

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

DW 10-141

LAKES REGION WATER COMPANY, INC.
Petition for Change in Rate Schedules

Objection to Lakes Region Water Company's Motion to Strike Testimony of
Property Owners Association of Suissevale, Inc.

Now Comes the Property Owners Association at Suissevale, Inc. ("POASI") pursuant to Admin. Rule Puc 203.07(e) and objects to the Motion to Strike Testimony of Property Owners Association of Suissevale, Inc. dated January 5, 2012 ("Motion") and filed with the New Hampshire Public Utilities Commission ("Commission") in the above-captioned docket. In support of this Objection POASI states as follows:

1. As Lakes Region points out Admin. Rule Puc 203.20(a) states that participants in settlement conferences "shall not disclose *the contents* of such discussions to third parties or introduce them into evidence." [Emphasis added.]

2. As is apparent from the words used in the Testimony of POASI President John Skelton that Lakes Region is moving to strike there was no such disclosure of "the contents" of settlement discussions. Mr. Skelton's testimony discussed very generally how POASI participated in the process, a process that is part of the public record of the Commission. Through Mr. Skelton's testimony POASI provided the Commission with a sense of the concern it has about the issues at stake in this docket and the commitment it has shown to attempting to address those issues. It did not at any time, as is readily apparent from the words of the testimony itself, violate the rule cited by Lakes Region.

3. In his Reply Testimony in this docket Thomas Mason had a full and fair opportunity to respond to Mr. Skelton's testimony, which he did. At no time did he raise any concern about Mr. Skelton's discussion of POASI's participation in the settlement conferences. See pages 10-12 of the Reply Testimony of Thomas Mason on Behalf of Lakes Region Water Company, Inc. dated December 12, 2011 in Docket Nos. DW 07-105, DW 10-043, DW 10-141 & DW 11-021.

4. Mr. Skelton's testimony provided valuable background to the Commission and the parties to this docket on (1) the relationship between Lakes Region and POASI; (2) POASI's concerns about Lakes Region's financial and operational performance and its ability to meet its obligations; and (3) the steps POASI has taken in light of its concerns.

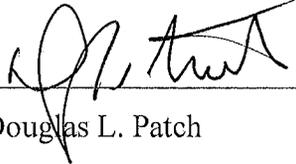
5. The Commission can and will give such weight and consideration to Mr. Skelton's testimony as it deems appropriate.

6. Lakes Region should not be wasting the time and resources of the Commission, the parties to this docket, and the ratepayers (who are ultimately liable for rate case expenses) on such imprudent and unnecessary motions. See *Lakes Region Water Company*, 91 NH PUC 586, 587 (2006); *Aquarion Water Company of New Hampshire*, 94 NH PUC 715m 716 (2009); *Lakes Region Water Company, Inc.*, 94 NH PUC 155, 157 (2009).

Wherefore, POASI respectfully requests that the Commission:

- A. Deny the Motion to Strike; and
- B. Grant such other relief as it deems just and equitable.

Respectfully submitted,
Property Owners Association at Suissevale, Inc.
By Their Attorneys

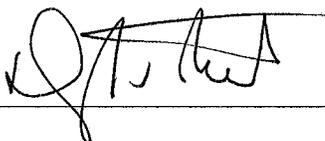


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Dated: January 9, 2012

Certificate of Service

I hereby certify that a copy of the foregoing Petition has on this 9th day of
January, 2012 been sent by electronic mail to the service lists in DW 10-141, DW 07-
105, DW 10-043, and DW 11-021.

By: 

Douglas L. Patch

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