

**STATE OF NEW HAMPSHIRE  
PUBLIC UTILITIES COMMISSION**

**DW 19-031**

**HAMPSTEAD AREA WATER COMPANY, INC.**

**Petition to Expand Franchise - Sandown**

**ORDER OF NOTICE**

On February 12, 2019, Hampstead Area Water Company, Inc. (HAWC or the Company) filed a petition requesting various Commission approvals: approval to expand its franchise area within the Town of Sandown; approval to operate a water system inside the requested franchise area; approval to acquire assets; approval of financing; and approval to apply its consolidated rates to the requested franchise area. HAWC seeks to provide new water service to Kelly Green, a 22-unit townhouse-style apartment development. The requested franchise expansion also includes additional area, encompassing existing homes, and seeks to combine two existing HAWC franchises in Sandown on Fairfield Lane (Docket No. DW 11-218) and the Mill Woods subdivision (Docket No. DW 05-063).

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 <http://www.puc.state.nh.us/Regulatory/Docketbk/2019/19-031.html>.

The filing raises, *inter alia*, issues related to statutory requirements under RSA chapters 369, 374, and 378, specifically: RSA 374:1, whether HAWC can furnish reasonably safe and adequate, and in all other respects, just and reasonable water service and facilities to the proposed franchise area; RSAs 374:22 and 374:26, granting the Commission authority to determine whether HAWC possesses the financial, technical, and managerial capability to own and operate as a utility in the proposed franchise area, and whether HAWC has suitable and

available water supply pursuant to RSA 374:22, III; RSA 374:30, whether the authority requested in the petition for the transfer and exercise of the franchise would be for the public good; RSAs 378:3, 378:5, and 378:7, whether HAWC's request to charge its consolidated rate, which consists of \$10.00 monthly base rate and a consumption rate of \$6.11 per 100 cubic feet, will be just and reasonable and, in all other respects, will conform with the Commission's regulations; RSA 378:18, whether this transaction requires Commission approval of a special contract in light of the tax liability for the contribution in aid of construction (CIAC) contributed to HAWC by Lewis Builders Development, Inc., because HAWC's tariff does not provide for the receipt of funds to cover the CIAC tax liability; RSAs 369:1 and :4, whether the proposed financing is consistent with the public good; and whether the franchise area should include property outside the Kelly Green development, which encompasses existing homes and additional land, for possible future development. 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 May 8, 2019, at 10 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, HAWC, 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, HAWC shall notify all persons desiring to be heard at this hearing by publishing a copy of this Order of Notice no later than April 24, 2019, 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 May 8, 2019; 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 HAWC and the Office of the Consumer Advocate on or before May 3, 2019, 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. Rules Puc 203.17; and it is

**FURTHER ORDERED**, that any party objecting to a Petition to Intervene make said Objection on or before May 8, 2019.

By order of the Public Utilities Commission of New Hampshire this twenty-seventh day of March, 2019.

  
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**

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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 #: 19-031-1 Printed: March 27, 2019

**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.