

STATE OF NEW HAMPSHIRE

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DEPARTMENT OF ENERGY

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September 1, 2021

Dianne Martin, Chairwoman
New Hampshire Public Utilities Commission
21 South Fruit Street
Concord, NH 03301-2429

Re: Docket No. DW 20-112 (Abenaki Water Company, Inc.)
Request for Change in Rates
Request for Commission Determination Regarding Abenaki's Motion to Temporarily
Suspend Procedural Schedule

Dear Chairwoman Martin:

The New Hampshire Department of Energy respectfully requests that the Commission render a decision on the pending Motion to Temporarily Suspend Procedural Schedule in the above-referenced matter at the earliest possible time.

On February 23, 2021, the Commission approved a procedural schedule for this proceeding. The Commission approved further changes to that schedule on June 9, but left the remainder of the procedural schedule effective post-July 1. The remaining procedural schedule provides for a "Litigation Track" in the proceeding, including the submission of testimony on August 31, which date has passed at the time of this letter's submission.

On August 26, 2021, Abenaki Water Company, Inc. (Abenaki or the Company) filed a Motion to Temporarily Suspend Procedural Schedule (Motion). Abenaki cited to the ongoing examination in Docket No. DW 21-090, which concerns the proposed acquisition of New England Service Company, the parent company of Abenaki, by Aquarion Company, which has diverted the parties' attention from this rate proceeding. In Docket No. DW 21-090, furthermore, the joint petitioners (Abenaki and Aquarion), filed commitments to withdraw Abenaki's rate case filing in the instant docket in the event that the proposed acquisition was approved by the Commission. Abenaki cited this possibility as support for its Motion, stating that "temporarily suspending the remainder of the procedural schedule would promote the orderly and efficient conduct of this proceeding because it would avoid unnecessary time and effort by the parties and the Commission if Abenaki ultimately withdraws its rate case." Motion at 2. Both the Department of Energy and intervenor Richard Rudolf assented to the Motion; Village Shore Estates Association and the Office of the Consumer Advocate opposed it.

At this time, the Department of Energy respectfully requests a Commission determination of the Motion presented as it will aid in the orderly and efficient conduct of the proceeding. Many of the parties involved are *pro se*, which compounds the difficulty faced by these intervenors in navigating

the rate case process, especially when important procedural matters remain unresolved. An expedient determination by the Commission of Abenaki's Motion would benefit all involved.

Thank you for your attention to this matter. Please do not hesitate to contact me if you need anything further.

Sincerely,

/s/ Christopher R. Tuomala

Christopher R. Tuomala, Esq.
Hearings Examiner/Attorney

cc: Service List (electronically)