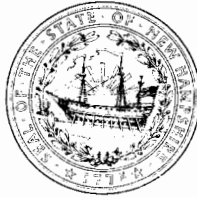


STATE OF NEW HAMPSHIRE

CHAIRMAN
Thomas B. Getz

COMMISSIONERS
Graham J. Morrison
Michael D. Harrington

EXECUTIVE DIRECTOR
AND SECRETARY
Debra A. Howland



PUBLIC UTILITIES COMMISSION

21 S. Fruit Street, Suite 10
Concord, N.H. 03301-2429

Tel. (603) 271-2431

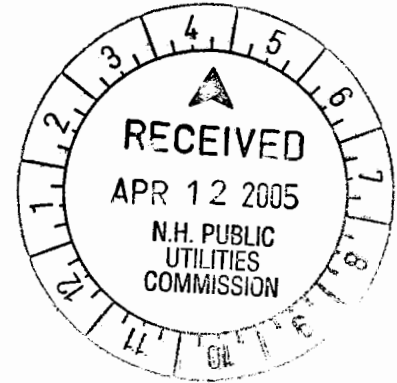
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Website:
www.puc.nh.gov

April 12, 2005

Debra A. Howland
Executive Director and Secretary
NH Public Utilities Commission
8 Old Suncook Road
Concord, NH 03301



Re: DW 04-048 City of Nashua, RSA 38 Valuation Petition

Dear Ms. Howland:

Staff and the Parties met in a technical session on Friday, April 8, 2005 and developed the attached procedural schedule. In accordance with the instructions contained in Commission Order No. 24,447, the procedural schedule contains immediate discovery on Public interest matters and simultaneous discovery, by the City of Nashua on Pennichuck Water Works, Inc., on valuation issues. The attached procedural schedule is offered for your review and approval.

Staff and the Parties also established that the McLane law firm, representing Pennichuck, will maintain a data room at Pennichuck's offices in Merrimack. The data room will be generally available during normal business hours.

As for discovery, the Staff and Parties agreed to conduct discovery by electronic means. Staff will research whether some discovery documents, such as large documents, can additionally be located on the Commission's web site. The only exception to electronic discovery is intervenor Claire McHugh. To facilitate and streamline Nashua and Pennichuck's process, Staff offered to supply Ms. McHugh with hard copies of all information disseminated in discovery. While Staff is printing off hard copies for Staff, Staff will simply print an extra copy and mail it to Ms. McHugh. This is not a normal accommodation, however, Staff felt it the best solution given the time pressure Nashua and Pennichuck will be under to complete full discovery.

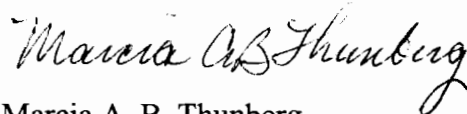
Documents that are deemed confidential will not be sent electronically and Staff and the Parties believed the present system outlined in the statutes and Commission rules regarding providing confidential treatment of documents would be suitable in this proceeding. As a reminder of the Commission's rules, Staff disseminated a complete copy of Puc 200 to the parties in this docket.

Regarding objections to discovery, Staff and the Parties respectfully ask the Commission to waive application of Puc 204.04 (b) which requires objections to data requests be served in

writing on the propounder of the requests within 4 days following receipt of the request. Staff and the Parties request the deadline be extended to 10 days, rather than 4 days. Staff and the Parties believe the complexity of the subject matter in this proceeding necessitates extending the deadline and that this extension is not onerous. Staff and the Parties believe that the time extension will not disrupt the orderly proceeding of this docket, rather, it will facilitate it. The extension serves the public interest in that it allows parties more time to access the material sought and minimizes perhaps hasty decisions on the eve of the four-day deadline as to whether an objection is needed. The extension satisfies the intent of the rule that discovery objections be made in a timely manner. For these reasons, Staff and the Parties ask that the Commission waive Puc 204.04 (b) and allow a 10 day response time.

Thank you in advance for the Commission's consideration of this procedural schedule. If you have any questions, please feel free to contact me.

Sincerely,

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

Marcia A. B. Thunberg
Staff Attorney/Hearings Examiner

Attachment: Proposed Procedural Schedule
cc: Service list

DW 04-048
Procedural Schedule

| | |
|---|----------------------------|
| Supporting intervenor testimony on public interest | April 22, 2005 |
| Nashua (only) valuation data requests to Pennichuck – 1st round | May 6, 2005 |
| Pennichuck and any party data requests to Nashua and supporting intervenors regarding technical, financial, and managerial capabilities and public interest - 1st round | |
| Responses to first round data requests | June 10, 2005 |
| Nashua (only) valuation data requests to Pennichuck – 2nd round | June 24, 2005 |
| Pennichuck and any party data requests to Nashua and supporting intervenors regarding technical, financial, and managerial capabilities and public interest - 2nd round | |
| Responses to second round data requests | July 22, 2005 |
| Depositions on technical, financial, and managerial capabilities and public interest issues complete | August 29, 2005 |
| Technical session | July 27, 2005 (9 a.m.) |
| Nashua testimony on valuation and public interest issues dependent upon valuation | October 14, 2005 |
| Pennichuck testimony on valuation | |
| Pennichuck and opposing and neutral intervenor testimony on technical, financial, and managerial capability and public interest | |
| Data requests from any party on October 14 testimony - 1st round | October 28, 2005 |
| Responses to first round data requests | November 18, 2005 |
| Technical session | November 21, 2005 (9 a.m.) |
| Data requests from any party on October 14 testimony - 2 nd round | November 29, 2005 |
| Responses to second round data requests | December 20, 2005 |
| Staff and OCA testimony on valuation, technical, financial, and managerial capability and public interest | January 13, 2006 |
| Data requests from any party on January 13 testimony – 1 st round | January 27, 2006 |
| Responses to first round data requests | February 17, 2006 |
| Reply testimony by PWW and Nashua on valuation and public interest | February 21, 2006 |
| Data requests from any party on January 13 testimony – 2 nd round | March 3, 2006 |
| Responses to second round data requests | March 24, 2006 |
| Depositions on valuation issues complete | April 7, 2006 |
| Technical session | April 10, 2006 (9 a.m.) |
| Reply testimony regarding Staff/OCA on January 13 testimony by any party | April 21, 2006 |
| Capstone testimony joining public interest and valuation issues | May 19, 2006 |
| Data requests on capstone testimony and reply testimony | June 2, 2006 |
| Responses to data requests on capstone and reply testimony | June 23, 2006 |
| Capstone rebuttal testimony | July 17, 2006 |
| Settlement discussions | July 21, 2006 |
| Pre-hearing briefs | August 2006 |
| View | September 2006 |
| Hearings (reserve a month, subject to further discussion at a later date) | September 2006 |