

STATE OF NEW HAMPSHIRE
BEFORE THE PUBLIC UTILITIES COMMISSION

Lakes Region Water Company, Inc.

Docket No. DW 20 – 187
Docket No. DW 22 – 068

**PARTIALLY ASSENTED TO MOTION TO CONSOLIDATE
STEP ADJUSTMENT AND RATE CASE**

NOW COMES Lakes Region Water Co., Inc., (“Lakes Region”) and requests that the record in this Step Adjustment Proceeding be consolidated with the underlying rate case in Docket No. DW 20 – 187 as follows:

1. In Order No. 26,633, *Order on Permanent Rates Settlement*, as amended on July 12, 2022, the Commission approved a Settlement Agreement approving a permanent rate increase in Docket No. DW 20 – 187 pursuant to RSA 378:7.
2. The Settlement Agreement approved by the Commission provided for Lakes Region to file a request or petition for a step adjustment “based on three components: (1) the costs of post-test year plant additions placed in service as of December 31, 2020 and 2021; (2) post-test year Annual Wage Expense increases that were deferred pending review in this proceeding, as set forth in Schedules 1 to 5d in Attachment B; (3) and completion of paving work associated with post-test year plant additions estimated to be completed in the second quarter of 2022.” Exhibit 9, Page 6.
3. The Commission’s Order No. 26,633 is based on a comprehensive record which includes a full rate case hearing, pre-filed testimony, supporting schedules for a full rate case, and, extensive discovery by the NH Department of Energy and by Lake Ossipee Village homeowners, as an interested party. As a result, all of the procedural and

substantive requirements under RSA 378:7 for notice, an investigation, and, a hearing were satisfied in Docket No. DW 20 – 187.

4. Under the terms of the Settlement Agreement approved by Order No. 26,633, Lakes Region cannot implement a step adjustment until it is approved by the Commission following review by the Department of Energy. As a result, on October 19, 2022, Lakes Region filed a *Petition for Step 1 Adjustment* with supporting testimony and schedules in Docket No. DW 20 – 187. However, on October 20, 2022, the Commission issued an acknowledgement letter and opened this proceeding as Docket No. DW 22 – 068.

5. Lakes Region believes that opening a new docket is a reasonable approach as the Commission’s Order No. 26,633 approving permanent rates and the step adjustment mechanism is final and the appeal period has expired. However, opening a new docket creates a procedural issue in that the notice and hearing required by RSA 378:7 were satisfied in the prior Docket No. DW 20 – 187. As a result, Lakes Region requests that the Commission consolidate this proceeding with the record and service list in Docket No. DW 20 – 187 in which notice and a hearing were provided.

6. Commission Rule Puc 203.19, *Consolidation of Hearings*, provides that: “(a) When more than one application or petition seeks the same or similar relief, the commission shall consolidate the cases to be heard on a common record if it determines that to do so will promote the orderly and efficient conduct of the proceeding.” Lakes Region requests that the Commission grant this motion by letter order and thereby consider this proceeding to be a continuation of the record (and service list) in Docket No. DW 20 – 187 in which the statutory requirements for notice and hearing were met.

7. On November 2, 2022, Lakes Region requested the assent of the Lake Ossipee Village homeowners who were granted party status in DW 20 – 187. As of the time of filing this motion, the Lake Ossipee Village homeowners had not responded to state a position on this motion.

8. The Department of Energy assents to this motion.

Respectfully submitted,

LAKES REGION WATER CO., INC.

By its Counsel,

NH WATER LAW



Dated: November 4, 2022

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was this day forwarded to all parties on the official service lists for both Docket No. 20 – 187 and Docket No. 22 – 068.



Justin C. Richardson