

**THE STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DW 18-101

PENNICHUCK EAST UTILITY, INC.

**Petition for Approval of Special Contract for
Woodmont Commons in Londonderry**

ORDER OF NOTICE

On June 29, 2018, Pennichuck East Utility, Inc. (PEU) filed a petition for approval of a special contract for Woodmont Commons in Londonderry (Woodmont Commons). The petition and subsequent docket filings, other than any information for which confidential treatment is requested of or granted by the Commission, will be posted to the Commission's website at www.puc.nh.gov.

PEU holds a franchise to provide water service in parts of the Town of Londonderry and currently serves an estimated 4,165 people through 1,243 service connections in Londonderry. PEU proposes to install a 1,100,000 gallon storage tank on land owned by PEU in Londonderry adjoining the Woodmont Commons development owned by Pillsbury Realty Development, LLC (Pillsbury). Pillsbury plans to substantially expand the Woodmont Commons project. That proposed expansion will require additional water supply from PEU. PEU proposes to charge Pillsbury 51 percent of the estimated \$2.8 million cost of construction for the storage tank under the terms of a proposed special contract. Construction is estimated to take about 18 months and PEU and Pillsbury have forecasted project completion on or about October 2020.

After the storage tank is installed and in service, Woodmont Commons customers will pay tariff rates. PEU anticipates seeking Commission approval to institute capital recovery surcharges for new water customers not located in the Woodmont Commons development.

The filing raises, inter alia, issues related to whether the proposed capital addition is needed to provide safe and adequate water service, RSA 374:1, whether the capital addition should be approved, RSA 374:4 and RSA 374:5, whether the terms of the proposed special contract are just and consistent with the public interest, RSA 378:18, and whether the proposed capital additions will benefit PEU's customers including customers within and outside Woodmont Commons. Each party has the right to have an attorney represent the party at the party's own expense.

Based upon the foregoing, it is hereby

ORDERED, that a Prehearing Conference, pursuant to N.H. Code Admin. Rules Puc 203.15, be held before the Commission located at 21 S. Fruit St., Suite 10, Concord, New Hampshire on October 22, 2018 at 10:00 a.m., at which each party will provide a preliminary statement of its position with regard to the petition and any of the issues set forth in N.H. Code Admin. Rules Puc 203.15; and it is

FURTHER ORDERED, that, immediately following the Prehearing Conference, PEU, the Staff of the Commission and any Intervenors hold a Technical Session to review the petition; and it is

FURTHER ORDERED, that pursuant to N.H. Code Admin. Rules Puc 203.12, PEU shall notify all persons desiring to be heard at this hearing by publishing a copy of this Order of Notice no later than September 10, 2018, in a newspaper with general circulation in those

portions of the state in which operations are conducted, publication to be documented by affidavit filed with the Commission on or before October 17, 2018; and it is

FURTHER ORDERED, that consistent with N.H. Code Admin. Rules Puc 203.17 and Puc 203.02, any party seeking to intervene in the proceeding shall submit to the Commission seven copies of a Petition to Intervene with copies sent to PEU and the Office of the Consumer Advocate on or before October 17, 2018, such Petition stating the facts demonstrating how its rights, duties, privileges, immunities or other substantial interest may be affected by the proceeding, consistent with N.H. Code Admin. Rule Puc 203.17; and it is

FURTHER ORDERED, that any party objecting to a Petition to Intervene make said Objection on or before October 22, 2018.

By order of the Public Utilities Commission of New Hampshire this twenty-third day of August, 2018.



Debra A. Howland
Executive Director

Individuals needing assistance or auxiliary communication aids due to sensory impairment or other disability should contact the Americans with Disabilities Act Coordinator, NHPUC, 21 S. Fruit St., Suite 10, Concord, New Hampshire 03301-2429; 603-271-2431; TDD Access: Relay N.H. 1-800-735-2964. Notification of the need for assistance should be made one week prior to the scheduled event.

SERVICE LIST - EMAIL ADDRESSES- DOCKET RELATED

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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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
EXEC 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.