

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DW 20-112

ABENAKI WATER COMPANY, INC.

Request for Change in Rates

Order Granting Request to Withdraw Motion to Dismiss

O R D E R N O. 26,523

September 23, 2021

I. PROCEDURAL HISTORY

Abenaki Water Company, Inc. (Abenaki) filed a request for change in rates on July 16, 2020 and its rate case filing on September 15 and 21, 2020. By secretarial letter dated September 29, 2020, the Commission granted Abenaki's request to withdraw its rate case filing.

On October 30 and November 19, 2020, Abenaki submitted a new rate case filing. The Commission issued Order No. 26,427 on November 30, 2020 suspending Abenaki's proposed tariffs for temporary and permanent rate increases. It issued an order of notice on December 22, 2020, which was corrected on December 24, 2020, scheduling a prehearing conference on February 1, 2021.

A number of requests for intervention were made prior to, and during, the prehearing conference, which the Commission granted in a secretarial letter dated February 23, 2021. There were two groups of intervenors: one consisting of customers of the Bow Water System, and the other consisting of customers of the Tioga-Belmont Water System (collectively, the Intervenors). Cristy Bresson and Jennifer Speck agreed to act as representatives of the Village Shore Estates Association served by the Bow Water System, and Jeff Phillips and George Woodruff agreed to act as representatives of the Tioga-Belmont Water System.

On March 31, 2021, the Commission held a hearing on the temporary rate settlement agreement filed by all of the parties. The Commission approved the temporary rate settlement agreement in Order No. 26,482 issued on May 18, 2021.

Abenaki filed a notice of intent to withdraw its rate case on July 16, 2021, contingent upon the Commission issuing a determination in Docket No. DW 21-090 that there was no adverse impact under RSA 369:8, II related to Aquarion Company's proposed acquisition of Abenaki at issue in that docket. In addition, Abenaki filed a motion to suspend the procedural schedule in light of Docket No. DW 21-090, which the Commission denied by letter dated September 7, 2021.

On August 30, 2021, the Intervenors filed a motion to dismiss Docket No. DW 20-112. The motion was not signed, as required by New Hampshire Administrative Rules, Puc 202.07. Abenaki subsequently filed a copy of email from Ms. Speck dated August 31, 2021, which indicated that the Intervenors wished to withdraw their motion to dismiss. This request was not in the format required by the Commission's administrative rules. See N.H. Admin. R., Puc 203.04. No responses to the Intervenors' motion to dismiss or request to withdraw were filed.

II. COMMISSION ANALYSIS

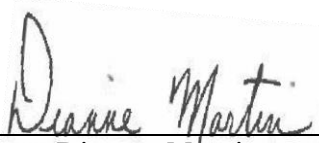
The Commission has construed the August 31, 2021 email as a motion by the Intervenors to withdraw their motion to dismiss dated August 30, 2021. As there has been no objection to the request to withdraw, it is granted, so that the motion to dismiss is now deemed to have been withdrawn.

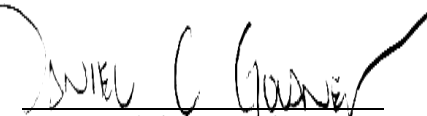
Based upon the foregoing, it is hereby

ORDERED, that the Intervenors' request to withdraw their motion to dismiss is granted; and it is

FURTHER ORDERED, that the Intervenors' motion to dismiss dated August 30, 2021 is withdrawn.

By order of the Public Utilities Commission of New Hampshire this twenty-third day of September, 2021.



Dianne Martin
Chairwoman

Daniel C. Goldner
Commissioner

Service List - Docket Related

Docket# : 20-112

Printed: 9/23/2021

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