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DEPARTMENT OF ENERGY
21 S. Fruit St., Suite 10
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February 29, 2024

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 Partially Assented-To Position Statement Regarding the Company's Proposed Step I and Step II Expenses; DOE reserves time to comment on HAWC's 2/28/24 update*

Dear Chairman Goldner:

Pursuant to the approved procedural schedule, the New Hampshire Department of Energy ("the Department" or "DOE") hereby files its *Partially Assented-To Position Statement Regarding the Company's Proposed Recovery of Step I and Step II Expense* with redacted Attachments 1 and 3, and with Attachment 5. *See Procedural Order Re: Proposed Updated Procedural Schedule* (January 5, 2024).

The Department's recommendation was assented-to by four parties and objected to by one party. Karen Steele does not assent to this recommendation. By and through counsel, Hampstead Area Water Co. Inc. ("HAWC" or "the Company") and the Office of the Consumer Advocate assent to the DOE's recommendation. Similarly, the Town of Hampstead, by and through Laurie Warnock, Chair, Town Select Board, and the Town of Atkinson, by and through John Apple, Town Administrator, assent to the DOE's recommendation.

DOE's position statement includes HAWC's discovery responses to DOE data request (DR) Sets 4 and 5. HAWC has designated certain discovery responses as "CONFIDENTIAL" including what HAWC references as DOE 4-6 attachment, DOE 4-7 attachment, and DOE 5-3 attachment. All three attachments were updated/refiled by the Company and sent to the Discovery service list on February 28, 2024. HAWC's counsel further explained to undersigned counsel that portions of the 4.7 attachment that remain redacted even in the updated/replacement CONFIDENTIAL version "are not HAWC related and deal with legal work outside the scope of the rate case." The Department has included redacted versions of the referenced attachments with this filing.

HAWC's updated/replacement CONFIDENTIAL version of its responses to DOE DR Set 4 has been designated "Attachment 2" to DOE's Position Statement. HAWC's updated/replacement CONFIDENTIAL version of its responses to DOE DR Set 5 has been designated "Attachment 4" to DOE's Position Statement. DOE will file a CONFIDENTIAL Position Statement, inclusive of Attachments 2, 4, and 5 with the service list under separate cover. The Company's

Daniel C. Goldner, Chairman

February 29, 2024

Page 2

updated/replacement of the CONFIDENTIAL version of its attachment to its response to DOE 4-7 is 17 pages long. Due to HAWC's February 28, 2024 updated filing, DOE reserves the right to raise any concerns regarding the accuracy and completeness of HAWC's revised filing in the next ten business days, i.e., on or before March 14, 2024.

Consistent with the Commission's current practice, this letter is being filed solely in electronic form. Thank you for your attention to this matter.

Respectfully Submitted,

/s/ Mary E. Schwarzer

Mary E. Schwarzer
Staff Attorney/Hearings Examiner

Encl.

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