

STATE OF NEW HAMPSHIRE
BEFORE THE
PUBLIC UTILITIES COMMISSION

Docket No. DW 20-112

Abenaki Water Company, Inc.
Permanent Rate Proceeding

MOTION TO ACCEPT LATE FILED COMPLIANCE TARIFFS

NOW COMES, Abenaki Water Company, Inc.'s (Abenaki) pursuant to Puc 203.07, and hereby requests the Commission accept Abenaki's late-filed temporary rate compliance tariff filing. In support of this request, Abenaki states as follows:

1. On May 18, 2021, the Commission issued Order No. 26,482 and approved Abenaki's current rates as temporary rates, effective for service rendered after December 31, 2020. In that order, the Commission required Abenaki to file compliance tariffs, "within 15 days of the date of" the order. Fifteen calendar days from the date of the order was June 2, 2021.
2. Through inadvertence, mistake, and press of other administrative hearings, the compliance tariffs were not filed by counsel by that date. The tariffs are seven business days past due. The tariffs are being filed today to cure that mistake.
3. The Commission has the authority to oversee the orderly and efficient conduct of an adjudicatory proceeding, pursuant to RSA 541-A:31 and 32, and that includes setting deadlines as it sees fit.¹ While not diminishing the importance of adhering to deadlines set by Commission order, Abenaki avers that acceptance of the late compliance tariffs serves the public

¹ The Commission has exercised its authority to accept late filings when such acceptance does not disrupt the orderly and efficient conduct of the proceeding. See, e.g., Docket No. DT 09-113, *Northern New England Telephone Operations, LLC*, Secretarial Letter dated October 13, 2009.

interest similar to the Commission's authority to accept late-filed stipulations pursuant to Puc 203.20(f). Acceptance will not impair the rights of any party to this proceeding because the content of the tariffs was previously known to Staff and the parties due to the Commission having received testimony and documentary evidence at hearing as to the nature of the tariff rates, the implementation date, and reconciliation feature. Further, the tariffs offer no new substantive content than what was presented at hearing. They are indeed compliance tariffs and document, in tariff form, what the Commission approved in Order No. 26,482. For these reasons, Abenaki believes that acceptance of the tariffs will not disrupt the orderly and efficient resolution of this proceeding and ought to be accepted.

WHEREFORE, Abenaki respectfully requests the Commission:

- A. Accept Abenaki's temporary rate tariffs as compliant with Order No. 26,482; and
- B. Grant such other relief as is just and equitable.

Respectfully submitted,

Abenaki Water Company, Inc.

By its Attorney,
NH BROWN LAW, PLLC

Dated: June 11, 2021

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Certificate of Service

I hereby certify that a copy of the foregoing objection has been emailed this day to the docket-related service list.

Marcia A. Brown
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