

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

Pennichuck Water Works, Inc.

Docket No. DW 19-091

Petition for Arbitration

STATEMENT OF AGREED UPON AND CONTESTED FACTS

NOW COMES the Town of Hudson, by and through its attorneys, Tarbell & Brodich, P.A., and respectfully submits the within Statement of Agreed Upon and Contested Facts, and in support thereof states as follows:

Statement of Agreed Upon Facts

The parties do not dispute the existence of the Special Contract, its terms and conditions, or that the fact that the Special Contract governs the relationship of the parties as it relates to this dispute. The parties agree that the Special Contract has never been amended. The parties agree that the Special Contract is a special contract within the meaning of RSA § 378:18.

Statement of Contested Facts

The parties dispute all other facts as they relate to the interpretation of the Special Contract and the intention of the parties with regard to the Special Contract.

Joint Statement

Undersigned counsel has conferred with counsel for PWW, who joins in the foregoing Statement of Agreed Upon and Contested Facts.

Respectfully submitted,
Town of Hudson,
By and through its attorneys,
TARBELL & BRODICH, P.A.

Dated: November 19, 2019


By: David E. LeFevre, Esq., BNH #13811
45 Centre Street
Concord, NH 03301
(603) 226-3900

CERTIFICATION

I hereby certify that a true and accurate copy of the foregoing has been forwarded by e-mail to all parties on the docket service list.

Dated: November 19, 2019


David E. LeFevre, Esq.