



DW 17-114
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November 14, 2017

NHPLC 14NOV17PM4:21

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

Re: Docket No. DW 17-114, *Joint Petition for Approval of the Acquisition of Aquarion Water Company of New Hampshire, Inc. by Eversource Energy*
Joint Petitioners' Objection to Motion for Rehearing

Dear Director Howland:

Attached for filing in the referenced docket is Eversource Energy's and Aquarion Water Company of New Hampshire's (the "Joint Petitioners") "Objection to Motion for Rehearing of Representatives Cushing and Messmer."

RSA 369:8 provides the statutory process for this proceeding. Under that statute, the Legislature has determined, "the approval of the commission shall not be required if the public utility files with the commission a detailed written representation no less than 60 days prior to the anticipated completion of the transaction that the transaction will not have an adverse effect on rates, terms, service, or operation of the public utility within the state." RSA 369:8,II,(b)(1). Further, the statute states, "If the commission does not issue an order within 60 days of the completed filing, the transaction shall be considered approved as filed." RSA 369:8,II,(b)(2).

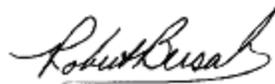
During the preliminary hearing held on August 17, 2017, the Joint Petitioners agreed to "toll" the statute's deadlines to provide interested parties with opportunities to intervene, to issue discovery questions to the Joint Petitioners, to participate in a Technical Session, to hold settlement discussions, and to be heard in on-the-record proceedings. However, that "tolling" agreement was made by the Joint Petitioners such that this proceeding would not unduly delay the transaction from moving forward. *See*, Preliminary Hearing Transcript at 97. Approval of the transaction has been obtained from the Connecticut Public Utility Regulatory Authority, and the Massachusetts Department of Public Utilities has been asked to issue its approval "as close in time to November 15, 2017 as possible." Joint Petitioners letter of October 31, 2017 in MA DPU Docket 17-115

As discussed in the Joint Petitioners' Objection, the Motion for Rehearing fails to meet the requirements set forth in RSA 541:3 and 541:4. Such a meritless filing should not be allowed to potentially delay the closing of the underlying transaction, and undermine utilities' future willingness to "toll" the prescriptive time periods set forth in RSA 369:8. Therefore, the Joint

Petitioners' respectfully request that the Commission rule on the Motion for Rehearing as quickly as possible.

Please let me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert A. Bersak". The signature is fluid and cursive, with a prominent initial "R" and "B".

Robert A. Bersak
Chief Regulatory Counsel

cc via e-mail per Puc 203.11 (a)(1):
Service List
Rep. Mindi Messmer

SERVICE LIST - EMAIL ADDRESSES - DOCKET RELATED

Pursuant to N.H. Admin Rule Puc 203.11 (a) (1): Serve an electronic copy on each person identified on the service list.

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Docket #: 17-114-1 Printed: November 14, 2017

FILING INSTRUCTIONS:

- a) Pursuant to N.H. Admin Rule Puc 203.02 (a), with the exception of Discovery, file 7 copies, as well as an electronic copy, of all documents including cover letter with:**
- DEBRA A HOWLAND
EXECUTIVE DIRECTOR
NHPUC
21 S. FRUIT ST, SUITE 10
CONCORD NH 03301-2429
- b) Serve an electronic copy with each person identified on the Commission's service list and with the Office of Consumer Advocate.**
- c) Serve a written copy on each person on the service list not able to receive electronic mail.**