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September 9, 2005

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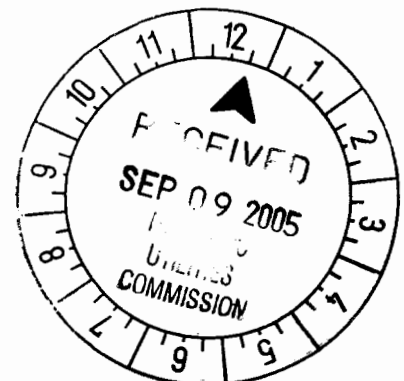
Debra A. Howland, Executive Director
N.H. Public Utilities Commission
21 South Fruit Street, Suite 10
Concord, NH 03301-2429

RE: City of Nashua, Petition for Valuation Pursuant to RSA 38:9
Docket No. DW04-048

Dear Ms. Howland:

On September 6, 2005, Pennichuck Water Works, Inc., filed a *Motion for Summary Judgment* in this proceeding. However, in Order No. 24,425, the Commission had previously ordered that the company's motion be filed no later than January 31, 2005, and provided that Nashua would have thirty (30) days to respond to the company's motion. See Order No. 24,425, p. 21-23. Setting aside the issue of whether the motion was timely, Nashua respectfully requests that the Commission clarify that the thirty-day period provided by Order No. 24,425 applies, and not the ten-day period under Rule PUC 203.04.

In light of the expiration of the ten-day period on Friday September 16, 2005, any clarification that you or the Commission could provide in this regard would be greatly appreciated. Unlike procedural motions, summary judgment is a dispositive motion which may require the preparation of affidavits and exhibits, including, but not limited to the technical proposals for operation and maintenance that Nashua has previously provided in discovery in this proceeding. Clarification, therefore, may eliminate the need for filing for an extension under Rule PUC 202.04 to request the 30 day period previously provided for by Order No. 24,425.

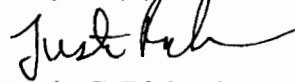


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Thank you for your assistance in this matter. If you have any questions, please contact me.

Very truly yours,



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JCR/lm

cc: Official Service List

Via electronic and first class mail