

THE STATE OF NEW HAMPSHIRE

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PUBLIC UTILITIES COMMISSION
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August 23, 2011

Ms. Debra A. Howland
Executive Director
New Hampshire Public Utilities Commission
21 South Fruit Street, Suite 10
Concord, New Hampshire 03301-7319



Re: DW 10-091 – Pennichuck Water Works, Inc.
Staff Recommendation Regarding Recovery of Rate Case Expenses

Dear Ms. Howland:

On August 4, 2011, the Commission Staff (Staff) filed correspondence with attachments concerning its recommendation relative to Pennichuck Water Works, Inc.'s (PWW) request for recovery of rate case expenses in this docket. On August 16, 2011, PWW filed a Motion for Protective Order for certain hourly billing rate information which was contained in copies of invoices submitted in support of its rate case expense filing. Staff's August 4 letter included certain attachments which contained this hourly billing information for which PWW filed its Motion for Protective Order. As such, this letter along with certain redacted attachments serves as a replacement for the original correspondence and attachments concerning this matter filed by Staff on August 4.

On June 20, 2011, PWW submitted a proposal to Staff and the Office of Consumer Advocate (OCA) for recovery of its rate case expenses in DW 10-091. Copies of PWW's cover letter and lead schedule pertaining to rate case expense recovery are attached to this correspondence. PWW's submission was made in accordance with the Settlement Agreement approved by the Commission in Order No. 25,230 dated June 9, 2011.

PWW requested recovery of a total of \$144,552.70 in rate case expenses and proposed that this amount should be recovered from its 26,438 customers. This would have amounted to \$5.47 per PWW customer to be collected over a twelve month period via a surcharge included in its monthly bills of \$0.46 per customer.

In its submission, PWW also provided copies of invoices in support of its proposed rate case expense costs. Staff reviewed these invoices and submitted discovery to PWW on July 18, 2011. PWW provided responses to Staff's discovery on July 20, 2011. The OCA also submitted discovery to PWW on July 22, 2011 to which PWW responded on August 1, 2011. Copies of PWW's respective discovery responses are attached to this correspondence.

Based on PWW's rate case expense submission and its subsequent discovery responses, Staff is proposing that PWW should be allowed to recover \$114,297.08 in rate case expenses. This represents a \$30,255.62 decrease from the amount proposed by PWW in its submission and consists essentially of three adjustments.

The first adjustment is based on PWW's response to Staff Data Request 6-2 relative to certain costs incurred by PWW associated with its negotiation of the Fourth Special Contract with Anheuser-Busch. In its response, PWW indicated that \$3,538.51 should be withdrawn from rate case expense recovery relative to those negotiations. An Excel spreadsheet detailing these costs is attached to this correspondence.

The second adjustment is based on PWW's response to Staff Data Request 6-3. In that response, PWW indicated that there was a \$10.50 misallocation of expense for court reporter services to its affiliate, Pittsfield Aqueduct Company, Inc. This amount, instead, should be added to PWW's rate case expense total.

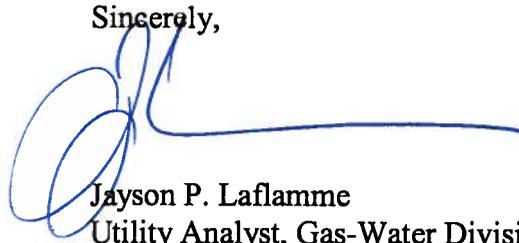
The third adjustment, totaling \$26,727.61, represents legal charges incurred relative to PWW's initial proposal to include recovery of certain eminent domain related costs in the determination of customer rates. However, during the course of the rate proceeding, PWW assented to a motion filed by the OCA on March 17, 2011 to stay consideration of the eminent domain defense costs until the conclusion of the proceeding involving the acquisition of Pennichuck Corporation by the City of Nashua, docketed as DW 11-026. This motion was approved by the Commission by Secretarial Letter dated April 13, 2011. As such, Staff believes that all of the legal expenses incurred relative to the recovery of the eminent domain costs in this rate proceeding should not be included in a rate case expense recovery surcharge from customers. An Excel spreadsheet detailing these costs is also attached to this correspondence.

Based on PWW's proposed method of allocation to customers contained in its submission, Staff calculates that the allocation per customer of the revised rate case expense amount is \$4.32 ($\$114,297.08 \div 26,438$ customers). Over a 12 month period, the monthly surcharge per customer for rate case expense recovery is \$0.36. Staff believes that such a surcharge would be both just and reasonable to PWW's customers.

If you have any questions pertaining to this matter, please do not hesitate to contact either myself or any of the other Staff within the Gas-Water Division.

August 23, 2011

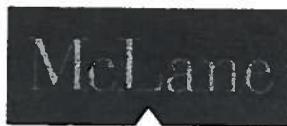
Sincerely,



Jayson P. Laflamme
Utility Analyst, Gas-Water Division

cc: Service List

Attachments: PWW's Cover Letter and Lead Schedule for Recovery of Rate Case Expenses
PWV's Responses to Staff Data Requests – Set 6
PWV's Responses to OCA Data Requests – Set 7 (Redacted)
Excel Spreadsheet of Anheuser-Busch Special Contract Negotiation Costs
(Redacted)
Excel Spreadsheet of Legal Expenses Incurred Relative to Recovery of
Eminent Domain Costs (Redacted)



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June 20, 2011

Via Hand Delivery

Mark Naylor
Marcia Thunberg, Esquire
New Hampshire Public Utilities Commission
21 S. Fruit Street, Suite 10
Concord, NH 03301-2429

**Re: DW 10-091 – Pennichuck Water Works, Inc.
2010 Rate Case**

Dear Mr. Naylor and Ms. Thunberg:

In connection with the above captioned matter, I enclose Pennichuck Water Works, Inc.'s rate case expense including supporting invoices. Because some of the invoices contain confidential and proprietary rate information, the Company will be filing a motion for protective treatment with regard to certain of the attachments pursuant to Puc 203.08. I also enclose the Company's proposed recoupment calculation.

Very truly yours,

Sarah B. Knowlton

Enclosures

cc: Rorie E.P. Hollenberg, Esq. (with enclosures)
Bonaly J. Hartley
John Alexander, Esq. (with rate case recoupment only)

Pennichuck Water Works, Inc
DW 10-091 Rate Case Expenses
through June 15, 2011

Date	Vendor	Service	Amount	Legal	Cost of Service	Other
01/22/10	Unishippers	Mailing Costs	18.07			18.07
02/05/10	AUS Consultants	Cost of Service Study	1,395.00		1,395.00	
02/05/10	AUS Consultants	Cost of Service Study	1,045.00		1,045.00	
03/04/10	AUS Consultants	Cost of Service Study	4,370.00		4,370.00	
04/12/10	AUS Consultants	Cost of Service Study	7,410.00		7,410.00	
03/04/10	AUS Consultants	Cost of Service Study	4,022.50		4,022.50	
03/09/10	McLane	Legal Services	283.50	283.50		
04/12/10	AUS Consultants	Cost of Service Study	1,425.00		1,425.00	
04/13/10	McLane	Legal Services	189.00	189.00		
05/07/10	Unishippers	Mailing Costs	63.79			63.79
05/10/10	AUS Consultants	Cost of Service Study	285.00		285.00	
05/10/10	AUS Consultants	Cost of Service Study	8,685.00		8,685.00	
05/19/10	McLane	Legal Services	11,046.50	11,046.50		
06/07/10	AUS Consultants	Cost of Service Study	760.00		760.00	
06/10/10	McLane	Legal Services	535.50	535.50		
06/10/10	McLane	Legal Services	3,852.82	3,852.82		
06/17/10	Curtis 1000	Rate Letter Mailing	7,021.44			7,021.44
06/30/10	Union Leader	Pre-Hearing Conference	587.20			587.20
06/30/10	Union Leader	Perm/Temp Rate Increase	592.88			592.88
06/30/10	Telegraph	Pre-Hearing Conference	360.00			360.00
06/30/10	Telegraph	Perm/Temp Rate Increase	900.00			900.00
07/13/10	McLane	Legal Services	315.00	315.00		
07/17/10	Bonalyne Hartley	Pre-Hearing Conference	8.60			8.60
07/17/10	Charles Hoeppe	Pre-Hearing Conference	18.00			18.00
07/31/10	Curtis 1000	Postage for Rate Letter	8,896.09			8,896.09
08/09/10	AUS Consultants	Cost of Service Study	475.00		475.00	
08/12/10	Steven E Patnaude	Pre-Hearing Conference	190.25			190.25
08/12/10	McLane	Legal Services	1,882.20	1,882.20		
08/18/10	Charles Hoeppe	Tech Session	18.00			18.00
08/18/10	Dawn DeBlois	Tech Session	20.00			20.00
08/21/10	Bonalyne Hartley	Tech Session	8.60			8.60
08/31/10	AUS Consultants	Cost of Service Study	380.00		380.00	
09/10/10	Guastella Associates	Embedded Debt Methodology	5,322.50			5,322.50
09/14/10	McLane	Legal Services	9,164.11	9,164.11		
09/15/10	Bonalyne Hartley	Temporary Hearing	17.20			17.20
09/15/10	Charles Hoeppe	Temporary Hearing	36.00			36.00
10/14/10	McLane	Legal Services	8,652.95	8,652.95		
10/25/10	Steven E Patnaude	Temporary Hearing	284.93			284.93
10/31/10	Curtis 1000	Rate Letter Mailing	667.14			667.14
11/10/10	McLane	Legal Services	10,138.21	10,138.21		
11/16/10	AUS Consultants	Cost of Service Study	8,590.00		6,590.00	
12/10/10	McLane	Legal Services	5,325.40	5,325.40		
01/10/11	AUS Consultants	Cost of Service Study	1,140.00		1,140.00	
01/27/11	Dawn DeBlois	Tech Session	18.59			18.59
01/27/11	Bonalyne Hartley	Tech Session	9.60			9.60
01/31/11	McLane	Legal Services	128.00	128.00		
02/16/11	AUS Consultants	Cost of Service Study	1,805.00		1,805.00	
02/28/11	McLane	Legal Services	3,565.14	3,565.14		
03/07/11	AUS Consultants	Cost of Service Study	4,595.00		4,595.00	
03/29/11	McLane	Legal Services	2,187.73	2,187.73		
04/14/11	AUS Consultants	Cost of Service Study	380.00		380.00	
04/14/11	AUS Consultants	Cost of Service Study	285.00		285.00	
04/28/11	McLane	Legal Services	1,643.00	1,643.00		
04/28/11	Dawn DeBlois	Tech Session	38.17			38.17
04/30/11	Charles Hoeppe	Tech Session & Perm Hearing	69.28			69.28
04/30/11	Bonalyne Hartley	Tech Session	19.20			19.20
05/18/11	AUS Consultants	Cost of Service Study	1,805.00		1,805.00	
05/27/11	Dawn DeBlois	Permanent Hearing	38.70			38.70
05/31/11	McLane	Legal Services	4,939.87	4,939.87		
05/31/11	Bonalyne Hartley	Permanent Hearing	19.20			19.20
05/31/11	McLane	Legal Services	9,527.14	9,527.14		
05/26/11	Steven E Patnaude	Permanent Hearing	983.70			983.70
06/15/11	McLane	Legal Services	99.00	99.00		
Actual Rate Case Expenses			144,662.70	71,473.07	46,862.50	26,227.13

Number of Customers 26,438

Ratecase Expense per Customer:

Annual \$ 5.47
Monthly \$ 0.46



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July 20, 2011

VIA ELECTRONIC MAIL

Marcia Thunberg, Esquire
New Hampshire Public Utilities Commission
21 S. Fruit Street, Suite 10
Concord, NH 03301-2429

**Re: DW 10-091 – Pennichuck Water Works, Inc.,
2010 Rate Case**

Dear Ms. Thunberg:

In connection with the above captioned matter, I enclose Pennichuck Water Works, Inc.'s responses to Staff's Sixth Set of Data Requests.

Please do not hesitate to call if you have any questions.

Very truly yours,

Steven V. Camerino

SVC/blb

Enclosures

cc: Service List (by electronic mail)
Donald Ware

DW 10-091
Pennichuck Water Works, Inc. Responses to
Staff Data Requests – Set 6

Date Request Received: 7/18/11
Request No. Staff 6-1

Date of Response: 7/20/11
Witness: Donald L. Ware

REQUEST: Re: AUS Consultants, Inc. Invoices #116120 – 03/04/10, # 116619 – 04/12/10, #117008 – 05/10/10 pertaining to “Special Analysis re Anheuser Busch”: The description of services provided in these invoices include references to “the preparation of a report and analysis related to the development of a treatment plant carrying charge.” Please provide further explanation relative to the purpose of this analysis and please explain why the charges related to this should be included in rate case expense recovery.

RESPONSE: The invoices relate to the development of carrying costs and carrying charges for water supply and treatment facilities that was detailed in the Appendix to the April 2010 cost of service study. An important element of the Appendix was to allocate a portion of the carrying costs to Anheuser-Busch and assign a carrying charge as explained in pages A-1 thru A-4 of the study. The A-B monthly carrying charge is an essential part of the final PWW tariff rates and a critical component of the final rate design.

DW 10-091
Pennichuck Water Works, Inc. Responses to
Staff Data Requests – Set 6

Date Request Received: 7/18/11
Request No. Staff 6-2

Date of Response: 7/20/11
Witness: Donald L. Ware

REQUEST: Re: Charges related to Anheuser-Busch Special Contract: Please refer to the attached Excel spreadsheet. It appears that these charges are related to the negotiation of the Fourth Special Contract with Anheuser-Busch in Docket DW 11-018. Please explain why the Company deems that it is appropriate that they should be included in rate case expense recovery.

RESPONSE: With the exception of the AUS Consultants, Inc invoice 119100 dated 11/08/10, the Company agrees to withdraw the charges in the attached Excel spreadsheet from rate case expense recovery. The AUS invoice related to work updating cost of service study elements for changes related to the settlement agreement, and therefore it should be included for recovery.

DW 10-091
Pennichuck Water Works, Inc. Responses to
Staff Data Requests – Set 6

Date Request Received: 7/18/11
Request No. Staff 6-3

Date of Response: 7/20/11
Witness: Bonalyn J. Hartley

REQUEST: Re: 10/06/10 Invoice #2010-062 from Steven E. Patnaude, LCR: It appears that PWW's portion of this invoice should be \$295.43 (\$294.00 + \$1.43 (\$2.85/2)). Please explain why the Company is only seeking recovery of \$284.93.

RESPONSE: The Company agrees that the amount should be \$295.43.



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August 1, 2011

VIA ELECTRONIC MAIL

Rorie E.P. Hollenberg, Esquire
Office of Consumer Advocate
21 S. Fruit Street, Suite 18
Concord, NH 03301-2429

Re: **DW 10-091 – Pennichuck Water Works, Inc.,
2010 Rate Case**

Dear Ms. Hollenberg:

In connection with the above captioned matter, I enclose Pennichuck Water Works, Inc.'s responses to OCA's Seventh Set of Data Requests.

Please do not hesitate to call if you have any questions.

Very truly yours,

Steven V. Camerino

SVC/blb

Enclosures

cc: Service List (by electronic mail)
Donald Ware

DW 10-091
Pennichuck Water Works, Inc. Responses to
OCA Data Requests – Set 7

Date Request Received: 7/21/11
Request No. OCA 7-1

Date of Response: 8/1/11
Witness: Bonalyn J. Hartley

REQUEST: Please identify any expenses associated with the rate case, which the Company is not seeking recovery from its customers.

RESPONSE: The Company objects on the basis that the question is not reasonably calculated to lead to the discovery of admissible evidence.

DW 10-091
Pennichuck Water Works, Inc. Responses to
OCA Data Requests – Set 7

Date Request Received: 7/21/11
Request No. OCA 7-2

Date of Response: 8/1/11
Witness: Bonalyn J. Hartley

REQUEST: Concerning OCA 1-46, please confirm that the Company did not use a competitive bidding process for the selection of consultants for this rate case. Please provide a copy of any policies related to the procurement of consultant services for rate cases.

RESPONSE: Please see response to OCA 1-46. The Company does not have a written policy related to the procurement of consultant services. Rather, the Company selects consultants based on several factors including expertise and familiarity with the Company which, in turn, provides continuity and efficiency.

DW 10-091
Pennichuck Water Works, Inc. Responses to
OCA Data Requests – Set 7

Date Request Received: 7/21/11
Request No. OCA 7-3

Date of Response: 8/1/11
Witness: Bonalyn J. Hartley

REQUEST: Concerning the Company's Rate Case Expense filing, for expenses charged to date, a copy of each itemized receipt related to each of the expenses.

RESPONSE: On June 20, 2011, the Company provided a summary of rate case expenses, including supporting documentation.

DW 10-091
Pennichuck Water Works, Inc. Responses to
OCA Data Requests – Set 7

Date Request Received: 7/21/11
Request No. OCA 7-4

Date of Response: 8/1/11
Witness: Bonalyn J. Hartley

REQUEST: Please provide a copy of the Company's agreement(s) with the McLane law firm for its work in this case. Please provide a citation to the authority in the agreement(s) for the increase in rates charged after January 1, 2011.

RESPONSE: The Company does not have an agreement with McLane for legal services performed in DW 10-091. The Company reviews and approves all invoices to ensure that charges are reasonable and consistent with the discussed scope of work.

DW 10-091
Pennichuck Water Works, Inc. Responses to
OCA Data Requests – Set 7

Date Request Received: 7/21/11
Request No. OCA 7-5

Date of Response: 8/1/11
Witness: Bonalyn J. Hartley

REQUEST: Please identify and explain any charges included in the Company's proposed rate case expense recovery total related to first-class air travel; courier delivery; overnight mail; limousine or private car services; hotel room service; entertainment; recreational activities or services; personal services or alcoholic beverages.

RESPONSE: On June 20, 2011, the Company provided a summary of rate case expenses that includes a description of services rendered. The only expenses related to the above are overnight mail through Unishippers. As the Company performs much of the rate case filing preparation and discovery internally to reduce costs, the Company will need to occasionally send time sensitive documents to its consultants.

DW 10-091
Pennichuck Water Works, Inc. Responses to
OCA Data Requests – Set 7

Date Request Received: 7/21/11
Request No. OCA 7-6

Date of Response: 8/1/11
Witness: Bonalyn J. Hartley

REQUEST: Staff 6-2 asked the Company about “Charges related to Anheuser-Busch Special Contract” listed in an Excel spreadsheet. In response, the Company stated:

With the exception of the AUS Consultants, Inc invoice 119100 dated 11/08/10, the Company agrees to withdraw the charges in the attached Excel spreadsheet from rate case expense recovery. The AUS invoice related to work updating cost of service study elements for changes related to the settlement agreement, and therefore it should be included for recovery.

- a. Please confirm that the cost of service study referred to is the same cost of service study provided in response to OCA 3-6 (Supplemental).
- b. Please confirm that the “settlement agreement” referred to is the final settlement agreement in this case dated May 19, 2011.
- c. Please identify each and every unique component of this version of the cost of service study which is reflected in or used to craft the settlement agreement referred to or in the 4th Special Contract with Anheuser-Busch (originally filed in DW 11-018 on January 20, 2011 and approved as revised by Order 25,230 dated June 9, 2011).
- d. Please explain why this cost of service study was not provided to the parties for more than two months after it was completed.
- e. Please confirm that this version of the cost of service study was not filed with the Commission.

RESPONSE:

- a. The updated cost of service study elements became part of the basis for any subsequent cost of studies issued.
- b. Relates to any interim settlement agreement including the final settlement.
- c. Please see (a).
- d. The Company does not recollect any specific reasons other than performing due diligence and evaluation internally before distribution.
- e. The Company submitted the final cost of service study with the settlement agreement. Interim cost of service studies may or may not have been filed with the Commission.

DW 10-091
Pennichuck Water Works, Inc. Responses to
OCA Data Requests – Set 7

Date Request Received: 7/21/11
Request No. OCA 7-7

Date of Response: 8/1/11
Witness: Bonalyn J. Hartley

REQUEST: For each charge related to “Computer Research-Westlaw” included in the Company’s rate case expense filing, *see, e.g.*, Invoice Number 2010051551 dated 5-19-10 (\$500); Invoice Number 2010101375 dated October 14, 2010 (\$1,259.10); Invoice Number 2010110825 dated November 10, 2010 (\$424.51); and Invoice Number 2010121313 dated December 10, 2010 (\$424.51):

- a. Provide the number of hours and the rate at which the hours were billed;
- b. Provide copies of any documents retrieved from Westlaw.

RESPONSE:

a. The amounts shown are for charges by Westlaw to the McLane firm, not for the time of the attorney performing the research. The Westlaw charges are not simply time based, but rather are based on multiple factors as set forth in an attachment to a Subscriber Agreement between Westlaw and the McLane firm, a copy of which is attached as Attachment OCA 7-7. The charge to the McLane firm by Westlaw for April 2010 was \$3,182.31, although only \$500.00 was billed to Pennichuck. The remainder of the charges billed to Pennichuck reflect the full amount billed to McLane by Westlaw.

b. To the extent that the information requested exists, it would be subject to the attorney-client and/or attorney work product privilege. In addition, the Company objects to this request on the basis that it is not reasonably designed to lead to the discovery of information that would be relevant to this proceeding and is over broad and unduly burdensome.

Schedule A to Westlaw® Subscriber Agreement



Part of Thomson Reuters

Plan 1 Private Service

Plan 1 Private Service. Paragraphs 1 through 5 below set forth charges that apply to both westlaw.com and WestlawNext™ (next.westlaw.com). Not all Westlaw subscribers have access to WestlawNext.

1. **Subscription Charge.** \$150 per month
2. **Minimum Charge.** \$1,500 per month
3. **Training Charges**
Onsite training and training at West Information Centers will be provided at no charge.
4. **West Reporter Images**
West Reporter Images \$24 per image
No offline transmission charges apply.
5. **Rise of American Law**
Rise of American Law – Time \$33.33 per minute
Rise of American Law – Search 500.00 per transaction
Rise of American Law – Finds 300.00 per transaction
Rise of American Law – Images 300.00 per image

Plan 1 Private Service. Paragraphs 6 through 15 below set forth charges that apply to westlaw.com.

Upon accessing westlaw.com, a user may elect either per minute or transactional billing in the Options Directory. Such billing election will be effective for all subsequent sessions unless the election is changed. The SUBSCRIBER Database lists the per minute billing classifications, transactional charges and per document charges for each database.

6. Per Minute Charges	
A. Per Minute Database Charges	Per Minute Charge
i. Combination	\$1.21
ii. Highlights	4.23
iii. Basic	4.58
iv. Westlaw Standard	8.60
v. Westlaw Standard-Codes	10.25
vi. Deluxe	11.79
vii. Specialty	12.28
viii. Premium	14.75
ix. Allfile	19.05
x. Multi-Search	20.58
xi. Super Allfile	23.08
xii. Select	28.42
xiii. Super Premium	28.91
xiv. Super Select	32.00
xv. ResultsPlus Standard	11.17
xvi. ResultsPlus Premium	17.91
xvii. ResultsPlus Allfiles	23.13
xviii. ResultsPlus Super Allfiles	28.58
xix. ResultsPlus Select	32.29
xx. ResultsPlus Super Premium	35.20
xxi. Westlaw Tax Time Class	10.49-26.90

These vary & are the classifications of database

- B. Connect Time and Communications Charges**
 - i. Connect Time. \$.70 per minute.
 - ii. Communications Charges. \$.22 per minute.

Connect time and communications charges begin when a password is transmitted and end when the session ends - they apply to the entire Westlaw session, excluding offline transmission, offline automated citation checking, Duns Business Records Plus, Dockets, and the SUBSCRIBER Database (when accessing Westlaw via transactional billing).

7. Transactional Charges

- A. Search Charges**
Each search query will incur a search charge. Search charges range from \$0 to \$310 per search. The search charge applicable to each database is available in the SUBSCRIBER Database. For sales tax purposes only, a percent of each search charge is allocated to communications.

Search charges for multiple database searches are discounted as follows:

1 database	No discount
2-3 databases	10% discount
4-10 databases	20%
11+ databases	N/A
- ii. Westlaw Legal Calendaring** \$20.00 per transaction
- iii. PeopleMap**
Search \$50.00 per transaction
Comprehensive Report 149.00 per report *
Core, Asset or Adverse Report 100.00 per report *
Document Find 25.00 per transaction
Graphical Expansion 25.00 per transaction
Neighbors/Relatives (Past & Current) 5.00 per transaction
* Includes search charges

B. Online Find Charges *

	Charge Per Document
Find (Primary Law)	\$14
Find (Secondary Law/RegulationsPlus Finds/Display)24	25
Find (BNA, RIA)	25
Find (PastStat Loc, State LH, NetScan & StateNet)	25
Find (ResultsPlus)	60
Find (ResultsPlus Briefs/Trial Documents)	90
Find (Briefs and Trial Documents)	70
Find (State Survey)	250
Find (Expert Witness)	50-125
Find (Dockets)	18
Find (Westlaw Tax)	17-35
Find (Courtroom Transcripts)	125
Find by Title**	N/A

* Includes Find Charges for Previous Section/Next Section. In lieu of per minute charges, transactional charges will apply for batch prints.

** Find by Title creates a search query which will result in a search charge. No separate Find transactional charge will apply. See SUBSCRIBER Database for detailed pricing.

C. Online Citation Checking Charges

KeyCite™	\$6.25	per citation
RIA-Cite	6.25	per citation
West CiteAdvisor		
Citation Formatter	45.00	per document
TOA Builder	45.00	per document
TOA Builder (with use of formatter)	34.00	per document
BriefTools		
Links	30.00	per document
Flags	6.50	per citation

QuickCite creates a search query which will result in a search charge. No separate online citation checking charges apply. No offline transmission charges apply.

D. QUOTE Charges .15 per entry

E. Document Display
 Reports Viewed \$75-\$300 per report viewed
 Documents Viewed 5-600 per transaction

All charges apply to the monthly minimum charge except subscription, paragraph 11 Westlaw Public Records transaction, Company Profiles Database, Derwent World Patents Legal Database, AMA-ATLAS Database and PDF charges.

8. Offline Transmission Charges

A user may elect either per line or per document offline transmission billing in the Options Directory. Such election will be effective for all subsequent sessions unless the election is changed. Offline transmission charges apply to all printing and downloading to storage devices and facsimile machines and e-mail via Westlaw functionality, unless otherwise indicated.

	Charge Per Line	Charge Per Document
Westlaw Public Records Databases	\$.05	\$ 5.00
Briefs	.05	27.50
Selected databases	up to .66	up to 55.00
All other databases	.05	16.50

9. WestCheck and find&print.com Charges

	Charge Per Citation
Citation Service	\$6.25
KeyCite	1.00
Table of Authorities	1.00
QuoteRight™	7.00
Find	19.00 – 280.25
Find (Selected databases)	30.50 – 99.75
Content Verification	.50
No offline transmission charges apply	

10. Alert Services Charges

WESTClip	
Non-continuous Clipping	\$0
Continuous Clipping	4.50 per day per search
BNA Clipping	25.00 per transaction
KeyCite Alert	
Non-continuous Clipping	9.00 per transaction
Continuous Clipping	15.00 per day per transaction
KeyRules Alert	6.00 per transaction
CapWatch	5.00 per transaction

Database charges apply to the online display of WESTClip results. Find charges and charges associated with documents viewed from KeyCite Alert results shall apply. Connect time and communications charges do not apply during transactional billing sessions. Offline transmission charges do not apply to WestClip cite lists (excluding BNA) or KeyCite Alert.

11. Westlaw Public Records Charges

The Scope screen for each Westlaw Public Records Database lists its database classification for per minute billing. The search charge applicable to each Westlaw Public Records Database is available in the SUBSCRIBER Database. The following transaction charges apply in addition to the per minute and transactional charges:

	Charge Per Detail Record Viewed
Delaware Corporate Records	\$9.00
	Charge Per Entry
D&B Alert	\$5.00

The following charges apply in lieu of per minute and transactional charges:

	Charge Per Document
Duns Business Records Plus*	
Business Record & Full Financial	\$128.80
Business Information Report (domestic)	110.00
Business Information Report (International)	
Africa	443.00
Middle East	443.00
Asia Pacific	443.00
Latin America	340.00
Europe	288.00
Canada	144.00*

Comprehensive Report	129.50
Family Tree Report	60.10
Business Record & Financial Abstract	60.10
Business Record	35.70
Business Abstract	23.35
Family Member Profile	9.80
Company Relations	2.35
Per company-250 companies maximum (250 companies or more - no additional charge)	
Branch locations	2.35
Per location-250 locations maximum (250 locations or more - no additional charge)	
*Minimum fee of \$15.75 per search.	

12. Company Profiles Database Charges

Index Search	\$0
Company Profile	35 per report
ResultsPlus	40 per report

Offline transmission charges apply to citations list but do not apply Company Profiles reports themselves.

13. Dockets Charges

The following charges apply in lieu of per minute and transactional charges:

Search	\$7 – 14 per transaction
View document	5 per document
Update document	2 – 8 per document
Dockets Alert *	6 per transaction
Multi-Base Searches	20 – 145 per transaction
Docket Tracking *	3 – 10 per transaction
Case Calendaring	
Information Update	2 per transaction
Tracking Service	1 per transaction
Integration Service	1 per transaction
Document retrieval services	At then-current rates

* Limit of 99 alerts/tracks per password

14. PDF Charges

Attorney Medical Advantage	\$225.00 per image
Blaussen Medical Illustration	
Standard Collection	250.00 per image
Premier Collection	275.00 per image
Experian Reports	8.00-44.95 per report
Briefs/Trial Docs/State Surveys	77.00 per image
DE Chancery Docket/Manual Retrieval	77.00 per image
Deed image	25.00 per image
Dockets PDF	4.00 per image
Expert Witness/Courtroom Transcripts	77.00 per image
Investext	9.95 per page
Legal Due Diligence Reports	200.00 per image
Patent Image	3.00 per image
Real Property Parcel Maps	15.00 per image
ResultsPlus Due Diligence Reports	155.00 per image
ResultsPlus Investext	14.95 per 1 st page
(Each additional page)	9.95 per page

No offline transmission charges apply.

15. West Batch Processing

Charges of \$.05 - \$2.00 per row shall apply in lieu of per minute or transactional charges. Any users of West Batch Processing must be credentialed prior to accessing

Plan 1 Private Service. Paragraphs 16 through 21 below set forth charges that apply to WestlawNext. Not all content and Features are accessible via WestlawNext.

Upon accessing next.westlaw.com, a user may elect either per minute or transactional billing in Preferences. Such billing election will be effective for all subsequent sessions unless the election is changed. The SUBSCRIBER link in the Tools tab lists the per minute, transactional and offline transmission charges for a multiple content categories.

16. Per Minute Charges

- A. Home, Content and Topical Pages \$5.00 per minute
- B. Viewing a Search Result List \$10.00 per minute
- C. Per Minute Charges for Viewing Full Text Documents
Range from \$11.67 per minute to \$56.57 per minute.
- D. Communications Charges \$.22 per minute.
Communications charges apply to sessions when per minute billing is selected. They begin when a password is transmitted and end when the session ends - they apply to the entire WestlawNext session.

17. Transactional Charges

- A. Search Charges \$60 per search
Each search query will incur a search charge.
- B. Document Display Charges
Range from \$10 to \$250 per document
Each document display will incur a transactional charge.
- C. Online Citation Checking Charges
KeyCite \$7.00 per citation

18. Fodtering

Documents in folders may be accessed at no charge for 12 months after the initial chargeable view. In transactional billing sessions, the initial chargeable view occurs the first time a document is viewed inside or outside of a folder. For hourly billing sessions, the initial chargeable view occurs the first time a document is viewed within a folder. This initial chargeable view will be charged at the applicable transactional document display charge. Documents viewed in a folder after 12 months will incur the then current WestlawNext transactional document display charge. Hourly billing (including Communications Charges) is suspended while browsing folders.

19. WestlawNext Access Charges

- Search \$10 per search
- Document Display \$5 per document display
- KeyCite \$2 per citation

WestlawNext Access Charges will be billed in addition to WestlawNext charges, for those Subscribers that access WestlawNext and have not purchased a WestlawNext subscription. These charges will be billed on a transactional basis for hourly and transactional sessions.

20. Offline Transmission Charges

A user may elect either per line or per document offline transmission billing in Preferences. Such election will be effective for all subsequent sessions unless the election is changed. Offline transmission charges apply to all printing and downloading to storage devices and e-mailing via WestlawNext functionality, unless otherwise indicated.

Per line charges range from \$0.05 to \$0.09

Per document charges range from \$16.50 to \$30.25

21. PDF Charges

- Briefs 65.00 per image
 - Trial Docs/State Surveys 75.00 per image
 - Expert Witness/Courtroom Transcripts 75.00 per image
- No offline transmission charges apply.

Schedule A to Westlaw® Subscriber Agreement



Plan 1 Private Service

Plan 1 Private Service. Paragraphs 1 through 5 below set forth charges that apply to both westlaw.com and WestlawNext™ (next.westlaw.com). Not all Westlaw subscribers have access to WestlawNext.

1. **Subscription Charge.** \$150 per month
2. **Minimum Charge.** \$1,500 per month
3. **Training Charges**
Onsite training and training at West Information Centers will be provided at no charge.
4. **West Reporter Images**
West Reporter Images \$24 per image
No offline transmission charges apply.
5. **Rise of American Law**
Rise of American Law – Time \$33.33 per minute
Rise of American Law – Search 500.00 per transaction
Rise of American Law – Finds 300.00 per transaction
Rise of American Law – Images 300.00 per image

Plan 1 Private Service. Paragraphs 6 through 16 below set forth charges that apply to westlaw.com.

Upon accessing westlaw.com, a user may elect either per minute or transactional billing in the Options Directory. Such billing election will be effective for all subsequent sessions unless the election is changed. The SUBSCRIBER Database lists the per minute billing classifications, transactional charges and per document charges for each database.

6. **Per Minute Charges**
 - A. **Per Minute Database Charges**

	Per Minute Charge
i. Combination	\$1.21
ii. Highlights	4.23
iii. Basic	4.58
iv. Westlaw Standard	8.60
v. Westlaw Standard-Codes	10.25
vi. Deluxe	11.79
vii. Specialty	12.28
viii. Premium	14.75
ix. Allfile	19.05
x. Multi-Search	20.58
xi. Super Allfile	23.08
xii. Select	26.42
xiii. Super Premium	26.91
xiv. Super Select	32.00
xv. ResultsPlus Standard	11.17
xvi. ResultsPlus Premium	17.91
xvii. ResultsPlus Allfiles	23.13
xviii. ResultsPlus Super Allfiles	28.58
xix. ResultsPlus Select	32.29
xx. ResultsPlus Super Premium	35.20
xxi. Westlaw Tax Time Class	10.49-26.90

B. Connect Time and Communications Charges

- i. **Connect Time.** \$.70 per minute.
- ii. **Communications Charges.** \$.22 per minute.

Connect time and communications charges begin when a password is transmitted and end when the session ends - they apply to the entire Westlaw session, excluding offline transmission, offline automated citation checking, Duns Business Records Plus, Dockets, and the SUBSCRIBER Database (when accessing Westlaw via transactional billing).

7. Transactional Charges

A.

i. Search Charges

Each search query will incur a search charge. Search charges range from \$0 to \$310 per search. The search charge applicable to each database is available in the SUBSCRIBER Database. For sales tax purposes only, a percent of each search charge is allocated to communications.

Search charges for multiple database searches are discounted as follows:

1 database	No discount
2-3 databases	10% discount
4-10 databases	20%
11+ databases	N/A

ii. Westlaw Legal Calendaring \$20.00 per transaction

iii. PeopleMap

Search	\$50.00 per transaction
Comprehensive Report	149.00 per report *
Core, Asset or Adverse Report	100.00 per report *
Document Find	25.00 per transaction
Graphical Expansion	25.00 per transaction
Neighbors/Relatives (Past & Current)	5.00 per transaction
* Includes search charges	

B. Online Find Charges *

Charge Per Document

Find (Primary Law)	\$14
Find (Secondary Law/RegulationsPlus Finds/Display)24	
Find (BNA, RIA)	25
Find (PastStat Loc, State LH, NetScan & StateNet)	25
Find (ResultsPlus)	60
Find (ResultsPlus Briefs/Trial Documents)	90
Find (Briefs and Trial Documents)	70
Find (State Survey)	250
Find (Expert Witness)	50-125
Find (Dockets)	18
Find (Westlaw Tax)	17-35
Find (Courtroom Transcripts)	125
Find by Title**	N/A

* Includes Find Charges for Previous Section/Next Section. In lieu of per minute charges, transactional charges will apply for batch prints

** Find by Title creates a search query which will result in a search charge. No separate Find transactional charge will apply. See SUBSCRIBER Database for detailed pricing.

C. Online Citation Checking Charges

KeyCite™	\$6.25	per citation
RIA-Cite	6.25	per citation
West CiteAdvisor		
Citation Formatter	45.00	per document
TOA Builder	45.00	per document
TOA Builder (with use of formatter)	34.00	per document
BriefTools		
Links	30.00	per document
Flags	6.50	per citation

QuickCite creates a search query which will result in a search charge. No separate online citation checking charges apply. No offline transmission charges apply.

D. QUOTE Charges .15 per entry

E. Document Display Reports Viewed \$75-\$300 per report viewed
 Documents Viewed 5-600 per transaction

All charges apply to the monthly minimum charge except subscription, paragraph 11 Westlaw Public Records transaction, Company Profiles Database, Derwent World Patents Legal Database, AMA-ATLAS Database and PDF charges.

8. Offline Transmission Charges

A user may elect either per line or per document offline transmission billing in the Options Directory. Such election will be effective for all subsequent sessions unless the election is changed. Offline transmission charges apply to all printing and downloading to storage devices and facsimile machines and e-mail via Westlaw functionality, unless otherwise indicated.

	Charge Per Line	Charge Per Document
Westlaw Public Records Databases	\$.05	\$ 5.00
Briefs	.05	27.50
Selected databases	up to .88	up to 55.00
All other databases	.05	18.50

9. WestCheck and find&print.com Charges

	Charge Per Citation
Citation Service	
KeyCite	\$8.25
Table of Authorities	1.00
QuoteRight™	7.00
Find	19.00 – 280.25
Find (Selected databases)	30.50 – 99.75
Content Verification	.50

No offline transmission charges apply.

10. Alert Services Charges

WESTClip	
Non-continuous Clipping	\$0
Continuous Clipping	4.50 per day per search
BNA Clipping	25.00 per transaction
KeyCite Alert	
Non-continuous Clipping	9.00 per transaction
Continuous Clipping	15.00 per day per transaction
KeyRules Alert	6.00 per transaction
CapWatch	5.00 per transaction

Database charges apply to the online display of WESTClip results. Find charges and charges associated with documents viewed from KeyCite Alert results shall apply. Connect time and communications charges do not apply during transactional billing sessions. Offline transmission charges do not apply to WestClip cite lists (excluding BNA) or KeyCite Alert.

11. Westlaw Public Records Charges

The Scope screen for each Westlaw Public Records Database lists its database classification for per minute billing. The search charge applicable to each Westlaw Public Records Database is available in the SUBSCRIBER Database. The following transactional charges apply in addition to the per minute and transactional charges:

	Charge Per Detail Record Viewed
Delaware Corporate Records	\$9.00
	Charge Per Entry
D&B Alert	\$5.00

The following charges apply in lieu of per minute and transactional charges:

	Charge Per Document
Duns Business Records Plus*	
Business Record & Full Financial	\$128.90
Business Information Report (domestic)	110.00
Business Information Report (International)	
Africa	443.00
Middle East	443.00
Asia Pacific	443.00
Latin America	340.00
Europe	288.00
Canada	144.00

Comprehensive Report	129.50
Family Tree Report	60.10
Business Record & Financial Abstract	60.10
Business Record	35.70
Business Abstract	23.35
Family Member Profile	9.80
Company Relations	2.35
Per company-250 companies maximum (250 companies or more - no additional charge)	
Branch locations	2.35
Per location-250 locations maximum (250 locations or more - no additional charge)	
*Minimum fee of \$15.75 per search.	

12. Company Profiles Database Charges

Index Search	\$0
Company Profile	35 per report
ResultsPlus	40 per report

Offline transmission charges apply to citations list but do not apply Company Profiles reports themselves.

13. Dockets Charges

The following charges apply in lieu of per minute and transactional charges:

Search	\$7 – 14 per transaction
View document	5 per document
Update document	2 – 8 per document
Dockets Alert *	6 per transaction
Multi-Base Searches	20 – 145 per transaction
Docket Tracking *	3 – 10 per transaction
Case Calendaring	
Information Update	2 per transaction
Tracking Service	1 per transaction
Integration Service	1 per transaction
Document retrieval services	At then-current rates

* Limit of 99 alerts/tracks per password

14. PDF Charges

Attorney Medical Advantage	\$225.00 per image
Blaussen Medical Illustration	
Standard Collection	250.00 per image
Premier Collection	275.00 per image
Experian Reports	8.00-44.95 per report
Briefs/Trial Docs/State Surveys	77.00 per image
DE Chancery Docket/Manual Retrieval	77.00 per image
Deed Image	25.00 per image
Dockets PDF	4.00 per image
Expert Witness/Courtroom Transcripts	77.00 per image
Investext	9.95 per page
Legal Due Diligence Reports	200.00 per image
Patent Image	3.00 per image
Real Property Parcel Maps	15.00 per image
ResultsPlus Due Diligence Reports	155.00 per image
ResultsPlus Investext	14.95 per 1 st page
(Each additional page)	9.95 per page

No offline transmission charges apply.

15. West Batch Processing

Charges of \$.05 - \$2.00 per row shall apply in lieu of per minute or transactional charges. Any users of West Batch Processing must be credentialed prior to accessing.

Plan 1 Private Service. Paragraphs 18 through 21 below set forth charges that apply to WestlawNext. Not all content and Features are accessible via WestlawNext.

Upon accessing next.westlaw.com, a user may elect either per minute or transactional billing in Preferences. Such billing election will be effective for all subsequent sessions unless the election is changed. The SUBSCRIBER link in the Tools tab lists the per minute, transactional and offline transmission charges for a multiple content categories.

16. Per Minute Charges

- A. Home, Content and Topical Pages \$5.00 per minute
- B. Viewing a Search Result List \$10.00 per minute
- C. Per Minute Charges for Viewing Full Text Documents
Range from \$11.67 per minute to \$58.57 per minute.
- D. Communications Charges \$22 per minute.
Communications charges apply to sessions when per minute billing is selected. They begin when a password is transmitted and end when the session ends – they apply to the entire WestlawNext session.

17. Transactional Charges

- A. Search Charges \$60 per search
Each search query will incur a search charge.
- B. Document Display Charges
Range from \$10 to \$250 per document
Each document display will incur a transactional charge.
- C. Online Citation Checking Charges
KeyCite \$7.00 per citation

18. Folders

Documents in folders may be accessed at no charge for 12 months after the initial chargeable view. In transactional billing sessions, the initial chargeable view occurs the first time a document is viewed inside or outside of a folder. For hourly billing sessions, the initial chargeable view occurs the first time a document is viewed within a folder. This initial chargeable view will be charged at the applicable transactional document display charge. Documents viewed in a folder after 12 months will incur the then current WestlawNext transactional document display charge. Hourly billing (including Communications Charges) is suspended while browsing folders.

19. WestlawNext Access Charges

Search	\$10 per search
Document Display	\$5 per document display
KeyCite	\$2 per citation

WestlawNext Access Charges will be billed in addition to WestlawNext charges, for those Subscribers that access WestlawNext and have not purchased a WestlawNext subscription. These charges will be billed on a transactional basis for hourly and transactional sessions.

20. Offline Transmission Charges

A user may elect either per line or per document offline transmission billing in Preferences. Such election will be effective for all subsequent sessions unless the election is changed. Offline transmission charges apply to all printing and downloading to storage devices and e-mailing via WestlawNext functionality, unless otherwise indicated.

Per line charges range from \$0.05 to \$0.09

Per document charges range from \$16.50 to \$30.25

21. PDF Charges

Briefs	85.00 per image
Trial Docs/State Surveys	75.00 per image
Expert Witness/Courtroom Transcripts	75.00 per image

No offline transmission charges apply.

DW 10-091
Pennichuck Water Works, Inc. Responses to
OCA Data Requests – Set 7

Date Request Received: 7/21/11
Request No. OCA 7-8

Date of Response: 8/1/11
Witness: Bonalyn J. Hartley

REQUEST: Concerning Invoice Number 2010090942, please explain the time needed by JFW (■ hours) as well as SBK (*see* Invoice Number 2010101375 dated October 14, 2010, entry dated 9/3/10) to draft the assented-to motion to extend procedural schedule filed by the Company on September 3, 2010.

RESPONSE: The time reflected involved preparing a proposed revised procedural schedule (including coordinating the schedules of multiple participants) in addition to the motion itself. The revised schedule was included with the motion and circulated to parties, which then required a number of follow up communications with the parties on an individual basis.

DW 10-091
Pennichuck Water Works, Inc. Responses to
OCA Data Requests – Set 7

Date Request Received: 7/21/11
Request No. OCA 7-9

Date of Response: 8/1/11
Witness: Bonalyn J. Hartley

REQUEST: Concerning Invoice Number 2010121313 dated December 10, 2010, please explain the time needed by JP1 ([REDACTED] hours) as well as SBK (entry dated November 11, 2011) to prepare a “motion for protective order” for certain confidential responses to discovery. When, if at all, was this motion filed with the Commission?

RESPONSE: The motion was prepared but not filed because of an oversight, but the information that was the subject of the draft continues to require protection. Therefore, the Company plans to file the motion shortly in order to seek continued protection for the information. The information covered by the motion involved several different types of information, and therefore required the Company’s legal counsel to confer with multiple individuals at and outside the Company in order to be able to draft the motion, which then required review by various individuals.

DW 10-091
Pennichuck Water Works, Inc. Responses to
OCA Data Requests – Set 7

Date Request Received: 7/21/11
Request No. OCA 7-10

Date of Response: 8/1/11
Witness: Bonalyn J. Hartley

REQUEST: Concerning Invoice Number 2011061072 dated June 14, 2011, please explain the time needed for PHT to “Review testimony and related attachments” of the Company’s, Staff’s and the OCA’s witnesses, “Review petition materials” and “Review special contract with Anheuser-Busch,” particularly in light of the time spent by SBK drafting the settlement agreement (*see, e.g.*, entry dated 5-4-11, [REDACTED] hours; entry dated 5-17-11, a portion of [REDACTED] hours; entry dated 5-18-11, a portion of [REDACTED] hours). How much of the [REDACTED] hours were spent by PHT were engaged in t his review and how much time was spent by PHT drafting the settlement agreement?

RESPONSE: Mr. Taylor was involved in order to meet the time demands of the matter, although the vast majority of the case was handled by Ms. Knowlton on her own as part of the firm’s effort to ensure that the matter was handled as cost-effectively as possible. Mr. Taylor reviewed the testimony in order to have the background materials needed to draft the settlement. The settlement involved complex issues that required careful attention and drafting. It should be noted that the word “finalize” in the time entries does not mean printing and filing or other similar clerical or ministerial tasks, but rather means reviewing, revising, analyzing and otherwise carefully considering the draft work product to ensure that it was substantively correct and complete and includes exchanges with other parties on such issues. It is not possible at this point to divide the time of the entries in the manner requested in the question.

DW 10-091
Pennichuck Water Works, Inc. Responses to
OCA Data Requests – Set 7

Date Request Received: 7/21/11
Request No. OCA 7-11

Date of Response: 8/1/11
Witness: Bonalyn J. Hartley

REQUEST: Please explain the reason(s) underlying the reimbursement of mileage expenses to each of multiple Company representatives for attendance at meetings at the Commission. For example, the Company's rate case expense filing includes reimbursement for mileage to both Bonnie Hartley and Charles Hoepper. *See* Pennichuck Corporation and Controlled Subsidiaries T&E Expense Report Form for Bonnie Hartley dated July 15, 2010; and Pennichuck Corporation and Controlled Subsidiaries T&E Expense Report Form for Charles Hoepper dated July 30, 2010. Another example is the reimbursement of Ms. Hartley, Mr. Hoepper and Ms. DeBlois for their travel to Concord for a tech session at the Commission. *See* Pennichuck Corporation and Controlled Subsidiaries T&E Expense Report Form for Charles Hoepper dated September 20, 2010; Pennichuck Corporation and Controlled Subsidiaries T&E Expense Report Form for Dawn DeBlois dated August 19, 2010; Pennichuck Corporation and Controlled Subsidiaries T&E Expense Report Form for Bonnie Hartley dated August 19, 2010.

RESPONSE: The Company employees are expected to exercise sound, prudent judgment when they incur travel expense including mileage expense. When feasible, the employees will travel together to reduce costs. However, due to the small number of employees and resulting diverse duties and responsibilities, it's not always possible. Their time and labor costs must be utilized in the most efficient way possible.

DW 10-091
Pennichuck Water Works, Inc. Responses to
OCA Data Requests – Set 7

Date Request Received: 7/21/11
Request No. OCA 7-12

Date of Response: 8/1/11
Witness: Bonalyn J. Hartley

REQUEST: Concerning Invoice Number 2010101375 dated October 14, 2010 and Invoice Number 2010110825 dated November 10, 2010, please explain the time spent by JP1 researching eminent domain expense recovery (● hours and ● hours, respectively) and the time spent by SBK reviewing JP1's research (*see, e.g.*, Invoice Number 2010110825, entry dated October 19, 2010) in light of the time spent by CMP conducting and memorializing the same type of research (*see* Invoice Number 2010051551, ● hours) and the time spent by SVC reviewing CMP's research (*see, e.g.*, Invoice Number 2010060573, entry dated 5/3/2010).

RESPONSE: The eminent domain issue was an issue that was complex, largely of first impression, and the subject of significant dispute from a legal standpoint as well as extremely fact-intense. Therefore, it required extensive research and consideration and review of large volumes of material. The time reflected in the excerpts noted in the question are a very small portion of the total time spent on the issue.

DW 10-091
 PENNICHUCK WATER WORKS, INC.
 ANALYSIS OF RATE COSTS RELATED TO ANHEUSER-BUSCH SPECIAL CONTRACT (REDACTED)

Invoice Date	Invoice Number	Service Provider	Service Date	Description	Professional	Hours	Rate	Charge
07/13/10	2010070829	McLane Law Firm	06/30/10	Briefly review Anheuser-Busch letter terminating special contract.	SBK			\$ 63.00
08/12/10	2010081062	McLane Law Firm	07/07/10	Follow up on Anheuser-Busch termination of special contract	SBK			\$ 126.00
			07/08/10	Review Anheuser-Busch special contract and draft letter regarding notice of termination	SBK			\$ 315.00
10/14/10	2010101375	McLane Law Firm	09/27/10	... Follow up on meeting with Anheuser-Busch ...	SBK			\$ 94.50
11/10/10	2010110825	McLane Law Firm	10/06/10	Review Milford and Hudson special contracts in preparation for meeting with Anheuser-Busch.	SBK			\$ 126.00
			10/08/10	Strategize in preparation for meeting with Anheuser-Busch.	SBK			\$ 315.00
			10/12/10	Attend meeting with Anheuser-Busch on special contract ...	SBK			\$ 630.00
			10/29/10	Confer with Mr. Ware and Ms. Hartley on Anheuser-Busch special contract	SBK			\$ 31.50
12/10/10	2010121313	McLane Law Firm	11/04/10	Electronic correspondences with Attorney Knowlton regarding drafting non-disclosure agreements for Anheuser-Busch ...; Search for form NDA.	JP1			\$ 10.00
			11/05/10	Follow up on Non-Disclosure Agreements	SBK			\$ 63.00
			11/07/10	Review updated cost of service proposal to Anheuser-Busch	SBK			\$ 94.50
			11/08/10	Send electronic message to Attorney Knowlton attaching non-disclosure agreement with Anheuser-Busch; ...	JP1			\$ 94.50
			11/10/10	Finalize Non-Disclosure Agreement with Anheuser-Busch.	SBK			\$ 346.50
			11/11/10	Draft motion for protective treatment of customer account information and consultant model	SBK			\$ 157.50
			11/15/10	Review Attorney Knowlton's comments regarding motion for protective order; Research Commission orders for additional legal authority regarding customer information; Revise motion for protective order; Send electronic message to Attorney Knowlton regarding same.	JP1			\$ 140.00
			11/17/10	Review and respond to memorandum with Anheuser-Busch's counsel regarding non-disclosure agreement	SBK			\$ 31.50
			11/29/10	Confer with Mr. Ware on Anheuser-Busch special contract issues and finalize Non-Disclosure Agreement with same	SBK			\$ 63.00
			11/30/10	Computer Research - Westlaw				\$ 424.51
06/14/11	2011061072	McLane Law Firm	05/24/11	... Finalize filing of Fourth Contract with Anheuser-Busch with updated volumetric rate.	SBK			\$ 412.50
TOTALS								\$ 3,538.51

PENNICHUCK WATER WORKS, INC.

ANALYSIS OF RATE CASE LEGAL COSTS RELATED TO RECOVERY OF EMINENT DOMAIN CHARGES (REDACTED)

Invoice Date	Invoice Number	Service Provider	Service Date	Description	Professional	Hours	Rate	Charge
05/19/10	2010051551	McLane Law Firm	04/15/10	Conference with Attorney Knowlton regarding evidentiary burden for recovery of eminent domain costs.	SVC			\$ 79.00
			04/16/10	Conference with Attorney Knowlton regarding treatment of eminent domain expenses in rate case filing and support to be provided in testimony.	SVC			\$ 79.00
			04/16/10	Strategize with Ms. Hartley and Mr. Ware on request for eminent domain expense and begin outlining legal issues regarding same.	SBK			\$ 472.50
			04/19/10	Conferences with Attorney Knowlton regarding legal theory for recovery of eminent domain expenses; Memorandum from and memorandum to Attorney Knowlton regarding same; Review memorandum from Attorney Penacho regarding case law regarding recovery of eminent domain litigation expense.	SVC			\$ 355.50
			04/19/10	Telephone call with Attorney Knowlton regarding research on eminent domain law and defense of public utility franchise; Research law regarding compensation for attorney's fees and costs in defending an eminent domain action; Draft memorandum regarding same; Research law regarding right of public utility to collect costs incurred in defending its franchise.	CMP			\$ 1,344.00
			04/20/10	Conference with Attorney Knowlton regarding strategy for seeking recovery of eminent domain expenses.	SVC			\$ 79.00
			04/20/10	Begin drafting Testimony on recovery of eminent domain defense costs . . .	SBK			\$ 472.50
			04/20/10	Research law regarding ability of utility to recover cost of defending its franchise.	CMP			\$ 1,134.00
			04/21/10	Continue to research law including cases, law reviews treatises and utility journals regarding recoverability of legal expenses in rates; Continue to draft memorandum regarding same.	CMP			\$ 1,260.00

PENNICHUCK WATER WORKS, INC.

ANALYSIS OF RATE CASE LEGAL COSTS RELATED TO RECOVERY OF EMINENT DOMAIN CHARGES (REDACTED)

Invoice Date	Invoice Number	Service Provider	Service Date	Description	Professional	Hours	Rate	Charge
			04/22/10	Confer with Mr. Ware on eminent domain defense costs.	SBK			\$ 94.50
			04/22/10	Continue to draft memo regarding standard for recovering litigation expenses.	CMP			\$ 861.00
			04/23/10	Draft Testimony on eminent domain expense and memorandum regarding same.	SBK			\$ 94.50
			04/30/10	Computer Research - Westlaw				\$ 500.00
								<u>\$ 6,825.50</u>
06/10/10	2010060573	McLane Law Firm	05/03/10	Review memorandum from Attorney Penacho regarding recovery of eminent domain costs; Reviewed prefired testimony; Memorandum to Attorney Knowlton regarding analysis of recovery of eminent domain costs.	SVC			\$ 118.50
			05/04/10	Conferences with Attorney Knowlton regarding rate case issues and recovery of eminent domain costs; Review costs to be recovered.	SVC			\$ 1,066.50
			05/04/10	Comment on temporary rate testimony and draft filing letter; draft outline of issues for consideration on recovery of eminent domain expense and office conference with Company representatives on same.	SBK			\$ 1,638.00
								<u>\$ 2,823.00</u>
10/14/10	2010101375	McLane Law Firm	09/08/10	Confer with Company on recovery of eminent domain expense.	SBK			\$ 126.00
			09/13/10	Research eminent domain expense recovery issues.	SBK			\$ 472.50
			09/24/10	Review invoices for eminent domain expense recovery.	SBK			\$ 315.00
			09/26/10	Review eminent domain expense records for submission to Commission.	SBK			\$ 630.00
			09/28/10	Correspondence with client regarding recovery of eminent domain costs.	SVC			\$ 79.00

PENNICHUCK WATER WORKS, INC.

ANALYSIS OF RATE CASE LEGAL COSTS RELATED TO RECOVERY OF EMINENT DOMAIN CHARGES (REDACTED)

Invoice Date	Invoice Number	Service Provider	Service Date	Description	Professional	Hours	Rate	Charge
			09/28/10	Call with Attorney Knowlton regarding background on Pennichuck Water Works' rate case and research issues relating to recovering attorney fees incurred in defending eminent domain case and sale of cell towers; Call with NAWC representative to inquire about whether the organization maintains a brief bank for members; Begin research of whether eminent domain litigation expenses are recoverable from rate payers, including search of PUC decisions and decisions from other jurisdiction.	JP1			\$ 580.00
			09/29/10	Continue research of PUC and court decisions regarding legal standard for recovering eminent domain litigation expenses; Review selected decisions regarding recovering litigation expenses and passing same to rate payers; Review NH RSA Chapter 378 on fixing rates.	JP1			\$ 920.00
			09/30/10	Continue research for legal authority for seeking recovery of condemnation defense expenses and review selected cases.	JP1			\$ 260.00
			09/30/10	Computer Research - Westlaw				\$ 1,259.10
								\$ 4,641.60
11/10/10	2010110825	McLane Law Firm	10/01/10	Confer with Mr. Ware on eminent domain testimony.	SBK			\$ 63.00
			10/04/10	Continue research for legal authority for recovering legal fees incurred in defense of condemnation proceeding; Review several public utilities commission decisions issued in San Gabriel Valley Water Company rate and condemnation proceedings.	JP1			\$ 900.00
			10/05/10	Conference with Attorney Knowlton regarding review of eminent domain expenses for recovery.	SVC			\$ 197.50
			10/05/10	Draft eminent domain expense testimony.	SBK			\$ 252.00
			10/05/10	Begin drafting memorandum on whether attorney fees and costs incurred in defense of condemnation proceeding is recoverable for public utility; Draft analysis regarding whether condemnation defense fees are recoverable as part of the condemnation award.	JP1			\$ 300.00

PENNICHUCK WATER WORKS, INC.

ANALYSIS OF RATE CASE LEGAL COSTS RELATED TO RECOVERY OF EMINENT DOMAIN CHARGES (REDACTED)

Invoice Date	Invoice Number	Service Provider	Service Date	Description	Professional	Hours	Rate	Charge
			10/06/10	Confer with Mr. Hoepper on potential costs to remove from eminent domain expense and draft memorandum on same.	SBK			\$ 315.00
			10/06/10	Research common fund doctrine as potential recovery theory for attorney fees and costs; Review key cases; Draft analysis on recovery theory based on reasonable and prudent costs; Draft analysis on recovery theory based on transfer of assets; Review San Gabriel Valley Water Company decision and draft analysis regarding same in memorandum to Attorney Knowlton; Send electronic message to Attorney Knowlton regarding the foregoing; Pull cases cited in draft memorandum for file.	JP1			\$ 1,300.00
			10/07/10	Confer with Attorney Pak regarding objection to Office of Consumer Advocate's motion to limit scope of proceeding.	SBK			\$ 63.00
			10/07/10	Phone conference with Attorney Knowlton regarding OCA's motion to limit scope of DW 10-091; Review relevant orders issued by the Commission in DW 10-091, DW 04-056, and DW 04-048; Review the OCA's motion; Draft object to OCA's motion.	JP1			\$ 1,160.00
			10/08/10	Research recovery of legal expenses related to defense of franchise rights; Draft analysis regarding same in memorandum for Attorney Knowlton; Finalize memorandum setting forth legal authority supporting Pennichuck Water Works' request for recovery of condemnation defense costs.	JP1			\$ 440.00
			10/11/10	Review OCA motion regarding eminent domain costs; Conference with Attorney Knowlton regarding same	SVC			\$ 79.00
			10/12/10	... Finalize objection to OCA motion to limit scope	SBK			\$ 63.00
			10/12/10	Confer with Company on eminent domain expense recovery and draft memorandum on same	SBK			\$ 315.00
			10/13/10	Follow up with Company on eminent domain invoices	SBK			\$ 94.50
			10/15/10	Draft memorandum on eminent domain testimony	SBK			\$ 126.00
			10/18/10	Draft Company testimony on eminent domain expense	SBK			\$ 945.00

PENNICHUCK WATER WORKS, INC.

ANALYSIS OF RATE CASE LEGAL COSTS RELATED TO RECOVERY OF EMINENT DOMAIN CHARGES (REDACTED)

Invoice Date	Invoice Number	Service Provider	Service Date	Description	Professional	Hours	Rate	Charge
			10/19/10	Review and revise testimony regarding recovery of eminent domain defense expenses; Conference with Attorney Knowlton regarding same	SVC			\$ 395.00
			10/19/10	Review memoranda regarding legal theories to support recovery of eminent domain expense for testimony	SBK			\$ 126.00
			10/20/10	Draft testimony in support of recovery of eminent domain expense	SBK			\$ 157.50
			10/21/10	Draft eminent domain cost recovery testimony	SBK			\$ 535.50
			10/22/10	Revise eminent domain testimony	SBK			\$ 94.50
			10/25/10	Confer with Company on eminent domain expense invoices	SBK			\$ 157.50
			10/27/10	Confer with Ms. Hartley on eminent domain cost testimony	SBK			\$ 63.00
			10/29/10	Telephone conference with Attorney Knowlton, Ms. Hartley and Mr. Ware regarding recovery of eminent domain expense	SVC			\$ 118.50
			10/29/10	Review additional invoices for potential eminent domain recovery and confer with Mr. Ware and Ms. Hartley regarding revisions to eminent domain cost recovery testimony	SBK			\$ 283.50
			10/29/10	Computer Research - Westlaw				\$ 424.51
								<u>\$ 8,968.51</u>
12/10/10	2010121313	McLane Law Firm	11/04/10	Draft eminent domain testimony	SBK			\$ 189.00
			11/05/10	Review and revise eminent domain testimony	SVC			\$ 316.00
			11/07/10	Draft eminent domain testimony	SBK			\$ 189.00
			11/08/10	Finalize joint testimony of Ms. Hartley and Mr. Ware on eminent domain expense	SBK			\$ 220.50
			11/17/10	Confer with Ms. Hartley and Mr. Hoepper on production of eminent domain expense documents	SBK			\$ 157.50
								<u>\$ 1,072.00</u>

PENNICHUCK WATER WORKS, INC.

ANALYSIS OF RATE CASE LEGAL COSTS RELATED TO RECOVERY OF EMINENT DOMAIN CHARGES (REDACTED)

Invoice Date	Invoice Number	Service Provider	Service Date	Description	Professional	Hours	Rate	Charge
01/14/11	2011010869	McLane Law Firm	12/01/10	Confer with Company on supporting documents for eminent domain expense.	SBK			\$ 126.00
02/18/11	2011021470	McLane Law Firm	01/04/11	Draft response to audit request on eminent domain expense.	SBK			\$ 231.00
			01/06/11	Review draft audit response on eminent domain expense and edit same.	SBK			\$ 66.00
			01/18/11	Review Staff audit report on eminent domain expense	SBK			\$ 66.00
			01/30/11	Begin reviewing responses to OCA Set Four data requests.	SBK			\$ 165.00
			01/31/11	... Follow up on OCA's Fourth Set of Data Requests	SBK			\$ 66.00
								\$ 594.00
03/07/11	2011030289	McLane Law Firm	02/02/11	Review and revise responses to data requests regarding eminent domain expense.	SVC			\$ 83.00
			02/02/11	Follow up on discovery on eminent domain expense.	SBK			\$ 99.00
			02/03/11	Conference with Attorney Knowlton regarding responses to eminent domain data requests.	SVC			\$ 83.00
			02/03/11	Review and comment on draft data responses.	SBK			\$ 330.00
								\$ 595.00
04/13/11	2011040933	McLane Law Firm	03/04/11	Telephone conference on timing and likelihood of a stay of an appeal of rate case on issues of inclusion of eminent domain fees in rate case; Telephone conference with Supreme Court clerk regarding same; Review Supreme Court rules and RSA 541.	TJD			\$ 240.00
			03/04/11	Review OCA's proposal regarding deferral of eminent domain expense and confer with Mr. Ware on same; Strategize with Attorney Donovan on procedural issues associated with timing of right of appeal on same.	SBK			\$ 495.00
			03/06/11	Review analysis of eminent domain cost recovery outcomes; Conference with Attorney Knowlton regarding same.	SVC			\$ 83.00

PENNICHUCK WATER WORKS, INC.
 ANALYSIS OF RATE CASE LEGAL COSTS RELATED TO RECOVERY OF EMINENT DOMAIN CHARGES (REDACTED)

Invoice Date	Invoice Number	Service Provider	Service Date	Description	Professional	Hours	Rate	Charge
			03/07/11	Confer with Mr. Ware on potential deferral of eminent domain expense.	SBK			\$ 66.00
			03/08/11	Follow up with OCA and Staff on potential deferral of eminent domain expense.	SBK			\$ 132.00
								<u>\$ 1,016.00</u>
05/11/11	2011050843	McLane Law Firm	04/13/11	Review Secretarial letter granting request to stay consideration of recovery of eminent domain expense.	SBK			\$ 66.00
TOTALS								<u><u>\$ 26,727.61</u></u>