

THE STATE OF NEW HAMPSHIRE

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Martin P. Honigberg

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Debra A. Howland



PUBLIC UTILITIES COMMISSION
21 S. Fruit Street, Suite 10
Concord, N.H. 03301-2429
June 13, 2019

TDD Access: Relay NH
1-800-735-2964

Tel. (603) 271-2431

FAX (603) 271-3878

Website:
www.puc.nh.gov

Re: DW 19-091, Pennichuck Water Works, Inc.
Petition for Declaratory Ruling and Request for Mediation
Scheduling Technical Session

To the Parties:

On May 13, 2019, Pennichuck Water Works, Inc. (PWW) filed a petition for declaratory ruling and request for mediation. In its petition, PWW requested, pursuant to a special contract with the Town of Hudson (Hudson), a Commission ruling that the Qualified Capital Project Adjustment Charge and rate case expenses are components of volumetric charges authorized by the contract and are recoverable. Alternatively, PWW requests the Commission to oversee mediation between the parties or to conduct an investigation in this matter.

Hudson filed a motion to dismiss the petition on May 23, 2019, in which it argued that declaratory relief is not appropriate. Instead, it asserted that, pursuant to the special contract, arbitration administered by the Commission is the appropriate process to decide the issues raised. On June 3, 2019, PWW filed its objection to Hudson's motion to dismiss.

Given the procedural process dispute between the parties, and in the interest of administrative efficiency, the Commission has scheduled a technical session to provide the parties, Commission Staff (Staff), and the Office of the Consumer Advocate with an opportunity to discuss how best to proceed. During the technical session, the participants should attempt agreement on the process the Commission should employ. Staff shall report the results of the technical session after its conclusion.

The technical session is scheduled for July 17, 2019 at 10:00 a.m. Staff shall file a report with the Commission regarding the results of this technical session on or before July 24, 2019.

Sincerely,

A handwritten signature in black ink that reads "Debra A. Howland".

Debra A. Howland
Executive Director

cc: Service List (Electronically)
Docket File

Executive.Director@puc.nh.gov
amanda.noonan@puc.nh.gov
Christopher.tuomala@puc.nh.gov
dlefevre@tarbellpa.com
donald.kreis@oca.nh.gov
jayson.laflamme@puc.nh.gov
mab@nhbrownlaw.com
ocalitigation@oca.nh.gov
steve.frink@puc.nh.gov