

STATE OF NEW HAMPSHIRE

BEFORE THE

PUBLIC UTILITIES COMMISSION

Docket No. DW 18-101

PENNICHUCK EAST UTILITY, INC.

PARTIAL ASSENTED-TO MOTION FOR EXTENSION OF TIME

Pennichuck East Utility, Inc. (“PEU” or “Company”) hereby requests the Commission grant it an extension of time to file the signed special contract. In support of this request, PEU states as follows:

1. On August 9, 2019, the Commission issued Order No. 26,285, approving a proposed special contract between PEU and Pillsbury Realty Development, LLC (“Pillsbury”), the developer of Woodmont Commons, a planned unit development in the Town of Londonderry. The purpose of the special contract is for PEU and Pillsbury to share in the cost of constructing a water storage tank in the vicinity of the Woodmont Commons’ development.
2. In Order No. 26,285 approving the special contract, the Commission found that cost-sharing arrangement to be consistent with the public interest.
3. A condition of Order No. 26,285 requires PEU to file, “on or before (15 days of issuance of this order)” a signed copy of the special contract and a statement of special circumstances.
4. The parties have not yet signed the special contract because the water storage tank is still under scrutiny before the Town of Londonderry Zoning Board of Adjustment.
5. PEU filed an application with the Town of Londonderry Zoning Board of Adjustment for approval of the water storage tank and that local regulatory approval process has

not yet been completed. Therefore, all approvals necessary for the special contract have not yet been obtained.

6. Because the water storage tank is still under regulatory scrutiny, PEU and Pillsbury believe it is premature to sign the special contract. For this reason, PEU respectfully requests the Commission grant an extension of time for filing the signed special contract until thirty (30) days from the date the Town of Londonderry Zoning Board of Adjustment decision on the matter becomes final.

7. Pillsbury assents to the relief requested in this motion. Staff and the Office of Consumer Advocate had not yet responded at the time of this filing.

WHEREFORE, PEU respectfully requests the Commission:

- A. Grant this motion for an extension of time to file the signed special contract; and
- B. Grant such other and further relief as may be just and reasonable.

Respectfully submitted,

PENNICHUCK EAST UTILITY, INC.

By its Attorney,

Date: August 23, 2019

By: Marcia A. Brown
Marcia A. Brown, NH Bar #11249
NH Brown Law, PLLC
20 Noble Street
Somersworth, NH 03878
(603) 219-4911
mab@nhbrownlaw.com

Certificate of Service

I hereby certify that a copy of the foregoing motion has been sent by electronic delivery to the service list for Docket No. DW 18-101.

Date: August 23, 2019

Marcia A. Brown
Marcia A. Brown