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**Before the**  
**New Hampshire Public Utilities Commission**  
**DW 20-117 – HAWC Request for Change in Rates**  
**DIRECT PREFILED TESTIMONY**  
**OF**  
**ROBERT A WEIMAR**  
**ON**  
**DECEMBER 16, 2021**

**Q. Please state your name and address**

A. Robert A. Weimar 311 Emerson Ave Hampstead NH 03841

**Q. Please describe your educational background.**

A. I have a bachelor’s degree in Civil Engineering from the University of Massachusetts, at Amherst. I am a Certified and Registered Professional Engineer in 5 States, including New Hampshire. I also am a Certified MA Septic System Inspector.

**Q. Please describe your professional experience.**

A. I have over 48 years of experience as a civil/environmental consulting engineer, program manager and water/sewer utility engineering manager/chief executive. My career has focused on planning, design and managing construction of water and sewer facilities. My experience includes hundreds of planning studies and dozens of facilities designs for municipal and privately owned water, sewer and stormwater entities. I have also assisted preparation of Water Rate Studies, and PUC Submissions, including documents submitted the NHPUC. I have also authored dozens of Technical Papers on subjects related to water systems.

1 **Q. On whose behalf are you submitting your testimony?**

2

3 A. I am an individual intervenor, as a Hampstead resident and taxpayer.

4

5 **Q. Are you a Hampstead Area Water Company (HAWC) customer/ratepayer?**

6

7 A. Yes

8

9 **Q. What is the purpose of your testimony?**

10

11 A. The purpose of my testimony is to oppose any Hampstead Area Water Company Rates and  
12 Charges that are inconsistent with water utility standard practices which fairly and equitably  
13 assign costs based upon water availability and use. I request that the Public Utilities  
14 Commission (PUC) reject any Rates and Charges that are inconsistent with National Water  
15 Works and Fire Protection Standards or inequitable cost allocation to specific users. I also  
16 believe that cost allocation to new connections needs to be further reviewed to ensure equity.

17 **Q. Why do you oppose the rate increases?**

18 A. Analysis of available information suggests that Hampstead will pay an unjust and  
19 unreasonable fee for Fire Protection. The Fire Protection Fee appears to be based upon  
20 erroneous cost allocation and service availability assumptions. According to comments by  
21 HAWC Officials and Consultants in the December 16<sup>th</sup> Technical Session, their technical rate  
22 analyses presume that the Hampstead water system is able to deliver 2000 gallons per minute  
23 to any hydrant for a period of 3 hours, which has been proven not possible by field testing. In  
24 fact, many hydrants deliver less than 1000 gallons per minute under ideal (low consumer use)  
25 periods. In addition, analysis of the Revenue Statements suggest that Connection Fees may not  
26 reflect the actual proportional investment costs to service new properties, including serving the  
27 Town of Plaistow's needs.

28

1 **Q. Why did you become an intervenor?**

2

3 A. I am a resident and taxpayer in Hampstead and the proposed 609.5% rate increase on fire  
4 hydrants rate increases seen in the proposed "Schedule 5 Existing and Proposed Rates dated  
5 December 11 2016", would cost the town of Hampstead an additional \$70,000 per year for  
6 which there is little added benefit to the town. When reading the language in the tariff, the  
7 current commitment of HAWC to the town for hydrant water volume and pressure is effectively  
8 illusionary. That is, the infrastructure that is implicitly presumed to satisfy their stated fire  
9 protection capability does not exist.

10 **Q. Please describe your professional experience.**

11 A. My professional qualifications and 48 years of experience are as an Environmental  
12 Consultant for municipalities and state governments throughout New England, and more  
13 recently in Pennsylvania and Ohio. I prepared, oversaw, and directed the design, permitting and  
14 construction of municipal water supply and water main distribution facilities, throughout New  
15 Hampshire, including projects for NHDES, Manchester Water Works, City of Nashua among  
16 others. I have also designed and implemented water supply and distribution systems  
17 throughout New England. I also possess detailed experience representing water companies  
18 seeking PUC approval of Water Rate Increases in several states.

19

20 **Q. On whose behalf are you submitting your testimony?**

21 A. A. I am a resident and taxpayer in Hampstead and the proposed 609.5% rate  
22 increase on fire hydrants along with the volume and monthly rate increases seen in  
23 Exhibit KS-1, would cost the town of Hampstead an additional \$70,000 per year for  
24 which there is little added benefit to the town. When reading the language in the tariff,

1 the current commitment of HAWC to the town for hydrant water volume and pressure is  
2 virtually non-existent.

3

4 **Q. Are you a Hampstead Area Water Company (HAWC) customer/ratepayer?**

5 A. Yes.

6 **Q. What is the purpose of your testimony?**

7 A. The purpose of my testimony is to oppose the massive rate increase requests  
8 made by the Hampstead Area Water Company and to request that the Public Utilities  
9 Commission (PUC) reject the permanent rate increase request.

10 **Q. Why do you oppose the rate increases?**

11 A. The rate increases do not appear to include any assignment of built infrastructure  
12 costs to future users/connections. The assignment of fire protection costs to hydrant  
13 charges appears to exceed the benefits which accrue to Hampstead.

14 **Q. Why did you become an intervenor?**

15 A. I am a resident and taxpayer in Hampstead and the proposed 609.5% rate  
16 increase on fire hydrants seen would cost the town of Hampstead an additional \$70,000  
17 per year for which there is little added benefit to the town. When reading the language in  
18 the tariff, the current commitment of HAWC to the town for hydrant water volume and  
19 pressure is virtually non-existent. As a ratepayer, I feel it is inequitable and  
20 unreasonable to raise rates on customers by six fold when offered limited service which  
21 does completely satisfy the intended purpose. I believe the additional charge is  
22 unjustified, and that the rate design does not equitably assign fire protection services  
23 costs to Hampstead, as opposed to other communities served by HAWC. It also

1 constitutes rate shock for customers with is something I know the commission tries to  
2 avoid.

3 **Q. What do you mean non-existent commitment?**

4 A. Even though the Town of Hampstead paid over \$14,000 in the 2019 test year for  
5 our fire hydrants and municipal fire protection, the language says HAWC isn't liable if  
6 there's no water or insufficient pressure. As seen in the current tariff language, it says  
7 *"Rending of service under this schedule shall in no way be construed to hold the*  
8 *Company liable to furnish at any time or any specific point in its distribution system any*  
9 *minimum flow or pressure, either static or residual."* Equitable user cost allocation must  
10 consider the relative performance of the system to satisfy fire protection requirements,  
11 which currently is not the case in Hampstead. The existing distribution system was  
12 never designed (pipe diameter sizes) for fire protection (only intended to serve domestic  
13 needs) and cannot satisfy the recommended ISO fire flow requirements for  
14 Hampstead's residents, and many Commercial properties.

15 **Q. What concerns you about the water tank in Atkinson?**

16 A. The pipeline project determined that Plaistow needed both a 400,000 gallon tank  
17 in Plaistow and a 500,000 gallon tank in Atkinson. Both these tanks were paid for with  
18 funds from the state. But then HAWC made the decision to increase the Atkinson tank  
19 from 500,000 gallons to 1 million gallons and took on the additional expense of \$1  
20 million. This additional 500,000 gallon capacity does not fall under "used and useful" for  
21 HAWC's existing customers, thereby violating RSA 378:28. Again, this additional  
22 storage expenditure would then appear to be to serve future customers which HAWC is

1 trying to get current customers to pay for with these unjust and unreasonable rate  
2 increase requests.

3 **Q. Why do you feel the Cost of Service Study (COSS) and Rate Design**  
4 **performed by David Fox, consultant from Raftelis, is flawed.**

5 A. Mr. Fox used the methodologies from the AWWA (American Water Works  
6 Association) M1 Manual called "Principles of Water Rates, Fees and Charges." In  
7 reading that manual, it does not take into account our scenario where the water  
8 company does not service the entire town, and 1/3 of their customers are not even  
9 connected to the water system being upgraded. These guidelines are written for a  
10 water company servicing a singular, entire town and all its residents which receive equal  
11 benefit. In Hampstead, less than 40% of the residents are HAWC customers (and less  
12 than 40% of Atkinson residents are HAWC customers). The majority of the cost goes to  
13 the towns of Atkinson and Hampstead through a 609.5% increase in municipal fire  
14 protection, and this impacts all taxpayers, even though they do not fully benefit from the  
15 service or protection. Also, and 1/3 of all HAWC customers aren't even connected to  
16 the Atkinson-Hampstead Core where the upgrades have occurred and will see zero  
17 benefit but will be charged upwards of 60% increase in their water rates. This is not fair  
18 and equitable and thus is flawed, invalid, and unacceptable.

19 **Q. Don't the other residents benefit from having hydrants in town?**

20 A. To some extent, yes, absolutely. But when you look at the town of Hampstead,  
21 and where HAWC customers reside, they are mostly in dead end developments.  
22 Hydrants along the main roads do add value to the community, but only properties  
23 within a nominal distance of the hydrants. When there is a fire, the fire department will

1 find the closest hydrants, and for non-HAWC customers, the delay in delivering water  
2 to the property can “extinguish” the value of hydrants to protect value. Again, the COSS  
3 and rate design performed by Mr. Fox have incorrect assumptions which are not  
4 relevant to HAWC customers, and result in proposed fees that are unjust and  
5 unreasonable to the Towns of Atkinson and Hampstead.

6 **Q. What do you mean by future customers versus current customers?**

7 A. New developments should be required to “buy in to the system” as they will  
8 directly benefit from investments made by the existing service connections, and their  
9 resident towns. The assignment of costs should be based upon an accepted Cost of  
10 Service Study, which includes the depreciated value of the existing facilities to support  
11 the new demands, as well as any new facilities required specifically for the new  
12 development.

13 **Q. What would you like the PUC Commissioners to do?**

14 A. The PUC Commissioners should approve the temporary rate increase  
15 recommended to them in May 2021, as HAWC deserves some increase their revenues,  
16 but the PUC Commissioners should completely reject this permanent rate case increase  
17 request. These massive rate increases constitute rate shock, are unjust and  
18 unreasonable violating RSA 378:28, are for infrastructure that is not prudent, used or  
19 useful, and are subsidizing a building developer that owns the water company.

20 **Q. Does this conclude your testimony?**

21 A. Yes.