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DEPARTMENT OF ENERGY
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March 14, 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 Updated Confidential Filing in light of HAWC's March 7 Updated Redaction

Dear Chairman Goldner:

On February 29, 2024, the New Hampshire Department of Energy (“the Department” or “DOE”) submitted its *Partially Assented-To Position Statement Regarding the Company's Proposed Recovery of Step I and Step II Expense*. See DOE Position Statement (dated February 29, 2024 filed March 1, 2024 inclusive of CONFIDENTIAL version). In DOE's February 29 submission, in light of the Hampstead Area Water Company Inc. (“HAWC” or “the Company”)’s February 28 updated redaction of discovery responses, DOE reserved the right to address any concerns DOE had with regard to the Company's changed discovery responses. See DOE Cover Letter dated February 29, 2024. The DOE stated it reserved the right to raise any concerns regarding the accuracy or completeness of HAWC's revised confidential discovery filing on or before March 14, 2024. See *id.*

DOE has concerns with HAWC's February 28, 2024 updated discovery. In the DOE's opinion, HAWC's February 28, 2024 “confidential” updated response to DOE's Data Request 4-7 was over-redacted in that the Company's redaction efforts obscured some of the entries which the Company intended to remain legible. DOE and HAWC worked together to resolve this issue. The Company made an updated discovery response on March 7, 2024.

The DOE is mindful that the Public Utilities Commission (Commission) recently authorized the Company to recovery expenses related to the Step I and Step II adjustment proceedings through a monthly surcharge. See *Order NiSi Approving Recovery of Step Expenses and Granting Motion for Confidential Treatment* (March 12, 2024).

In order to make a clear record, however, the DOE is filing --under separate cover --an updated CONFIDENTIAL version of what DOE submitted on February 29, 2024, to include HAWC's March 7, 2024 discovery update. To distinguish this update from DOE's prior CONFIDENTIAL Position Statement, the headers shall include “CONFIDENTIAL- 3.14.24.” The DOE emphasizes that, with the exception of formatting (better redaction), and clarification regarding which pages are truly “confidential,” the discovery responses themselves and DOE's analysis, which relied upon HAWC's discovery responses, are unchanged.

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

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