

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DW 15-254

HAMPSTEAD AREA WATER COMPANY, INC.

Petition to Expand Franchise within the Town of Kingston – King’s Landing

**Order *Nisi* Affirming Approval of Franchise, Financing of Assets, and Application
of Existing Consolidated Rates**

ORDER NO. 25,827

October 14, 2015

In this Order *nisi*, the Commission affirms its approval of the petition of Hampstead Area Water Company, Inc., to expand its franchise in Kingston, New Hampshire, to provide service to residents of the King’s Landing condominiums, to finance assets associated with such service, and to apply its existing consolidated rates to King’s Landing customers. This order *nisi* is necessary due to the prior order *nisi* failing to take effect, because the company failed to satisfy the publication requirement provided in the prior order. The order is being issued on a *nisi* basis to ensure that all interested persons receive notice of the Commission’s determination and have the opportunity to request a hearing prior to the order taking effect.

I. BACKGROUND

On August 24, 2015, the Commission issued Order *nisi* No. 25,803, approving the petition of Hampstead Area Water Company, Inc. (HAWC), to expand its franchise in Kingston, New Hampshire, and to provide service to residents of the King’s Landing condominiums. That order also approved HAWC’s request to finance the assets associated with serving the King’s Landing residents, and to apply its existing consolidated rates to those

customers. The Commission set an effective date of September 24, 2015, with several conditions precedent. As relevant here, one condition required HAWC to publish a summary of the order *nisi* “once in a statewide newspaper of general circulation or of circulation in those portions of the state where operations are conducted,” by September 3, 2015.

On September 14, 2015, HAWC filed its affidavit of publication. The affidavit attests to publication of the order *nisi* summary on September 4, 2015, one day beyond the publication deadline. Consequently, proper notice and opportunity to be heard, which the *nisi* process affords, was not provided to the public. As a result, Order *nisi* No. 25,803, by its terms, did not take effect.

Notwithstanding HAWC’s failure to timely publish, the Commission believes HAWC’s requests should be granted. Accordingly, in this order, the Commission affirms, and incorporates by reference, Order *nisi* No. 25,803, which can be found on the Commission’s website at <http://www.puc.nh.gov/Regulatory/Docketbk/2015/15-254.html>.

Based upon the foregoing, it is hereby

ORDERED *NISI*, that subject to the effective date defined below, Hampstead Area Water Works, Inc.’s, requests to expand its franchise to serve the King’s Landing condominiums, to finance the assets associated with service to King’s Landing, and to charge its existing consolidated rate to King’s Landing residents, is hereby APPROVED; and it is

FURTHER ORDERED, that Hampstead Area Water Works, Inc., shall cause a summary 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, such publication to be no later than October 23, 2015, and to be documented by affidavit filed with this office on or before November 9, 2015; and it is

FURTHER ORDERED, that all persons interested in responding to this Order *nisi* be notified that they may submit their comments or file a written request for a hearing which states the reason and basis for a hearing no later than October 30, 2015, for the Commission's consideration; 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 6, 2015; and it is


FURTHER ORDERED, that Hampstead Area Water Works, Inc., shall file a compliance tariff with the Commission on or before November 30, 2015, as required by N.H. Admin. Rules Puc 1603.02 (b); and it is

FURTHER ORDERED, that this Order *nisi* shall be effective November 13, 2015, unless Hampstead Area Water Works, Inc., fails to satisfy the publication obligation set forth above or the Commission provides otherwise in a supplemental order issued prior to the effective date

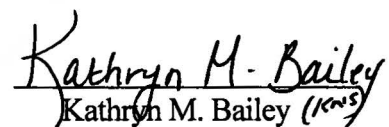
By order of the Public Utilities Commission of New Hampshire this fourteenth day of October, 2015.



Martin P. Honigberg
Chairman



Robert R. Scott
Commissioner



Kathryn M. Bailey (KMS)
Commissioner

Attested by:



Debra A. Howland
Executive Director