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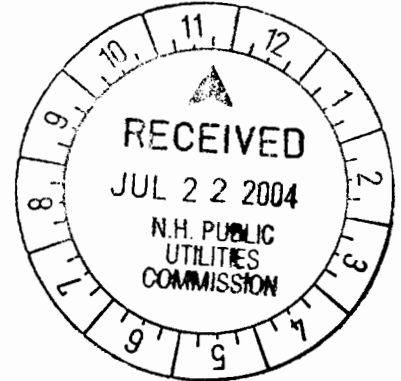
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TODD J. HATHAWAY
STEPHEN J. JUDGE
STEPHEN L. BOYD

July 21, 2004

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



Re: DW 04-048

In the Matter of the Determination of the Fair Market
Value of the Plant and Property of Pennichuck Water
Works, Inc., Pennichuck East Utilities, Inc. and
Pittsfield Aqueduct Company, Inc.

Dear Ms. Howland:

Enclosed for filing please find the Merrimack Valley
Regional Water District's Motion to Intervene and my Appearance.

Very truly yours,

Stephen J. Judge
e-mail: sjudge@wadleighlaw.com

SJJ/bw

Enclosure

cc: City of Nashua, NH
Pennichuck Corporation
Office of the Consumer Advocate
Towns of Bedford, Pittsfield, Amherst,
Londonderry, Litchfield and Pelham
(all w/enc.)

STATE OF NEW HAMPSHIRE
BEFORE THE
PUBLIC UTILITIES COMMISSION

DW 04-048

In the Matter of the Determination of the Fair
Market Value of the Plant and Property of
Pennichuck Water Works, Inc., Pennichuck East
Utilities, Inc. and Pittsfield Aqueduct Company, Inc.

Petition for Valuation by the City of Nashua, N.H.

Motion to Intervene by the Merrimack Valley
Regional Water District

NOW COMES the Merrimack Valley Regional Water District ("District"), by and through its counsel, Wadleigh, Starr & Peters, P.L.L.C., and respectfully requests that this Honorable Commission grant it intervener status in the above-captioned matter pursuant to RSA 541-A:32 and N.H. Admin. Rules PUC 203.02. In support thereof the District states as follows:

1. Pennichuck Water Works, Inc., Pennichuck East Utilities, Inc., and Pittsfield Aqueduct Co., Inc. (collectively the Pennichuck Utilities) provide water service to the Merrimack Valley Region.

2. In 2003, HB 361 was enacted to enhance the ability of municipalities to form regional water districts and obtain municipal bonding.

3. Following the enactment of HB 361, the District's Charter was drafted by a Charter Committee under a Memorandum of Understanding among 16 communities in the Merrimack Valley Region

served by the Pennichuck Utilities.

4. The Charter was approved by a majority of the Committee on April 29, 2004. A copy of the Charter is contained in DW 04-100 and is available at www.nashuarpc.org/water/districtcharter_final.pdf. Subsequently, the Charter was submitted to the Attorney General's Office and the PUC pursuant to RSA 53-A. Both agencies approved the Charter by June 4, 2004 and it was filed with the Secretary of State on June 10, 2004.

5. The initial members of the District, the City of Nashua and the Towns of Bedford, Pittsfield, Amherst, Londonderry, Litchfield and Pelham took appropriate action pursuant to the laws of their governing bodies to approve the Charter and join the District. The Charter was filed with the Clerk of each of the communities and was signed by the duly appointed Director from each community on June 24, 2004.

6. The purpose of the District is set out at Article 2 of the Charter:

The Merrimack Valley Regional Water District is created as a regional water district and established for the purpose of providing and assuring for the provision of an adequate and sustainable supply of clean potable water at reasonable cost and to advance the conservation and compatible recreational use of the land subject to the District's control consistent with the foregoing. The Merrimack Valley Regional Water District shall exercise its powers and carry out its duties under this Charter for the benefit of the Customers of the Water District consistent with the health, safety, welfare, and well-being of all residents of the District.

7. The powers of the District are listed in Article 10 and include the power:

- a. To acquire in the name of the District by purchase, lease or otherwise and to hold and dispose of any real property or interest therein;
- b. To own, operate, maintain, repair, improve, construct, reconstruct, replace, remove, enlarge, and extend a Water Supply, Transmission, Treatment and Distribution System;
- c. To sell, transmit, treat and distribute water and to sell fire protection, sprinkler and other related services and to set the fees, charges, rates, and tariffs thereof;
- d. To purchase water and other related services from any person or entity;
- e. To make contracts, including but not limited to contracts with third parties to manage the Water Supply, Transmissions, Treatment and Distribution System or any portion thereof;
- f. To borrow money and to issue, sell and refund Bonds as permitted by RSA 33B or otherwise;
- g. To enter into cooperative agreements with other water authorities, municipalities, water districts or Water Companies within or outside of the District for interconnection of facilities, for exchange or interchange of services and commodities or for any other lawful purpose;
- h. To acquire, hold, develop, and maintain land and other real estate and waters for conservation and for compatible active and passive recreational purposes and to levy charges for such uses, provided that such uses will not harm the quality of water provided by the District, and to assist Member municipalities to do the same;
- i. To apply for and accept grants, loans, or contributions;
- j. To raise Revenues by setting fees, rates, and charges for all services rendered;

- k. To grant mortgages, pledges, liens or other interests in the District's Properties, including its Revenues, as security for its Bonds or otherwise;
- l. To do any and all other things necessary or appropriate for the benefit of the District, its Members or Customers consistent with the purpose and intent of this Charter.

8. In its Petition for Valuation, Nashua has expressed its intention to convey or otherwise transfer to the District assets of the Pennichuck Utilities that are acquired through the PUC process.

9. Thus, the rights, duties, privileges, immunities and substantial interests of the District will be directly affected by this proceeding.

10. Water costs in the Member-Municipalities of the District directly affect land values and economic development within the District.

11. The interests of justice would be served and the orderly and prompt conduct of the proceedings would not be impaired by allowing the intervention of the District.

WHEREFORE, the District respectfully requests that the Commission:

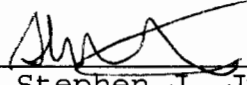
- A. Grant it full intervener status in this proceeding; and,
- B. Grant such other relief as is just and reasonable.

Respectfully submitted,
Merrimack Valley Regional
Water District

By and through its attorneys,

WADLEIGH, STARR & PETERS, P.L.L.C.

Date: July 21, 2004

By: 
Stephen J. Judge, Esquire
95 Market Street
Manchester, NH 03101
(603) 669-4140

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been forwarded via first-class mail and electronic mail this date to Commission Staff, City of Nashua, NH, Pennichuck Corporation, Office of the Consumer Advocate, Towns of Bedford, Pittsfield, Amherst, Londonderry, Litchfield and Pelham.


Stephen J. Judge

THE STATE OF NEW HAMPSHIRE
Before the Public Utilities Commission

In the Matter of the Determination of the Fair Market Value
of the Plant and Property of Pennichuck Water Works, Inc.,
Pennichuck East Utility, Inc. and Pittsfield Aqueduct Company, Inc.

APPEARANCE

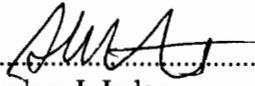
To the Commissioners of the Public Utilities Commission:
In the above action please enter our appearance as counsel for:

Merrimack Valley Regional Water District

Mail Address:

Bedford Town Office Building
24 N. Amherst Road
Bedford, NH 03110

WADLEIGH, STARR & PETERS, P.L.L.C.
95 Market Street
Manchester, New Hampshire 03101
(603) 669-4140

By: 
Stephen J. Judge

Duplicate appearance card mailed to: Commission Staff; City of Nashua, NH; Pennichuck Corporation;
Office of the Consumer Advocate; Towns of Bedford, Pittsfield, Amherst, Londonderry, Litchfield and
Pelham.

Date: July 21, 2014