

**STATE OF NEW HAMPSHIRE
BEFORE THE
PUBLIC UTILITIES COMMISSION**

ABENAKI WATER COMPANY, INC. AND TIOGA RIVER WATER COMPANY, INC.

DW 18-108

Petition to Transfer Utility Assets and Franchise to Abenaki Water Company, Inc.

ASSENTED TO MOTION TO APPROVE SETTLEMENT AGREEMENT

Staff of the Public Utilities Commission (Staff), Abenaki Water Company, Inc. (Abenaki), and Tioga River Water Company, Inc. (Tioga) (collectively the Settling Parties), pursuant to N.H. Admin. Rule Puc 203.07 hereby submit this Assented to Motion to Approve Settlement Agreement and in support thereof state as follows:

1. A prehearing conference was held on September 26, 2018, followed by a technical session which the Settling Parties attended. No motions to intervene were filed.
2. Subsequent to the technical session, the Settling Parties negotiated and came to an agreement on the acquisition of Tioga by Abenaki. As reflected in the Settlement Agreement, filed concurrently with this Motion, the Settling Parties agree that the sale of Tioga to Abenaki is for the public good, pursuant to RSA 374:30. The Settling Parties further agree that Abenaki has the requisite managerial, technical, and financial expertise to provide service to Tioga's customers. As such, Tioga's discontinuation of service will be for the public good.
3. The Settling Parties negotiated and came to an agreement on several other terms regarding the sale, assumption of long-term debt, billing practice, customer notification, and reporting requirements which were memorialized in the Settlement Agreement, and serve as evidence that the acquisition of Tioga by Abenaki is for the public good.

4. The Settling Parties agree that Commission approval of the Settlement Agreement may be made without a hearing. Pursuant to RSA 374:26, the Commission may grant permission to transfer ownership of a utility and franchise area without a hearing “when all interested parties are in agreement.” As stated, no motions for intervention were filed. The Settling Parties agree that all parties are participating and are in agreement, and thus recommend that the Commission approve the Settlement Agreement without a hearing as one is not requested, deemed necessary, or required per RSA 374:26. As such, the Settling Parties request that the Settlement Agreement be approved as filed by Order.
5. The Settling Parties have each reviewed and approve of the filing of this Motion and accompanying Settlement Agreement and assent to the relief requested.

WHEREFORE, the Settling Parties respectfully request that the Commission:

- A. Grant this Assented to Motion to Approve Settlement Agreement for the reasons stated herein and contained within the Settlement Agreement; and
- B. Approve the Settlement Agreement as filed, by Order, without further hearing; and
- C. Grant such other relief as is just and equitable.

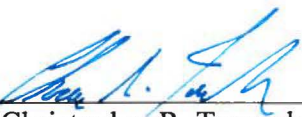
Respectfully submitted,
Commission Staff

Date: 2-4-19

By: 
Christopher R. Tuomala, Esq.
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CERTIFICATE OF SERVICE

I hereby certify that on this 4th day of February, 2019, I caused a copy of the foregoing to be delivered to the Commission with service made electronically on all parties to the service list.


Christopher R. Tuomala