

CONSUMER ADVOCATE
Meredith A. Hatfield

STATE OF NEW HAMPSHIRE



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

Tel. (603) 271-1172

FAX No. 271-1177

Website:
www.oca.nh.gov

ASSISTANT CONSUMER
ADVOCATE
Kenneth E. Traum

OFFICE OF CONSUMER ADVOCATE
21 S. Fruit St., Suite 18
Concord, N.H. 03301-2429

October 15, 2009



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

**Re: DW 09-134 Pennichuck East Utilities, Inc.
Petition for Authority to Issue Up To \$6,000,000 of Long Term Debt**

Dear Ms. Howland:

The OCA recommends that the Commission treat this, and all other petitions pursuant to RSA 369, as an adjudicatory proceeding pursuant to RSA 541-A:31. Accordingly, the Commission should require PEU to notify its existing customers, as well as its potential customers served by the Pittsfield Aqueduct Company "North Country" systems, of the pending financing petition. The Commission should also allow these customers an opportunity to be heard, before the Commission rules on that petition.

Ultimately, PEU will seek recovery of the amount financed and the costs associated with the financing from its customers. At that point in time, however, it will be too late for the customers to question the terms or use of the financing. As the Commission has just seen, in another docket related to PAC, DW 08-052, the consequences of long-term financing approval can be far reaching. Keeping customers informed of financing requests serves all involved: the customers have notice and a chance to participate in the process; the Company benefits from having informed customers; and the Commission's future prudence review of the use of the debt may be less adversarial as a result.

Consequently, it is both appropriate and consistent with the public good determination required by RSA 369:1 to afford PEU's existing and potential customers with reasonable notice and an opportunity to be heard on these issues at this time. We recommend that the Commission issue an order of notice promptly to begin this process.

Thank you for the opportunity to comment.

Sincerely,

R E P Hollenberg
Rorie E.P. Hollenberg
Staff Attorney

cc: Service List