

August 19, 2022

Via Electronic Mail

Daniel C. Goldner, Chair
New Hampshire Public Utilities Commission
21 S. Fruit Street, Suite 10
Concord, N.H. 03301

Re: Docket Nos. DW 17-165 and DW 19-131 Abenaki Water Company
Pending Motions for Confidential Treatment and Protective Orders

Chair Goldner:

On August 1, 2022, the Commission issued a procedural order in Docket No. DW 17-165 stating it was unclear if there were outstanding issues, and asked that the parties file any applicable requests for relief by August 24, 2022, before the Commission closed the docket. This letter is to respond to that order and request relief on behalf of Abenaki Water Company (“Abenaki” or the “Company”). There are five outstanding motions for confidential treatment or protective orders in Docket No. DW 17-165, and Abenaki requests that the Commission rule on those motions prior to closing the docket. The motions appear at the following docket tabs:

1. TAB 70. January 30, 2019, Motion for Protective Order (rate case expenses)
2. TAB 76. July 11, 2019, Amended Motion for Protective Order (Tab 76, dated 07/15/19 (sic)) (rate case expenses)
3. TAB 93. October 1, 2019, Motion for Protective Order Nunc Pro Tunc (facilities plans)
4. TAB 129. May 4, 2020, Amended Motion for Protective Order (rate case expenses)
5. TAB 154. March 23, 2021, Supplemental Motion for Confidential Treatment (rate case expenses)¹

Additionally, the confidential maps contained in Tab 93 in Docket No. DW 17-165 were also introduced into evidence in Docket No. DW 19-131 as exhibits 9 and 14 but the corresponding motions for confidential treatment filed in that docket have also not yet been ruled on by the Commission. Exhibits 16, 17, 18, and 29 were also submitted confidentially in Docket DW 19-131. In Order No. 26,493 (June 30, 2021) in Docket No. DW 19-131, the Commission

¹ Abenaki notes that the Company wrote off the rate case expenses from this docket, but still seeks confidential treatment of the relevant rate case expense-related materials from Tabs 70, 76, and 154.

noted on pages 1 and 2 that the motions for confidential treatment would be “addressed in a separate order.” While that docket is already marked as closed on the Commission website, Abenaki respectfully requests that the Commission review and approve those motions as well. The motions for confidential treatment in Docket No. DW 19-131 can be found in the following tabs to the docket:

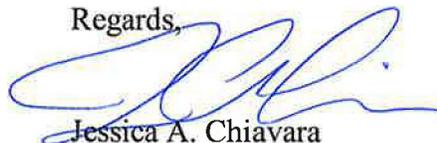
1. TAB 9. October 1, 2019, Motion for Protective Order Nunc Pro Tunc (facilities plans)
2. TAB 62. March 24, 2021, Supplemented Motion (facilities plans)
3. TAB 63. June 16, 2021, Supplemental Motion (facilities plans)

The motions for confidential treatment and protective orders pertain to: confidential and competitively sensitive attorney billing information; compensation and personal data of Abenaki Water Company employees; and detailed drawings and maps of the Abenaki water system. All of these categories of information are routinely treated as confidential by the Commission for various reasons, namely, competitively sensitive information, privacy interests, and safety and security concerns, respectively. Abenaki hereby incorporates by reference all arguments for confidential treatment originally made in the motions listed above. No objections were filed by any party to either docket in writing or otherwise within 10 days of the motion being filed as required by Puc 203.07(e), nor have any been filed to date.

Abenaki appreciates the Commission’s inquiry and effort to ensure that all open issues are resolved and parties receive all necessary relief in these dockets. The Company would also like to note that moving forward, all regulatory communication involving Abenaki should be directed to Aquarion Water Company of New Hampshire and Aquarion’s counsel, Jessica Chiavara; Marcia A. Brown no longer represents Abenaki and requested that she be removed from the service lists for both Docket Nos. DW 17-165 and 19-131.

Consistent with current Commission policy, this filing is being made electronically only; paper copies will not follow.

Regards,



Jessica A. Chiavara

Senior Counsel, Eversource Energy
o/b/o Aquarion Water Company of New
Hampshire and Abenaki Water Company

cc: DW 17-165 and 19-131 service lists