

The State of New Hampshire
Before the New Hampshire Public Utilities Commission
DW 17-114

RE: Eversource Energy and Aquarion Water Company of New Hampshire, Inc.

TOWN OF NORTH HAMPTON AND NORTH HAMPTON
WATER COMMISSION'S PETITION TO INTERVENE

The State of New Hampshire
Before the New Hampshire Public Utilities Commission
DW 17-114

RE: Eversource Energy and Aquarion Water Company of New Hampshire, Inc.

TOWN OF NORTH HAMPTON AND NORTH HAMPTON
WATER COMMISSION'S PETITION TO INTERVENE

NOW COMES the Town of North Hampton and the North Hampton Water Commission (North Hampton), by and through its attorneys, Wadleigh, Starr & Peters, P.L.L.C., and hereby petitions this Commission to allow North Hampton to intervene in the Joint Petition for Approval of the Acquisition of Aquarion Water Company of New Hampshire, Inc. (Aquarion) by Eversource Energy (Eversource) proceeding as a party without limitations. In support of this Petition to Intervene, North Hampton states as follows:

1. North Hampton is one of three towns in New Hampshire that depend on Aquarion for water service. Approximately one half of the residents of North Hampton receive their water service from Aquarion.
2. North Hampton's public fire hydrant system relies on Aquarion for its water supply.
3. North Hampton has participated before the Commission in all of Aquarion's recent general rate and WICA surcharge cases.
4. North Hampton shares the concerns expressed in the Petition to Intervene filed by the Town of Hampton and incorporates the concerns set forth in paragraphs 6a, b, c, d, e, f, h, i, j, k, l, m, and n and attachments thereto.

5. North Hampton currently pays to Aquarion \$1,769.82 per hydrant. North Hampton has 149 public fire hydrants. Aquarion's charge per hydrant is one of the highest rates in New Hampshire. Currently the Town of North Hampton is disputing the current invoice from Aquarion for hydrant service in the amount of \$131,851.82. The dispute between North Hampton and Aquarion arises from Aquarion's failure to abide by the requirements of PUC Order 24, 648 in Docket No. DW 05-119. That order requires Aquarion to maintain an annual program of hydrant maintenance that includes: (1) flushing; (2) removing brush and weeds; (3) painting; (4) inspecting and winterizing; and, (5) visually inspections throughout the year.

A review of Aquarion's 2016 maintenance records shows the following: (1) only 4 of the 149 hydrants were flushed in 2016; (2) only 16 of the 149 hydrants were properly winterized in 2016; (3) 79 hydrants were not winterized at all; (4) 27 of the hydrants were winterized in January after freezing weather had set in; and, (5) 28 hydrants were winterized in April and June after winter conditions were over.

Although Aquarion inspected all but one hydrant in 2016, at least seven of the hydrants received only that one inspection. A once a year inspection of hydrants on which the town and the residents depend, is insufficient to ensure that the hydrants will be in proper working condition when needed.

Additionally, North Hampton has no information showing that the hydrants have been painted in the manner required by the order. Aquarion has indicated that it will not abide by the color code for hydrants agreed to and made a part of PUC Order 24, 648.

Aquarion's failure to abide by the PUC order in 2016 was not a one-time occurrence. A review of the company's records for 2015 shows the following: (1) only 6

hydrants were flushed; (2) only 53 hydrants were winterized; and, (3) of the hydrants which were winterized, 33 were winterized after freezing weather had set in.

6. In light of the current issues faced by North Hampton resulting from Aquarion's management of its public water supply system, including issues with water quantity, water quality, affordability of water service for individual residents and the municipality, and Aquarion's failure to abide by current PUC orders related to the maintenance of the town's public hydrant system, Eversource's lack of experience in managing and operating a water service utility is of great concern to North Hampton. Aquarion's access to technology resulting from the acquisition will do nothing to address these current issues.
7. Nor does Eversource's lack of knowledge regarding water system management and operation inspire optimism that it can or will stop the current pattern of higher rates for poorer water service being experienced by North Hampton.
8. Intervention by North Hampton and its Water Commission is required in order to protect the interests of the town and its residents who depend on Aquarion for their water supply for residential, commercial and safety purposes and to ensure that the town will be fully informed of the Joint Petitioner's and the Commission's intentions and to be in a position to present its concerns in a timely and meaningful way, and to participate in any discovery.

WHEREFORE, the Town of North Hampton and the North Hampton Water Commission request that this Commission:

- A. Allow the Town of North Hampton and the North Hampton Water Commission to intervene as a party in this matter without limitations;

- B. Notify North Hampton and its Water Commission in advance of any further proceedings herein; and
- C. Grant such other further relief as may be just.

Respectfully Submitted,

The Town of North Hampton

By its attorneys,

Wadleigh, Starr, & Peters, PLLC

Dated: August 15, 2017

By: 

Stephen M. Bennett, Esq. NH Bar 529

95 Market Street

Manchester, NH 03101

(603)669-4140

CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of August, 2017 I electronically transmitted the foregoing Petition to Intervene to the service list and Jim Maggiore, Chairman North Hampton Select Board, jmaggiore@northhampton.nh.gov, Paul Apple, North Hampton Town Administrator, papple@northhampton.nh.gov, Mark Gearreald, Esq., mgearreald@town.hampton.nh.us, Bob Landman, Co-Chair North Hampton Water Commission, rlandman@hlinstruments.com, Tim Harned, Co-Chair North Hampton Water Commission, tim@harned.com.


Stephen Bennett, Esq.