmouth, NH 03801
(603) 431-2000
(603) 427-1577 (FAX)

January 14, 2014

Debra A. Howland
Executive Director and Secretary
New Hampshire Public Utilities Commission
21 S. Fruit Street
Suite 10
Concord, NH 03301

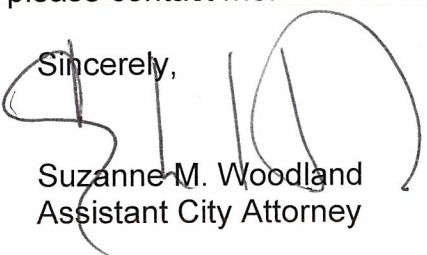
RE: Petition to Extend Sewer Service in Town of Rye
Order No.: 25,618
Docket #: DW-13-249

Dear Ms. Howland,

On January 8, 2014, the Public Utilities Commission issued Order No.: 25,618 relative to the City of Portsmouth's Petition to Extend Sewer Service in the Town of Rye. Pursuant to that order, the City of Portsmouth was required to publish the Order as described therein. Enclosed is my affidavit relative to publication.

If there are any questions or concerns please contact me.

Sincerely,


Suzanne M. Woodland
Assistant City Attorney

SMW/rao
enclosure

cc: Michael L. Donovan, Esq.
Sharon Cuddy Somers, Esq.
Mark Naylor
Susan Chamberlin, Esq. (Consumer Advocate)
Terry Desmarais, Engineer, Public Works Department

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STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION

DW 13-249

CITY OF PORTSMOUTH

Petition to Extend Sewer Service in Town of Rye

Order *Nisi* Approving Franchise Extension

ORDER NO. 25,618

January 8, 2014

AFFIDAVIT

I, Suzanne M. Woodland, being duly sworn state as follows:

1. I am the Assistant City Attorney for the City of Portsmouth.
2. The Order *Nisi* dated January 8, 2014 was published in the Portsmouth Herald on January 11, 2014. See attached.
3. The Portsmouth Herald's circulation includes Portsmouth, Greenland, Rye, New Castle and other seacoast communities.
4. I mailed a copy of the order to the Town Clerk of Rye with a copy to counsel representing the Town of Rye, Michael L. Donovan, Esq.
5. I provided a copy to the Portsmouth City Clerk (mailing being unnecessary as the Clerk's office is in the same building).
6. I provided a copy to Attorney Sharon Cuddy Somers representing an interested third-party with property in the area to be served.

Signed this 13 day of January, 2014.

By: 

Suzanne M. Woodland
Assistant City Attorney
NH Bar #: 9410

STATE OF NEW HAMPSHIRE
COUNTY OF ROCKINGHAM

On this 13th day of January, 2014, Suzanne M. Woodland,
personally appeared before me and swore that the foregoing was true to the best of her
knowledge and belief.

In witness whereof I hereunto set my hand and official seal.

Rachel A. O'Neil
~~Justice of the Peace~~ / Notary Public
My commission expires: 10/17/17

Legal Notice

PUBLIC NOTICE

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

**DW 13-249
CITY OF PORTSMOUTH**

**Petition to Extend Sewer Service in the Town of Rye
SUMMARY OF ORDER NO. 25,618 APPROVING FRANCHISE EXTENSION**

January 8, 2014

On August 30, 2013, the City of Portsmouth filed a petition to extend sewer service to properties on Sagamore, Elwyn and Pioneer Roads in the Town of Rye. The Rye properties are close to existing Portsmouth sewer mains and will be connected to Portsmouth's system at no cost to Portsmouth or Rye because a third party and the individual owners will bear the costs. Once connected, Portsmouth will assume ownership, operation, and maintenance of the new sewer lines. Portsmouth will provide the new Rye customers with the same level of service and bill them at the same rates as Portsmouth customers. Staff filed a report on December 17, 2013 recommending that the Commission approve the petition. The petition and subsequent docket filings, other than any information for which confidential treatment is requested of or granted by the Commission, is posted to the Commission's website at <http://www.puc.nh.gov/Regulatory/Docketbk/2013/13-249.html>.

Pursuant to RSA 362:4 III(a), RSA 374:22, the filings and Staff's recommendations, the Commission finds that the requested extension of Portsmouth's sewer system is in the public interest and that Portsmouth's sewer system will remain unregulated. The petition is therefore approved on a nisi basis, which affords any member of the public who does not support the Commission's determination to submit written argument why the petition should not be approved.

Portsmouth is authorized to extend its sewer service to the Rye properties described in the petition and attached maps. All persons interested in responding to the Order Nisi may submit their comments or file a written Request for a hearing which states the reasons and basis for a hearing no later than January 27, 2014 for the Commission's consideration; and any party interested in responding to such comments or request for a hearing shall do so no later than February 3, 2014. The Order *Nisi* shall be effective February 7, 2014 unless the Commission orders otherwise.

LEGAL DEPARTMENT
PORTSMOUTH, NH

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