

DW 02-094

TIOGA RIVER WATER COMPANY

Petition for Permanent Rate Increase

Order Scheduling a Prehearing Conference and  
Suspending Proposed Tariff

O R D E R    N O.   24,015

July 24, 2002

On July 15, 2002, Tioga River Water Co. (Petitioner) filed with the New Hampshire Public Utilities Commission (Commission) a petition for an increase in water rates for its Tioga Division (Tioga), located in Belmont, and Gilford Village Water District (GVWD), located in Gilford, together with prefiled testimony and financial schedules.

Petitioner has approximately 22 customers in Tioga, and approximately 36 customers in GVWD. The Petitioner states that, if approved, the rates for customers in its Tioga Division would increase annual revenues by \$2,307 or 22%, and the average annual increase per customer would be \$104.86. If approved, the rates for customers in its GVWD division would increase annual revenues by \$3,802 or 58%, with an average annual increase of \$105.61 per customer. Petitioner asserts in its pre-filed testimony that the increase is necessary because it operated at a net loss of \$4,407 for the test year ending October 31, 2001 for the two divisions. Actual losses in the two prior years exceeded the loss in the test year.

The Petitioner asks that the rates be effective August 1, 2002 and be applied retroactively for the period beginning May 1, 2002 through July 31, 2002. The Commission presumes the company requests implementation of the rate change on a bills rendered basis with no proration. The Petitioner further asks that billing for the Tioga division be converted from fixed rates to metered rates. Finally, Petitioner requests exemption from Commission regulation as a small water supplier pursuant to RSA 362:4.

The Petitioner's filing raises issues including, inter alia, the Petitioner's proposed rate of return, depreciation, rate design and the implementation of a metered rate, test year adjustments, operation and maintenance expenses, system improvements, and whether it is appropriate to consider exempting the Petitioner from regulation pursuant to NH RSA 362:4, I in the present docket.

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

**ORDERED**, that Petitioner's proposed tariff NHPUC WATER 2<sup>nd</sup> Revised Page 5, NHPUC WATER 2<sup>nd</sup> Revised Page 6, and NHPUC WATER 1<sup>st</sup> Revised Page 7 is hereby suspended; and it is

**FURTHER ORDERED**, that a Prehearing Conference, pursuant to N.H. Admin. Rules Puc 203.05, be held before the

New Hampshire Public Utilities Commission located at 8 Old Suncook Road, Concord, New Hampshire on August 23, 2002, at 10:00 a.m., at which each party and Commission Staff will provide a preliminary summary of its positions with regard to the Petition; and it is

**FURTHER ORDERED**, that immediately following the Prehearing Conference, Petitioner, Commission Staff and Intervenor hold a First Technical Session to review the noticed issues and develop a proposed procedural schedule; and it is

**FURTHER ORDERED**, that pursuant to N.H. Admin. Rules Puc 203.01, Petitioner notify all persons desiring to be heard at this hearing by sending, by First Class Mail, a copy of this Order of Notice to each of Petitioner's customers and the Town Clerks of Belmont and Gilford, postmarked no later than August 2, 2002, and publishing a copy of this Order of Notice no later than August 9, 2002, in a statewide newspaper of general circulation, proof of mailing and publication to be documented by affidavit filed with the Commission on or before August 23, 2002; and it is

**FURTHER ORDERED**, that pursuant to N.H. Admin. Rules Puc 203.03, any party seeking to intervene in the proceeding shall submit to the Commission an original and eight copies of a Petition to Intervene with copies sent to Petitioner and the Office of the Consumer Advocate on or before August 20, 2002, such Petition stating the facts demonstrating how its rights, duties, privileges, immunities or other substantial interests may be affected by the proceeding, as required by N.H. Admin. Rule Puc 203.02 (a)(2); and its is

**FURTHER ORDERED**, that any party objecting to a Petition to Intervene make said Objection on or before August 23, 2002.

By order of the Public Utilities Commission of New Hampshire this twenty-fourth day of July, 2002.

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Thomas B. Getz  
Chairman

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Susan S. Geiger  
Commissioner

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Nancy Brockway  
Commissioner

Attested by:

Debra A. Howland  
Executive Director & Secretary

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