



Marcia A. Brown
Attorney at Law

Environmental Law ■ *Utility Law*

January 28, 2022

VIA ELECTRONIC DELIVERY

Suzanne Amidon, Esq.
N.H. Department of Energy
21 South Fruit Street, Suite 10
Concord, N.H. 03301

Re: DW 20-153 Pittsfield Aqueduct Company, Inc.
Responses to DOE Set 4 Data Requests

Dear Suzanne:

Enclosed please find Pittsfield Aqueduct Company, Inc.'s responses and attachments to the Department of Energy's Set 4 data requests. Attachment 4-1(c) contains confidential material and, therefore, one public redacted version is also being provided.

If you have any questions, please do not hesitate to contact me at (603) 219-4911.

Very Truly Yours,

A handwritten signature in black ink that reads "Marcia A. Brown".

Marcia A. Brown

cc: Discovery-Related Electronic Service List

Pittsfield Aqueduct Company, Inc.
DW 20-153

Permanent Rate Proceeding
Responses to Staff Data Requests – Set 4

Date Request Received: 1/24/22
Request No. Staff 4-1

Date of Response: 1/28/22
Witness: Donald L. Ware

REQUEST: Re: Puc 1905.03(e)-(h): With regard to the rate case expenses submitted for recovery, please provide the following:

- a) A statement that the expenses are consistent with PAC's written procurement policy. (Puc 1905.03(e))
- b) A copy of PAC's procurement policy in place at the time the expenses were incurred. (Puc 1905.03(f))
- c) A copy of the contract (where applicable) entered into that generated the expense. (Puc 1905.03(g))
- d) A statement of whether the contract (where applicable) was obtained after negotiations or competitive bid. (Puc 1905.03(h))

RESPONSE:

PAC has a good faith basis for seeking confidential treatment of portions of the below responses pursuant to Puc 203.08 and RSA 91-A:5, IV because the response contains commercially sensitive financial information that is exempt from public disclosure. PWW has submitted a motion for protective treatment and will update that motion to cover the below provided information.

- a) For the rate case expenses submitted for recovery that are covered under PAC's written procurement policy, those expenses were consistent with PAC's written procurement policy. For expenses involving use of a court reporter, the Commission, not PAC, arranged for the court reporter. Therefore, the court reporter expenses were not covered under PAC's written procurement policy.
- b) Please see Attachment DOE 4-1(b). PAC's procurement policy was in place at the time the expenses were incurred.
- c) See Attachment DOE 4-1(c) (confidential and public copies of the contract for legal services for PAC's rate case as well as the Company's request for proposals).
- d) As stated in PAC's rate filing at page 447, "PAC conducted a thorough, competitively bid selection process to secure outside consultant services for its rate case. PAC solicited proposals and interviewed multiple firms. PAC selected N.H. Brown Law, PLLC for its legal services." See Attachment DOE 4-1(d).

Pittsfield Aqueduct Company, Inc.
DW 20-153

Permanent Rate Proceeding
Responses to Staff Data Requests – Set 4

Date Request Received: 1/24/22
Request No. Staff 4-2

Date of Response: 1/28/22
Witness: Donald L. Ware

REQUEST: Re: General Metered Residential Customers: Please provide the average temporary-permanent revenue differential to be recovered from PAC's single-family residential customers over the proposed recovery period.

RESPONSE:

The recoupment amount from a single family residential customers who uses an average of 62 CCF in a year (5.19 CCF per month) would be a total of \$33.20 which reflects 10 months and 11 days of recoupment between temporary rates and permanent rates (December 17, 2020 through and including the November 2021 bills). This would result in a recoupment per month of \$2.77 per month over the 12 month recoupment period.

Pennichuck Corporation
Pennichuck Regulated Subsidiaries Capital Requisition Policy
5/22/2006

Any project, piece of equipment or services that are expected to exceed \$1,000 in value and that will be capitalized shall be acquired as follows:

1. Items/Services being requisitioned must have been approved through the Company's Annual Capital Expenditure policy.
2. Proposals/bids should be sought for all requisitions over \$10,000. If time, or product/service uniqueness, or other reasons result in a sole source requisition without a proposals/bids being sought the reason for the sole source acquisition should be written up in the form of a memo by the project manager and the memo should be approved by the Company Officer to whom the project manager reports. The memo should be retained in the project file. In all cases, the goal of the Company is to seek the best possible value for the customer through an objective and fair process of seeking proposals/bids from competitive vendors.
3. The results of the proposals/bids sought, where the value exceeds \$10,000, should be posted to the bid/proposal spread sheet found at **J:\Bids - Proposals\PWW, PEU. PAC Bid Tabulation.xls**.
4. All Bid/Proposal documentation must be kept for a minimum of 5 years after the requisition is completed or until the next rate case which ever is a longer time frame.
5. Complete a blue expenditure form. If the procurement requires that an E-22 be filed with the NHPUC then the equipment/services to be procured should not be acquired until 30 days after the E-22 has been filed. The limits for which E-22's must be filed are as follows:
 - Pennichuck Water – E-22 required for all requisitions/projects in excess of \$50,000.
 - Pennichuck East – E-22 required for all requisitions/projects in excess of \$30,000.
 - Pittsfield Aqueduct – E-22 required for all requisitions/projects in excess of \$15,000
6. The blue expenditure form must be signed by the CEO, the CFO and the Vice President who is responsible for the department that is requesting the expenditure, if the amount of the requisition is in excess of \$50,000 or is not budgeted. In the event that the amount of the requisition is less than \$50,000 and was budgeted for in the approved Capital Budget then the blue expenditure form needs only to be signed by the CFO or the CEO and the Vice President who is responsible for the department that is requesting the expenditure.



Marcia A. Brown
Attorney at Law

Environmental Law ■ Utility Law

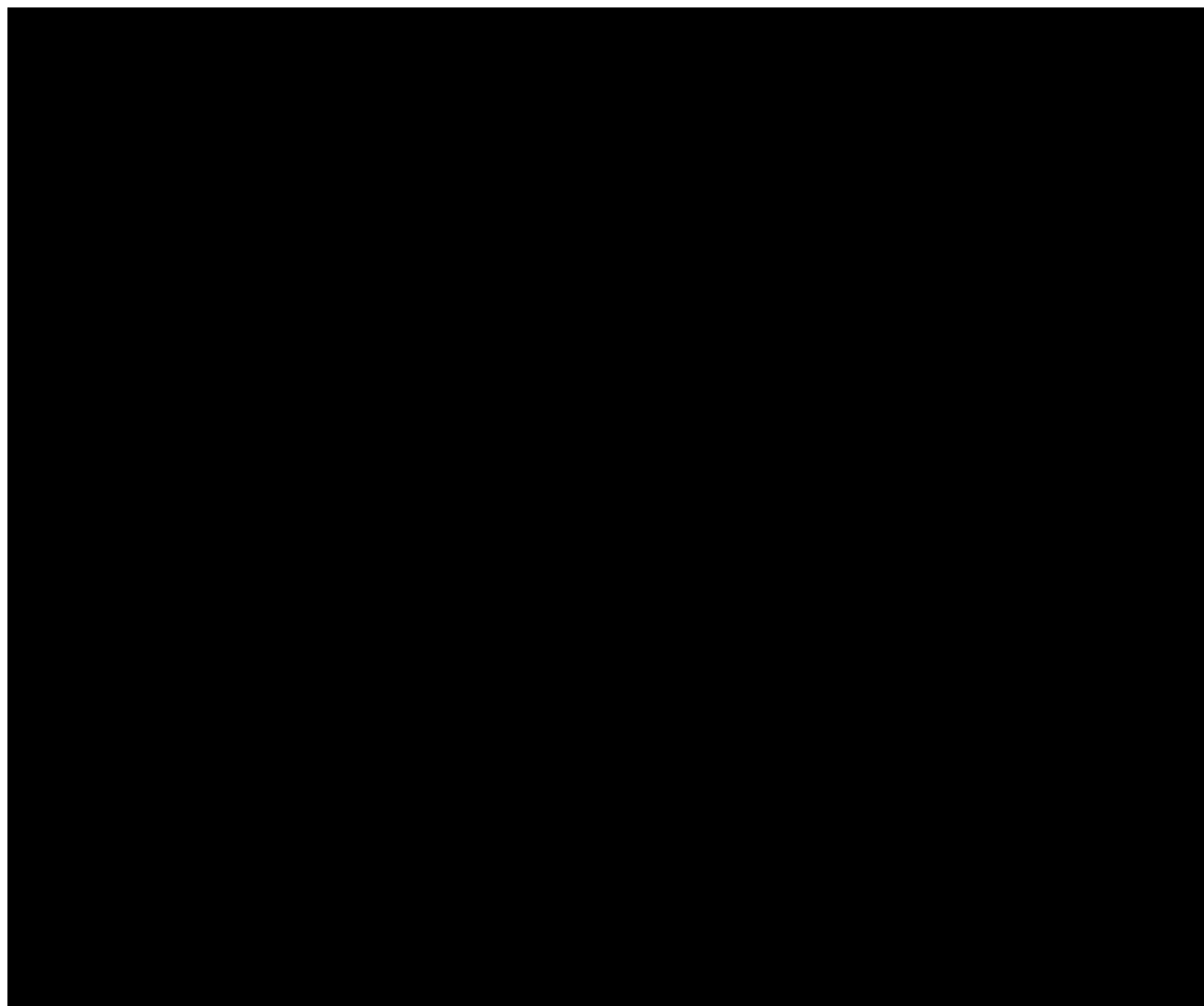
July 30, 2020

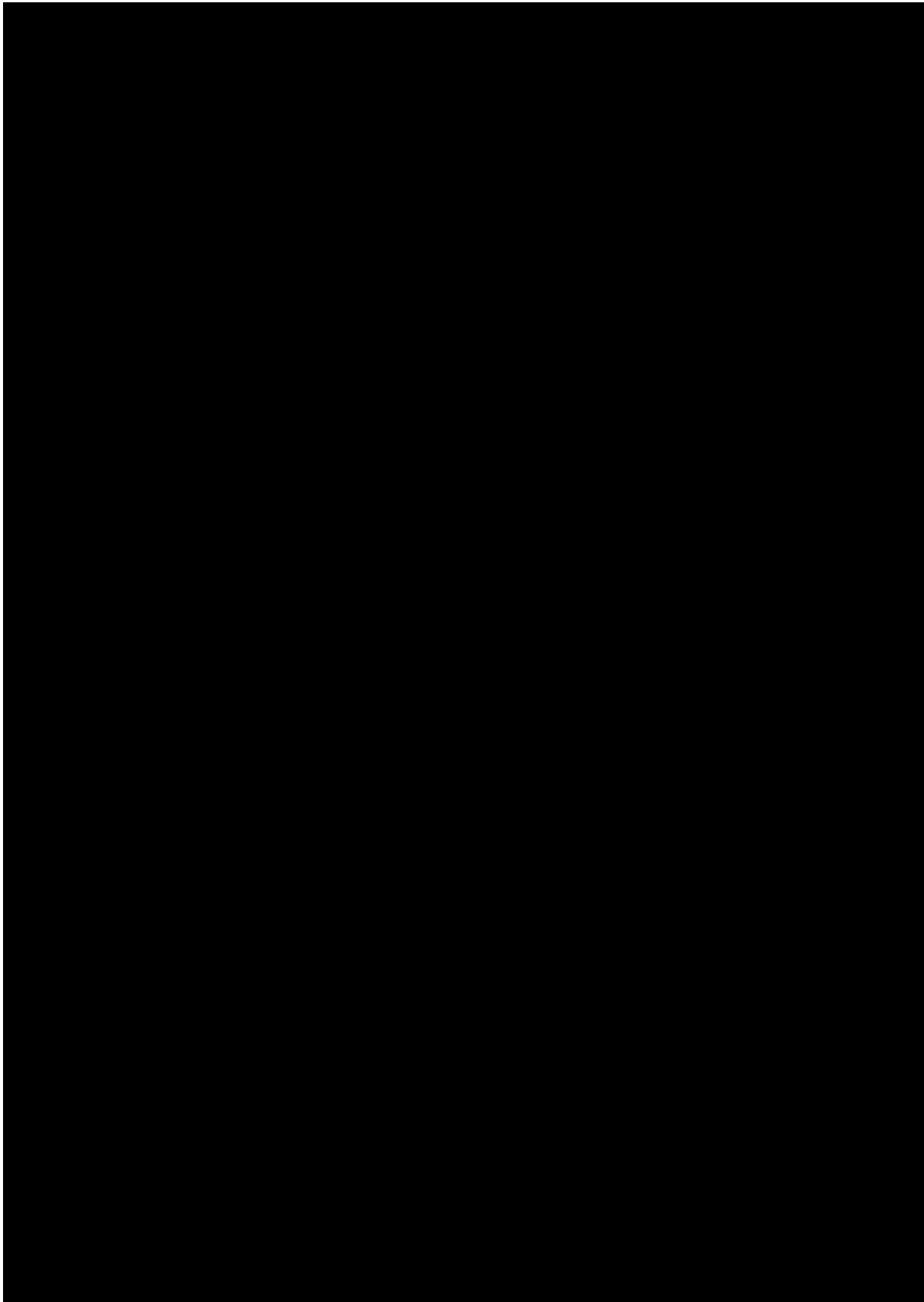
VIA ELECTRONIC DELIVERY

Donald L. Ware, Chief Operating Officer
Pennichuck East Utility, Inc.
Pittsfield Aqueduct Company, Inc.
25 Manchester Street
Merrimack, NH 03054

Re: Pennichuck East Utility, Inc. General Rate Case
Pittsfield Aqueduct Company, Inc. General Rate Case
NH Brown Law, PLLC Response to Request for Proposal

Dear Don:



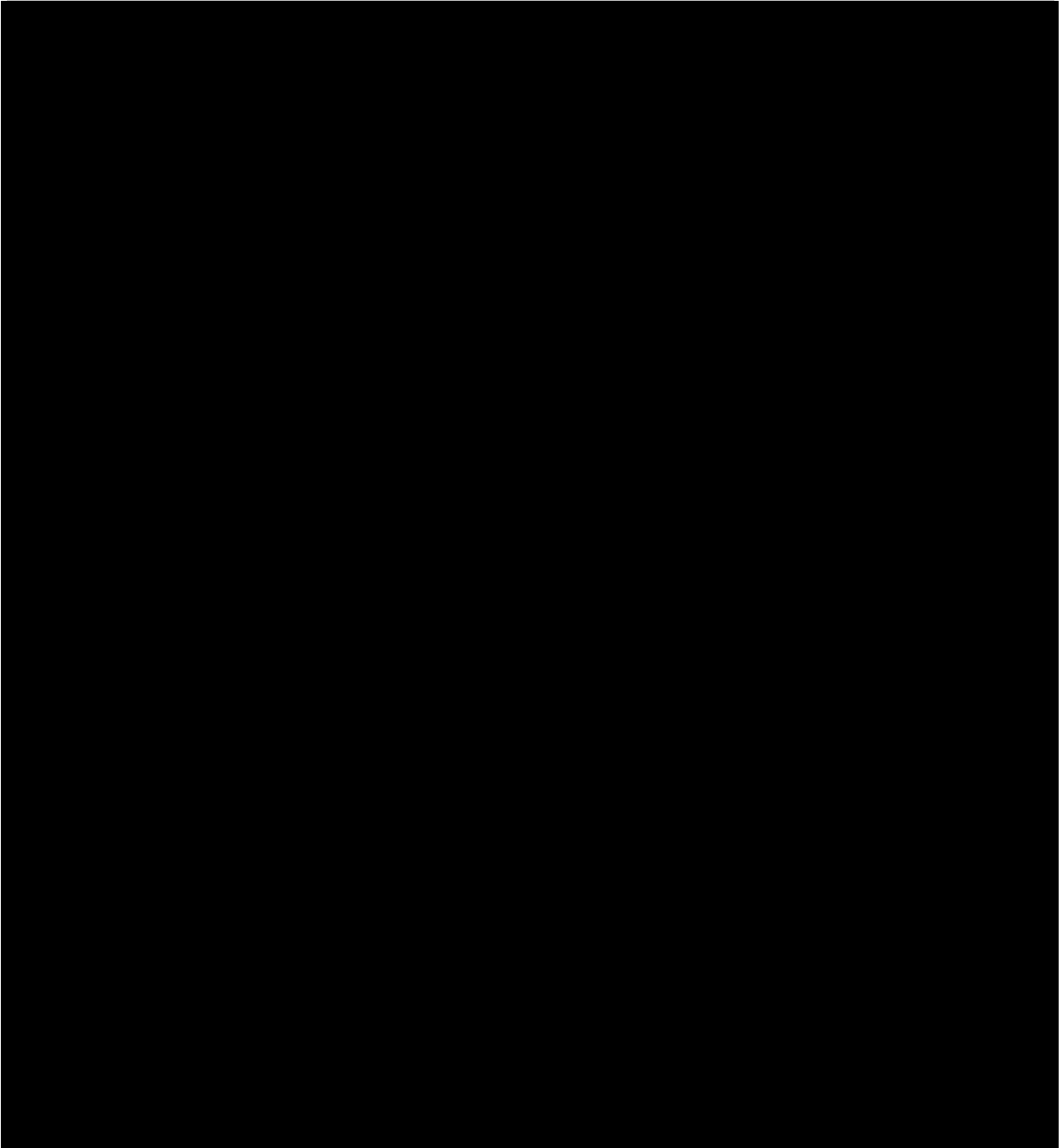


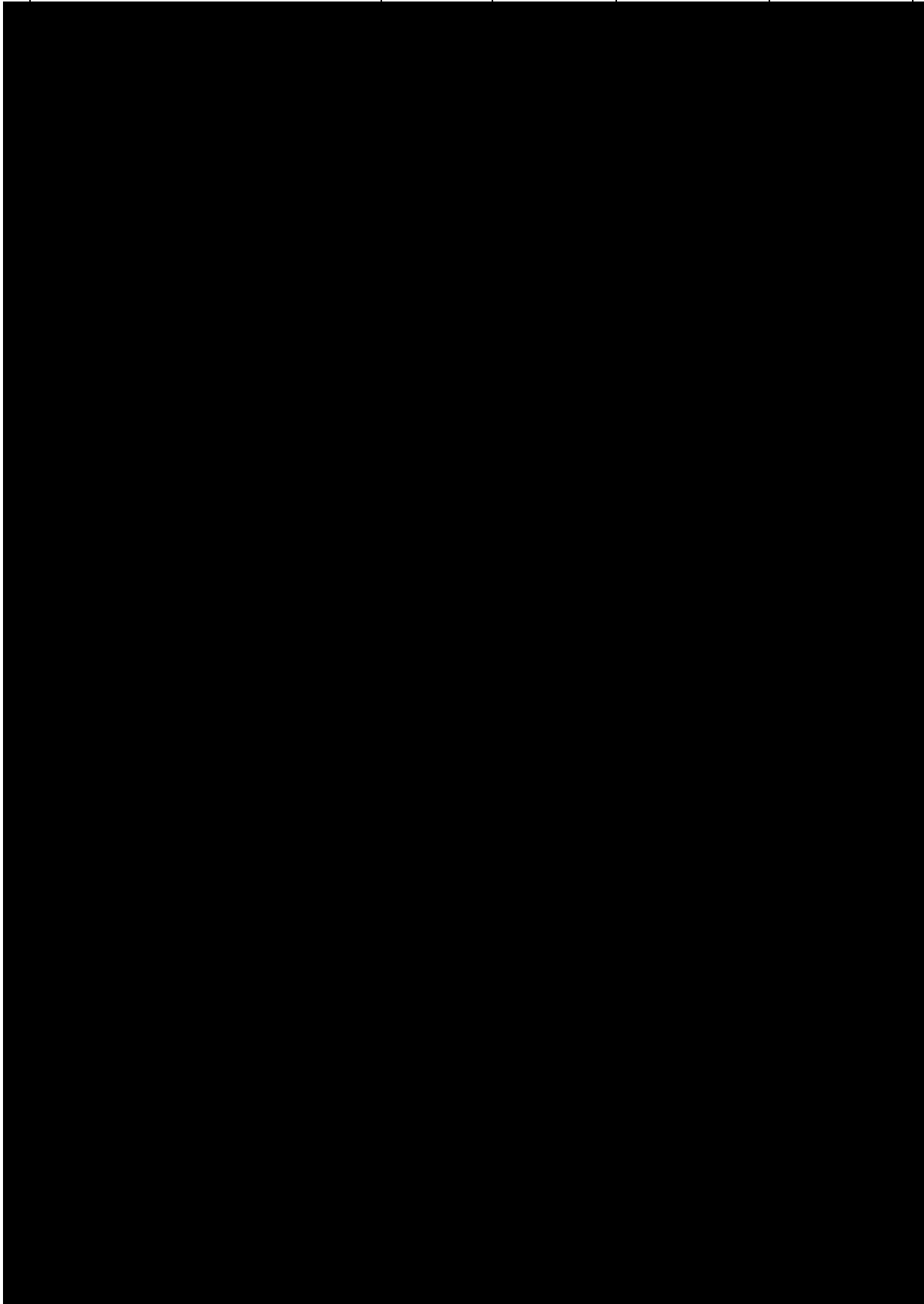
Please do not hesitate to contact me if you have any questions or need additional information.

Very Truly Yours,



Marcia A. Brown







*These time estimates may vary depending on the amount of discovery and testimony devoted to the various rate case schedules.

July 20, 2020

**PENNICHUCK EAST UTILITY, INC.
PITTSFIELD AQUEDUCT COMPANY**

Request for Fee Proposal – Legal Services

Regulatory Filings, Testimony and Representation before the
New Hampshire Public Utilities Commission

Pennichuck East Utility, Inc. (“PEU”) and the Pittsfield Aqueduct Company (“PAC”) are requesting a fee proposal from your firm associated with regulatory filings, testimony, administrative matters and representation before the New Hampshire Public Utilities Commission associated with the filing of full rate cases with a test year ending December 31, 2019. The Company may also seek to file for a merger of PEU and PAC and to link that merger filing into the PEU rate case filing. The Company plans to file the rate case petitions/merger petition no later than October 16, 2020.

The filing will follow the format used and approved in DW19-084. As part of the filing PEU/PAC will be seeking waivers from the filing of certain schedules associated with a standard rate case filing as were granted in DW19-084. The filings will include Cost of Service Studies for both PEU and PAC

PEU/PAC is cognizant that the time required to support the legal needs of this filing are unknown. Therefore, PEU/PAC requests the following information be provided for the fee proposal:

- Hourly rates to be charged for each level of attorney who is expected to provide services to the companies
- Estimated mix (partner versus staff) of attorney time (as a percentage) for the following efforts for each company case filing:
 - Rate case planning
 - meetings with company staff
 - Discuss filing options and merger considerations.
 - meetings with PUC and company staff, pre filing
 - review of filing schedules and determination of which schedules PEU/PAC will seek waivers to not file certain non-applicable schedules
 - Rate case filings (PEU and PAC if merger is not deemed to be appropriate).
 - review of rate case schedules
 - review of testimony prepared by the company and outside Cost of Service expert
 - development and filing of rate case petition
 - Merger filing (if deemed appropriate)
 - review of merged rate case schedules
 - review of testimony prepared by the company
 - development and filing of merger petition
 - Rate case meetings / hearings
 - prehearing conference
 - temporary rates technical session
 - temporary rates settlement conference
 - temporary rates hearing on the merits
 - permanent rates technical sessions
 - permanent rates settlement conferences

- permanent rates hearing on the merits
 - Merger meetings / hearings
 - prehearing conference
 - merger technical sessions
 - merger settlement conference
 - merger hearing on the merits
 - Discovery review, comments and filing of data responses to PUC on temporary rates regarding company testimony
 - Discovery review, comments and filing of data responses to PUC on permanent rates regarding company testimony
 - Discovery review, comments and filing of data responses to PUC for expert witness
 - Discovery review, comments and filing of data responses to PUC on merger regarding company testimony
 - Review of staff / intervenor testimony – temporary rates – to develop data requests, if required
 - Review of staff / intervenor testimony – permanent rates – to develop data requests, if required
 - Review of staff / intervenor testimony – merger – to develop data requests, if required
 - Review and develop rebuttal testimony (if required)
- Does your firm bill a fixed administrative fee for each billing? If yes, what is the percentage?

The Company expects the quoted hourly rates and any fixed administrative fees to be in place through the issuance of the final order associated with the 2020 rate making process and any compliance filings associated with the final order.

Please forward the requested information no later than July 31, 2020 via email to:

Donald L. Ware
Chief Operating Officer
Pennichuck Water Works, Inc.
At: donald.ware@pennichuck.com

If you have any questions regarding this proposal request, please direct them to my attention via email. Once the proposal period is closed, the Company may set up a meeting with proposers to gauge the proposer's understanding of the proposed PEU/PAC unique rate making structure and the proposed merger. Meetings with proposers, if deemed necessary, will be held during the first or second week of August.

Pennichuck will make final decision regarding its selection of whom it will use for the legal services detailed in this proposal on or before August 14, 2020. Pennichuck will plan to have the first planning meeting (via video conference) the last week in August.

Donald L. Ware
Chief Operating Officer
Pennichuck Water Works, Inc.
(603) 860-3261 (C)

**DW 20-153 Pittsfield Aqueduct Company, Inc.
Rate Case Expense Report**

Puc 1905.01(a)

Pursuant to N.H. Code Admin. R. Puc 1905.01(a), Pittsfield Aqueduct Company, Inc. (PAC) hereby provides the following rate case expense information:

1. Puc 1905.01(a)(1)(a), The name of the service provider

N.H. Brown Law, PLLC

2. Puc 1905.01(a)(1)(b), The procurement process

PAC conducted a thorough, competitively bid selection process to secure outside consultant services for its rate case. PAC solicited proposals and interviewed multiple firms. PAC selected N.H. Brown Law, PLLC for its legal services.

3. Puc 1905.01(a)(1)(c), The amount of the expense

To date, PAC has incurred approximately \$5,000 in legal fees.

4. Puc 1905.01(a)(1)(d), A description of the charge or service rendered

NH Brown Law, PLLC provides legal services in connection to PAC's rate case.

5. Puc 1905.01(a)(2) A list of all services to be rendered on behalf of the utility in the full rate case by any vendor; and

There are no additional vendors than who have been listed above.

6. Puc 1905.01(a)(3), The total estimated costs of each service.

NH Brown Law, PLLC legal fees are projected to cost \$65,000.