

THE STATE OF NEW HAMPSHIRE

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

Tel. (603) 271-2431

FAX (603) 271-3878

TDD Access: Relay NH
1-800-735-2964

Website:
www.puc.nh.gov

October 5, 2010

Debra A. Howland, Executive Director
N.H. Public Utilities Commission
21 South Fruit Street, Suite 10
Concord, NH 03301

Re: Docket No. DW 10-091 Pennichuck Water Works, Inc.
Temporary and Permanent Rate Proceeding
Staff Position on Motion to Limit Scope of Proceeding



Dear Ms. Howland:

The Office of the Consumer Advocate (OCA) filed a Motion to Limit Scope of Proceeding today. The OCA indicated that Staff did not concur. The reason, as explained to OCA, was that Staff views this motion as premature.

It is conceivable that issues in Docket No. DW 04-048 resolve themselves sufficiently and timely enough to include the eminent domain expense issue in the instant rate case. In Docket No. DW 04-048, the City of Nashua and the Pennichuck Companies have requested an extension until November 30, 2010 to report on whether the two parties have reached a settlement. If so, Pennichuck Water Works, Inc. will not pursue recovery of eminent domain expenses. Until that report, Staff believes removing the issue of recovery of eminent domain expenses from the instant docket is premature.

Sincerely,

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

Marcia A. B. Thunberg
Staff Attorney

cc: Service List (via electronic distribution)