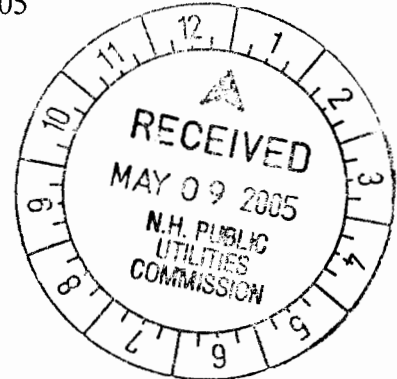


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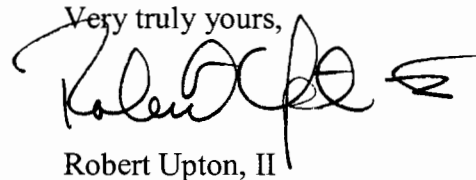
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Executive Director and Secretary
Public Utilities Commission
8 Old Suncook Road
Concord, New Hampshire 03301-7319

Re: Docket DW 04-048
Petition of the City of Nashua-Taking of Pennichuck Water Works, Inc.

Of Counsel
Frederic K. Upton

Dear Ms. Howland:

I write in response to Sarah Knowlton's letter of May 4, 2005. The City urges the Commission to frame and decide the issues regarding the scope of any damages the Pennichuck interveners may seek now as opposed to waiting until the time of the Final Hearing as suggested by Pennichuck. This issue will have a profound effect upon the work that will be necessary for any valuation experts and the extent of the discovery the parties will seek. Nashua believes that this issue is a matter of law and the interpretation of RSA 38 and not whether Pennichuck's experts are able in the future to conclude that they can make these damages a part of the case.

Very truly yours,

Robert Upton, II

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Docket #: 04-048-1 Printed: May 06, 2005

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