

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

HAMPSTEAD AREA WATER COMPANY, INC.

Request for Change in Rates

Docket No. DW 20-117

Motion for Hybrid Hearing

NOW COMES the Department of Energy (Department), a party to this docket under RSA 12-P:9, and respectfully requests that the New Hampshire Public Utilities Commission (Commission) conduct the upcoming hearings in the above-referenced matter, scheduled for March 24 and March 25, 2022, using a hybrid format, to allow the Department's consultant, Howard Solganick, to attend remotely.¹ In support of this request, the Department states as follows:

1. On October 14, 2021, the Commission issued a Supplement Order of Notice, providing the opportunity for parties in this matter to request hearings in a hybrid format to permit remote participation if the Commission has determined that there is good reason to do so, such as a party's or witness's illness, or to reduce the cost of witness travel.

2. On February 3, 2022, the Hampstead Area Water Company, Inc. (HAWC) filed its request for hybrid hearings, on the basis that some of their witnesses are unable to attend the hearings in person.

3. On March 1, 2022, the Commission issued a Procedural Order Re: Motion to Amend Procedural Schedule and Request for Hybrid Hearing, denying HAWC's request on the basis that

¹ The Department notes that Hampstead Area Water Company, Inc., filed a request on March 9, 2022, to adjust the procedural schedule, requesting the hearing dates to be moved to April 18 and 19, 2022, which the Department supports. The Department kindly requests that this motion apply to any future hearing dates for Mr. Solganick.

HAWC did not sufficiently state a good reason for the hearings to be held in a hybrid format. The Commission further stated that it “has begun reviewing hybrid hearing requests relating to hearings scheduled after March 1, 2022, more critically, given New Hampshire’s improving COVID-19 statistics.”

4. In light of the Commission’s recent denial, the Department now separately requests a hybrid hearing, specifically for its consultant, Mr. Solganick, whom the Department anticipates calling as a witness for the upcoming hearing. In support, the Department argues that good reason exists for his remote attendance at the hearing.

5. Mr. Solganick resides in Pennsylvania, a great distance from New Hampshire. As such, in-person attendance would be unduly burdensome and incur an avoidable expense to ratepayers as his cost as an expert is ultimately born by HAWC’s customers through rate case expenses. RSA 365:38 and N.H. Admin R., Puc 1900. Those costs include lodging and travel time to and from the hearing room. The Department, furthermore, anticipates at this time calling Mr. Solganick as a witness to testify at the upcoming hearings.

6. As such, the Department requests a hybrid format for the upcoming hearings to allow Mr. Solganick to attend remotely, thus saving expenses to HAWC’s ratepayers.

WHEREFORE, the Department respectfully requests that this honorable Commission:

- A. Allow the Department's consultant, Howard Solganick, to attend the upcoming hearings remotely; and
- B. Grant such other and further relief as may be appropriate under the circumstances.

March 10, 2022

N.H. DEPARTMENT OF ENERGY

By: /s/ Christopher R. Tuomala

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CERTIFICATE OF SERVICE

I hereby certify that a copy of this pleading was provided via electronic mail to the individuals included on the Commission's service list for this docket.

/s/ Christopher R. Tuomala

Christopher R. Tuomala, Esq.