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Environmental Law ■ *Utility Law*

September 18, 2020

VIA ELECTRONIC DELIVERY

Debra A. Howland, Executive Director
N.H. Public Utilities Commission
21 South Fruit Street, Suite 10
Concord, NH 03301

Re: DW 17-165 Abenaki Water Company, Inc.
Motion to Extend Step II Deadline – NHDES Compliance Update

Dear Director Howland:

Since the hearing of July 16, 2020 in this docket concerning Abenaki Water Company, Inc.'s (Abenaki) request to extend the Step II deadline, the NH Department of Environmental Services (NHDES) has begun further enforcement action regarding the Abenaki's Rosebrook system. In particular, I am bringing to your attention the attached email correspondence between the NHDES and Abenaki.

In summary, the NHDES seeks to set deadlines for the filing of the engineering design that was the subject of the July 16th hearing. As explained in Abenaki's response to the NHDES, it cannot move forward until it has an ability to recover the costs of the engineering design, which are estimated to be \$100,000. This was explained at hearing. Also explained at hearing was that Abenaki's lender does not support additional expenditures of cash unless a recovery mechanism is in place. Abenaki has already spent \$80,000 toward the engineering design effort.

Abenaki respectfully requests the Commission's approval of the Step II mechanism so that Abenaki can move forward with the engineering design project and satisfy the NHDES deadlines.

Very Truly Yours,

A handwritten signature in black ink that reads "Marcia A. Brown".

Marcia A. Brown

cc: Docket Related Service List w/ Enclosure