

BEFORE THE PUBLIC UTILITIES COMMISSION

DOCKET NO. DW 21-134

PENNICHUCK WATER WORKS, INC.

PETITION FOR APPROVAL OF EMERGENCY TEMPORARY RATES FOR MERRIMACK
VALLEY DISTRICT

Motion for Approval of a Procedural Schedule

The Department of Energy hereby moves for approval of an assented-to procedural schedule for the above captioned docket. In support of this Motion, the Department states as follows.

1. Pennichuck Water Works Inc. (Pennichuck or the Company) filed a Petition for Emergency Temporary Rates for Merrimack Village District (MVD or District) on October 22, 2021, with supporting testimony and associated exhibits.¹ In its Petition, Pennichuck stated that the New Hampshire Department of Environmental Services (NHDES) had issued a Notice of Violation against MVD on September 23, 2021, because the water source MVD uses for its customers contained Per -and Polyfluoroalkyl Substances (PFAS) at levels which exceeded those allowed for drinking water sources. As a solution to the emergency, NHDES proposed that Pennichuck provide water supply to MVD until MVD completes the installation of facilities designed to mitigate the PFAS content of water produced from MVD water sources. The Petition requested that the tariff be effective retroactive to October 20, 2021, when PWW began delivering water to MVD through an existing interconnection with the MVD water supply infrastructure.

¹ PWW filed an emergency proposed tariff on October 21, 2021, to take effect November 20, 2021.

2. On October 29, 2021, the Commission issued a Notice of Commencement of Adjudicative Proceeding and Notice of Expedited Hearing, and scheduled a hearing for November 8, 2021. On November 12, 2021, the Commission issued an order approving the emergency temporary tariff for a period of six months on a prospective basis beginning November 20, 2021. Also on November 12, PWW filed an executed contract between PWW and MVD that provided for PWW to deliver bulk water supply, on an emergency basis, to MVD, retroactive to the beginning of service on October 20, 2021, and to allow for a reconciliation between the estimated costs and actual costs of such water supply at the end of the term. Separately, on November 17, 2021, PWW filed a petition requesting approval of the special contract.
3. To allow the Department to review the special contract, the Department proposed a procedural schedule to PWW. PWW agreed to the proposed procedural schedule, which is as follows:

Department Data Requests	January 19, 2022
Responses to Data Requests	February 2, 2022
Technical Session	February 16, 2022
Tech. Session Data Requests	February 17, 2022
Responses to Data Requests	February 24, 2022

4. The Department anticipates that the result of this discovery will lead to an agreement between the Department and PWW designed to facilitate the Commission's review of this agreement in an expeditious matter.

WHEREFORE, the Department respectfully requests that the Commission approve the assented-to procedural schedule as set forth in this Motion.

Respectfully,

/s/ Suzanne G. Amidon

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Staff Counsel

Department of Energy/Regulatory Division