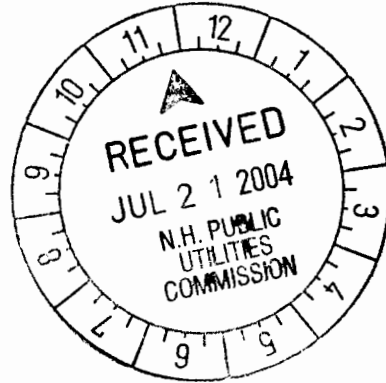


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July 19, 2004



Debra A. Howland
Executive Director & Secretary
New Hampshire Public Utilities Commission
8 Old Suncook Road
Concord, NH 03301-7319

Re: Petition to Determine the Fair Market Value of Pennichuck Water Works (PWW) by City of Nashua, New Hampshire; Docket ## DW 04-048

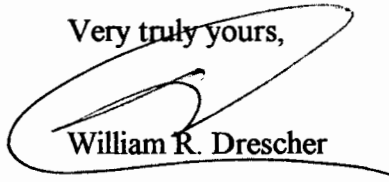
Dear Executive Director Howland and Members of the Commission:

In accordance with applicable rules, enclosed please find an original and eight (8) copies of our *Appearance* on behalf of the *Town of Amherst* in the above captioned matter. Please also find our self explanatory *Motion to Intervene*.

Additionally, pursuant to *Puc 202.08 (a) & (b)*, please find a computer diskette containing the within documents which are being submitted electronically, all of which are provided in *MS Word* format.

I certify that a copy of the within as well as a copy of this letter have been provided to all parties on the attached service list in accordance with applicable rules.

Very truly yours,


William R. Drescher

WRD:bd
Enclosures

cc: Town of Amherst
Service List

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July 19, 2004

THE STATE OF NEW HAMPSHIRE

PUBLIC UTILITIES COMMISSION

No. DW - 04 - 048

**Petition to Determine the Fair Market Value of Pennichuck Water Works (PWW)
By City of Nashua, New Hampshire**

Please enter our Appearance for the **Town of Amherst** in the above entitled matter.

DRESCHER & DOKMO
PROFESSIONAL ASSOCIATION

By: 

William R. Drescher, Esq.
21 Emerson Road
PO Box 7483
Milford, New Hampshire 03055-7483
Telephone - (603) 673-9400
Fax - (603) 673-4899

Dated: July 19, 2004

I hereby certify that copies of the foregoing Appearance have been forwarded to all parties on the attached Service List.


William R. Drescher, Esq.

NEW HAMPSHIRE PUBLIC UTILITIES COMMISSION
SERVICE LIST

DOCKET #04-048-1

(As of July 19, 2004)

Thomas M. Bowen
Manchester Water Works
281 Lincoln Street
Manchester, NH 03103-5093

Mr. Steven V. Camerino
McLane, Graf, Raulerson & Middleton
15 North Main Street
Concord, NH 03301-4945

Ms. Katherine E. Chambers
Town of Milford
Town Hall
One Union Square
Milford, NH 03055-4240

Mr. David R. Connell
Nashua - City of
229 Main Street
PO Box 2019
Nashua, NH 03061-2019

William R. Drescher
Drescher & Dokmo
21 Emerson Road
PO Box 7483
Milford, NH 03055-7483

Jay L. Hodes
Bossie, Kelly, Hodes, Buckley & McGrath
440 Hanover Street
Manchester, NH 03104
(for Town of Hudson - intervenor status pending)

Mark Johnson
Town of Hollis
Town Hall
7 Monument Square
Hollis, NH 03049-6121

Barbara Pressly
Pennichuck Watershed
11 Orchard Ave.
Nashua, NH 03060

John J. Ratigan
Donahue, Tucker & Ciandella
225 Water Street
PO Box 630
Exeter, NH 03833-0630

F. Anne Ross
Office of Consumer Advocate
117 Manchester Street
Concord, NH 03301

Laura A. Spector
Mitchell & Bates Professional Association
25 Beacon Street
Laconia, NH 03246
(for Town of Pittsfield - intervenor status pending)

Eugene F. Sullivan, III
210 N. State Street
Concord, New Hampshire 03301

Fred S. Teboom
24 Cheyenne Drive
Nashua, NH 03063
(Pro se - Intervenor status pending)

Mr. Matthew H. Upton
Upton & Hatfield
10 Centre Street
PO Box 1090
Concord, NH 03302

Mr. Robert Upton
Upton & Hatfield
23 Seavey Street
PO Box 2242
North Conway, NH 03860

FILING WITH COMMISSION:

Ms. Debra A. Howland
Executive Director & Secretary
New Hampshire Public Utilities Commission
8 Old Suncook Road
Concord, NH 03301-7319

**FILING WITH COMMISSION (DISCOVERY
ONLY)**

Librarian
New Hampshire Public Utilities Commission
8 Old Suncook Road
Concord, NH 03301-7319

Ms. Marcia Thunberg
New Hampshire Public Utilities Commission
8 Old Suncook Road
Concord, NH 03301-7319

Ms. Amanda Noonan
Consumer Affairs Director
New Hampshire Public Utilities Commission
8 Old Suncook Road
Concord, NH 03301-7319

Mark Naylor
NHPUC
8 Old Suncook Road
Concord, NH 03301-7319

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July 20, 2004

THE STATE OF NEW HAMPSHIRE

PUBLIC UTILITIES COMMISSION

No. DW - 04 - 048

**Petition to Determine the Fair Market Value of Pennichuck Water Works (PWW)
By City of Nashua, New Hampshire**

TOWN OF AMHERST'S MOTION TO INTERVENE

NOW COMES the Town of Amherst, by its undersigned counsel, and respectfully requests that this Honorable commission grant it intervenor status in the above captioned matter pursuant to RSA 541-A:32 and NH Admin. Rules Puc 203.02, and in support thereof, says as follows:

1. The above captioned matter constitutes a proceeding in which the City of Nashua seeks to value and acquire the assets of Pennichuck Water Works, Inc. (PWW); Pennichuck East Utilities, Inc. (PEU); and Pittsfield Aqueduct Company, Inc. (PAC), (collectively, the Pennichuck Utilities.
2. The Pennichuck Utilities provide water to a substantial number of residential and industrial customers¹ in the Town of Amherst, (Town), the Pennichuck Utilities having previously acquired the former Amherst Village District and the Southern NH Water Company facilities that had been placed in Amherst and the Pennichuck Utilities, since that time, have expanded their customer base in the Town of Amherst, which is considered a part of the 'core' system of the Pennichuck Utilities.
3. The Pennichuck Utilities are operated and managed as an integrated set of assets

¹ *Number of customers ('connections'), as of December 31, 2001, was 783, as indicated in the Annual Report of PWW filed with the NH PUC for the preceding year.*

providing water service in southern and central New Hampshire.

4. The within petition seeks to permit the City of Nashua to acquire the assets of the Pennichuck Utilities, including those assets both inside and outside the Town of Amherst that are part of this integrated system of operation.
5. Thus, the rights, duties, privileges, immunities and substantial interest of the citizens of the Town of Amherst will be directly affected by the outcome of this proceeding.
6. The provision of domestic water service and water for fire protection, as well as the nature and scope of the entity providing the same to the citizens of Amherst are fundamental aspects of the public health, safety and welfare of the Town and, moreover, the cost of the same is a matter which has a direct, immediate and continuing impact on the value of the property of those citizens of the Town whose property is thus served, as well as having a profound impact on the state of economic development in the Town.
7. Thus, the interests of justice would be served by permitting the Town to intervene in this matter and the orderly and prompt conduct of the proceedings will not be impaired by allowing the intervention.

WHEREFORE, the Town of Amherst, by its counsel, prays that the Honorable

Commission:


- A. Allow the Town of Amherst to intervene in this proceeding; and,
- B. Grant such other relief as is just and reasonable.

Respectfully submitted,

The Town of Amherst,
By its Attorneys

DRESCHER & DOKMO P.A.

Dated: July 19, 2004

By: 
William R. Drescher, Esq.
21 Emerson Road
PO Box 7483
Milford, New Hampshire 03055-7483
Telephone - (603) 673-9400
Fax - (603) 673-4899

I hereby certify that copies of the within have been forwarded to all parties on the attached Service List.


William R. Drescher, Esq.

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July 19, 2004