

DW 02-090

MANCHESTER WATER WORKS

Petition to Extend Service Area in Town of Hooksett

Order Nisi Granting Petition

O R D E R    N O.    23,989

June 7, 2002

The Petitioner, Manchester Water Works (Manchester), filed with the New Hampshire Public Utilities Commission (Commission) on May 6, 2002, a petition to extend its existing service area in the Town of Hooksett, New Hampshire.

Manchester intends to provide service under its existing tariff for customers outside its municipal boundaries to an area in Hooksett containing a total of five lots on the Londonderry Turnpike (Route 28 Bypass) in the vicinity of Smyth Road and Joanne Drive. Manchester's petition indicates that certain owners of these lots have expressed a desire for water service by Manchester. Four of the properties abut an existing service area held by Pennichuck East Utility (Pennichuck) known as Smythe Woods.

The Department of Environmental Services has confirmed the suitability and availability of Manchester's water supplies to provide service to the proposed service area as required by RSA 374:22, III. Pennichuck has indicated that it has no objection to the petition. According to the

petition, there is no other water utility service in the area. In a letter dated May 1, 2002, the Town of Hooksett stated that it supports the proposed service extension. RSA 374:26 provides that the Commission may grant the permission requested by the petition without a hearing "when all interested parties are in agreement." While there has been no opposition to the petition filed with the Commission, in order to ensure that all interested parties receive notice of the proposal and an opportunity to request a hearing if they deem it necessary, we will approve the petition on a Nisi basis.

Based on the above facts, the Commission finds that allowing Manchester to extend its service area as requested is in the public good.

**Based upon the foregoing, it is hereby**

**ORDERED NISI,** that, subject to the effective date below, Manchester is granted permission pursuant to RSA 374:22 and 26 to extend its service area into a limited area of Hooksett consisting of Tax Map 43, lots 18 through 21 and 48; and it is

**FURTHER ORDERED,** that the Petitioner shall cause a copy of this Order Nisi to be published once in a statewide newspaper of general circulation or of circulation in the Hooksett area, and shall send a copy of same to Pennichuck

East Utility and the Hooksett town clerk by first class mail, such actions to be no later than June 17, 2002 and to be documented by affidavit filed with this office on or before June 28, 2002; and it is

**FURTHER ORDERED,** that all persons interested in responding to this petition be notified that they may submit their comments or file a written request for a hearing on this matter before the Commission no later than June 24, 2002; and it is

**FURTHER ORDERED,** that any party interested in responding to such comments or request for hearing shall do so no later than June 28, 2002; and it is

**FURTHER ORDERED,** that this Order Nisi shall be effective July 5, 2002, unless the Petitioner fails to satisfy the publication obligation set forth above or the Commission provides otherwise in a supplemental order issued prior to the effective date.

By order of the Public Utilities Commission of New  
Hampshire this seventh day of June, 2002.

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Thomas B. Getz  
Chairman

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Susan S. Geiger  
Commissioner

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Nancy Brockway  
Commissioner

Attested by:

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Debra A. Howland  
Executive Director & Secretary