

STATE OF NEW HAMPSHIRE
BEFORE THE
PUBLIC UTILITIES COMMISSION

Docket No. DW 20-156

Pennichuck East Utility, Inc.
Request for Change in Rates

MOTION BY INTERVENOR ATTORNEY ANDREW D. MYERS,
FOR CLARIFICATION AND/OR RECONSIDERATION

Now comes intervenor Andrew D. Myers and respectfully requests the Commission to clarify or, if required, reconsider its Order with respect to his intervenor status. In its Secretarial Letter dated March 22, 2021 the Commission stated as follows:

“Although Mr. Meyers [sic] stated in his petition that he represents 21 other residential ratepayers, the Commission has granted Mr. Meyer’s [sic] individual request to intervene only, and is not granting intervention status to the 21 unidentified ratepayers.”

Sec. Letter Granting Petitions to Intervene, March 22, 2021, ¶ 2.

The 21 Pennichuck East Utilities, Inc. ratepayers were in fact identified by name and address on pages 3 and 4 of the Petition of Andrew D. Myers to Intervene, docketed in the above captioned case on January 19, 2021 at Tab 17. Each residential customer signed either individually or, where applicable, as a couple or joint unit owners. Each of the 21 PEU ratepayers signed as “Supporters of Petition to Intervene”.

More pertinent, the intention was never to bog down the proceeding with 21 separate intervenors. But rather, in the interest of efficiency the intent was to seek approval of one Petition to Intervene, with attorney Myers representing all of the 21 ratepayer/signatories and himself.

Attorney Myers apologizes if the wording of the petition was not as clear as it could or should have been, where he is one of PEU's customers and also an attorney.

At the same time the undersigned desires clarification that his one Petition to Intervene, which has been allowed, in fact represents the 21 supporters who have been identified by name and address. In other words, the petition as approved represents the interests of 21 PEU ratepayers as well as Andrew D. Myers.

To this end, if clarification or reconsideration is required, then same is requested.

Should the Commission believe that this request is untimely, waiver of the rules is appropriate under PUC 201.05. Waiving any rule regarding timeliness serves the public interest of the 21 ratepayers in Derry who sought to support the Petition to Intervene, will not disrupt the orderly and efficient resolution of the pending case, and should the request not be granted same would be onerous to the 21 Derry ratepayers who support the Myers Petition to Intervene.

Conclusion

This motion seeks to clarify that the undersigned attorney, Andrew D. Myers, sought and continues to seek only one Petition for Intervention, but that through the same he represents the interests of 21 PEU ratepayers as well as his own.

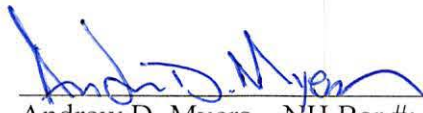
WHEREFORE, Andrew D. Myers, Esq., respectfully requests that this Honorable Commission:

- A. Grant a motion to reconsider and/or to clarify that there is only one Petition for Intervention, but the interests of 21 PEU Ratepayers are represented therein.
- B. Provide any other such relief as it deems appropriate.

Respectfully,

Andrew D. Myers

Date: April 28, 2021


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Certificate of Service

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

Date: April 28, 2021


Andrew D. Myers NH Bar # 7922