

Exhibit A

Anthony Augeri

From: Anthony Augeri
Sent: Thursday, October 28, 2021 8:54 AM
To: Patch, Douglas L.
Subject: RE: HAWC NHPUC Docket DW 20-117 [IWOV-iManage.FID509686]

Doug,

We have reviewed this matter further regarding further responses to Atkinson TS 4-5 and 4-6 in addition to our initial data request responses and supplemental responses. For TS 4-5 we maintain our position that these documents are not relevant to the rate case and contain sensitive information that cannot be divulged. While I appreciate your willingness to enter into a non-disclosure agreement you also this fall indicated the Town intends to publish all materials produced in this rate case, and the company cannot risk such publication.

As for TS 4-6 the most the company can offer is to make a written request to AAWWA to allow us to release their standards to the Town that we previously cited. AAWWA has clearly invoked copyright protection for its materials and has as the only exception express written consent. But even consent may be difficult as the company access to the AAWWA standards is through a subscription and not physical books we maintain. It would be much easier for the Town to obtain a subscription itself or purchase the particular standards it is interested in.

Thank you,
Tony

Anthony S. Augeri, Esq.
General Counsel
(he/him/his)

The Lewis Group of Companies
The Hampstead Area Water Company, Inc.
Atkinson Area Waste Water Recycling, Inc.

54 Sawyer Avenue
Atkinson, NH 03811
Direct: (603) 362-1936
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aaugeri@lewisbuilders.com

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From: Patch, Douglas L. <DPatch@orr-reno.com>
Sent: Wednesday, October 27, 2021 2:55 PM

To: Anthony Augeri <aaugeri@lewisbuilders.com>

Subject: RE: HAWC NHPUC Docket DW 20-117 [IWOV-iManage.FID509686]

Hi Tony,

Any progress on the discovery issues? I will need to file a motion by tomorrow. I think your last voicemail said you were still looking at whether you could do anything on the two data requests, Atkinson TS 4-5 and 4-6.

Thanks.

Doug

From: Anthony Augeri <aaugeri@lewisbuilders.com>

Sent: Friday, October 22, 2021 5:24 PM

To: Patch, Douglas L. <DPatch@orr-reno.com>

Subject: HAWC NHPUC Docket DW 20-117

Doug,

I wanted to reply to your email in addition to the formal supplemental response to the Town's data requests that we filed earlier today. Please see below my additional comments to yours in your email below, in **red**. I also added the data requests for added context.

Thank you,

Tony

Anthony S. Augeri, Esq.

General Counsel

(he/him/his)

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From: Patch, Douglas L. DPatch@orr-reno.com

Sent: Wednesday, October 13, 2021 3:44 PM

To: Anthony Augeri aaugeri@lewisbuilders.com

Subject: HAWC NHPUC Docket DW 20-117 [IWOV-iManage.FID509686]

Hi Tony,

After reviewing the responses that we received on October 7, 2021 to the Town of Atkinson's technical session data requests, we have a few follow-up questions which we hope we can resolve with you. We consider this a good faith effort under Admin. Rule

Puc 203.09 (i) to resolve these issues informally if possible. With that in mind, I would appreciate a response from you by a week from today at the latest.

ATKINSON TS 4-5 Please provide a copy of the Company's vulnerability assessment and emergency response plan.

- we asked for a copy of the Company's vulnerability assessment and emergency response plan. While we understand the need to keep these confidential, it seems perfectly reasonable for the Town to have access to these documents for the Fire Chief and possibly other town officials to review them, perhaps subject to a non-disclosure agreement. Is this something on which we can reach agreement? TA: Doug, we don't agree the requested information is reasonable for the Town to have. There is sensitive information that if it got in the wrong hands could compromise the company's operations.

ATKINSON TS 4-8 Please provide any documents associated with the response to Atkinson 5-25 and the discussion during the technical session about whether the Company considered the impact of the taxes when making the decision about whether to proceed with its participation in SNHRWP, as well as any documents associated with the Company's attempt to obtain funding from the state or any other source to pay for some or all of that tax liability.

- we asked for information about whether the Company considered the impact of taxes when making the decision to proceed with SNHRWP and any documents associated with the Company's attempt to obtain funding from the state or any other source. The Company objected based on attorney-client privilege since they hired outside counsel to examine possible avenues. We understand the Company's position with respect to communications it had with its attorneys, but we do not see how this applies to any documents associated with the Company's attempt to get funding from the state. We would respectfully request that you produce those documents. TA: Doug, upon looking at the data request further it does appear our response was incomplete regarding the company's attempts to obtain funding from the state. We prepared a supplemental response which was provided to you and the discovery list. For further information please see Docket DW 19-147 which is still open and which involved our request for approval of the loan from the state to pay for federal taxes caused by CIAC.

ATKINSON TS 4-6 Please provide a copy of the American Association Water Works Association standards referred to in the responses to Atkinson 5-40 through 5-44.

- we asked for copies of the American Water Works Association standards to which the Company had referred in the responses to prior data requests. The Company said due to publishing laws they could not provide them. We respectfully request a copy of the publishing law that prevents the Company from providing these. It seems reasonable that the Town and other participants in the docket ought to be able to review the standards to which fire hydrants are being built. We are hopeful that we can find a way to resolve this issue and provide a mechanism for Town officials to review these standards. TA: Doug, our response was not as clear as it should have been and we provided a supplemental response to you and the discovery list.

Let me know if you want to discuss any of this further. TA: Doug let me know if you would like to discuss this further once you have reviewed the supplemental responses.

Thank you for your assistance.

Doug

Douglas L. Patch

Admitted in NH and MA

Orr&Reno

Sustained Excellence Since 1946

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Exhibit B

Anthony Augeri

From: Patch, Douglas L. <DPatch@orr-reno.com>
Sent: Friday, September 24, 2021 1:51 PM
To: Anthony Augeri
Subject: RE: Publication of data request responses - HAWC rate case [IWOV-iManage.FID509686]

Hi Tony,

I misunderstood what the Town intends to post, it is everything that is in the public record so far, which includes the responses to all data requests that the company had provided. Given this, could you let us know which responses to staff data requests you are going to seek confidential treatment for? The Town will agree not to post the portion on which you will seek confidential treatment and is fine with you filing the motion on Monday.

Thanks.

Doug

From: Anthony Augeri <aaugeri@lewisbuilders.com>
Sent: Friday, September 24, 2021 12:38 PM
To: Patch, Douglas L. <DPatch@orr-reno.com>
Subject: RE: Publication of data request responses - HAWC rate case

Doug,

Nice speaking with you. I confirm that your client plans to publish only its own data requests and only set 5. Please let me know if that changes. I have attached a "Confidential" and a "Redacted" copy of the specific document the company plans to file a motion for protective order for confidential treatment, which is in response to Atkinson 5-38. May I have until 4:30pm Monday to file the motion?

Please also let me know if your client plans to publish any of the other party's data requests and responses.

Thank you,
Tony

Anthony S. Augeri, Esq.
General Counsel
(he/him/his)

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From: Patch, Douglas L. <DPatch@orr-reno.com>
Sent: Friday, September 24, 2021 8:40 AM
To: Anthony Augeri <aaugeri@lewisbuilders.com>
Subject: RE: Publication of data request responses [IWOV-iManage.FID509686]

Hi Tony,

I just forwarded your email to the Town and asked if they had published them yet and asked them to hold off. I have time to talk up until 10 or after 11.

Doug

From: Anthony Augeri <aaugeri@lewisbuilders.com>
Sent: Friday, September 24, 2021 8:36 AM
To: Patch, Douglas L. <DPatch@orr-reno.com>
Subject: Publication of data request responses

Doug,

We have learned your client intends to publish the data requests and responses for the HAWC rate case. Before they do that could we please speak. We learned some information relating to people's names and salaries may have been missed that the company would like to file a motion for confidential treatment.

Please let me know if you have time this morning to speak.

Thank you,
Tony

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Exhibit C

Anthony Augeri

From: Nistico, Stephanie <Stephanie.H.Nistico@des.nh.gov>
Sent: Friday, October 29, 2021 1:16 PM
To: Charlie Lanza
Subject: Right to Know exemptions

Good Afternoon Charlie,

Thanks for your phone call. The emergency plan and vulnerability assessment is covered under 91-A:5 Exemptions Section XI.

Section XI includes "records pertaining to information technology systems, including cyber security plans, vulnerability testing and assessments materials, detailed network diagrams, or other materials, the release of which would make public security details that would aid an attempted security breach or circumvention of law as to the items assessed."

If you have any questions or need additional information please let me know.

Thank you,

Stephanie Nistico
NH Department of Environmental Services
Drinking Water & Groundwater Bureau
29 Hazen Drive, PO Box 95
Concord, NH 03302-0095
(603) 271-0867
stephanie.nistico@des.nh.gov