

STATE OF NEW HAMPSHIRE

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June 8, 2018

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

Re: Docket No. DW 17-165, Abenaki Water Company, Inc.
Rosebrook Water System Temporary Rate Increase
Notice of Joint Opposition to Proposed Settlement Agreement

Dear Ms. Howland:

On May 30, 2018, the Staff of the New Hampshire Public Utilities Commission filed a proposed settlement agreement on temporary rates between it and Abenaki Water Company, Inc. (Abenaki) that would increase rates by 14.89 percent effective February 1, 2018, which is the subject of a hearing scheduled for June 11, 2018. The Office of Consumer Advocate (OCA), the Bretton Woods Property Owners Association (BWPOA), and the Omni Mount Washington Hotel (Omni) (collectively, Consumer Interests) believe that Abenaki has not provided effective notice for the temporary rate increase to customers and that, in any event, if the Commission were to set temporary rates it should do so at current rates. The Consumer Interests had advised Staff and Abenaki of their opposition to the proposed settlement agreement and the reasons for it.

With respect to the proposed effective date of temporary rates, this issue first surfaced at the prehearing conference held on January 25, 2018, at which time both I and Staff counsel, Mr. Speidel, expressed concern that Abenaki had filed the request for a temporary rate increase on January 18, 2018, after the Order of Notice was issued setting the prehearing conference regarding the request for an increase in permanent rates. Mr. Speidel opined that "at a minimum, the Commission would have to issue a second suspension order for this temporary rate tariff." I also observed that it would not be "fair to intervenors to spring temporary rates on them in this particular fashion." Ultimately, Chairman Honigberg determined that the purpose of the prehearing conference was limited to the permanent rates request and he indicated that the issue of temporary rates could be discussed by the parties during the technical session.

The Consumer Interests continue to believe that notice to customers concerning temporary rates is lacking and that there is certainly no basis for selecting February 1, 2018, as the effective date. Moreover, the irregular procedure followed by Abenaki in this case continues, as exemplified by

its May 31, 2018 filing of testimony seeking a premium return on equity, which should have been part of the rate filing it made on December 7, 2017. The delayed filing of this testimony provides a further basis for the Commission to defer setting an effective date for temporary rates until such time as effective notice is provided to all customers.

Sincerely,



D. Maurice Kreis
Consumer Advocate

cc: Service List