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July 1, 2021

Chairwoman Dianne Martin
New Hampshire Public Utilities Commission
21 S. Fruit Street, Suite 10
Concord, New Hampshire 03301

Re: Docket No. DW 21-090
Verified Joint Petition for Approval of the Acquisition of Abenaki Water Company
by Aquarion Company – Joint Petitioners’ Consent to Toll Statutory Review Period

Dear Chairwoman Martin:

On April 30, 2021, Abenaki Water Company (“Abenaki”) and Aquarion Company (“Aquarion”) (together, the “Joint Petitioners”) filed a joint verified petition with the Public Utilities Commission (“Commission”) pursuant to RSA 369:8, II and RSA 374:33 for approval of Aquarion’s indirect acquisition of Abenaki, or, alternatively, for a determination that Commission approval is not required. On May 14, 2021, the Commission convened a prehearing conference and subsequently issued a Secretarial Letter on May 28, 2021, addressing various matters from the prehearing conference. In its letter, the Commission established the procedural schedule for this docket, adopting the Hearing Examiner’s recommendations including, “that the 60-day timeline under RSA 369:8, II shall begin, at the earliest, on May 10, 2021.”¹ Based on a May 10, 2021 commencement date, the 60-day period for the Commission to issue its determination pursuant to RSA 369:8, II currently runs on July 9, 2021. By this letter, the Joint Petitioners consent to a 30-day extension of this deadline.

At the evidentiary hearing on June 28 and 29, the Commission Staff, the Office of the Consumer Advocate (“OCA”), and other intervenors expressed concerns with respect to the 60-day timeline of RSA 369:8, II, in this case. The concerns on timing relate to Abenaki’s pending rate case in Docket No. DW 20-112 and the potential complexity that brings to the Commission reaching its determination of no adverse effect under RSA 369:8, II within 60 days, rather than any predisposition of Aquarion’s proposed acquisition of Abenaki. Aquarion recognizes that these concerns are no doubt heightened by the occurrence of a long holiday weekend in the same short time interval between the end of hearings and July 9, 2021.

To alleviate concerns and time pressure over the holiday weekend, the Joint Petitioners respectfully request and hereby consent to toll the 60-day timeline for the Commission’s

¹ Docket No. DW 21-090, Secretarial Letter, May 28, 2021, at 2.

determination under RSA 369:8, II for an additional 30 days, which would extend the review period in this docket to expire no earlier than August 6, 2021.² This extension will be beneficial to all parties and will enable Aquarion to evaluate issues associated with Abenaki's rate request in light of information gathered at the recent hearings. The extension will also enable Aquarion to explore alternatives for resolution of this proceeding. The Commission has previously allowed an extension of the RSA 369:8, II review period based on consent of the petitioners.³ The Joint Petitioners appreciate the Commission's consideration of this request.

The Joint Petitioners consulted with OCA prior to this filing and were authorized to represent that OCA supports the requested 30-day extension. The Joint Petitioners also consulted with Staff of the Department of Energy associated with this docket, who indicated they take no position on this request.

Please contact me if there are any questions with respect to this filing. Thank you for your attention to this matter.

Sincerely,



Daniel P. Venora

cc: Service List

² Thirty days from July 9, 2021 is August 8, 2021, which falls on a weekend.

³ See Docket No. DW 17-114, *Eversource Energy*, Secretarial Letters dated Aug. 23, 2017 and Oct. 13, 2017.