



January 26, 2010

BY HAND DELIVERY and ELECTRONIC FILING

Debra A. Howland, Executive Director and Secretary
New Hampshire Public Utilities Commission
21 South Fruit Street, Suite 10
Concord, NH 03301-2425



Re: DE 10-001 Affidavit of Publication

Dear Director Howland:

Pursuant to the Order of Notice issued by the New Hampshire Public Utilities Commission on January 8, 2010, in the above-referenced docket, enclosed please find an Affidavit of Publication on behalf of Unitil Energy Systems, Inc.

Sincerely,

Gary Epler
Attorney for UES

Enclosure

cc: Edward Damon, Staff Counsel

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STATE OF NEW HAMPSHIRE
BEFORE THE
PUBLIC UTILITIES COMMISSION

UNITIL ENERGY SYSTEMS, INC., Petitioner
December 11, 12, 2008 Ice Storm

DE 10-001

AFFIDAVIT

Gary M. Epler, having been duly sworn, states under oath as follows:

I certify that publication of the Order of Notice in Docket DE 10-001, issued on January 8, 2010, has been made as therein directed, and that it was published in the New Hampshire Union Leader on January 15, 2010.

DATED this 26th day of January, 2010.



Gary M. Epler

STATE OF NEW HAMPSHIRE)

) :ss

COUNTY OF ROCKINGHAM)

On this 26th day of January, 2010, personally appeared before me Gary M. Epler, the signer of the above instrument, who duly acknowledged to me that he executed the same.



Notary Public

Residing in Rockingham County

My Commission Expires:

JOANNE L. ROBBINS, Notary Public
My Commission Expires December 3, 2013

THE STATE OF NEW HAMPSHIRE PUBLIC UTILITIES COMMI

THE STATE OF NEW HAMPSHIRE PUBLIC UTILITIES COMMISSION DE 10-001 ORDER OF NOTICE On December 3, 2009, the Commission issued its final report regarding the after action review of the December 2008 ice storm. The report contained a number of action items, including action item 5.3, the commencement of an adjudicative proceeding to examine certain aspects of Unitol Energy Systems, Inc.'s (UES) response to the ice storm. UES, a subsidiary of the Unitol Corporation, provides electric distribution service to more than 72,500 customers in New Hampshire. Fitchburg Gas and Electric Light Company (Fitchburg) is also a subsidiary of Unitol Corporation and provides electric distribution service to 27,812 customers in Massachusetts. Data submitted in the Massachusetts Department of Public Utilities investigation regarding Fitchburg's ice storm response in Massachusetts revealed that more crews were deployed in Massachusetts at times when there were greater numbers of customers without power in New Hampshire. According to a data response submitted during the Commission's after action review, Unitol strives to restore all customers at the same time. However, the Commission's ice storm consultant, NEI Electric Power Engineering, Inc., noted in its report that Unitol's restoration effort was "adversely impacted because the system area with the most damage rather than the most customers was assigned the greatest amount of resources." Data showed that the number of outside contractor line crews deployed in New Hampshire decreased during and immediately after the ice storm, indicating that contractor line crews were leaving UES' service territory during the initial phase of the restoration plan. Data also indicated that at certain times during and immediately after the ice storm, UES had the lowest ratio of crews per number of customers without power, compared to other New Hampshire electric utilities. This docket will consider, inter alia, issues related to the reasonableness of UES' response to the December 2008 ice storm, including the timing of its response, its restoration priorities and strategies, and the procurement and allocation of its resources in New Hampshire and Massachusetts. As UES is part of a holding company with electric utility operations in two states, the issues involve actions and decision-making by UES and by its parent, Unitol, on a company-wide basis. Exploration of the issues will involve inquiry into the emergency response resources available to UES and Fitchburg prior to the ice storm, the deployment of those resources on behalf of UES and Fitchburg, the responsibility for the deployment of those resources and the reasons therefor, the impacts of the deployment on UES' customers and what, if any, remedies are appropriate. Each party has the right to have an attorney represent them at their own expense. Based upon the foregoing, it is hereby ORDERED, that UES file testimony with the Commission addressing the issues described in this order of notice, with a copy to the Office of Consumer Advocate, by no later than January 29, 2010; and it is FURTHER ORDERED, that a Prehearing Conference, pursuant to N.H. Admin. Rules Puc 203.15, be held before the Commission located at 21 S. Fruit St., Suite 10, Concord, New Hampshire on February 11, 2010 at 10:00 a.m., at which each party will provide a preliminary statement of its position with regard to the issues raised and any of the issues set forth in N.H. Admin. Rule Puc 203.15 shall be considered; and it is FURTHER ORDERED, that, immediately following the Prehearing Conference, UES, the Staff of the Commission and any Intervenors hold a Technical Session to formulate a recommended procedural schedule; and it is FURTHER ORDERED, that pursuant to N.H. Admin. Rules Puc 203.12, UES shall notify all persons desiring to be heard at this hearing by publishing a copy of this Order of Notice no later than January 21, 2010, in a newspaper with general circulation in those portions of the state in which operations are conducted, publication to be documented by affidavit filed with the Commission on or before February 11, 2010; and it is FURTHER ORDERED, that pursuant to N.H. Admin. Rules Puc 203.17, any party seeking to intervene in the proceeding shall submit to the Commission seven copies of a Petition to Intervene with copies sent to UES and the Office of the Consumer Advocate on or before February 8, 2010, such Petition stating the facts demonstrating how its rights, duties, privileges, immunities or other substantial interest may be affected by the proceeding, as required by N.H. Admin. Rule Puc 203.17 and RSA 541-A:32,I(b); and it is FURTHER ORDERED, that any party objecting to a Petition to Intervene make said Objection on or before February 11, 2010. By order of the Public Utilities Commission of New Hampshire this eighth day of January, 2010. Debra A. Howland Executive Director Individuals needing assistance or auxiliary communication aids due to sensory impairment or other disability, should contact the Americans with Disabilities Act Coordinator, NHPUC, 21 S. Fruit St., Suite 10, Concord, New Hampshire 03301-2429; 603-271-2431; TDD Access: Relay N.H. 1-800-735-2964. Notification of the need for assistance should be made one week prior to the scheduled event. (UL - Jan. 15) 01/08/10 - 2 - DE 10-001 01/08/10

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