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Jessica Chiavara
Senior Counsel

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May 10, 2023

Via electronic mail only

Daniel Goldner, Chairman
New Hampshire Public Utilities Commission
21 South Fruit Street, Suite 10
Concord, NH 03301-2429

**Re: Docket No. DW 23-011 - Petition of Aquarion Water Company of New Hampshire
for Approval of Financing from CoBank, ACB
Aquarion Water Company of New Hampshire, Inc. – affidavit of publication**

Chairman Goldner:

In accordance with the Commission's Order No. 26,815 (the "Order") issued May 5, 2023 in the above-captioned docket, Aquarion Water Company of New Hampshire, Inc. ("Aquarion") published a copy of the Order on the Company's website on the same day, May 5. Following this cover letter is an affidavit of publication as well as a screenshot of the publication itself. The Order also required that Aquarion publish the same in "a statewide newspaper of general circulation or of circulation in those portions of the state where operations are conducted" (Order at 4). The Order was published in the Union Leader today, May 10. Also attached is a copy of the publication and an affidavit supplied by the Union Leader.

Consistent with current Commission policy, this filing is being made electronically only; paper copies will not follow. If you have any questions, please contact me. Thank you for your assistance with this matter.

Regards,

Jessica A. Chiavara
Senior Counsel, Eversource Energy
o/b/o Aquarion Water Company of New
Hampshire, Inc.

Attachments

cc: DW 23-011 Service List

**AFFIDAVIT OF DEBRA
A. SZABO**

I, Debra A. Szabo, being duly sworn, do hereby depose and state as follows:

1. I am employed by Aquarion Water Company of Connecticut (“Aquarion CT”) as Director of Rates and Regulations.
2. As part of my duties and responsibilities for Aquarion CT I handle compliance with various regulatory requirements of Aquarion CT and its affiliates including Aquarion Water Company of New Hampshire, Inc. (“Aquarion”).
3. On May 5, 2023 the New Hampshire Public Utilities Commission issued Order No. 26,815 Docket No. DW 23-011. In part, that Order required that “Aquarion Water Company of New Hampshire, Inc. shall cause a copy of this order to be published on its website within one day of this order, such publication to be documented by affidavit filed with the Commission. . . to be documented by affidavit filed with this office on or before May 17” Order at 4-5.
4. On May 5, a copy of the Order was published on Aquarion’s website. Attached is a screenshot of Aquarion’s newsroom page showing that the Order was published.

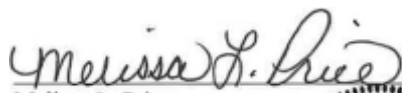
Dated this 10th day of May 2023

Debra A. Szabo

Debra A. Szabo

STATE OF NEW HAMPSHIRE
COUNTY OF HILLSBOROUGH

Sworn to and subscribed before me this 10th day of May 2023.


Melissa L. Price
My Commission expires: 



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Massachusetts
New Hampshire

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New Hampshire Water Rates

- [Schedule of Approved Rates \(effective April 1, 2023\) – excluding Abenaki Water](#)
- [Schedule of Approved Rates - Abenaki Water System \(Belmont, Bow, Carroll, Tioga-Belmont, Tioga-Gilford\)](#)

Request for Change in Rates

- [Order Granting Motion for Clarification and Modifying Prior Order Nisi Approving Step Adjustment – Order No. 26,771](#)
- [Order Nisi Approving Step Adjustment - Order No. 26,761](#)
- [Order Suspending Proposed Tariffs and Scheduling Prehearing Conference - Order No. 26,449](#)

- [New Hampshire Public Utilities Commission \(PUC\) Docket - DW 20-184](#)

Other Orders

- [Order Nisi Approving Financing - Order No. 26,815](#)

Contact Us

Call Center hours are weekdays 8:00 a.m. to 5:30 p.m. Emergency service is available for all other hours including weekends and holidays.

Contact Us

UNION LEADER CORPORATION

PO BOX 9555

MANCHESTER, NH 03108

PUBLISHER'S CERTIFICATE

STATE OF New Hampshire} ss:
COUNTY OF Hillsborough}


Personally appeared before the undersigned, a
notary public within and for said county and
State, **ROSA GONZALEZ**
publisher representative of the
New Hampshire Union Leader,
a newspaper published at Hillsborough County,
State of New Hampshire who, being
duly sworn, state on oath that the
advertisement of:

EVERSOURCE

(Name of Institution)


a true copy of which is hereto annexed, was
published in said newspaper on the following dates:
05/10/2023,,

Docket No. DW 23-011
Ad #21797



Publisher Representative

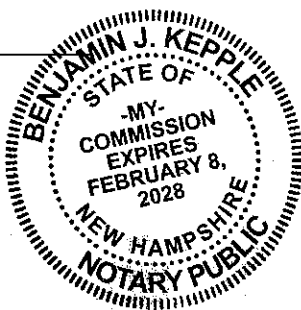
Subscribed and sworn to before me this day 05/10/2023



Notary Public

My commission expires: 02/08/2028

(Seal)



Legal Notice

MORTGAGEE'S NOTICE OF SALE OF REAL ESTATE

By virtue of a Power of Sale contained in a certain Mortgage given by **Michael V. Kottke and Ashley M. Kottke** (the "Mortgagor") to Mortgage Electronic Registration Systems, Inc., as nominee for Contour Mortgage Corporation, its successors and assigns, dated November 12, 2021 and recorded in the Cheshire County Registry of Deeds in Book 3189, Page 887 (the "Mortgage") of which mortgage the undersigned is present holder by assignment, pursuant to and in execution of said power and for breach of conditions of said Mortgage and for the purpose of foreclosing same will be sold at:

Public Auction on May 24, 2023 at 1:00 PM

Said sale being located on the mortgaged premises and having a present address of **539 Royalston Road, Fitzwilliam, Cheshire County, NH**. The premises are more particularly described in the Mortgage.

NOTICE

PURSUANT TO NEW HAMPSHIRE RSA 479:25, YOU ARE HEREBY NOTIFIED THAT YOU HAVE A RIGHT TO PETITION THE SUPERIOR COURT FOR THE COUNTY IN WHICH THE MORTGAGED PREMISES ARE SITUATED, WITH SERVICE UPON THE MORTGAGEE, AND UPON SUCH BOND AS THE COURT MAY REQUIRE, TO ENJOIN THE SCHEDULED FORECLOSURE SALE.

The mortgagee's name and address for service of process is CALIBER HOME LOANS, INC. at 13801 Wireless Way, Oklahoma City, OK, 73134. The name and address of the mortgagee's agent for service of process is CT Corporation System at 2 1/2 Beacon Street, Concord, NH 03301. You can contact the New Hampshire Banking Department by e-mail at nhbd@banking.nh.gov.

For information on getting help with housing and foreclosure issues, please call the foreclosure information hotline at 1-800-437-5991. The hotline is a service of the New Hampshire Banking Department. There is no charge for this call.

The property will be sold subject to all unpaid real estate taxes and all other liens and encumbrances which may be entitled to precedence over the Mortgage. Notwithstanding any title information contained in this notice, the Mortgagee expressly disclaims any representations as to the state of the title to the Property involved as of the date of the notice of the date of sale. The property to be sold at the sale is "AS IS, WHERE IS".

The foreclosure sale will be made for the purpose of foreclosure of all rights of redemption of the said mortgagor(s) therein possessed by them and any and all persons, firms, corporations, or agencies claiming by, from or under them.

TERMS OF SALE:

A deposit of FIVE THOUSAND DOLLARS AND 00 CENTS (\$5,000.00) in the form of a certified check, bank treasurer's check, or money order will be required to be delivered at or before the time the bid is offered. The description of the premises contained in said mortgage shall control in the event of an error in this publication.

CALIBER HOME LOANS, INC.
Present Holder of said Mortgage,
By Its Attorneys,
Orlans PC
PO Box 540540
Waltham, Massachusetts 02454
Phone: (781) 790-7800
(UL - May 3, 10, 17)

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legal notice ...
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make it easy for you.
Call or email us at
603-668-4321 x264
or
legals@unionleader.com

Legal Notice

MORTGAGEE'S NOTICE OF SALE OF REAL PROPERTY

By virtue of a Power of Sale contained in a certain mortgage given by **Matthew J. Nolan, Tania L. Kendrick** ("the Mortgagor(s)") to Mortgage Electronic Registration Systems, Inc., as nominee for Freedom Mortgage Corporation, dated July 14, 2021 and recorded in the Hillsborough County Registry of Deeds in Book 9508, Page 92, (the "Mortgage"), which mortgage is held by Freedom Mortgage Corporation, the present holder of said Mortgage, pursuant to and in execution of said power and for breach of conditions of said Mortgage and for the purposes of foreclosing the same will be sold at:

Public Auction
on
June 21, 2023
at
2:00 PM

Said sale being located on the mortgaged premises and having a present address of 10 Upton Road, Mont Vernon, Hillsborough County, New Hampshire. The premises are more particularly described in the Mortgage.

For mortgagor's(s) title see deed recorded with the Hillsborough County Registry of Deeds in Book 8796, Page 868.

NOTICE

PURSUANT TO NEW HAMPSHIRE RSA 479:25, YOU ARE HEREBY NOTIFIED THAT YOU HAVE A RIGHT TO PETITION THE SUPERIOR COURT FOR THE COUNTY IN WHICH THE MORTGAGED PREMISES ARE SITUATED, WITH SERVICE UPON THE

MORTGAGEE, AND UPON SUCH BOND AS THE COURT MAY REQUIRE TO ENJOIN THE SCHEDULED FORECLOSURE SALE.

The address of the mortgagee for service of process is 9 Capitol Street, Concord, NH 03301 and the name of the mortgagee's agent for service of process is C T Corporation.

You can contact the New Hampshire Banking Department by e-mail at nhbd@banking.nh.gov. For information on getting help with housing and foreclosure issues, please call the foreclosure information hotline at 1-800-437-5991. The hotline is a service of the New Hampshire Banking Department. There is no charge for this call.

The Property will be sold subject to all unpaid real estate taxes and all other liens and encumbrances which may be entitled to precedence over the Mortgage. Notwithstanding any title information contained in this notice, the Mortgagee expressly disclaims any representations as to the state of the title to the Property involved as of the date of the notice of the date of sale. The property to be sold at the sale is "AS IS WHERE IS".

TERMS OF SALE

A deposit of Five Thousand (\$5,000.00) Dollars in the form of a certified check or bank treasurer's check or other check satisfactory to Mortgagee's attorney will be required to be delivered at or before the time a bid is offered. The successful bidder(s) will be required to execute a purchase and sale agreement immediately after the close of the bidding. The balance of the purchase price shall be paid within thirty (30) days from the sale date in the form of a certified check, bank treasurer's check or other check satisfactory to Mortgagee's attorney. The Mortgagee reserves the right to bid at the sale, to reject any and all bids, to continue the sale and to amend the terms of the sale by written or oral announcement made before or during the foreclosure sale. The description of the premises contained in said mortgage shall control in the event of an error in this publication.

Dated at Newton, Massachusetts, on April 24, 2023.

Freedom Mortgage Corporation
By its Attorney,
Nicholas J Danforth
Harmon Law Offices, P.C.
PO Box 610389
Newton Highlands, MA 02461
617-558-0500
23692

(UL - Apr. 26; May 3, 10)

Legal Notice

MORTGAGEE'S NOTICE OF SALE OF REAL PROPERTY

By virtue of a Power of Sale contained in a certain mortgage given by **William South, Cheryl J. South** ("the Mortgagor(s)") to Mortgage Electronic Registration Systems, Inc., as nominee for GreenPoint Mortgage Funding, Inc., dated July 28, 2000 and recorded in the Rockingham County Registry of Deeds in Book 3493, Page 399, (the "Mortgage"), which mortgage is held by Federal Home Loan Mortgage Corporation, the present holder of said Mortgage, pursuant to and in execution of said power and for breach of conditions of said Mortgage and for the purposes of foreclosing the same will be sold at:

Public Auction
on
June 23, 2023
at
1:00 PM

Said sale being located on the mortgaged premises and having a present address of 46 High Street, Stratham, Rockingham County, New Hampshire. The premises are more particularly described in the Mortgage.

For mortgagor's(s) title see deed recorded with the Rockingham County Registry of Deeds in Book 3493, Page 398.

NOTICE

PURSUANT TO NEW HAMPSHIRE RSA 479:25, YOU ARE HEREBY NOTIFIED THAT YOU HAVE A RIGHT TO PETITION THE SUPERIOR COURT FOR THE COUNTY IN WHICH THE MORTGAGED PREMISES ARE SITUATED, WITH SERVICE UPON THE MORTGAGEE, AND UPON SUCH BOND AS THE COURT MAY REQUIRE TO ENJOIN THE SCHEDULED FORECLOSURE SALE.

The address of the mortgagee for service of process is 14 Centre Street, Concord, NH 03301 and the name of the mortgagee's agent for service of process is Lawyers Incorporating Service.

You can contact the New Hampshire Banking Department by e-mail at nhbd@banking.nh.gov. For information on getting help with housing and foreclosure issues, please call the foreclosure information hotline at 1-800-437-5991. The hotline is a service of the New Hampshire Banking Department. There is no charge for this call.

The Property will be sold subject to all unpaid real estate taxes and all other liens and encumbrances which may be entitled to precedence over the Mortgage. Notwithstanding any title information contained in this notice, the Mortgagee expressly disclaims any representations as to the state of the title to the Property involved as of the date of the notice of the date of sale. The property to be sold at the sale is "AS IS WHERE IS".

TERMS OF SALE

A deposit of Five Thousand (\$5,000.00) Dollars in the form of a certified check or bank treasurer's check or other check satisfactory to Mortgagee's attorney will be required to be delivered at or before the time a bid is offered. The successful bidder(s) will be required to execute a purchase and sale agreement immediately after the close of the bidding. The balance of the purchase price shall be paid within thirty (30) days from the sale date in the form of a certified check, bank treasurer's check or other check satisfactory to Mortgagee's attorney. The Mortgagee reserves the

right to bid at the sale, to reject any and all bids, to continue the sale and to amend the terms of the sale by written or oral announcement made before or during the foreclosure sale. The description of the premises contained in said mortgage shall control in the event of an error in this publication.

Dated at Newton, Massachusetts, on May 3, 2023.

Federal Home Loan
Mortgage Corporation
By its Attorney,
Nicholas J Danforth
Harmon Law Offices, P.C.
PO Box 610389
Newton Highlands, MA 02461
617-558-0500
23606

(UL - May 10, 17, 24)

Legal Notice

COUNTY CONVENTION

The Hillsborough County Legislative Delegation will meet in CONVENTION on **Thursday May 18, 2023, during the lunch break** in the Legislative Session at the NH State House, Legislative Chambers, located at 107 N. Main Street in Concord, NH for the following purpose:

1. Pursuant to RSA 273-A, to consider approval of the cost items in addenda to temporary addendums to the collective bargaining agreements between Hillsborough County and a) AFSCME Local 2715 (Nursing Home Personnel); b) International Chemical Workers Union Council/UFCW, Local 1046C (Nursing Home Supervisory Personnel); c) AFSCME Council 93, Local #3657 (DOC Line Personnel); d)NCEU, Local #128, (DOC Supervisory Employees); e) AFSCME Council 93, Local #3657 (Sheriff's Employees); f) NEPPA, Local #50 (County Attorney Employees) for expenses associated with ending the premium pay recruitment and retention program.

2. And any other business to come before the Delegation.

Rep. Amanda Bouldin, Clerk
Hillsborough County Delegation
(UL - May 10)

Legal Notice

Notice is hereby given that a meeting will be conducted by the Governor and Council of the State of New Hampshire at the Council Chambers, State House, 107 North Main Street, Concord, New Hampshire on **Wednesday, May 17, 2023 at 10:00 AM**. The meeting will include a public hearing pursuant to passage of a resolution entitled: A RESOLUTION UNDER RSA 162-A:18 AWARDED A STATE GUARANTEE UNDER RSA 162-A:13 WITH RESPECT TO A EQUIPMENT/TERM LOAN FROM WALDEN MUTUAL BANK TO RUSTIC CRUST, INC. & SUBSIDIARIES and make the statutory findings under RSA 162-A:18, with respect to the proposed extension of a guarantee of the State of New Hampshire with respect to a certain loan from WALDEN MUTUAL BANK TO RUSTIC CRUST, INC. & SUBSIDIARIES. The loan to be subject to the State's guarantee will in an amount of up to \$1,093,862.50 EQUIPMENT AND TERM LOAN FOR FIVE YEARS and the proposed guarantee will be in an amount equal to seventy-five percent of any deficiency determined to exist after the Lender has diligently pursued specified available collection rights. At the time and place of said public hearing, all persons may appear and present their views orally or in writing in favor of or opposed to the proposed project. Written comments may also be submitted to the Executive Council, 107 N. Main Street, State House, Concord, New Hampshire 03301 until the time of said public hearing.

Christopher T. Sununu
Governor

(UL - May 10)

Legal Notice

A special meeting of the Manchester Board of School Committee will be held on **Monday, May 22, 2023, at 6:30 p.m.**, in the Aldermanic Chambers of City Hall, for a public hearing on the following donation: \$9,000 from the Webster Elementary School Parent Group for the purchase of an additional playground structure.

(UL - May 10)

Legal Notice

MORTGAGEE'S NOTICE OF SALE OF REAL PROPERTY

By virtue of a Power of Sale contained in a certain mortgage given by **Christopher W. Floyd, Sr.** ("the Mortgagor(s)") to Mortgage Electronic Registration Systems, Inc., as nominee for Santander Bank, N.A., dated April 6, 2018 and recorded in the Hillsborough County Registry of Deeds in Book 9065, Page 2551, (the "Mortgage"), which mortgage is held by Santander Bank, N.A., the present holder of said Mortgage, pursuant to and in execution of said power and for breach of conditions of said Mortgage and for the purposes of foreclosing the same will sell at:

Public Auction
on
June 21, 2023
at
3:00 PM

Said sale being located on the mortgaged premises and having a present address of 25 David Drive, Hudson, Hillsborough County, New Hampshire. The premises are more particularly described in the Mortgage.

For mortgagor's(s) title see deed recorded with the Hillsborough County Registry of Deeds in Book 6874, Page 1591.

NOTICE

PURSUANT TO NEW HAMPSHIRE RSA 479:25, YOU ARE HEREBY NOTIFIED THAT YOU HAVE A RIGHT TO PETITION THE SUPERIOR COURT FOR THE COUNTY IN WHICH THE MORTGAGED PREMISES ARE SITU-

ATED, WITH SERVICE UPON THE MORTGAGEE, AND UPON SUCH BOND AS THE COURT MAY REQUIRE TO ENJOIN THE SCHEDULED FORECLOSURE SALE.

The address of the mortgagee for service of process is 2 1/2 Beacon Street, Concord, NH 03301 and the name of the mortgagee's agent for service of process is CT Corporation System.

You can contact the New Hampshire Banking Department by e-mail at nhbd@banking.nh.gov. For information on getting help with housing and foreclosure issues, please call the foreclosure information hotline at 1-800-437-5991. The hotline is a service of the New Hampshire Banking Department. There is no charge for this call.

The Property will be sold subject to all unpaid real estate taxes and all other liens and encumbrances which may be entitled to precedence over the Mortgage. Notwithstanding any title information contained in this notice, the Mortgagee expressly disclaims any representations as to the state of the title to the Property involved as of the date of the notice of the date of sale. The property to be sold at the sale is "AS IS WHERE IS".

TERMS OF SALE

A deposit of Five Thousand (\$5,000.00) Dollars in the form of a certified check or bank treasurer's check or other check satisfactory to Mortgagee's attorney will be required to be delivered at or before the time a bid is offered. The successful bidder(s) will be required to execute a purchase and sale agreement immediately after the close of the bidding. The balance of the purchase price shall be paid within thirty (30) days from the sale date in the form of a certified check, bank treasurer's check or other check satisfactory to Mortgagee's attorney. The Mortgagee reserves the right to bid at the sale, to reject any and all bids, to continue the sale and to amend the terms of the sale by written or oral announcement made before or during the foreclosure sale. The description of the premises contained in said mortgage shall control in the event of an error in this publication.

Dated at Newton, Massachusetts, on April 24, 2023.

Santander Bank, N.A.
By its Attorney,
Nicholas J. Danforth
Harmon Law Offices, P.C.
PO Box 610389
Newton Highlands, MA 02461
617-558-0500
23535

(UL - Apr. 26; May 3, 10)

Legal Notice

MORTGAGEE'S SALE OF REAL ESTATE

By virtue of and in execution of the Power of Sale contained in a certain mortgage given by **Mark N. Plantier and Debra J. Plantier** to Bank of America, N.A., dated March 16, 2010 and recorded with the Carroll County Registry of Deeds in Book 2850, Page 0001, of which mortgage U.S. Bank Trust National Association, not in its individual capacity but solely as owner trustee for RCF 2 Acquisition Trust is the present holder by assignment, for breach of conditions of said mortgage and for the purpose of foreclosing the same, the mortgaged premises located at **28 Governor Wentworth Highway, Center Tuftonboro (Tuftonboro), Carroll County, New Hampshire** will be sold at a Public Auction at **12:00 PM on May 24, 2023**, being the premises described in the mortgage to which reference is made for a more particular description thereof. Said public auction will occur on the Mortgaged Premises.

For mortgagor's title, see deed recorded with the Carroll County Registry of Deeds in Book 2718, Page 0246

NOTICE TO THE MORTGAGOR AND ALL INTERESTED PARTIES: YOU ARE HEREBY NOTIFIED THAT YOU HAVE A RIGHT TO PETITION THE SUPERIOR COURT FOR THE COUNTY IN WHICH THE MORTGAGED PREMISES ARE SITUATED, WITH SERVICE UPON THE MORTGAGEE, AND UPON SUCH BOND AS THE COURT MAY REQUIRE, TO ENJOIN THE SCHEDULED FORECLOSURE SALE.

THE AGENTS FOR SERVICE OF PROCESS ARE:

U.S. BANK TRUST NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS OWNER TRUSTEE FOR RCF 2 ACQUISITION TRUST, 300 East Delaware Avenue, 8th Floor, Wilmington, DE 19809 (Mortgagee)

SELENE FINANCE, LP, C/O Corporation Service Company, 10 Ferry Street, Concord, NH 03301 (Mortgagee Servicer)

You can contact the New Hampshire Banking Department at 53 Regional Drive #200, Concord, NH 03301 Tel (603) 271-3561 and by email at nhbd@banking.nh.gov

FOR INFORMATION ON GETTING HELP WITH HOUSING AND FORECLOSURE ISSUES, PLEASE CALL THE FORECLOSURE INFORMATION HOTLINE AT 800-437-5991. THE HOTLINE IS A SERVICE OF THE NEW HAMPSHIRE BANKING DEPARTMENT. THERE IS NO CHARGE FOR THIS CALL.

LIENS AND ENCUMBRANCES: The Mortgaged Premises shall be sold subject to any and all easements, unpaid taxes, liens, encumbrances and rights, title and interests of third persons of any and every nature whatsoever which are or may be entitled to precedence over the Mortgage.

NO WARRANTIES: The Mortgaged Premises shall be sold by the Mortgagee and accepted by the successful bidder "AS IS" AND "WHERE IS" and with all faults. Except for warranties arising by operation of law, if any, the conveyance of the Mortgaged Premises will be made by the Mortgagee and accepted by the successful bidder without any express or implied warranties whatsoever, including, without limitation, any representations or warranties with respect to title,

possession, permits, approvals, recitation of acreage, hazardous materials and physical condition. All risk of loss or damage to the Mortgaged Premises shall be assumed and borne by the successful bidder immediately after the close of bidding.

TERMS OF SALE: To qualify to bid, bidders must register to bid and present to the Mortgagee or its agent the sum of Five Thousand Dollars and 00/100 (\$5,000.00) by certified check or other form of payment acceptable to the Mortgagee or its agent prior to the commencement of the public auction. The balance of the purchase price must be paid in full by the successful bidder by certified check within thirty (30) days from the date of the public auction, or on delivery of the foreclosure deed, at the option of the Mortgagee. The deposits placed by unsuccessful bidders shall be returned to those bidders at the conclusion of the public auction. The successful bidder shall execute a Memorandum of Foreclosure Sale immediately after the close of bidding. If the successful bidder fails to complete the purchase of the Mortgaged Premises, the Mortgagee may, at its option, retain the deposit as liquidated damages.

RESERVATION OF RIGHTS: The Mortgagee reserves the right to (i) cancel or continue the foreclosure sale to such subsequent date or dates as the Mortgagee may deem necessary or desirable, (ii) bid upon and purchase the Mortgaged Premises at the foreclosure sale, (iii) reject any and all bids for the Mortgaged Premises and (iv) amend or change the terms of sale set forth herein by announcement, written or oral, made before or during the foreclosure sale. Such change(s) or amendment(s) shall be binding on all bidders.

Other terms to be announced at sale.

U.S. Bank Trust National Association, not in its individual capacity but solely as owner trustee for RCF 2 Acquisition Trust Present holder of said mortgage, by its Attorneys
Susan W. Cody
Korde & Associates, P.C.
900 Chelmsford Street, Suite 3102
Lowell, MA 01851
(978) 256-1500
SLE 19-035607 Planter

Legal Notice

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES
COMMISSION
DW 23-011
AQUARIUM WATER COMPANY
OF NEW HAMPSHIRE, INC.
Petition for Approval of
Financing from CoBank, ACB
Order Nisi Approving Financing
ORDER NO. 26.815
May 5, 2023**

Aquarium Water Company of New Hampshire, Inc. (Aquarium, or the Company), requests approval of financing through CoBank, ACB (CoBank). The Commission authorizes Aquarium to issue a general mortgage bond to CoBank for an aggregate principal amount of \$11,000,000 to: (1) refinance short-term debt; (2) finance capital expenditures; and (3) pay at maturity general mortgage bonds due June 1, 2023. Aquarium seeks a decision for effect by May 22, 2023.

The petition and subsequent docket filings, other than information for which confidential treatment is requested or granted by the Commission, are posted to the Commission's website at www.pu.c.nh.gov/Regulatory/Docketbk/2023/23-011.html.

I. BACKGROUND AND PROCEDURAL HISTORY

Aquarium Water Company of New Hampshire, Inc. (Aquarium, or the Company), a subsidiary of Aquarium Water Company, which is owned by parent company Eversource Energy, is a regulated water utility as defined by RSA 362:2 and RSA 362:4. The Company is authorized by the Commission to provide water service to approximately 9,600 customers in Hampton, North Hampton, Rye, and Stratham.

On February 1, 2023, Aquarium filed a petition for approval of financing through CoBank. On April 26, 2023, DOE filed a technical statement recommending approval of the petition. The Office of the Consumer Advocate did not submit an appearance in this docket, and no petitions to intervene were filed.

II. POSITIONS OF THE PARTIES

A. AQUARIUM

In its petition, Aquarium proposed new financing in the amount of \$11,000,000 to: (1) refinance outstanding short-term debt; (2) finance capital expenditures; and (3) pay at maturity \$3,000,000 in general mortgage bonds due June 1, 2023. Aquarium seeks a decision for effect by May 22, 2023, to permit payment at maturity of \$3 million in general mortgage bonds due June 1, 2023.

B. DOE

DOE reviewed Aquarium's petition and recommended that the Commission consider Aquarium's financing request to be "routine" under *Appeal of Easton*, 125 N.H. 205, 211 (1984). Based on its review, DOE concluded that the projected impact on rates is minimal, with an estimated bill impact of between \$1.75 an \$2.89 per month for an average single-family residential customer. DOE stated that the proposed financing will have a positive impact on capitalization, bringing Aquarium's capital structure from a current 24.7 percent long-term debt and 75.3 percent equity to an estimated 40.8 percent long-term debt and 59.2 percent common equity. DOE believes that the Company's stated purposes for the loan are appropriate and within the ordinary course of utility operations. Accordingly, DOE recommended that the Commission find the proposed financing to be consistent with the public good, as required by RSA 369:1, and approve Aquarium's request for financing. DOE determined that a complete record has been provided

for the Commission's consideration.

III. COMMISSION ANALYSIS

RSA 369:1 states that a utility may, "with the approval of the commission but not otherwise, issue and sell ... notes and other evidences of indebtedness payable more than 12 months after the date thereof for lawful corporate purposes." The Commission must conduct a "hearing or investigation as it may deem proper," then authorize the financing "if in its judgment the issue of such securities upon the terms proposed is consistent with the public good." RSA 369:4. The Commission reviews the amount to be financed, the reasonableness of the terms and conditions, the proposed use of proceeds, and the effect on rates. *Appeal of Easton*, 125 N.H. 205, 211 (1984) (*Easton*).

The rigor of an *Easton* inquiry varies depending on the circumstances of the request. As the Commission has noted in prior financing decisions, "certain financing related circumstances are routine, calling for more limited Commission review of the purposes and impacts of the financing, while other requests may be at the opposite end of the spectrum, calling for vastly greater exploration of the intended uses and impacts of the proposed financing." *Public Service Company of New Hampshire*, Order No. 25,050 at 14 (December 8, 2009). We engage in a more limited review for routine financing requests. *Id.* at 13-14. A routine request is one that will have no discernible "impact on rates or deleterious effect on capitalization, [and] in which the funds are to enable numerous investments appropriate in the ordinary course of utility operations." *Id.* at 13.

Aquarion stated that the bond issuance in the aggregate principal amount of up to \$11,000,000 will be used to: (1) refinance outstanding short-term debt; (2) finance the Company's 2023 capital expenditures; (3) pay, upon maturity, the Company's \$3,000,000 General Mortgage Bonds, at 7.71 percent interest, due June 1, 2023; and (4) fund working capital needs. According to Aquarion, each of these intended uses of the proposed financing fall within the course of the Company's ordinary utility operations.

We concur with DOE's assessment that the projected impact on rates is minimal, and that the proposed financing will have a positive impact on capitalization of the Company. We further find that approval of the proposed refinancing will permit Aquarion to fulfill its duty under RSA 374:1 to provide safe, adequate, and reliable service to its customers. We therefore find, pursuant to RSA 369:1 and RSA 369:4, that the financing is consistent with the public good. Accordingly, we approve the financing request as presented in the Company's filing. We further require Aquarion to pursue principal forgiveness if it becomes available at any time during the term of the financing.

Based on Aquarion's petition and DOE's analysis and recommendation, the Commission finds Aquarion's proposed financing to be routine and the terms to be reasonable. We therefore approve the proposed financing on a nisi basis, for effect on May 22, 2023.

Based upon the foregoing, it is hereby

ORDERED NISI, that subject to the effective date below, the request of Aquarium Water Company of New Hampshire, Inc., for approval of its proposed financing transaction, as described herein, is hereby GRANTED; and it is

FURTHER ORDERED, that Aquarium Water Company of New Hampshire, Inc. shall cause a copy of this order to be published on its website within one day of this order, such publication to be documented by affidavit filed with the Commission and once in a statewide newspaper of general circulation or of circulation in those portions of the state where operations are conducted, such publication to be no later than May 12 and to be documented by affidavit filed with this office on or before May 17; and it is

FURTHER ORDERED, that all persons interested in responding to this order be notified that they may submit their comments or file a written request for a hearing which states the reason and basis for a hearing no later than May 17 for the Commission's consideration; and it is

FURTHER ORDERED, that any party interested in responding to such comments or request for hearing shall do so no later than May 19; and it is

FURTHER ORDERED, that this order shall be effective May 22, 2023, unless the Petitioner fails to satisfy the publication obligation set forth above or the Commission provides otherwise in a supplemental order issued prior to the effective date.

By order of the Public Utilities Commission of New Hampshire this fifth day of May, 2023.

Daniel C. Goldner
Chair
Pradip K. Chattopadhyay
Commissioner
Carleton B. Simpson
Commissioner
(UL - May 10)

Legal Notice

TOWN OF HOOKSETT PUBLIC HEARING NOTICE

The Hooksett Charter Subcommittee will hold a Public Hearing on Thursday, **May 18, 2023, at 6:00 pm** in Council Chambers of Hooksett Town Hall, 35 Main Street, Hooksett, NH. The purpose of this public hearing is to discuss the following proposed changes to the Hooksett Town Charter: reduce the Town Council members from 9 to 7, eliminate Districts, have a simple majority of 4 and increase the Town Council stipend \$500 each. Questions should be directed to the Administration Department at (603)485-8472.
(UL - May 10)