

**MANDATE**

Certified and Issued as Mandate Under NH Sup. Ct. R. 24

*Alison R. Code* 2/24/17  
Clerk/Deputy Clerk Date

**THE STATE OF NEW HAMPSHIRE**

NHPUC 27FEB17 4:08:24

**SUPREME COURT**

**In Case No. 2017-0018, Appeal of City of Berlin & a., the court on February 10, 2017, issued the following order:**

Having reviewed the appeal document and the appendix, the court summarily affirms the decision of the New Hampshire Public Utilities Commission (Commission) in accordance with Rule 25(1)(c) on the basis that the case includes the decision of the Commission, no substantial question of law is presented, and the supreme court does not find the decision unjust or unreasonable. The motion for summary affirmance and the motion for summary disposition are, therefore, moot.

Under Supreme Court Rule 25, the supreme court has discretion to summarily affirm the ruling of an administrative agency. No appeal, however, is summarily affirmed except by unanimous vote of the court with at least three justices participating.

This matter was considered by each justice whose name appears below. If any justice who considered this matter believed the appeal should have been accepted, this case would have been accepted and scheduled for briefing.

Summarily affirmed.

Dalianis, C.J., and Hicks, Conboy, Lynn, and Bassett, JJ., concurred.

**Eileen Fox,  
Clerk**

Distribution:

New Hampshire Public Utilities Commission, DE 16-817

Christopher L. Boldt, Esq.

Eric A. Maher, Esq.

Judith E. Whitelaw, Esq.

Walter L. Mitchell, III, Esq.

Robert A. Bersak, Esq.

Wilbur A. Glahn, III, Esq.

James W. Kennedy, III, Esq.

Emily K. Green, Esq.

Anne M. Edwards, Esq.  
Laura E. B. Lombardi, Esq.  
Christopher G. Aslin, Esq.  
Zachary M. Fabish, Esq.  
Shawn M. Tanguay, Esq.  
International Brotherhood of Electrical Workers  
Office of Consumer Advocate  
File