

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

HAMPSTEAD AREA WATER COMPANY, INC.

DW 18-138

Petition for Approval of Drinking and Groundwater Trust Fund Financing and Step Increase

ASSENTED TO MOTION TO APPROVE SETTLEMENT AGREEMENT

Staff of the Public Utilities Commission (Staff), Hampstead Area Water Company, Inc. (HAWC), and the Office of the Consumer Advocate (OCA) (collectively the Settling Parties), pursuant to N.H. Admin. Rule Puc 203.07, hereby submit this Assented to Motion to Approve Settlement Agreement and in support thereof state as follows:

1. A prehearing conference for the above-mentioned matter was held on October 15, 2018, followed by a technical session which the Settling Parties attended. No other motions to intervene were filed.
2. A subsequent technical session was held on December 4, 2018, pursuant to the Commission-approved procedural schedule. During that technical session, the Settling Parties negotiated and came to an agreement on the instant filing.
3. As reflected in the Settlement Agreement, filed concurrently with this Motion, the Settling Parties agree that the Drinking Water and Groundwater Trust Fund (DWGTF) financing sought by HAWC for Commission approval, for construction of a one million gallon water tank, is a routine financing. The Settling Parties further agree that the financing terms and rates are reasonable and consistent with the public good, pursuant to RSAs 369:1 and 369:4. As such, the Settling Parties agree that the Commission should

approve the requested financing and find that it is reasonable and consistent with the public good.

4. The Settling Parties further agree that HAWC will withdraw its request for a step increase. In consideration, the Settling Parties agree that HAWC will retain the right to file a full rate proceeding in 2019 which may be based on a split test year for a 12 month period ending in 2019.
5. The Settling Parties agree that, with HAWC's withdrawal of the step increase request, this matter is now strictly a request for financing approval by the Commission, pursuant to RSAs 369:1 and 369:4.
6. The Settling Parties agree that the Commission may approve a financing without the need for hearing. *See* RSA 369:4 (the "Commission, after such hearing *or investigation as it may deem proper*, shall determine the actual or probable cost incurred" and approve the financing if the terms of the proposed financing are consistent with the public good (emphasis added)).
7. The Settling Parties agree that the Settlement Agreement satisfies the requirement of an investigation into the actual or probable cost incurred. The Commission has previously and regularly approved financings, by Order, without a final hearing. *Pennichuck Water Works, Inc.*, Order No. 26,197 (December 3, 2018); *Pennichuck East Utility, Inc.*, Order No. 26,189 (November 6, 2018). The Settling Parties, thus, recommend that the Commission approve the Settlement Agreement without a hearing as one is not requested, deemed necessary, or required per RSA 369:4. As such, the Settling Parties request that the Settlement Agreement be approved as filed by Order.

8. The Settling Parties have each reviewed and approve of the filing of this Motion and accompanying Settlement Agreement and assent to the relief requested.

WHEREFORE, the Settling Parties respectfully request that the Commission:

- A. Grant this Assented to Motion to Approve Settlement Agreement for the reasons stated herein and contained within the Settlement Agreement; and
- B. Approve the Settlement Agreement as filed, by Order, without further hearing; and
- C. Grant such other relief as is just and equitable.

Respectfully submitted,
Commission Staff

Date: 2.8.19

By:


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CERTIFICATE OF SERVICE

I hereby certify that on this 8th day of February, 2019, I caused a copy of the foregoing to be delivered to the Commission with service made electronically on all parties to the service list.


Christopher R. Tuomala