

STATE OF NEW HAMPSHIRE
BEFORE THE
PUBLIC UTILITIES COMMISSION

RE: PENNICHUCK WATER WORKS, INC. AND MANCHESTER WATER WORKS

DOCKET NO. DW 11-__

VERIFIED JOINT PETITION TO MODIFY FRANCHISE BOUNDARIES

Pennichuck Water Works, Inc. ("PWW") and Manchester Water Works ("MWW") hereby jointly petition the Public Utilities Commission ("Commission") for authority, pursuant to RSA 374:30, to modify the franchise boundaries to allow PWW to provide water service to three lots located in Bedford, New Hampshire, situated exclusively within MWW's service territory. In support of this Petition, PWW and MWW state as follows:

1. Pennichuck Water Works, Inc. is engaged in business as a public utility providing water service to approximately 26,000 customers in numerous municipalities in Southern New Hampshire, including the Town of Bedford.
2. Manchester Water Works is a municipal water utility, and provides service to the City of Manchester, New Hampshire and surrounding towns.
3. The territory involved in this Petition encompasses three lots, all located in Bedford, New Hampshire, and identified and highlighted on the tax map as lots 1-24-1, 1-24-2 and 10-4. See Exhibit A.
4. By its Order No. 13,783 in DE 79-174, the Commission granted MWW exclusive authority to extend its mains into and provide service to a specified area within the Town of Bedford. The three lots identified in Paragraph 3 above are located within that authorized service territory. See Exhibit B, Order No. 13,783.

5. While MWW provides service generally within the service territory in Bedford authorized in Order No. 13,783, it does not provide service to the three lots at issue.

6. The owners of lots 1-24-1 and 1-24-2 have recently requested that water services be provided to those premises and, while service has not yet been requested for lot 10-4, the same conditions exist with respect to that lot as exist with regard to lots 1-24-1 and 1-24-2. Although all three of the lots are situated in MWW's service territory, the water mains adjacent to those properties belong to PWW. Moreover, PWW owns and operates a booster station adjacent to two of the lots and across the street from the third. See Exhibit A.

7. Given the proximity of PWW's mains and its booster station to the three lots, PWW and MWW agree that it would be more logical, both economically and operationally, for PWW, rather than MWW, to provide water service to these lots. A transfer of the right to serve the three lots will not require transfer of any plant or equipment between MWW and PWW.

8. RSA 374:30 authorizes a utility to transfer any part of its franchise provided the Commission finds it "will be for the public good." The modification to the franchise boundaries requested by the PWW and MWW satisfies that standard because it will enable MWW to avoid making additional capital investment to serve the three lots and because PWW will be able to serve the lots with only the minimal additional investment necessary to connect the lots to PWW's existing distribution system, which is already located in close proximity to the lots.

9. As the Commission is aware, PWW currently serves more than 26,000 customers in Nashua and a number of other New Hampshire communities, and has the requisite technical, managerial and financial resources necessary to provide water services to the three lots at issue. In addition, the Commission has previously authorized PWW to provide service within the Town of Bedford, see Order No. 20,913 in Docket DE 92-185, and therefore the operating authority

sought in this Petition would merely be an extension of the authority previously granted to PWW.

10. If the Commission approves this Petition, PWW and MWW will each file appropriate revised tariff pages as necessary to reflect the change in their respective service territories.

WHEREFORE, PWW and MWW respectfully request that the Commission:

A. Find that, as provided by RSA 374:30, the modification to the franchise boundaries requested by PWW and MWW is for the public good;

B. To the extent necessary under RSA 374:26 and RSA 374:28, respectively, authorize PWW to provide service to the three lots and relieve MWW of any further obligation to provide service to those lots;

C. Issue an Order *Nisi* approving the Verified Petition to Modify Franchise Boundaries; and

D. Grant such other and further relief as may be just and reasonable.

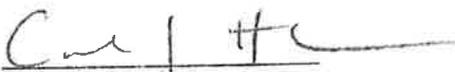
Respectfully submitted,

PENNICHUCK WATER WORKS, INC.

By its Attorneys,

McLANE, GRAF, RAULERSON MIDDLETON,
PROFESSIONAL ASSOCIATION

Date: 9-9, 2011

By: 
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MANCHESTER WATER WORKS

By: Thomas Bowen
Thomas Bowen, Director

I, Donald L. Ware, President of Pennichuck Water Works, Inc, being first duly sworn, hereby depose and say that I have read the forgoing Verified Petition, and the facts alleged therein are true to the best of my knowledge and belief.

Dated: 8/29/2011 Donald L. Ware
Name: Donald L. Ware

STATE OF New Hampshire
COUNTY OF Hillsborough

Personally appeared the above-named Donald L. Ware this 29th day of August, 2011, known to me (or satisfactory proven) to be the person whose name is subscribed to the foregoing instrument for the purposes therein contained.

Before me:

[Signature]
Notary Public/Justice of the Peace
My Commission Expires 2013



I, Thomas Bowen, Director of Manchester Water Works, being first duly sworn, hereby depose and say that I have read the forgoing Verified Petition, and the facts alleged therein are true to the best of my knowledge and belief.

Dated: 8/31/2011 Thomas Bowen
Name: Thomas Bowen

STATE OF N.H.
COUNTY OF Hillsborough

Personally appeared the above-named Thomas Bowen this 31st day of August, 2011, known to me (or satisfactory proven) to be the person whose name is subscribed to the foregoing instrument for the purposes therein contained.

Before me:

Diane T. Steere
Notary Public/Justice of the Peace
My Commission Expires 2/13/2013

Certificate of Service

I hereby certify that a copy of the foregoing Joint Petition to modify Franchise Boundaries has been forwarded this 9th day of September, 2011 to the Office of Consumer Advocate.

Steven V. Carjerino
Steven V. Carjerino