

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DW 23-088

**PENNICHUCK WATER WORKS, INC., PENNICHUCK EAST UTILITY, INC. &
PITTSFIELD AQUEDUCT COMPANY, INC.**

Request for Change in Rates

Order Suspending Proposed Tariffs and Requiring Utility Response

ORDER NO. 26,914

December 18, 2023

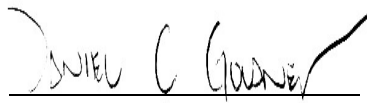
On November 21, 2023, Pennichuck Water Works, Inc. (PWW), Pennichuck East Utility, Inc. (PEU) and Pittsfield Aqueduct Company, Inc. (PAC) (collectively, the Pennichuck Utilities), filed a request to establish uniform rates between all three companies for effect January 1, 2025. The proposed uniform rates would result in changes to all three companies' current rates. In their filing, the Pennichuck Utilities also notified the Commission that in a separate docket, they would be submitting a petition to merge all three companies into a single utility. The proposed merger would also be effective January 1, 2025. According to the Pennichuck Utilities, the uniform rates they requested in this docket are contingent on the Commission's approval of the as-yet unfiled petition for merger. In addition, PEU and PAC separately filed individual petitions to raise their rates as placeholders if the Commission disapproved of the consolidated rate plan proposed in this docket.

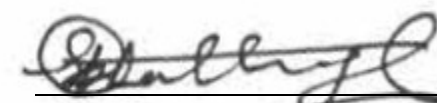
On December 15, 2023, the New Hampshire Department of Energy (DOE) filed a motion to dismiss the Pennichuck Utilities' petition for rate relief in this docket. In essence, the DOE argues that it is improper for three legally separate utilities to have a single rate case. Further, the DOE notes that the Pennichuck Utilities' rate case is predicated on the Commission's approval of an as-yet unfiled petition to merge the

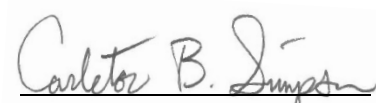
three companies. For this reason, the DOE maintains that before adjudicating appropriate rates for the proposed merged entity, the Commission should first adjudicate whether the three companies should be merged into a single entity. The DOE's motion indicates that it consulted the Office of the Consumer Advocate, which concurred with the DOE's position. The DOE also represents that it notified the Pennichuck Utilities and the Town of Bedford (which has moved to intervene in this matter) but does not state whether either took a position on the motion. At this time, neither has separately responded to the motion.

In light of the above, the Commission will consider the merits of the DOE's motion to dismiss prior to adjudicating the Pennichuck Utilities' joint petition for a rate change. To facilitate the Commission's investigation, the Pennichuck Utilities' proposed tariff pages filed on November 21, 2023 are suspended for twelve months pursuant to RSA 378:6(a). The Commission directs the Pennichuck Utilities to file a response to the DOE's motion by December 29, 2023. If the Pennichuck Utilities' contest the DOE's motion, the Commission requests that they work with the other parties to propose a procedural schedule to resolve the DOE's motion and file the schedule on December 29, 2023. Such a schedule should include proposed dates for a hearing on the motion the week of January 22, 2024.

By order of the Public Utilities Commission of New Hampshire this eighteenth day of December, 2023.


Daniel C. Goldner
Chairman


Pradip K. Chattopadhyay
Commissioner


Carleton B. Simpson
Commissioner

Service List - Docket Related

Docket#puc

: 23-088

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