

EASTMAN SEWER COMPANY

Joint Petition for Approval of Stock Transfer

Prehearing Conference Order

O R D E R N O. 23,547

September 5, 2000

APPEARANCES: Devine, Millimet & Branch, Frederick Coolbroth, Esq., for the Eastman Community Association; Irene Hanslin for Eastman Sewer Company; and Lynmarie Cusack, Esq., on behalf of the Staff of the New Hampshire Public Utilities Commission.

I. INTRODUCTION & BACKGROUND

On July 21, 2000, Eastman Sewer Company (Company) and the Eastman Community Association (Association) filed a Joint Petition for Approval of the Transfer of all of the Stock of the Company to the Association, with the New Hampshire Public Utilities Commission (Commission). An Order of Notice was issued setting a prehearing conference for August 29, 2000. The Order of Notice indicated that the filing raised issues under RSA 374:30 and whether the Association had the financial, operational and managerial ability to own the system.

The Company currently provides service within the Eastman development to approximately 336 condominium units, 200 single family homes and two commercial customers, the Eastman Visitor Center and the Association. The overall

development consists of among other things 850 single family homes, 336 condominium units, 410 vacant lots, an 18-hole golf course, community center and recreation buildings. The sewer customers are a subset of the entire Association.

At the prehearing conference the Joint Petitioners explained the substance of the petition and indicated that the Association would not seek any acquisition premium associated with the stock transfer. Additionally, the Association represented that its desire was to continue to be regulated by this Commission. At the close of the prehearing conference the Chairman of the Commission requested that the Parties and Staff meet in a technical session and submit a proposed procedural schedule for the remainder of the docket.

II. PROPOSED SCHEDULE

The parties agreed to the following schedule and requested this Commission's approval:

Submission of Additional Written Materials by the Petitioners	September 15, 2000
Data Requests by Staff	September 29, 2000
Data Responses	October 16, 2000
Settlement Conference	October 30, 2000
Settlement Agreement to the Commission	November 7, 2000
Hearing	November 16, 2000

III. COMMISSION ANALYSIS

We have reviewed the Staff and Petitioners proposed procedural schedule and believe that it is reasonable for the scope of this docket. We, therefore, adopt the schedule as proposed.

Based upon the foregoing, it is hereby

ORDERED, that the Staff and Joint Petitioners proposed procedural schedule is GRANTED.

By order of the Public Utilities Commission of New Hampshire this fifth day of September, 2000.

Douglas L. Patch
Chairman

Susan S. Geiger
Commissioner

Nancy Brockway
Commissioner

Attested by:

Thomas B. Getz
Executive Director and Secretary