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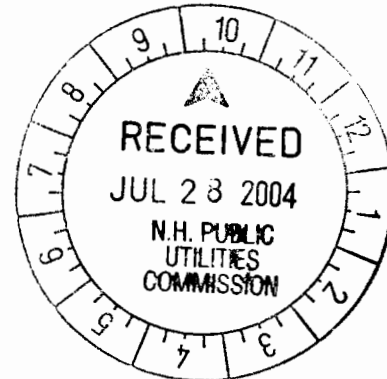
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OFFICES IN:
MANCHESTER
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July 28, 2004

By Hand Delivery

Debra A. Howland
Executive Director and Secretary
New Hampshire Public Utilities Commission
8 Old Suncook Road
Concord, NH 03301



Re: DW 04-048; Pennichuck East Utility, Inc., Pittsfield Aqueduct Company, Inc., Pennichuck Water Works, Inc.

Dear Ms. Howland:

Enclosed for filing with the Commission in the above-captioned docket are an original and eight copies, along with an electronic copy on a computer disk in Word format, of Pennichuck Utilities' Motion to Intervene by the Merrimack Valley Regional Water District.

Please let me know if you have any questions about this matter.

Sincerely,


Steven V. Camerino

Enclosures
cc: Service List

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Docket #: 04-048-1 Printed: July 28, 2004

FILING INSTRUCTIONS:

WITH THE EXCEPTION OF DISCOVERY (SEE NEXT PAGE) FILE 1 ORIGINAL & COVER LETTER, PLUS 8 COPIES (INCLUDING COVER LETTER) TO:

DEBRA A HOWLAND
EXEC DIRECTOR & SECRETARY
NHPUC
8 OLD SUNCOOK RD
CONCORD NH 03301-7319

**STATE OF NEW HAMPSHIRE
BEFORE THE
PUBLIC UTILITIES COMMISSION**

City of Nashua Taking Of:

**Pennichuck East Utility, Inc.
Pittsfield Aqueduct Company, Inc.
Pennichuck Water Works, Inc.**

Docket No. DW 04-048

**Objection of Pennichuck Utilities to Motion to Intervene
by the Merrimack Valley Regional Water District**

NOW COME Pennichuck East Utility, Inc., Pittsfield Aqueduct Company, Inc. and Pennichuck Water Works, Inc. (the "Pennichuck Utilities") and object to the Motion to Intervene by the Merrimack Valley Regional Water District ("District"). In support of their objection, the Pennichuck Utilities state as follows:

1. For the reasons set forth below, the Pennichuck Utilities believe that the District has failed to satisfy the requirements of the statutory standard for intervention set forth in RSA 541-A:32.
2. The District's Motion to Intervene states that its members consist of Nashua, Bedford, Pittsfield, Londonderry, Amherst, Litchfield and Pelham. To date, all of those communities except Pelham have filed for intervention in this proceeding and are represented by experienced legal counsel.
3. Although the District correctly states in its Motion that Nashua has previously alleged in this docket that it intended to convey the assets of the Pennichuck Utilities to the District after the conclusion of this proceeding, subsequently Nashua has informed the New Hampshire Superior Court that it "is not acting as a stalking horse" for the District and that, after the Commission reaches a determination in this proceeding, Nashua will decide whether it is appropriate to convey the assets of the Pennichuck Utilities to the District. Given Nashua's current position that it will decide whether to convey any assets to the District after this docket is concluded, there is no basis for the District's intervention at this time.
4. The Pennichuck Utilities are also concerned about the impact on this proceeding if the District is permitted to intervene in addition to the intervention of its constituent municipalities. Such separate interventions are likely to lead to confusion

regarding who is speaking for the District's member communities, overlapping discovery requests and other disruptions and delays.

5. For the reasons set forth above, the interests of justice and the orderly and prompt conduct of the proceedings in this docket are likely to be impaired if the District is allowed to intervene. In addition, the District has failed to demonstrate that its rights, duties, privileges, immunities or other substantial interests may be affected by this proceeding or that it qualifies for intervention under any provision of law.

WHEREFORE, the Pennichuck Utilities respectfully request that the Commission deny the District's Motion to Intervene.

Respectfully submitted,

Pennichuck East Utility, Inc.
Pittsfield Aqueduct Company, Inc.
Pennichuck Water Works, Inc.

By Their Attorneys

MCLANE, GRAF, RAULERSON &
MIDDLETON, P.A.

July ~~28~~, 2004

By:



Thomas J. Donovan, Esq.
Steven V. Camerino, Esq.
Sarah B. Knowlton, Esq.
15 North Main Street
Concord, NH 03301

CERTIFICATE OF SERVICE

I hereby certify that a copy of this Objection of Pennichuck Utilities to Motion to Intervene by the Merrimack Valley Regional Water District has been forwarded to the persons on the attached service list.

Dated: July ~~28~~, 2004



Steven V. Camerino