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Environmental Law ▪ *Utility Law*

August 16, 2022

VIA ELECTRONIC DELIVERY

Daniel C. Goldner, Chairman
New Hampshire Public Utilities Commission
21 S. Fruit Street, Suite 10
Concord, N.H. 03301

Re: DW 22-012 Bodwell Waste Services Corporation
Petition for Approval to Terminate Service
Notice of Withdrawal of Request to Recover Administrative and Regulatory
Expenses

Dear Chairman Goldner:

This letter is to inform the Commission that, as a result of a settlement among the Department of Energy, Office of the Consumer Advocate, and Bodwell Waste Service Corporation (Bodwell), Bodwell is withdrawing its request to recover its administrative and regulatory costs associated with winding down its affairs as a regulated utility.

It is Bodwell's hope that this streamlining of issues will assist the Commission in conducting an orderly hearing on the remaining issues.

As noted in the exhibit list for this hearing, Exhibit 9 has been reserved for terms of settlement. That exhibit is attached.

Thank you in advance for your assistance with this filing.

Very Truly Yours,

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

Marcia A. Brown

cc: Docket-Related Service List

DW 22-012
Bodwell Waste Service Corporation

Settlement Term Sheet

- 1) The parties agree that the City of Manchester possesses the requisite financial, legal, managerial, and technical expertise to serve Bodwell Waste Service Corporation's Manchester customers post-termination of Bodwell's service in its franchise area.
- 2) Subject to review of discovery and receipt of the Londonderry MOU, the parties agree that the Town of Londonderry possesses the requisite financial, legal, managerial, and technical expertise to serve Bodwell Waste Service Corporation's Londonderry customers post-termination of Bodwell's service in its franchise area.
- 3) The parties agree that it is in the public interest for Bodwell to transfer its assets located in the City of Manchester to the City of Manchester upon the terms set forth in the Bodwell-Manchester MOU.
- 4) Subject to review of discovery and receipt of the Londonderry MOU, the parties agree that it is in the public interest for Bodwell to transfer its assets located in the Town of Londonderry to the Town of Londonderry upon the terms set forth in the Bodwell-Londonderry MOU.
- 5) The parties agree that it is in the public interest for Bodwell to cease providing service in its authorized franchise on or about December 31, 2022.
- 6) The parties agree that it is in the public interest for Bodwell and the City of Manchester to inform the Commission and parties, by letter filed with the Commission no later than November 30, 2022, on construction progress and meeting the target termination date of December 31, 2022.
- 7) The parties do not object to Bodwell pursuing collections against customers who have not paid their bills from Bodwell for sewer service taken prior to termination of its franchise and provided by Bodwell under the rates, terms, and conditions of Bodwell's tariff.
- 8) The parties agree that Bodwell shall file with the Commission an affidavit attesting that the deeds of transfer have been effectuated by the parties and that Bodwell has fully repaid the loan approved in DW 17-142.