

STATE OF NEW HAMPSHIRE

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March 30, 2018

Debra A. Howland  
Executive Director  
New Hampshire Public Utilities Commission  
21 South Fruit Street, Suite 10  
Concord, New Hampshire 03301

NHPUC 30MAR'18AM10:49

Re: DW 17-165: Abenaki Water Company, Inc. – Rosebrook Water System  
Request for Increase in General Water Rates  
Staff Recommendation to Resume Proceeding, Approve a Proposed Procedural Schedule, and  
Approve Requests for Intervention

Dear Ms. Howland:

The purpose of this letter is to request that the Commission resume Abenaki Water Company, Inc.'s ("Abenaki" or "Company") general rate proceeding in DW 17-165 as well as approve a proposed procedural schedule for this case. Staff also recommends that the Commission approve three requests for intervenor status in this proceeding.

On October 23, 2017, Abenaki filed a notice of intent to file rate schedules for its Rosebrook Water System. On December 7, 2017, Abenaki filed proposed tariff pages as well as a petition for a permanent rate increase and step adjustment pursuant to RSA 378:3 and 378:28. On December 19, 2017, the Office of the Consumer Advocate ("OCA") filed a letter of participation with regard to Abenaki's filing. On January 5, 2018, the Commission issued Order No. 26,097 suspending Abenaki's proposed tariff pages and scheduling a prehearing conference on January 25, 2018 to be immediately followed by a technical session. On January 18, 2018, Abenaki submitted its filing for temporary rates in this proceeding.

At the January 25 prehearing conference, requests for intervenor status were considered for the following entities: Omni Mount Washington, LLC ("Omni Mount Washington"); Bretton Woods Property Owners Association ("BWPOA"); and the Rosebrook Association. During the subsequent technical session, the respective parties were unable to reach an agreement on a proposed procedural schedule in this case due to concerns regarding an anticipated, but yet unfiled, request for change in Return on Equity ("ROE") to be filed by Abenaki as well as two other co-sponsoring water utilities, Hampstead Area Water Company, Inc. and Lakes Region Water Company, Inc.

On January 25, 2018, the OCA filed a letter with the Commission suggesting that Abenaki's rate case be put on hold pending the submission of the anticipated ROE filing. The OCA further suggested that once the ROE filing was made, the Commission schedule a second prehearing

DW 17-165: Abenaki Water Company, Inc. – Rosebrook Water System  
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conference in order to allow the parties an opportunity to provide their positions regarding an appropriate procedural schedule. On January 26, 2018, Abenaki filed a letter with the Commission requesting that its rate case be placed on hold pending submission of the ROE filing.

On February 27, 2018, the three co-sponsoring water utilities, including Abenaki, filed a petition, along with accompanying testimony and schedules, requesting that the Commission make a declaratory ruling or, in the alternative, adopt a rule providing for an appropriate “small-size premium” to be used in the determination of rates, and specifically ROE, relative to small satellite water systems serving fewer than 3,300 residents pursuant to RSA 378. The ROE submission was assigned Docket No. DW 18-026. On February 26, 2018, Abenaki filed a letter with the Commission requesting that, in light of the pending ROE submission, the Company’s rate case be restarted.

On March 29, 2018, an Order of Notice was issued by the Commission in DW 18-026 which schedules a prehearing conference to consider various issues related to the ROE filing including the impact it will have with regard to currently pending rate proceedings before the Commission, including Abenaki’s. As such, Staff recommends that the Commission resume Abenaki’s rate proceeding and approve a procedural schedule for this case. Attached to this letter is a proposed procedural schedule developed by Staff and provided to the other parties in this proceeding for their review and comment. In response, Abenaki indicated its assent to the proposed schedule. Omni Mount Washington made a request for the entire proposed schedule to be pushed by one week. However, Staff responded that such may be impractical considering the already tight timeframe in which this case has to be decided. Staff did not receive any comments regarding the proposed schedule from the OCA, BWPOA, or the Rosebrook Association. Therefore, Staff requests that the Commission approve the proposed schedule.

Finally, Staff recommends that the requests for intervention by Omni Mount Washington, BWPOA, and the Rosebrook Association also be formally approved by the Commission. All three parties are customers of the Rosebrook System and therefore their respective rights, duties, privileges, and interests may be affected by this proceeding. Staff is also not aware of any objection by either Abenaki or the OCA to the three requests for intervenor status.

Thank you for your consideration and assistance with this matter. If you have any questions, please do not hesitate to contact me.

Very truly yours,



Jayson P. Laflamme  
Assistant Director, Gas-Water Division

Attachment

cc: Service List

**DW 17-165**  
**ABENAKI WATER COMPANY, INC.**  
**ROSEBROOK DIVISION RATE INCREASE**  
**PROPOSED PROCEDURAL SCHEDULE**

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**Temporary Rates**

04/13/18	Data Requests to Company – Set 1
04/23/18	Responses due from Company – Set 1
05/01/18 @ 10:00 AM	Technical Session/Settlement Conference
05/11/18	Responses from Company to Technical Session DR's
05/30/18	File Settlement on Temporary Rates
06/11/18 @ 10:00 AM	Hearing on Temporary Rates

**Permanent Rates**

06/21/18	Data Requests to Company – Set 2
07/06/18	Responses due from Company – Set 2
07/26/18	Data Requests to Company – Set 3
08/09/18	Responses due from Company – Set 3
08/23/18 @ 10:00 AM	Technical Session/Settlement Conference
09/06/18	Responses from Company to Technical Session DR's

**Settlement Track**

09/27/18	File Settlement
10/08/18	Rebuttal Testimony on Settlement
10/18/18 @ 10:00 AM	Hearing on the Merits

**Litigation Track**

09/19/18	Testimony due by Staff, OCA and Intervenors
09/26/18	Data Requests to Staff, OCA and Intervenors on Testimony
10/10/18	Responses from Staff, OCA and Intervenors
10/12/18 @ 10:00 AM	Technical Session/Settlement Conference
11/02/18	File Settlement/Rebuttal Testimony
11/07/18 @ 10:00 AM	Hearing on Permanent Rates

**SERVICE LIST - EMAIL ADDRESSES - DOCKET RELATED**

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**Pursuant to N.H. Admin Rule Puc 203.11 (a) (1): Serve an electronic copy on each person identified on the service list.**

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Docket #: 17-165-1      Printed: March 30, 2018

**FILING INSTRUCTIONS:**

**a) Pursuant to N.H. Admin Rule Puc 203.02 (a), with the exception of Discovery, file 7 copies, as well as an electronic copy, of all documents including cover letter with:**

DEBRA A HOWLAND  
EXECUTIVE DIRECTOR  
NHPUC  
21 S. FRUIT ST, SUITE 10  
CONCORD NH 03301-2429

**b) Serve an electronic copy with each person identified on the Commission's service list and with the Office of Consumer Advocate.**

**c) Serve a written copy on each person on the service list not able to receive electronic mail.**