

**THE STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DW 06-109

ORDER OF NOTICE

On August 16, 2006, Pennichuck East Utility, Inc. (PEU) filed with the New Hampshire Public Utilities Commission (Commission) a petition for condemnation pursuant to RSA 371:1. PEU is a regulated public utility pursuant to RSA 362:2 and 362:4 and provides water service in various communities in southern New Hampshire.

PEU seeks easements over certain private property located in its Gage Hill Community Water System in Pelham. PEU states that the easements are necessary in order to assure its right to make necessary upgrades and repairs to the water system. Respondents are Sandra J. Crane and Daniel A. Crane, owners of record of a parcel of land located at 6 Radcliff Drive, and from Felix E. Quintal, owner of a parcel of land with located at 4 Radcliff Drive. PEU states that the water system is comprised of a well, pump house, water mains and a buried steel storage tank located at the intersection of these two lots and two other lots at 14 Vassar Drive and 16 Vassar Drive. PEU reports that it has acquired easements from the owners of the two Vassar Drive lots, but has been unsuccessful in acquiring easements from the Cranes and Mr. Quintal in spite of numerous attempts beginning in 2003.

The filing raises, inter alia, issues related to whether it is necessary pursuant to RSA 371:1 for PEU to acquire the property rights in question so as to meet the reasonable requirements of service to the public and, if so, what compensation should be paid for the taking

pursuant to RSA 371:4-a. Each party has the right to have an attorney represent them at their own expense.

Based upon the foregoing, it is hereby

ORDERED, that a Prehearing Conference, pursuant to N.H. Admin. Rules Puc 203.15, be held before the Commission located at 21 S. Fruit St., Suite 10, Concord, New Hampshire on October 5, 2006 at 10:00 am, at which each party will provide a preliminary statement of its position with regard to the petition and any of the issues set forth in N.H. Admin. Rule Puc 203.15(c) shall be considered; and it is

FURTHER ORDERED, that, immediately following the Prehearing Conference, PEU, Respondents, the Staff of the Commission and any Intervenors hold a Technical Session to review the petition and allow PEU to provide any amendments or updates to its filing; and it is

FURTHER ORDERED, that pursuant to N.H. Admin. Rules Puc 203.12, PEU shall notify all persons desiring to be heard at this hearing by publishing a copy of this Order of Notice no later than September 20, 2006, in a newspaper with general circulation in those portions of the state in which operations are conducted, publication to be documented by affidavit filed with the Commission on or before October 5, 2006; and it is

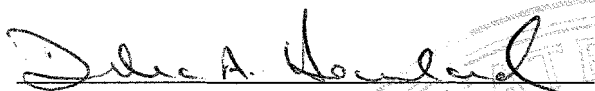
FURTHER ORDERED, that PEU provide a copy of this Order of Notice by certified mail, return receipt requested, to respondents Sandra J. Crane and Daniel A. Crane, and to Felix E. Quintal within five days of the date of this order; and it is

FURTHER ORDERED, that pursuant to N.H. Admin. Rules Puc 203.17, any party seeking to intervene in the proceeding shall submit to the Commission seven copies of a Petition to Intervene with copies sent to PEU and the Office of the Consumer Advocate on or before October 2, 2006, such Petition stating the facts demonstrating how its rights, duties, privileges,

immunities or other substantial interest may be affected by the proceeding, as required by N.H. Admin. Rule Puc 203.17 and RSA 541-A:32,I(b); and it is

FURTHER ORDERED, that any party objecting to a Petition to Intervene make said Objection on or before October 5, 2006.

By order of the Public Utilities Commission of New Hampshire this thirteenth day of September, 2006.



Debra A. Howland
Executive Director & Secretary

Individuals needing assistance or auxiliary communication aids due to sensory impairment or other disability, should contact the Americans with Disabilities Act Coordinator, NHPUC, 21 S. Fruit St., Suite 10, Concord, New Hampshire 03301-2429; 603-271-2431; TDD Access: Relay N.H. 1-800-735-2964. Notification of the need for assistance should be made one week prior to the scheduled event.

