

ORIGINAL	
N.H.P.U.C. Case No.	DW 10-141
Exhibit No.	LRW 22
Witness	Mark Naylor
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TITLE XXXIV PUBLIC UTILITIES

CHAPTER 374 GENERAL REGULATIONS

Proceedings for Failure to Perform Duties

Section 374:47-a

374:47-a Receiver for Public Utilities. – In addition to the procedure in RSA 374:41-47, whenever the commission finds that a public utility regulated by the commission and having gross annual revenues of less than \$2,000,000 is failing to provide adequate and reasonable service to its customers, and that such failure is a serious and imminent threat to the health and welfare of the customers of the utility, the commission may appoint a receiver or direct its staff to take such temporary action as is necessary to assure continued service. The commission may also appoint a receiver or direct its staff to take such temporary action as is necessary to assure continued service if, after notice and hearing, the commission finds that any public utility regulated under this chapter is consistently failing to provide adequate and reasonable service. In carrying out its responsibilities, the staff shall have the authority to gain access to all company utility assets and records, and to manage the company's assets in a manner which will restore or maintain an acceptable level of service. They shall be authorized to expend existing company utility revenues for labor and materials and to commit additional expenditures as are essential to providing an acceptable level of service, such expenditures to be funded in accordance with generally accepted ratemaking practices. Any costs incurred by the commission, its staff or appointed receiver under this section shall be the responsibility of the utility or its customers. The authority vested in this section shall be for a period of no more than 30 days, unless the commission otherwise directs after hearing and order.

Source. 1989, 74:1. 1992, 169:1, eff. July 7, 1992.