



JUSTIN C. RICHARDSON

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January 2, 2024

*Via Electronic Service Only*  
Daniel C. Goldner, Chairman  
c/o [ClerksOffice@puc.nh.gov](mailto:ClerksOffice@puc.nh.gov)  
NH Public Utilities Commission  
21 South Fruit Street, Suite 10,  
Concord, N.H. 03301-2429

Re: Docket Nos. 20-187 & 22-068, Lakes Region Water Co., Inc.

Chairman Goldner:

Please find submitted herewith for filing with the Commission in the above-captioned proceedings Lakes Region Water Co., Inc.'s *Reply to Department of Energy's Initial Brief In Support of Utility Recovery of Reasonable Step Expenses*.

It is noted that RSA 541:5 requires that the Commission grant, deny or suspend an order that is subject to a motion for rehearing within 10-days "upon such terms and conditions as the commission may prescribe." In this case, Lakes Region requests that the Commission rule on its *Motion for Rehearing* without suspension under RSA 541:5 in light of the fact that:

- On December 15, 2023, Lakes Region filed Tariff Pages to implement recovery of the non-step related rate case expenses as approved and directed by Order No. 26,905. Suspension of Order No. 26,905 would be prejudicial to Lakes Region's timely recovery of these rate case expenses; and
- Both Lakes Region and the Department have requested recovery of expenses related to the Step Adjustment, without opposition. The only area of disagreement appears to be a narrow issue as to the legal basis for recovery, whether by rule, statute or otherwise.
- In *Appeal of Boston & Maine Corp.*, 126 N.H. 360, 366 (1985), the New Hampshire Supreme Court upheld a Commission order, notwithstanding the 10-

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Legal representation in the areas of water, utility, environmental and land use law in court and before state and local boards.

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day requirement under RSA 541:5, in a case where exceeding the statutory time period did not result in prejudice to any party.

- To the extent that the Commission approves recovery of the rate case expenses related to the Step Adjustment, it can direct Lakes Region to file a supplemental tariff in addition to that approved by Order No. 26,905, to provide for full recovery.

As a result of the foregoing, Lakes Region's requests that the Commission issue a ruling on Lakes Region's *Motion for Rehearing* without interim suspension under RSA 541:5.

A complete copy of this filing is being provided to all persons on the Commission's official service list in the above-captioned proceedings.

If the Commission or its staff have any questions, please contact me.

Respectfully submitted,



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Enclosure

Cc: Service Lists in Dockets 20 – 187 and 22 – 068.