

THE STATE OF NEW HAMPSHIRE

Before the

PUBLIC UTILITIES COMMISSION

Docket No. DG 17-022

**CITY OF CONCORD'S PETITION FOR THE COMMISSION TO ESTABLISH
OVERSIGHT PROTOCOLS FOR CONCORD STEAM'S ABANDONMENT OF
MANHOLES AND PIPES AND FOR PAYMENT OF DAMAGE COSTS**

CITY OF CONCORD'S MOTION FOR THE PUC TO ISSUE ORDERS

NOW COMES the City of Concord ("Concord"), by and through its attorneys, the Office of the City Solicitor, and respectfully moves that the New Hampshire Public Utility Commission ("Commission") issue an order which Denies Concord Steam Corporation's ("Concord Steam") motion to dismiss, and grants Concord's requested relief in its Petition; and in support thereof, states as follows:

1. On February 3, 2017, Concord filed the underlying Petition in this matter to require Concord Steam to: (1) identify all of the manholes in its system which it plans to fill with concrete and the process by which it intends to fill those manholes; (2) establish Concord or other third party review of Concord Steam's abandonment process of its pipes and manholes in Concord; (3) establish an escrow account or bond to ensure the abandonment work is timely completed; (4) require Concord Steam to maintain the requisite insurance policy to cover any damage to Concord's property during the abandonment process; and (5) pay damage costs it caused to Concord's property.
2. On February 8, 2017, Concord Steam moved to dismiss Concord's Petition.
3. On February 16, 2017, Concord filed an objection to Concord Steam's motion.

4. In Order No. 25,966 (November 10, 2016), the Commission approved Concord Steam's request to discontinue service to its steam customers on or about May 31, 2017.

5. Time is of the essence for this Commission to establish oversight protocols for Concord Steam's abandonment of manholes and pipes which exist in Concord's right-of-way.

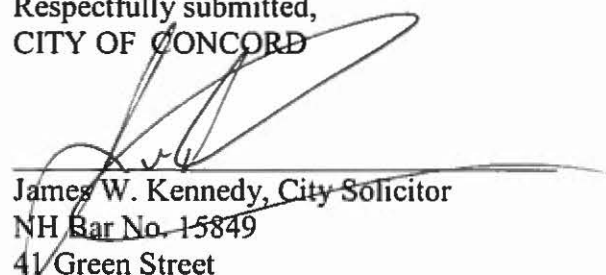
WHEREFORE, the Concord respectfully requests that this Commission grant its Petition as follows:

- A. Deny Concord Steam's motion to dismiss;
 - B. Require Concord Steam to identify all of the manholes in its system which it plans to fill with concrete and the process by which it intends to fill those manholes;
 - C. Establish Concord or other third party oversee Concord Steam's abandonment process of its pipes and manholes in Concord;
 - D. Require Concord Steam to establish an escrow account or bond to ensure the abandonment work is timely completed;
 - E. Require Concord Steam to maintain the requisite insurance policy to cover any damage to property during the abandonment process;
 - F. Require Concord Steam to pay damage costs it caused to Concord's property;
- and
- G. Grant such other relief as the Commission finds just and proper.

Respectfully submitted,
CITY OF CONCORD

April 18, 2017

By:


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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served by electronic mail or U.S. Mail, postage prepaid, to those parties listed on the Service List of this docket, as well as the Office of Consumer Advocate, pursuant to N.H. Code Admin Rule Puc 203.11.

April 18, 2017

By:


James W. Kennedy