

STATE OF NEW HAMPSHIRE  
PUBLIC UTILITIES COMMISSION

DW 17-062

Petition of Aquarion Water Company of New Hampshire for Approval of Franchise Expansion,  
Acquisition of Assets, and Application of Existing Rates

**PETITION TO INTERVENE OF THE WIGGIN WAY/WINTERBERRY  
HOMEOWNERS' ASSOCIATION**

The Wiggin Way/Winterberry Homeowners' Association ("Wiggin Way/Winterberry"), by and through its attorneys, BCM Environmental & Land Law, PLLC, respectfully petitions the New Hampshire Public Utilities Commission ("PUC") for intervention in the above-captioned matter pursuant to RSA 541-A:32 and PUC Rule 203.17. In support of its request, Wiggin Way/Winterberry states as follows:

1. On or about November 20, 2020, Aquarion Water Company of New Hampshire ("Aquarion") filed a Petition with the PUC for Approval of Franchise Expansion, Acquisition of Assets, and Application of Existing Rates ("Aquarion Petition") seeking an order permitting Aquarion to provide permanent water service to homes in the Wiggin Way/Winterberry subdivisions in the Town of Stratham. Aquarion's Petition further seeks PUC approval of the expansion of Aquarion's franchise into a limited area in the Town of Stratham, of the contract for the acquisition of certain existing water distribution infrastructure assets by Aquarion, and for Aquarion to apply its existing tariff rates to these new customers.

2. Wiggin Way/Winterberry is the successor to Wiggin Way Home Owners Association and is a non-profit corporation in good standing with the New Hampshire Secretary of State. Wiggin Way/Winterberry was formed for the purposes of maintaining and operating the community water system and transferring the water system to Aquarion Water Company.

3. Wiggin Way/Winterberry petitions to intervene in this matter in order to be kept fully informed of the PUC proceedings and to be permitted to meaningfully and timely participate in the proceedings.

4. RSA 541-A:32 provides that “[p]ersons seeking to intervene in a proceeding shall file petitions with the committee ....” and further provides as follows:

The presiding officer shall grant a petition to intervene if:

(1) The petition is submitted in writing to the presiding officer ...;

(2) The petition states facts demonstrating that the petitioner’s rights, duties, privileges, immunities or other substantial interests might be affected by the proceeding or that the petitioner qualifies as an intervenor under any provision of law; and

(3) The presiding officer determines that the interests of justice and the orderly and prompt conduct of the proceedings would not be impaired by allowing the intervention.

5. Pursuant to RSA 541-A:32, I, Wiggin/Winterberry qualifies for intervention because its "rights, duties, privileges, immunities or other substantial interests may be affected by the proceeding." RSA 541-A32, I(b).

6. Additionally, "the interests of justice and the orderly and prompt conduct of the proceedings [will] not be impaired by allowing th[is] intervention." RSA 541-A32, I( c). The granting of Wiggin Way/Winterberry’s Petition will not undermine the orderly conduct of the proceedings.

7. Therefore, Wiggin Way/Winterberry respectfully requests that the Public Utilities Commission grant this Petition to Intervene.

**WHEREFORE**, the Wiggin Way/Winterberry respectfully requests that the Public Utilities Commission:

A. Grant Wiggin Way/Winterberry’s Petition to Intervene;

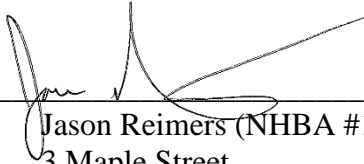
- B. Notify Wiggin Way/Winterberry in advance of any further proceedings; and
- C. Grant such other and further relief as may be just.

Respectfully Submitted,

**Wiggin Way/Winterberry Homeowners'  
Association**

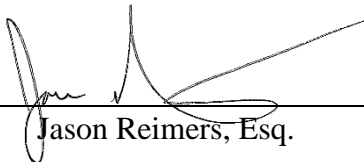
By its Attorneys,  
BCM Environmental & Land Law, PLLC

Date: December 16, 2020

By:   
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**CERTIFICATE OF SERVICE**

I hereby certify that on this day, December 16, 2020, a copy of the foregoing petition was sent by electronic mail to persons named on the Service List of this docket.

By:   
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Jason Reimers, Esq.