

STATE OF NEW HAMPSHIRE

PUBLIC UTILITIES COMMISSION

RE: THE HAMPSTEAD AREA WATER COMPANY, INC.

DW 19-147

**Motion to Modify Order No. 26,407 and Withdraw Request to Approve
Proposed MSDC Loan**

The Hampstead Area Water Company, Inc. ("HAWC") moves the New Hampshire Public Utilities Commission (Commission) to modify Order No. 26,407 to:

- a. Replace the amount of grant money HAWC is accepting from the New Hampshire Department of Environmental Services (NHDES), Drinking and Groundwater Trust Fund, established under RSA 485-F, (DWGTF) from Three Million, Two Hundred Eighty-Three Thousand Seven Hundred Fifty (\$3,283,750.00)¹ Dollars to Three Million, Five Hundred Thirty-Three Thousand Seven Hundred Fifty (\$3,533,750.00) Dollars;
- b. Modify the amount HAWC seeks to finance to pay for federal taxes HAWC will incur due to CIAC from up to \$1,204,815.00² approved by the State of New Hampshire to up to \$1,289,815.00 (collectively, the "Grant Authority"); and
- c. Withdraw its request for permission to obtain a loan of \$392,500.00 to pay a portion of its Merrimack Source Development Charge ("MSDC").

In support of this Motion, HAWC respectfully represents the following:

1. In its petition, HAWC seeks approval to accept a \$3,283,750.00 grant from the NHDES DWGTF as part of the Southern New Hampshire Regional

¹ Per Exhibit 1 of the Company's Petition

² Per Exhibit 1 of the Company's Petition

Water Interconnection Project (the “Project”), to approve financing already approved by the DWGTF for up to \$1,204,815.00 to pay for federal taxes HAWC will incur due to CIAC, and for permission to borrow \$325,500.00 towards its MSDC.

2. The Project requires HAWC complete upgrades to the Meditation Lane pump station as determined during construction. The Company seeks approval to accept an additional \$250,000.00 of grant funds in an Amendment to the grant from the DWGTF, increasing the grant amount from \$3,283,750.00 \$3,533,750.00 to complete these upgrades. (See Exhibit 1) This increase was approved by the DWGTF and approved by the Governor’s Council. Id. The additional grant money HAWC will receive will increase the loan amount HAWC needs to borrow to pay federal taxes due to CIAC from up to \$1,204,815.00 to up to \$1,289,815.00.

3. The Project also requires HAWC to pay a MSDC of \$892,500.00. HAWC originally sought in this petition to finance a portion (\$392,500.00) of this charge. HAWC no longer seeks to finance this portion of its MSDC payment and withdraws this request. As such, the bifurcation of this matter granted in Order No. 26,407 is no longer necessary.

4. In summary, HAWC moves to modify Order No. 26,407 to increase the amount HAWC is authorized to borrow from the DWGTF to pay CIAC taxes from up to \$1,204,815.00 to up to \$1,289,815.00, and to withdraw its request to finance up to \$392,500.00 of its Manchester Source Development Charge.

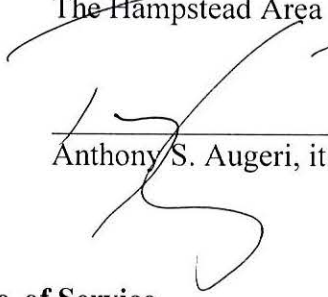
5. Counsel for the Staff, Christopher R. Tuomala, was contacted and he indicated Staff does not take a position for the relief sought in this Motion.

WHEREFORE, HAWC respectfully moves that the Commission grant this Motion to modify Order No. 26,407 by:

- (a) Increasing the amount the Company can borrow from NHDES DWGTF to pay federal taxes related to CIAC from \$1,204,815.00 to up to \$1,289,815.00.
- (b) Allowing the Company to withdraw its request for permission to obtain a loan in the amount of \$392,500.00 to pay the remainder of the MSDC: and
- (c) Take such further action and make such other findings and orders as in its judgment may be just, reasonable, and in the public good.

Dated: May 12, 2021

Respectfully submitted,
The Hampstead Area Water Company, Inc.

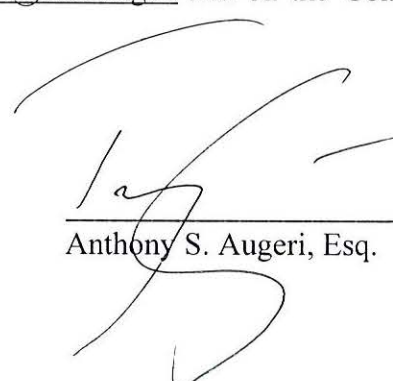


Anthony S. Augeri, its General Counsel

Certificate of Service

I certify that a copy of this Motion has been served with the Office of Consumer Advocate via electronic mail at ocalitigation@oca.nh.gov and on the Commission's service list for this docket.

Dated: May 12, 2021



Anthony S. Augeri, Esq.