

THE STATE OF NEW HAMPSHIRE  
PETITION FOR VALUATION PURSUANT TO RSA 38:9

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CITY OF NASHUA

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Docket No. DW-04-048

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DEPOSITION OF RUTH E. RASWYCK

Deposition taken at Nashua City Hall,  
229 Main Street, Nashua, New Hampshire,  
on Tuesday, March 28, 2006, commencing  
at 9:35 a.m.

Court Reporter:

Pamela A. Nostrand, CCR

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1 Pennichuck Water Works customer in Nashua there  
2 appears to be no reference to any late charges,  
3 is there?

4 A (Perused the documents.)

5 No. They have a better leverage. They  
6 can just shut off my water if I don't pay.

7 Q You consider that better leverage than a  
8 lien?

9 A Yes.

10 Q And also with water, do you know whether  
11 there's a state statute that requires liening for  
12 late payment of water bills to a municipality?

13 A I'm not aware of it.

14 Q If that were handled comparably to  
15 wastewater that would be handled by ordinance; is  
16 that right?

17 A I believe you would go with the  
18 disconnect. I would believe you would notify the  
19 customer that you were going to disconnect if you  
20 didn't receive their payment, similar to what  
21 Pennichuck must do now.

22 Q Your office, as we said earlier, has no  
23 experience with disconnects because you don't

1 that would be required for customer service here  
2 in the city should you take on those  
3 responsibilities?

4 A Well, I believe we run a real tight ship  
5 and we're very efficient. I believe that there's  
6 been a discussion to take on two additional  
7 employees. Because all of the staff is highly  
8 cross trained and because we balance, you know,  
9 to the penny our wastewater accounts, I don't  
10 believe that it's going to be anything major  
11 other than more collections.

12 Q Right. I've seen a data request  
13 response that mentions two additional staff.  
14 I've also seen a data request response that talks  
15 about one additional staff. Has any final  
16 decision been made?

17 A That's to be determined, I would say.

18 Q Okay. Do you think you will need two?  
19 Do you think you need one or do you think you  
20 don't need any more?

21 A Again, that's to be determined.

22 Q You've been working for the city for 30  
23 years and you run the office so you must have

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1 disconnect for a sewer, right?

2 A That's correct. But neither does  
3 Pennichuck have any experience with liening a  
4 piece of property.

5 Q You would agree with me that disconnect,  
6 at least in the first instance, raises more  
7 immediate issues of safety and related concerns  
8 than does liening, correct?

9 A Yes. They would be handled efficiently  
10 just like we handle everything else in my office.

11 Q Now, I take it that the plan would be  
12 that your office would handle the billing and  
13 collection side of water; is that right?

14 A Correct.

15 Q And your staff, because they're cross  
16 trained, as you say, would also answer calls  
17 relating to water; is that right?

18 A Correct. If it's operational it would  
19 be directed to Veolia. I knew I would  
20 mispronounce that. If it's billing and  
21 collection it would be directed to us, just as  
22 property is, just as wastewater is.

23 Q Okay. And have you discussed staffing

1 some opinion.

2 A I don't know how the water company  
3 currently operates so I can't make that decision  
4 until we get some information back on, you know,  
5 what each of the people at Pennichuck do. And if  
6 the need be and we have to put on more staff, I'm  
7 sure that, again, will be determined.

8 Q Have you put together any type of pro  
9 forma budget for what additional costs will be  
10 required in Nashua to operate the billing and  
11 collection responsibilities?

12 A Additional?

13 Q Yes.

14 A Right off the bat we're going to be  
15 saving \$85,000. We're not going to have to pay  
16 for the meter readings so I am going to be ahead  
17 of the game right there because we will not have  
18 to pay for meter readings so that's going to be a  
19 big savings right off the bat.

20 Q And that's because Veolia will be  
21 handling the meter readings?

22 A Correct.

23 Q Apart from that, have you figured out

17 (Pages 62 to 65)

1 the department manager. I don't know who the  
2 department manager is. Do you have any  
3 knowledge?

4 A I will give that some thought, you know,  
5 if that's the direction we choose to go in. We  
6 may elevate somebody in my office to be manager.  
7 You know, I don't know yet.

8 Q Okay. If you could, please explain how  
9 the lien process for water customers, how the  
10 lien process is going to interface with the  
11 disconnection process. I'm not clear on it  
12 having read this water ordinance on where the  
13 lien is going to pick up, where disconnection may  
14 leave off or how the two are going to overlap at  
15 all.

16 A If there's a disconnect procedure in  
17 place there wouldn't be -- the lien process would  
18 not apply.

19 Q Okay. I suppose I should ask you a  
20 baseline question of what was the extent of your  
21 involvement or your department's involvement in  
22 the creation of Nashua's draft water ordinance?

23 A None.

1 Nashua uses for its wastewater billing and  
2 collection system?

3 A We have an in-house software system that  
4 was programmed by Michael Roy, our IT staff.

5 Q And did you build it from some  
6 commercial software?

7 A No. No.

8 Q What language is it written in?

9 A I believe it's ADMINIS. I'm not a  
10 programmer so I don't know.

11 Q How long have you been using that  
12 system?

13 A Since he's come and joined the city,  
14 probably 26 years. He started developing  
15 software applications for various different  
16 departments.

17 Q Is it a main frame system?

18 A Yes.

19 Q Is your plan that water billing would  
20 use the same system?

21 A I would say at this point we would use  
22 that system unless there's a better system.

23 Q Are you aware of whether there is a

1 Q Okay. If there's a provision in the  
2 water ordinance for liens and you haven't had any  
3 input into this document, do you have an opinion  
4 as to the certainty of that lien provision  
5 staying in the ordinance?

6 A It would make sense to me that we would  
7 follow a procedure that we would adopt based on  
8 our current procedure or similar, you know,  
9 wastewater lien procedure and property tax lien  
10 procedure. It's a very strict, you know,  
11 procedure that we have to follow by state  
12 statute.

13 MS. THUNBERG: I don't think I have  
14 anything else that she can answer so that's  
15 it for right now. I'm done. I appreciate  
16 it. Thank you.

17 THE WITNESS: Thank you.

18 MR. DONOVAN: Unfortunately, this time  
19 gave me a chance to think about some things I  
20 forgot before. I will be very brief.

21 FURTHER EXAMINATION

22 BY MR. DONOVAN:

23 Q What is the software application that

1 better system?

2 A It would be up for review.

3 Q Is the software that's used for the  
4 waste system up for review?

5 A Not at this time. Pennichuck is  
6 changing their account numbers so we're going to  
7 modify our wastewater billing system to  
8 accommodate that new change of the account  
9 structure.

10 Q But using your same billing software?

11 A Correct. It's not a canned package. Is  
12 that what you're asking? It's not something that  
13 we went out and bought.

14 Q You developed it in-house?

15 A Correct.

16 Q So presumably you would need to develop  
17 in-house the system for water.

18 MR. UPTON: Well, wait a minute. We're  
19 buying the Pennichuck system.

20 A Not necessarily.

21 MR. UPTON: That's one of the assets  
22 we're trying to acquire. We may use that.

23 You know, I mean, there are any number of