

DW 01-128

PEMBROKE WATER WORKS

Petition for Expansion of Service Area in the Town of
Allenstown

Order Nisi Granting the Petition

O R D E R N O. 23,802

October 11, 2001

On June 15, 2001, Pembroke Water Works (Pembroke or Petitioner), filed a petition (Petition) to expand its existing service territory in the Town of Allenstown (Allenstown). The additional area is in the general vicinity of Route 28 and Bear Brook State Park.

Pembroke represents, among other things, that (i) the proposed service area expansion is the result of requests for service by potential new customers in Allenstown, (ii) Pembroke will provide service in the additional service area uniformly on the same terms and tariff rules as in its current service territory, which include the Town of Pembroke and certain areas of Allenstown and the Town of Hooksett, (iii) its engineers have reviewed the proposed expanded service and the additions to the water system will create no adverse effect on the system or its current customers, (iv) service can be provided to all potential customers within the proposed additional service area with sufficient volume and pressure to serve them and more customers with water of good quality and

quantity; however, no commercial or industrial users within the additional service area would be accepted without verification that the usage and demand required therefor would have no adverse effect on the system or current users, (v) since, under Pembroke's tariff and practice, the expansion of main and distribution lines is funded by those served by the expansion, the expansion would be in the financial interests of existing customers, (vi) no water utilities currently serve the proposed additional area, and (vii) Pembroke will not attempt to provide service to any existing or proposed community water system or other customers which do not affirmatively request service from Pembroke.

The Allenstown Board of Selectmen have indicated support for the Petition and the State of New Hampshire Department of Environmental Services has found that Pembroke meets the suitability and availability requirements of RSA 374:22, III and therefore supports the proposed franchise expansion.

Upon investigation and consideration, the Commission finds that allowing Pembroke to expand its service territory as requested is in the public good.

Based on the information presented, the Commission further finds that customers in the additional service area

will be charged a rate no higher than that charged to Pembroke's customers within the Town of Pembroke and the quantity and quality of water to be served to customers in the additional service area will be equal to that served customers in the Town of Pembroke, as set forth in RSA 362:4,III(a).

This Order is being issued on a NISI basis in order to afford interested parties an opportunity to request a hearing if they are not in agreement with the petition. See RSA 374:26.

Based upon the foregoing, it is hereby

ORDERED NISI, that Petitioner is granted authorization, pursuant to RSA 374:22 and 26, to expand its service territory in Allenstown to include the area described below, without being considered a public utility under Title XXXIV of the Revised Statutes Annotated as provided by RSA 362:4,III(a):

Commencing at the boundary of the existing service area in Allenstown (See PUC Order No. 7017) at the junction of Boat Meadow Brook and the Suncook River; thence continuing along said boundary in a generally easterly direction along said Boat Meadow Brook to a point where a tributary enters said Brook from Lot 14 on Allenstown Tax Map 410; and southeasterly along said tributary to the westerly sideline of the State of New Hampshire property known as Bear Brook State Park as shown on Tax Map 410; thence northeasterly along the westerly sideline of Bear Brook State Park; thence crossing Dodge Road and continuing along the westerly sideline of said Bear

Brook Park to River Road and continuing northeasterly along River Road to the southerly and easterly boundaries of Lot 36 on Tax Map 409; thence continuing in a generally northeasterly direction so that the easterly limit of the service area consists of the easterly lines of Lot 36, 35 and 33 on Tax Map 409 and Lots 32, 31 and 29 on Tax Map 407; thence along the northerly boundary of Lot 29 to the northwesterly corner of said lot; thence northerly to Deerfield Road; thence easterly on Deerfield Road to Black Hall Road; thence northerly along Black Hall Road to the Epsom town line; thence westerly along said town line to the border of the Suncook River and the Town of Pembroke; thence in an irregularly southwesterly direction along the Suncook River to the point of beginning.

FURTHER ORDERED, that 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 those portions of the state where operations are conducted, and shall mail a copy of same to the Towns of Pembroke, Allenstown and Hooksett, such publication and mailing to be no later than October 22, 2001 and to be documented by affidavit filed with this office on or before November 5, 2001; 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 October 29, 2001; and it is

FURTHER ORDERED, that any party interested in

responding to such comments or request for hearing shall do so no later than November 5, 2001; and it is

FURTHER ORDERED, that this Order Nisi shall be effective November 12, 2001, 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 eleventh day of October, 2001.

Douglas L. Patch
Chairman

Susan S. Geiger
Commissioner

Nancy Brockway
Commissioner

Attested by:

Thomas B. Getz
Executive Director and Secretary