

**STATE OF NEW HAMPSHIRE  
PUBLIC UTILITIES COMMISSION**

**DW 20-019**

**PENNICHUCK EAST UTILITY, INC.**

**2020 Qualified Capital Project Adjustment Charge**

**Order Granting Motion for Clarification**

**O R D E R N O. 26,562**

**January 7, 2022**

**I. PROCEDURAL HISTORY**

On December 3, 2021, the New Hampshire Department of Energy (Energy) filed a motion for clarification of Order No. 26,546, which the Commission issued on November 9, 2021. No objection to the motion for clarification was filed. Prior procedural history of this proceeding may be found in Order No. 26,546.

**II. POSITIONS OF THE PARTIES**

**A. Department of Energy**

In its motion, Energy stated that it was not contesting any of the Commission's substantive decisions in Order No. 26,546, but that it disagreed with the order's use of the term "staff advocate" and reference to Commission staff appearing as parties in this docket prior to Energy's creation on July 1, 2021. Energy requested the Commission to correct these references in Order No. 26,546.

**B. Other Parties**

Neither Pennichuck East Utility, Inc. nor the Office of the Consumer Advocate took a position on Energy's request.

**III. COMMISSION ANALYSIS**

The Commission may modify an order at any time without a hearing, when no hearing was required by law and held before the order issued. RSA 365:28. In this

instance, Energy seeks a technical amendment of Order No. 26,546, for which no hearing was required and which was issued without a hearing.

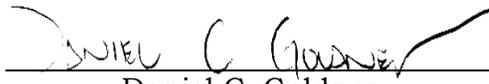
Energy is correct that the Commission did not designate any staff members as “staff advocates” in this proceeding. See RSA 363:32 (2020). Moreover, RSA 363:30 through RSA 363:36, regarding the participation of Commission staff in adjudicative proceedings, was repealed by HB 2-FN (2021), effective July 1, 2021. 2021 N.H. Laws, ch. 91:213. Therefore, in Order No. 26,546, the Commission incorrectly referred to Commission staff participating in this proceeding as staff advocates or parties. We grant Energy’s motion for clarification and modify Order No. 26,546 accordingly.

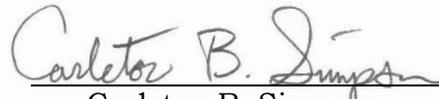
**Based upon the foregoing, it is hereby**

**ORDERED**, that Energy’s Motion for Clarification is GRANTED; and it is

**FURTHER ORDERED**, that Order No. 26,546 (November 9, 2021) is modified, consistent with this order.

By order of the Public Utilities Commission of New Hampshire this seventh day of January, 2022.

  
Daniel C. Goldner  
Chairman

  
Carleton B. Simpson  
Commissioner

## Service List - Docket Related

Docket# : 20-019

Printed: 1/7/2022

Email Addresses

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ClerksOffice@puc.nh.gov  
wfa@rathlaw.com  
douglas.brogan@gmail.com  
robyn.j.descoteau@energy.nh.gov  
larry.goodhue@pennichuck.com  
carolann.howe@pennichuck.com  
jay.kerrigan@pennichuck.com  
jayson.p.laflamme@energy.nh.gov  
anthony.j.leone@energy.nh.gov  
amanda.o.noonan@energy.nh.gov  
ocalitigation@oca.nh.gov  
jjs@rathlaw.com  
christopher.r.tuomala@energy.nh.gov  
smw@rathlaw.com  
donald.ware@pennichuck.com  
cbw@rathlaw.com