

**THE STATE OF NEW HAMPSHIRE  
PUBLIC UTILITIES COMMISSION**

**Docket No. DE 16-817**

**PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE d/b/a EVERSOURCE ENERGY**

**Auction of Electric Generation Facilities**

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

The Town of Bristol ("Town"), by and through its attorneys, Gardner Fulton & Waugh, PLLC, petitions the Public Utilities Commission ("Commission") to allow it to intervene in the above-captioned matter in accordance with RSA 541-A:32 and NH Admin. Rule Puc 203.17, stating as follows:

1. On July 1, 2016, the Commission approved the 2015 Public Service Company of New Hampshire Restructuring and Rate Stabilization Agreement as well as the Partial Litigation Settlement Agreement which will ultimately result in a sale of the generation assets of Public Service Company of New Hampshire d/b/a Eversource Energy ("Eversource"). One of those generation properties includes a hydroelectric facility, commonly known as Ayers Island, located in both the municipalities of New Hampton and Bristol, New Hampshire.

2. On September 7, 2016, the Commission issued an Order that sets out the process by which the Commission will review issues related to: a) the manner by which an auction of such assets should occur; and b) the allocation of values for each of the individual assets [assuming that certain sales involved a single purchase of a group of Eversource's generation properties]. The Commission also provided, within that Order, a deadline (September 15, 2016) for all interested parties in the above-referenced issues to file a Petition to Intervene.

3. The Town of Bristol asserts that it possesses statutory rights, duties, privileges and other substantial interests in the above-captioned matter to qualify as an intervenor. *See*

*N.H. Rev. Stat. Ann. 541-A:32 & NH Admin Rule Puc 203.17.* First, New Hampshire law provides the Town with the ability to purchase “suitable plants for the manufacture and distribution of electricity . . .” *See N.H. Rev. Stat. Ann. §38:2.* As such, the Town has the requisite authority to be a potential buyer of the Ayers Island facility in any sale of same by and through this process.

4. Also, the Town is statutorily obligated to tax the real property associated with the Ayers Island facility, located within the boundaries of the Town, which requires assessing a fair market value of such and then applying the Town’s tax rate to same in order to generate the taxes owed for such property on an annual basis. *See N.H. Rev. Stat. Ann. §72:6, §72:8 and §72:9.* The Commission’s Order tends to indicate that a possible sale of said generation facilities may involve the sale of a portfolio of assets. As such, the Commission’s Order states that the Commission will also consider how to allocate values to each individual asset if said property is sold by and through a group of assets. Given the Town’s statutory obligation to assess a market value on said property for taxation purposes, it has a clear interest in addressing the manner by which such values may be assigned in order to ensure that any allocation of value remains consistent with market value.

5. It is also understood that the City of Berlin and Towns of Gorham and New Hampton are either already intervenors or are seeking said status. As such, the Town of Bristol maintains the same interest as these other municipalities (who also have generation facilities within their respective borders) from which the Town’s inclusion in this proceeding should not impose any prejudice or impairment to the prompt and orderly proceeding of this matter. For all the reasons articulated within this Petition as well as its qualification for intervenor status under

both New Hampshire law and the State's administrative rules, the Town of Bristol seeks permission of the Commission to intervene as a party in the above-captioned matter.

WHEREFORE, the Town of Bristol respectfully requests that the Public Utilities Commission:

- A. Grant the Town of Bristol's Petition to Intervene;
- B. Grant the Town of Bristol full intervenor and/or party status; and
- C. Grant such other and further relief as may be just.

\* \* \*

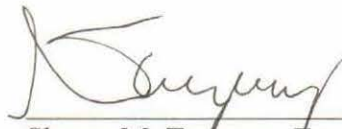
Respectfully Submitted,

TOWN OF BRISTOL  
By and through its attorneys,

GARDNER FULTON & WAUGH, PLLC

September 13, 2016

By:




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CERTIFICATE OF SERVICE

I hereby certify that on this 13<sup>th</sup> day of September, 2016, a copy of the foregoing was sent by electronic mail to persons named on the Service List of this docket pursuant to N.H. Code of Admin. Rule Puc 203.11(a)(1).

By:

  
Shawn M. Tanguay