

THE STATE OF NEW HAMPSHIRE
BEFORE THE
PUBLIC UTILITIES COMMISSION
DW 20-071
ATKINSON AREA WASTE WATER RECYCLING, INC.
Request for Change in Rates
DW 20-091
ATKINSON AREA WASTE WATER RECYLING, INC.
Petition to Approve Transfer of Ownership

DEPARTMENT OF ENERGY AND ATKINSON AREA WASTE WATER RECYLING, INC.
JOINT MOTION TO CONSOLIDATE DOCKETS Nos. DW 20-071 and DW 20-091, AND FOR
RELATED RELIEF

NOW COME the Department of Energy (Energy), pursuant to New Hampshire Administrative Rule Puc 203.19, and respectfully moves this honorable Commission to consolidate Dockets Nos. DW 20-071 and DW 20-091, and grant other related relief. By and through its counsel, Atkinson Area Waste Water Recycling, Inc. joins Energy in the relief requested. In support, Energy states as follows:

1. Atkinson Area Waste Water Recycling, Inc. (AAWW or the Company) is a sewer utility, subject to the jurisdiction of the Public Utilities Commission (PUC). AAWW has two docket matters pending before the PUC at this time, Docket No. DW 20-071, a request for a change in rates, and Docket No. DW 20-091, a petition to approve transfer of ownership.
2. The parties in both dockets include Energy and AAWW, and no other parties.
3. The Company considers the transfer of ownership significant with regard to planning for continuity of ownership, and ownership is a factor that frames the Company's future tax planning preferences. Perforce, the parties' consideration of appropriate revenue requirements in Docket No. DW 20-071 includes calculations based on the Company's proposed transfer of ownership, including ownership as a factor in tax preferences.

4. Because timely resolution of both dockets is pending, both dockets involve the same parties, and because substantively the revenue requirement includes tax preferences (dependent upon the identity of owners), consolidating these two dockets will promote the orderly and efficient conduct of the proceedings. (Conversely, it would be inefficient to attempt to consider the revenue requirement without reference to the Company's concerns regarding continuity and tax preferences.)
5. Accordingly, AAWW and Energy ask the Commission to consolidate these two dockets. *See* Puc 203.19 ("When more than one application or petition seeks the same or similar relief, the commission shall consolidate the cases to be heard on a common record if it determines that to do so will promote the orderly and efficient conduct of the proceeding.")
6. Docket No. DW 20-071 has been scheduled for hearing at 9:00 a.m. on September 30, 2021. *See* Supplemental Order of Notice (August 17, 2021). If the Commission grants the relief requested and consolidates the dockets, the parties also ask that both dockets be scheduled for the same hearing at 9:00 am on September 30, 2021 and that the Commission file supplemental orders of notice in each docket.
7. The parties' "Joint Motion to Consolidate Docket No. DW 20-071 and No. DW 20-091 and for Related Relief" has been filed in each of the separate dockets, respectively.

WHEREFORE, by and through counsel, the Department of Energy respectfully request that this honorable Commission:

- A. CONSOLIDATE Dockets Nos. DW 20-071 and DW 20-091; and
 1. SCHEDULE a hearing in Docket No. DW 20-091 for 9:00 a.m. on September 30, 2021; and
 2. ISSUE supplemental Orders of Notice in each docket; and
- B. GRANT such other relief as may be just and equitable.

Respectfully submitted,

/s/ Mary E. Schwarzer

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CERTIFICATE OF SERVICE

I hereby certify that on this 24th day of August 2021, an electronic copy of the foregoing motion is being sent to the Service List in Docket No. DW 20-071 and Docket No. DW 20-091 consistent with the Commission's Temporary Changes in Filing Requirements (March 17, 2020) due to the COVID -19 state of emergency.

/s/ Mary E. Schwarzer

Mary E. Schwarzer, Staff Attorney