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DEPARTMENT OF ENERGY  
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August 3, 2023

Daniel C. Goldner, Chairman  
Public Utilities Commission  
21 S. Fruit Street  
Concord, NH 03301-2429

Re: DW 23-020 Hampstead Area Water Company, Inc., Request for Step II Adjustment, *DOE’s Assented- to Request to Enlarge Time to File Settlement to August 17, 2023 (instead of August 10)*

Dear Chair Goldner:

Under the current procedural schedule, the parties are to file a settlement agreement on or before August 10, 2023. See Commission Order Re Proposed Procedural Schedule (July 25, 2023). The New Hampshire Department of Energy (“DOE” or “Department”) is seeking an assented-to enlargement of time to file the Settlement Agreement on August 17, 2023 (instead of August 10, 2023).

When the Department sought additional time on July 21<sup>st</sup>, it was expected that Hampstead Area Water Company, Inc. (“HAWC” or “the Company”) would update its cost-of-service materials and propose updated rates during the following week. The updated materials were not received until today, August 3. Those rates still need to be reviewed by the parties in this docket for further consideration. In the Department’s opinion, these tasks cannot be accomplished by August 10, 2023.

Accordingly, the Department respectfully requests that the Commission amend the procedural schedule as follows, without changing the scheduled September 13, 2023 hearing date:

<u>Event</u>	<u>Current</u>	<u>Propose New Schedule</u>
File Settlement	August 10, 2023	<b>August 17, 2023</b>
File Tech Statement/Rebuttal	August 24, 2023	<b>unchanged</b>
Technical Session <u>9am-noon</u>	August 31, 2023	<b>unchanged</b>
Hearing	Sept. 13, 2023 9 am	<b>unchanged</b>

The Department’s request for this enlargement of time is consistent with the Commission’s Procedural Order (May 22, 2023) and with Commission requirements. See N.H. Code of Admin.

Rules Puc 202.04. Circumstances “would cause undue hardship or inconvenience unless the request is granted” because it is impossible to present a final and well-considered settlement agreement in the remaining time, despite diligent effort. See Puc 202.04. In the opinion of the Department, the enlargement of time would not unduly delay the proceeding or adversely affect the rights of any party, because sufficient time remains for a rebuttal or technical statement, the technical session, and because the September 13, 2023 hearing date would not change. See Puc 202.04.

The Department has sought the assent of the other parties to this docket, and of the Town of Atkinson which has a pending request for intervenor status. HAWC, by and through counsel Anthony Augeri, assents. Karen Steele assents. The Town of Hampstead, by and through Laurie Warnock, assents. The pending intervenor, the Town of Atkinson, by and through John Apple, also assents. Thus, all parties (and the potential intervenor) assent.

Consistent with the Commission’s current practice, this letter is being filed in electronic format.

Respectfully Submitted,

*/s/ Mary E. Schwarzer*

Mary.E. Schwarzer  
Staff Attorney/Hearings Examiner  
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