

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

Inter-Department Communication

DATE: September 28, 2015

W4PUC 28SEP15 4:02:35

TO: Commissioners

FROM: Suzanne Amidon, Hearings Examiner

SUBJECT: Docket No. DW 15-199
Abenaki Water Company
Request for Change in Rates

HEARINGS EXAMINER REPORT

At your request, I presided over the September 23, 2015 prehearing conference in the above-captioned docket.

On June 6, 2015, Abenaki Water Company (Abenaki or Company) filed a notice of request for a change in rates, and on July 24, the Company filed a request for a permanent rate increase. Also, on August 17, 2015, Abenaki filed a petition for temporary rates. The Commission issued an Order on August 28, 2015, scheduling a prehearing conference for September 23, 2015.

Appearances: Justin C. Richardson, Esq., for Abenaki Water Company
Susan W. Chamberlin, Esq., for the Office of Consumer Advocate
Richard P. Weaver, pro se, for the Laconia Housing Authority
David Laflamme, pro se, for Village Shore Estates Association
John Drouin, pro se, for Lakemont Cooperative, aka Briarcrest Estates

Affidavit of Publication: Evidence of publication filed on September 11, 2015

Intervention Requests: The following requests were timely filed. All of the petitioners are residents of what they refer to as "The Orchards." None of these petitioners attended the prehearing conference.

Paulette Palmobo, pro se
Shellie Secula, pro se
Sean M. Timberlake, pro se
W. Hoey, pro se
Alexander Lenfest, pro se
Keith Groleau, pro se

Jeff Johndro, pro se
Keith Groleau, pro se
Marc R. Lamoureaux, pro se
James Zartc, pro se

Senator David Boutin made a late-filed petition to intervene. Senator Boutin did not attend the prehearing conference.

The OCA and Staff did not object to the petitions to intervene.

Abenaki said that it did not object to the timely-filed petitions to intervene, and that working with the various homeowner associations would be the productive thing to do. Abenaki asked for additional time to review the petition of Senator Boutin.

Ruling: All requests are pending. Because Senator Boutin's petition was filed after the deadline set in the Commission's order, I provided Abenaki with 10 days from September 23, 2015 to file an objection.

Public Comment: The following persons, customers of Abenaki, provided public comment at the prehearing conference. All expressed concern about the magnitude of the rate increase requested by Abenaki.

Warren Fargo
Jeffrey Beetle
Harvey Beetle
Hugh Baird
George Blaisdell
Pat Letendre
Betty Isaac
Ron Richman
Diane Dones Salice

Initial Positions of the Parties:

Abenaki explained its petition and the reasons for the requested increase in rates.

Richard Weaver (Laconia Housing Authority) expressed concern about the impact of the requested rate increase on customers with fixed incomes. Mr. Weaver is also a member of the OCA Consumer Advisory Board.

David Laflamme (Village Shore Estates Association) expressed concern about the notice provided to customers about the requested rate increase, and questioned whether the increase was needed.

John G. Drouin (Lakemont Cooperative, aka Briarcrest Estates) expressed concern about the magnitude of the requested rate increase for seniors on fixed incomes.

The Office of Consumer Advocate expressed concern about the magnitude of the rate increase.

Commission Staff indicated that Staff had no position as of this time but intended to investigate the filing.

Technical Session: Staff and the parties met in technical session following the prehearing conference to establish a procedural schedule for this docket. Staff will be filing a report of the technical session.

Recommendation:

Petitions to Intervene: The timely-filed petitions are made by customers of Abenaki. All petitioners expressed concerned about requested rate increase.

I recommend that the Commission grant the petitions to intervene because the petitions state facts demonstrating that the petitioners' rights may be affected by the proceeding. RSA 541-A:32, I (b).

I recommend that the petitioners from "The Orchards" designate one person to represent their interests in this proceeding, and to coordinate with the representatives for the Laconia Housing Authority, Lakemont Cooperative, and Village Shore Estates Association.

Further, I recommend that such intervenors' participation be limited to the scope of this proceeding and not to past transactions regarding Abenaki that were mentioned at the prehearing conference.

Finally, pursuant to RSA 541-A:32, III (c), I recommend that the Commission require the intervenors to combine their presentation of evidence and argument, cross-examination, discovery, and other participation in the proceedings to promote the orderly and prompt conduct of the proceedings.

Regarding the late-filed petition to intervene by Senator Boutin, I recommend that the Commission consider any objection that Abenaki may file to the petition.



Suzanne G. Amidon, Hearings Examiner

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(electronically)

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- 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:**
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