

STATE OF NEW HAMPSHIRE

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PUBLIC UTILITIES COMMISSION
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January 9, 2006

Ms. Debra A. Howland
Executive Director & Secretary
New Hampshire Public Utilities Commission
21 South Fruit Street, Suite 10
Concord, New Hampshire 03301-2429

Re: DW 04-048 City of Nashua
Petition for Valuation
Intervenor Withdrawal



Dear Ms. Howland:

On January 9, 2006, Staff received an email from intervenor Fred Teeboom. Mr. Teeboom intended to file this letter with the Commission but the Commission is not yet able to receive electronic filings.

To facilitate Mr. Teeboom's intent to remove himself from the DW 04-048 service list, Staff has offered to forward the original and eight copies of his letter to the Commission. Mr. Teeboom's letter is attached hereto.

Thank you for your assistance in this matter.

Sincerely,

A handwritten signature in cursive script that reads "Marcia A. B. Thunberg".

Marcia A. B. Thunberg
Staff Attorney

Enclosure
cc: Service List w/out Encl.

Thunberg, Marcia

From: Fred Teeboom [fredtee@verizon.net]
Sent: Monday, January 09, 2006 1:44 PM
To: Board of Aldermen; City Attorney David Connell; Mayor of Nashua Bernie Streeter; President David Rootovich; BoA President Rootovich; Thunberg, Marcia
Cc: Telegraph Reporter Michael Brindley; Telegraph Reporter Andrew Nelson; Telegraph Editor-in-Chief Nick Pappas; Telegraph City Editor Jeffrey Merritt; Claudette Durocher; Claudette Durocher; William Drescher; ttieperman@ci.merrimack.nh.us; Tbowen@Ci.Manchester.Nh.Us; Steven Camerino; Merrill, Steve; stephenw@nashuarpc.org; sjudge@wadleighlaw.com; Sarah Knowlton; George Sansouci; Hollenberg, Rorie; rolson@bowlaw.com; Rob Upton; Paul Munck; mgaiamo@NHBIA.org; markejohnson@tellink.net; Naylor, Mark; Thunberg, Marcia; llavallee@wadleighlaw.com; laslaw@metrocast.net; Traum, Ken; kchambers@milford.nh.gov; KATHRYN.MULHEARN@MCLANE.com; jrichardson@upton-hatfield.com; John Ratigan; jhodes@bkhbpa.com; jconner@bakerdonelson.com; Laflamme, Jayson; gmchugh@ma.ultranet.com; Fred S. Teeboom; efsullivan@nh-counsel.com; Ed Boutin; ecoughlin@merrimack.org; Brogan, Doug; don.correll@pennichuck.com; dom@ranspell.com; dcaron@Londonderry.nh.org; connelld@ci.nashua.nh.us; Colleen.Foster@MCLANE.com; True, Christine; Martin, Christina; Marsellos, Catherine; bgould@bowlaw.com; Barbara Pressley; Ross, Anne; Guinard, Ann; Tom Donovan
Subject: Resignation as Intervener
Importance: High

Fred S. Teeboom
24 Cheyenne Drive
Nashua, NH 03063
(603) 889-2316

9 January 2006

David Rootovich
President Board of Aldermen

Subject: Resignation as Intervener in the PUC Eminent Domain Case, DW-04-048

Copy: Mayor Streeter
City Attorney David Connell
PUC Staff Attorney Marcia Thunberg
PUC Service List for DW-04-048
Nashua Board of Aldermen
Nashua Telegraph

Dear President of the Board:

I was granted Intervener status by PUC Order 124,379 dated 1 October 2004 in DW-04-048, representing myself as a ratepayer. I made the request in the firm belief that the government in Nashua had not well informed its citizens and water ratepayers of all implications before and following its eminent domain petition of Pennichuck Water Works (PWW).

Following my election to Alderman-at-Large in the City of Nashua in November 08 2005, I sought legal counsel from City Attorney David Connell and from PUC Staff Attorney Marcia Thunberg whether I would find myself in a conflict of interest situation related to holding both the position of an elected official in the government of Nashua and that of an Intervener in the eminent domain case before the PUC where the City of Nashua is a litigant.

There is no factual conflict of interest under New Hampshire law in maintaining both positions, since I hold no personal advantage or monetary compensation in the outcome of this case. Attorney Connell provided me with a comprehensive synopsis of case law in New Hampshire and elsewhere.

There is, however, the appearance of a conflict of interest, since I could appear to have access to information that others have not, even if I agreed not to participate in "non-public strategy sessions" with Nashua officials and counsel.

I ran for election expressing concern about possible conflict of interest situations by candidates for elected positions, and on the proposition that even the appearance of a conflict of interest is unacceptable and needs to be avoided at all times by elected and appointed government officials and municipal employees.

1/9/2006

I was sworn into office yesterday. To now place myself in an apparent conflict of interest would be hypocritical, to say the least, and I therefore regretfully must resign my position as Intervener in subject eminent domain case, effective immediately.

I expect the Public Utilities Commission will understand, and grant my request without prejudice.

Fred S. Teeboom
Alderman-at-Large
Nashua

1/9/2006