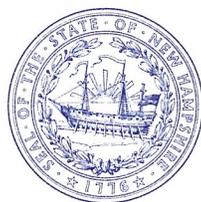


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January 12, 2010

Debra A. Howland
Executive Director and Secretary
New Hampshire Public Utilities Commission
21 South Fruit Street, Suite 10
Concord, New Hampshire 03301-7319

**RE: DW 08-052 Pittsfield Aqueduct Company, Inc.
OCA Response to Staff Recommendation on Rate Case Expenses**

Dear Ms. Howland:

On January 5, 2010 the OCA received Staff's recommendation concerning the rate case expense filing of Pittsfield Aqueduct Company, Inc. (PAC). The OCA takes no position on the substance of PAC's accounting or Staff's recommendation. However, because the OCA did not receive a copy of PAC's rate case expense filing until we received Staff's recommendation, we respectfully request that the Commission clarify the process related to rate case expense filings.

It is our view that rate case expenses requests should be filed in compliance with the Commission rules. In adjudicatory proceedings, the Commission's rules require requests for a Commission determination (e.g., approval of the recovery of rate case expenses) to be filed in the form of a petition pursuant to Puc 202.01, 203.04 and 203.05, and to be distributed to the parties of the docket contemporaneously with the filing at the Commission pursuant to Puc 203.02 (a) (3) and (5). If utility's rate case expense filings were filed in compliance with the Commission's rules, a copy could also be made available to the general public through the Commission's docket book link on its website.

The Commission's rules governing filings in adjudicatory proceedings require a public process in order to afford the parties the opportunity to comment on a utility's request for relief, which comments, in turn, may provide the Commission with a more balanced view of the request and its impact on utility customers. Neither the Commission nor the parties benefit from a process that is done outside the public's view. However, it seems as though it has been common practice for utilities to not follow this process when seeking approval for the recovery of their rate case expenses, and we think that the Commission should make clear that they must.



Thank you for bringing the OCA's response to Staff's recommendation on PAC's rate case expenses to the attention of the Commission.

Respectfully,

Rorie E.P. Hollenberg

Rorie E.P. Hollenberg
Staff Attorney

cc: Service list via electronic mail

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