

**STATE OF NEW HAMPSHIRE  
PUBLIC UTILITIES COMMISSION**

**DW 23-020**

**HAMPSTEAD AREA WATER COMPANY, INC.**

**Request for Step II Adjustment**

**Prehearing Order**

**May 4, 2023**

In this proceeding, Hampstead Area Water Company, Inc. (HAWC) seeks approval of a Step II adjustment, as proposed in the Settlement on Permanent Rates approved by Order No. 26,635 in Docket DW 20-117. This order addresses issues raised at the prehearing conference held on May 2, 2023.

**I. Intervention and Service List Requests**

Petitions to intervene were filed by: (1) the Town of Hampstead (Hampstead); and (2) Karen Steele. The Town of Atkinson (Atkinson) filed a request for changes to the service list in this docket. Party positions regarding the petitions and Atkinson's request are addressed below.

**A. Hampstead**

Laurie Warnock, Chairman of the Board of Selectmen, filed a petition to intervene on behalf of Hampstead, on April 20, 2023, pursuant to RSA 541-A:32 and to Puc 203.17 and Puc 203.62. In its petition, Hampstead stated that it is a commercial rate-paying customer and would be adversely affected by the proposed rate increase, as HAWC serves a number of municipal entities in the town. No objections to Hampstead's intervention were filed or raised at the prehearing conference.

### **B. Atkinson**

On March 17, 2023, Atkinson filed a request to add the names of two town officials to the service list for this docket and for Docket DW 20-117, HAWC's general rate case proceeding. In Docket DW 20-117, Atkinson's Board of Selectmen petitioned for intervention on February 3, 2021, and were granted intervenor status on April 9, 2021. Atkinson has not filed a petition to intervene in Docket DW 22-020.

### **C. Karen Steele**

On March 20, 2023, Karen Steele, a resident and taxpayer of Atkinson, which is a municipal customer of HAWC, filed a petition to intervene in this proceeding. HAWC filed an objection to Ms. Steele's petition on March 21, 2023. At the May 2, 2023 prehearing conference, HAWC confirmed its objection. Ms. Steele did not attend the prehearing conference.

### **D. DOE**

DOE stated at the prehearing conference that it had no objections to the petitions for intervention filed by Ms. Steele or the Town of Hampstead, or to the potential petition to intervene of the Town of Atkinson.

## **II. Commission Rulings**

During the prehearing conference, the Presiding Officer granted Hampstead's intervention from the bench under the discretionary standard of RSA 541-A:32, II, and took Ms. Steele's petition under advisement. Upon review, the Presiding Officer finds that Ms. Steele also qualifies for intervention under the discretionary standard of RSA 541-A:32, II, as the Commission found in the related docket, DW 20-117. The interventions of Hampstead and Ms. Steele are determined to be in the interests of justice, and it is further determined that the orderly and prompt conduct of the

proceedings will not be impaired by allowing their intervention pursuant to RSA 541-A:32, II and in accord with N.H. Code of Admin. R. Puc 203.17.

With respect to Atkinson's request to add the names of certain town officials to the discovery service list for this docket, the Presiding Officer noted at the prehearing conference that Atkinson would need to submit a separate petition in this docket if it wishes to intervene as a party. Although the Step II Adjustment at issue in the current docket stems from the settlement on permanent rates reached in Docket DW 20-117, Docket DW 23-020 is a separate proceeding to adjudicate the proposed Step II Adjustment. In addition, pursuant to Puc 203.09, access to discovery is limited to parties in the docket, including any person granted intervenor status. Thus, if Atkinson wishes to intervene in this proceeding, it must submit a petition to intervene in Docket DW 23-020 pursuant to Puc 203.17.

All intervenors are encouraged to participate jointly in this proceeding to the extent possible, pursuant to RSA 541-A:32, III(c).

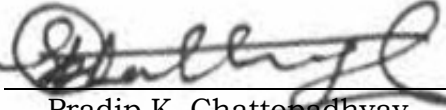
### **III. Procedural Schedule**

During the prehearing conference, DOE stated that it would submit a proposed procedural schedule subsequent to the technical session with the parties following the prehearing conference. The Commission will address that schedule in a separate order.

**Based upon the foregoing, it is hereby ORDERED**, that the petitions to intervene of the Town of Hampstead and Karen Steele are GRANTED; and it is

**FURTHER ORDERED**, that if Atkinson wishes to participate in this proceeding, it shall file a petition to intervene pursuant to Puc 203.17.

By order of the Public Utilities Commission of New Hampshire this fourth day of  
May, 2023.



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Pradip K. Chattopadhyay  
Presiding Officer

# Service List - Docket Related

Docket#: 23-020

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