

STATE OF NEW HAMPSHIRE
BEFORE THE
PUBLIC UTILITIES COMMISSION

RE: CONCORD STEAM CORPORATION

DOCKET NO. DG 08-__

**PETITION FOR APPROVAL OF SPECIAL CONTRACT
WITH DENEV REALTY, LLC**

Concord Steam Corporation ("Concord Steam" or the "Company") hereby petitions the Public Utilities Commission for authority, pursuant to RSA 378:18, to provide service to Denev Realty, LLC ("Denev") pursuant to the terms of a special contract entered into by Concord Steam and Denev as of October 15, 2008. In support of this Petition, Concord Steam states as follows:

1. For at least the past 25 years, Concord Steam has been providing retail steam service to the building located at 148-158 North Main Street, Concord, New Hampshire (the "Vegas Building"). This building consists of approximately 36 units of low income residential housing that historically has been heated with steam and whose hot water has been provided through retail steam service. The Company's customer has been the owner of the building, not the individual tenants of the apartments. Until recently, the building was owned by Jason Ganem, whose account with the Company was in arrears in the amount of \$23,700. After receiving numerous notices consistent with the requirements of the N.H. Admin. Puc 1200, the Company terminated service to the Vegas Building on or about May 5, 2008.

2. On or around June 2008, Mr. Ganem sold the Vegas Building to Denev Realty, LLC. On October 15, 2008, Concord Steam entered into a contract with Denev for the provision of retail steam service to the Vegas Building. This contract (Contract No. NHPUC 2) is being

submitted contemporaneously with this Petition and includes a Statement of Special Circumstances in accordance with N.H. Code of Admin. Rules Puc 1606.03(b).

3. As described in the prefiled testimony of Mark Saltsman, which accompanies this Petition, the Company has been working with Denev in an effort to restore steam service to the building for the current heating season. Mr. Saltsman's testimony also discusses the terms of the contract with Denev and the special circumstances that make it just and consistent with the public interest to the extent it varies from Concord Steam's tariff on file with the Commission.

4. For the reasons set forth in the Statement of Special Circumstances submitted with the Contract (which is hereby incorporated by reference) and in Mr. Saltsman's testimony, Concord Steam avers that special circumstances exist which render departure from the general schedules of Concord Steam just and consistent with the public interest.

5. Concord Steam respectfully requests that the Commission authorize the contract with Denev and allow Concord Steam to provide service to the Vegas Building in accordance with the terms of such contract.

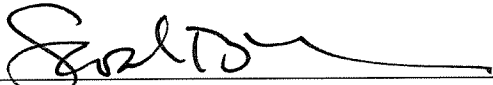
WHEREFORE, Concord Steam Corporation respectfully requests that the Commission:

- A. Issue an Order *Nisi* approving Contract No. NHPUC 2;
- B. Authorize Concord Steam to provide service to Denev at the Vegas Building in accordance with the terms of the contract; and
- C. Grant such other and further relief as may be just and reasonable.

Respectfully submitted,
CONCORD STEAM CORPORATION
By its Attorneys,

McLANE, GRAF, RAULERSON & MIDDLETON,
PROFESSIONAL ASSOCIATION

Date: November 3, 2008

By: 

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Certificate of Service

I hereby certify that a copy of the foregoing Petition has been forwarded this 3rd day of November, 2008 to Meredith Hatfield, Consumer Advocate.



Sarah B. Knowlton