

**STATE OF NEW HAMPSHIRE  
PUBLIC UTILITIES COMMISSION**

**DW 19-011**

**HAMPSTEAD AREA WATER COMPANY, INC.**

**Petition to Expand Franchise in the Town of Salem**

**ORDER OF NOTICE**

In Order No. 26,174 (September 14, 2018) issued in Docket No. DW 18-128, the Commission authorized Hampstead Area Water Company, Inc. (HAWC or the Company) to provide temporary emergency water service outside its franchise area to all homes located within the Tisdale Trailer Park (Tisdale) in Salem, whose existing water source was contaminated, and approved a bulk water service agreement effective until November 1, 2018. By secretarial letter dated November 20, 2018, the Commission extended the November 1, 2018 deadline to the date the Commission issued an order on HAWC's request to expand its franchise to cover the Tisdale area, or April 30, 2019, whichever occurred sooner.

On January 18, 2019, the Company filed a petition, the present docket, in which it seeks various Commission approvals: franchise expansion to Tisdale, to be included in HAWC's existing Lancaster Farm franchise; a water services agreement between HAWC, Tisdale's owner, and Hampstead Area Water Services Company (HAWSCO), which includes the cost of a line extension from HAWC's Lancaster Farms franchise, Tisdale's hookup to that line extension, and individual metering to each of Tisdale's homes; HAWC's acquisition of assets, including the line extension, meter pit, system meter, and the individual Tisdale home meters; and approval of HAWC's existing consolidated rates. The Company stated that Tisdale's owner would retain ownership of the distribution system to the residences. The petition and subsequent docket filings, other than any information for which confidential treatment is requested of or granted by

the Commission, will be posted to the Commission's website at

<http://www.puc.state.nh.us/Regulatory/Docketbk/2019/19-011.html>.

The filing raises, inter alia, issues related to statutory requirements under RSA chapters 362, 366, 374, and 378, specifically, RSA 374:1, whether HAWC can furnish reasonably safe and adequate, and in all other respects, just and reasonable water service and facilities to Tisdale; RSAs 374: 22 and 374:26, granting the Commission authority to determine whether HAWC possesses the financial, technical, and managerial capability to own and operate as a utility in the franchise area of Tisdale; RSA 374:30, whether the authority requested in the petition for the transfer and exercise of the franchise would be for the public good; whether the terms and conditions of the water services agreement and the retention of the meters by HAWC will be just and reasonable and, in all other respects, will conform with the Commission's regulations; RSA 378:3, whether HAWC's request to charge its consolidated rate of \$100.00 monthly for a two inch meter and a consumption rate of \$6.11 per 100 cubic feet will be just and reasonable and, in all other respects, will conform with the Commission's regulations; RSA 378:18, whether this transaction requires Commission approval of a bulk water contract rather than a franchise expansion; RSA 366, whether the proposed contractual relationship between HAWC and HAWSCO constitutes an affiliate agreement subject to Commission regulation; and RSA 362:4, whether Tisdale's owner should be deemed a separate public water utility by reason of its retention of the water distribution system to the Tisdale residences. Each party has the right to have an attorney represent the party at the party's own expense.

**Based upon the foregoing, it is hereby**

**ORDERED**, that a Prehearing Conference, pursuant to N.H. Code Admin. Rules Puc 203.15, be held before the Commission located at 21 S. Fruit Street, Suite 10, Concord, New Hampshire on March 12, 2019 at 10:00 a.m., at which each party will provide a preliminary statement of its position with regard to the petition and any of the issues set forth in N.H. Code Admin. Rules Puc 203.15; and it is

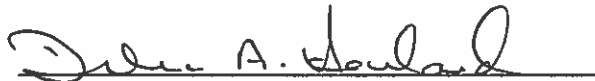
**FURTHER ORDERED**, that, immediately following the Prehearing Conference, HAWC, the Staff of the Commission, and any Intervenors hold a Technical Session to review the petition; and it is

**FURTHER ORDERED**, that pursuant to N.H. Code Admin. Rules Puc 203.12, HAWC shall notify all persons desiring to be heard at this hearing by 1) publishing a copy of this Order of Notice no later than February 20, 2019, in a newspaper with general circulation in those portions of the state in which operations are conducted, publication to be documented by affidavit filed with the Commission on or before March 7, 2019, and 2) mailing a copy of this Order of Notice HAWC to all current residents of Tisdale, postmarked no later than February 20, 2019, and said mailing to be documented by affidavit filed with the Commission on or before March 7, 2019; and it is

**FURTHER ORDERED**, that consistent with N.H. Code Admin. Rules Puc 203.17 and Puc 203.02, any party seeking to intervene in the proceeding shall submit to the Commission seven copies of a Petition to Intervene with copies sent to HAWC and the Office of the Consumer Advocate on or before March 7, 2019, such Petition stating the facts demonstrating how its rights, duties, privileges, immunities, or other substantial interest may be affected by the proceeding, consistent with N.H. Code Admin. Rules Puc 203.17; and it is

**FURTHER ORDERED**, that any party objecting to a Petition to Intervene make said Objection on or before March 12, 2019.

By order of the Public Utilities Commission of New Hampshire this thirteenth day of February, 2019.



Debra A. Howland  
Executive Director

Individuals needing assistance or auxiliary communication aids due to sensory impairment or other disability should contact the Americans with Disabilities Act Coordinator, NHPUC, 21 S. Fruit St., Suite 10, Concord, New Hampshire 03301-2429; 603-271-2431; TDD Access: Relay N.H. 1-800-735-2964. Notification of the need for assistance should be made one week prior to the scheduled event.

