

**STATE OF NEW HAMPSHIRE  
PUBLIC UTILITIES COMMISSION**

**DW 20-071**

**Atkinson Area Waste Water Recycling, Inc.**

**Request for Change in Rates**

**Order Authorizing Recovery of Rate Case Expenses**

**O R D E R N O. 26,660**

**July 29, 2022**

This order authorizes Atkinson Area Waste Water Recycling, Inc. (Atkinson, or the Company) to recover approved rate case expenses incurred in this proceeding. The Company's initial filings and all subsequent filings, other than any information for which confidential treatment is requested of or granted by the Commission, are posted on the Commission's website at [www.puc.nh.gov/Regulatory/Docketbk/2020/20-071.html](http://www.puc.nh.gov/Regulatory/Docketbk/2020/20-071.html).

**I. PROCEDURAL HISTORY**

Atkinson filed a petition for a change in rates on July 13, 2020. On September 23, 2021, the New Hampshire Department of Energy (DOE) filed a settlement agreement (Settlement) that included certain provisions regarding the recovery of rates case expenses. The Commission approved the Settlement in Order No. 26,547 on November 9, 2021.

On November 23, 2021, Atkinson filed a request to recover rate case expenses pursuant to the Settlement. On April 29, 2022, Atkinson filed updated Actual and Estimated Rate Case Expenditures thru March 31, 2022.

On July 8, 2022, DOE filed a report and position statement on its review of Atkinson's rate case expenses, reflecting adjustments to the Company's final rate case

expenses and customer counts based on further information provided by the Company through discovery.

## **II. SETTLEMENT AGREEMENT**

The Settlement filed on September 23, 2021, included certain provisions and recommendations regarding the recovery of rate case expenses. *See Settlement at 10.* In the Settlement, the Company and DOE agreed and recommended that the Commission approve Atkinson's recovery of reasonable rate case expenses incurred in this proceeding. Specifically, the Settlement states that Atkinson's rate case expenses may include, but are not limited to, legal and consultant expenses, incremental administrative expenses such as copying and delivery charges, and other such rate case-related expenditures permitted under N.H. Admin. R., Puc 1906.01.

The Company agreed to file its final rate case expense request and proposal for surcharge recovery no later than 30 days after Commission approval of permanent rates, pursuant to Puc 1905.02. The Settlement requires that the resulting surcharge to be reflected as a separate item on customer bills. Finally, Atkinson agreed to file a compliance tariff supplement including the approved surcharge related to rate case expense recovery within 15 days of an order approving recovery of rates case expenses.

## **III. ATKINSON REQUEST**

On November 23, 2021, Atkinson submitted an initial request for approval of \$48,062.85 in rate case expenses, proposed for recovery over 36 months from 65 customers through a monthly surcharge on customer bills of \$20.54 per customer. On April 29, 2022, Atkinson filed updated Actual and Estimated Rate Case Expenditures thru March 31, 2022, requesting recovery of \$50,616.33 in rate case expenses.

#### **IV. DEPARTMENT OF ENERGY REVIEW**

In its July 8, 2022 report and position statement, DOE stated that it had analyzed the filing, issued discovery, reviewed responses, and met with the Company on June 14, 2022. The Company had submitted further adjustments to DOE in response to discovery requests, resulting in an adjusted rate case expense request of \$53,794.88 to be recovered over 36 months. The Company also increased its customer count from 65 customers to 67 customers, as it had not counted the residential building water meters used to measure utility room and irrigation system usage. The Company's updates resulted in a revised proposed monthly surcharge of \$22.30.

DOE reported that the Company agreed to certain additional adjustments that reduced the amount of the expenses it sought to recover by \$1,823.42, resulting in a final rate case expense recovery amount of \$51,791.46 recovered over 42 months rather than 36. The net result agreed to by DOE and Atkinson was a revised monthly bill surcharge of \$18.47 per customer per month for 42 months.

#### **V. COMMISSION ANALYSIS**

##### **1. Rate Case Expense Recovery**

N.H. Admin. R., PART Puc 1906 permits recovery of certain rate case expenses that are just and reasonable and in the public interest. Approved rate case expenses are recovered through a surcharge on rates. Puc 1908.01. Atkinson initially proposed to recover \$50,616.33 in rate case through a surcharge applied to customer bills over 36 months. DOE recommended certain adjustments as outlined above, including a recovery period of 42 months. The resulting proposed request for the recovery of rate case expenses is a total of \$51,791.46 through a customer bill surcharge of \$18.47 per customer per month for 42 months.

Consistent with the statute and administrative rules, we have reviewed the rate case expenses submitted by Atkinson, as well as the report and proposed adjustments filed by DOE and supported by the Company. We approve the Company's recovery of rate case expenses in the amount of \$51,791.46.

## **2. Recovery through Billing Surcharge**

We further find the proposed recovery of the rate case expenses, as adjusted and confirmed by DOE, to be just and reasonable and in the public interest. We therefore approve the recovery of \$51,791.46 in rate case expenses over a timeframe of 42 months, as supported by DOE with the concurrence of the Company, through a temporary surcharge of \$18.47 per customer.

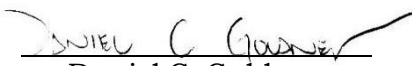
### **Based upon the foregoing, it is hereby**

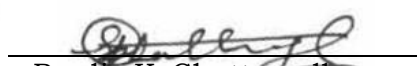
**ORDERED**, that Atkinson Area Waste Water Recycling, Inc. (Atkinson) is authorized to recover \$51,791.46 in rate case expenses; and it is

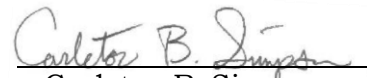
**FURTHER ORDERED**, that Atkinson shall recover the approved amount of rate case expenses over 42 months through a monthly surcharge in the amount of \$18.47 per customer; and it is

**FURTHER ORDERED**, that within 15 days of this order approving recovery of rates case expenses, Atkinson shall file a compliance tariff supplement including the approved surcharge related to rate case expense recovery.

By order of the Public Utilities Commission of New Hampshire this twenty-ninth day of July, 2022.

  
Daniel C. Goldner  
Chairman

  
Pradip K. Chattopadhyay  
Commissioner

  
Carleton B. Simpson  
Commissioner

## Service List - Docket Related

Docket# : 20-071

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