

**PUBLIC UTILITIES COMMISSION**21 S. Fruit St., Suite 10
Concord, N.H. 03301-2429

September 1, 2021

Re: DW 21-093, Aquarion Water Company of New Hampshire
Petition for Franchise Expansion, Acquisition of Assets and Application of Existing Rates
Granting Interventions

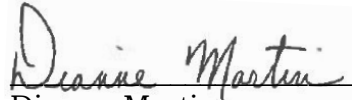
To the Parties:

The May 10, 2021 order of notice in this matter established a July 26, 2021 deadline for petitions to intervene. The order of notice directed parties and prospective intervenors to be prepared to address the proper scope of the proceeding, including, but not limited to, the impact of future rates in the context of a franchise expansion proceeding. At a duly noticed prehearing conference on July 28, 2021, the petition to intervene of the Wiggin Way/Winterberry Homeowners' Association was granted, and the petitions to intervene of the Towns of Hampton and North Hampton (Towns) were taken under advisement. On August 13, 2021, the Town of North Hampton filed a motion requesting a ruling on its intervention request, stating that it is hindered from participating in the discovery process without a ruling on its intervention, and that an order addressing its intervention would avoid undue delay in this proceeding.

In a written prehearing statement filed July 23, 2021, the Towns stated that their petitions to intervene were generally based on: 1) their status as fire protection service ratepayers; and 2) the Towns' prudential management authority pursuant to RSA 41:8. Aquarion Water Company of New Hampshire (Aquarion) objected to both Towns' petitions to intervene, construing the Towns' concerns as speculative, and arguing that the Towns' interventions would impair the prompt conduct of the proceedings.

The Towns' requests to intervene are granted, upon a finding that the standard for intervention in RSA 541-A:32, II, has been met. *See* N.H. Admin. R., Puc 203.17. The Towns' interventions would be in the interest of justice and would not impair the orderly and prompt conduct of the proceedings. Specifically, the Towns' participation will aid the Commission in developing a full and adequate record relating to RSA 374:26's public good requirement, as well as whether the implementation of pre-existing tariffed rates in connection with the proposed franchise expansion requires a detailed examination of possible rate subsidization or preference under RSA 378:10. The Towns are directed to limit their participation to the issues identified in the order of notice and coordinate their efforts in order to promote the orderly and prompt conduct of these proceedings.

Sincerely,



Dianne Martin
Chairwoman

cc: Service List (Electronically)
Docket File

Service List - Docket Related

Docket#: 21-093

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