

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DOCKET NO. DW 22-012

BODWELL WASTE SERVICES CORPORATION
CITY OF MANCHESTER, NEW HAMPSHIRE
PETITION TO INTERVENE

The City of Manchester, New Hampshire, as represented by the Department of Public Works, Environmental Protection Division (“Manchester EPD”), by and through its attorneys, McLane Middleton, Professional Association, submits this petition to intervene in the above-captioned proceeding pursuant to RSA 541-A:32.

I. BACKGROUND

On March 10, 2022, Bodwell Waste Services Corporation (“Bodwell”) filed a petition asking the New Hampshire Public Utilities Commission (“PUC” or “Commission”) for permission to discontinue service and to transfer Bodwell’s sewer facilities and franchise to the City of Manchester and the Town of Londonderry. Included with Bodwell’s petition was a Memorandum of Understanding between Bodwell and the Manchester EPD establishing an agreement between the parties to “transfer ownership of existing private sanitary sewer facilities located in Manchester, NH to the Manchester EPD.”

On May 10, 2022, the PUC issued an Order of Notice commencing an adjudicative proceeding and scheduling a prehearing conference for June 1, 2022. Among other things, the Commission determined that the City of Manchester was a mandatory party to the proceeding.

II. INTERVENTION

RSA 541-A:32 provides that the presiding officer of an agency shall grant a petition for intervention if it demonstrates that the “petitioner’s rights, duties, privileges, immunities or other

substantial interests may be affected by the proceeding.” Manchester is the counterparty to the MOU filed by Bodwell that is the subject of this proceeding and would thereby take ownership of sewer facilities in Manchester, NH and furnish sewage disposal service to Bodwell’s existing customers. Accordingly, the Manchester EPD’s rights, duties and other substantial interests are affected by the proceeding.

III. CONCLUSION

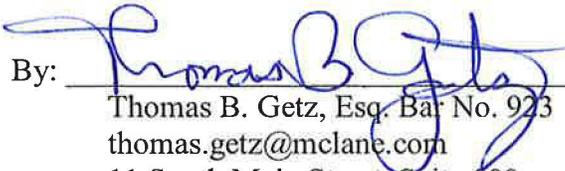
The Manchester EPD has timely complied with the Commission’s Order of Notice and demonstrated its interests in the proceeding. Moreover, the Commission has determined that the Manchester EPD is a mandatory party to the proceeding.

WHEREFORE, the Manchester EPD respectfully requests that the New Hampshire Public Utilities Commission:

- A. Approve the Manchester EPD’s Petition to Intervene; and
- B. Grant such other relief as it determines just and reasonable.

Respectfully Submitted,
The City of Manchester, New Hampshire
By its attorneys,
McLANE MIDDLETON,
PROFESSIONAL ASSOCIATION

Dated: May 17, 2022

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