

DW 00-117

MANCHESTER WATER WORKS

Petition to Extend Service Area in Town of Auburn

Order Nisi Granting Petition

O R D E R N O. 23,538

July 24, 2000

The Petitioner, Manchester Water Works (Manchester), filed with the New Hampshire Public Utilities Commission (Commission) on May 19, 2000, a petition to extend its existing service area in the Town of Auburn, New Hampshire. Manchester intends to provide service under its existing tariff provisions for customers outside its municipal boundaries to an area in Auburn containing a total of 19 lots in the vicinity of Route 101 as described below. Because Manchester is serving customers outside of its municipal boundaries at rates that are higher than those charged to its customers within the municipality, Manchester is subject to the Commission's jurisdiction for ratemaking and franchising purposes. See RSA 362:4, II and III(a).

The Department of Environmental Services has confirmed the suitability and availability of Manchester's water supplies. Such confirmation satisfies the prerequisite for obtaining the Commission's approval found at RSA 374:22, III. Notwithstanding the fact that there is no other water utility service in the area, and the Town of Auburn has indicated in writing that it supports the

proposed service extension, it is unclear whether all interested parties are in agreement with the petition so as to avoid the need for a hearing prior to its approval. See RSA 374:26. Accordingly, we will approve the petition on a Nisi basis to ensure that all interested parties receive an opportunity to express their opinions and request a hearing if they deem it necessary.

Based on the above facts, the Commission finds that allowing Manchester to extend its service area as requested is in the public good.

Based upon the foregoing, it is hereby

ORDERED NISI, that Manchester is granted permission pursuant to RSA 374:22 and 26 to extend its service area into a limited area of Auburn consisting of Tax Map 6, Lot 18; Tax Map 25, Lots 27-30, 32-35, 40, 41, 44, 47, 47-1, 47-2, 47-3; and Tax Map 27, Lots 1, 2 and 3; and it is

FURTHER ORDERED, that pursuant to Puc 1605.03, the Petitioner shall cause a copy of this Order Nisi to be published once in a statewide newspaper of general circulation or of circulation in the Auburn area, and shall send a copy of same to the Auburn Town Clerk and to each owner of record of the 19 lots that are the subject of the instant petition, by first class mail, such actions to be no later than July 31, 2000 and to be documented by affidavit filed with this office

on or before August 7, 2000; and it is

FURTHER ORDERED, that all persons interested in responding to this petition be notified that they may submit their comments or file a written request for a hearing on this matter before the Commission no later than August 10,2000; and it is

FURTHER ORDERED, that any party interested in responding to such comments or request for hearing shall do so no later than August 17, 2000; and it is

FURTHER ORDERED, that this Order Nisi shall be effective August 24, 2000, unless the Commission provides otherwise in a supplemental order issued prior to the effective date.

By order of the Public Utilities Commission of New Hampshire this twenty-fourth day of July, 2000.

Douglas L. Patch
Chairman

Susan S. Geiger
Commissioner

Nancy Brockway
Commissioner

Attested by:

Thomas B. Getz
Executive Director and Secretary