



February 25, 2022

By email (ClerksOffice@puc.nh.gov)

Daniel C. Goldner, Chairman
NH Public Utilities Commission
21 S. Fruit Street, Suite 10
Concord, NH 03301-2429

RE: The Hampstead Area Water Company, Inc. - DW 20-117
Conference with Town of Atkinson to resolve all discovery issues

Dear Chairman Goldner:

As recommended in the Commission's order, Order No. 26,584 at pgs. 13 and 14, the company and the town of Atkinson conferred and have reached a collaborative agreement on all pending discovery issues. The following is a report of the agreement terms reached.

The town of Atkinson may publish all discovery requests and responses produced to date except for only 6 total items. These 6 items are the AWWA water standards, the company Vulnerability Assessment, the company Emergency Plan (these 3 documents have not yet been produced in discovery), and one page in each of the following 3 documents: Staff 3-8, Atkinson 5-38, and Atkinson TS 4-2.

For these 6 total items the company and town of Atkinson agree to the following to resolve all discovery issues.

1. The company produces the AWWA water standards to the discovery list without redaction, and the parties agree not to publish to adhere to AWWA's assertion of copyright protection. The parties will request the Commission to not publish these standards and designate them as confidential also based on copyright protection.

2. The company produces the Vulnerability Assessment to the town of Atkinson only, designating the entire document as confidential and will not be provided to the discovery list. The town of Atkinson agrees not to publish the Vulnerability Assessment, and further agrees to limit access to the Vulnerability Assessment to the fire chief, town selectboard, town administrator, town counsel, and any town experts for this case.
3. The company produces the Emergency Plan to the town of Atkinson in a redacted form designating portions as confidential. The company will redact company account information, personal cell phone numbers, and as-built plans. The redacted version will be served to the discovery list. The town of Atkinson may, if it chooses, publish the redacted version of the Emergency Plan.
4. For Staff 3-8, the town of Atkinson agrees parts of this document are confidential and the company will provide a redacted version redacting employee names but substituting employee job titles, with all financial information to remain. The redacted/substituted version will be served to the discovery list and the town of Atkinson agrees, if it chooses, to publish only the redacted version.
5. For Atkinson 5-38, the town agrees parts of this document are confidential as originally submitted by the company. The redacted version will be served to the discovery list and the town of Atkinson agrees, if it chooses, to publish only the redacted version.
6. For Atkinson TS 4-2, the town agrees parts of this document are confidential as originally submitted by the company. The redacted version will be served to the discovery list and the town of Atkinson agrees, if it chooses, to publish only the redacted version.

The town of Atkinson assents to confidential treatment of the above six items as indicated. The company agrees to file with the Commission an assented-to motion for confidential treatment after review by the town of Atkinson's counsel, filed no later than March 4, 2022, reflecting these agreed terms.

Consistent with the Commission's Temporary Changes in Filing Requirements due to the COVID-19 state of emergency dated March 17, 2020, this request is being filed solely in electronic form.

If you have any questions, please do not hesitate to contact me. Thank you for your assistance with this matter.

Very truly yours,

/s/ Anthony Augeri

Anthony Augeri, Esq.
General Counsel

TA/hw

e cc: service list