

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DW 19-084

PENNICHUCK WATER WORKS, INC.

Request for Change in Rates

Order Suspending Temporary Rates Tariff and Scheduling Hearing

ORDER NO. 26,348

April 13, 2020

This order suspends a tariff proposed by Pennichuck Water Works, Inc., to set temporary rates at current rates, effective March 16, 2020, pending further investigation. The order also schedules a hearing for May 13, 2020, on the request to establish temporary rates.

On July 1, 2019, Pennichuck Water Works, Inc., (PWW or the Company), filed a petition and proposed tariff pages, seeking a permanent rate increase for all customer classes and further modification to its ratemaking structure effective August 1, 2019. The Commission suspended those tariffs and held a prehearing conference on October 3, 2019. *Pennichuck Water Works, Inc.*, Order No. 26,279 (July 31, 2019). At the time of filing, PWW indicated it was not seeking temporary rates in light of its ongoing Qualified Capital Project Adjustment Charge program. The Company's position was referenced in Order No. 26,279.

On March 16, 2020, PWW filed for temporary rates and submitted proposed tariff pages and testimony. The Company argued that it is under-earning and eligible for temporary rates pursuant to RSA 378:27. PWW proposed temporary rates to be set at the level of current rates. The establishment of temporary rates is significant because RSA 378:29 permits a utility to recoup the difference between the income it obtains charging temporary rates and the income the

utility would have obtained if it had charged the final rates during the period that the temporary order was in effect.

The Company further requested temporary rates be made effective March 16, 2020. PWW noted that both Commission Staff and the Office of the Consumer Advocate (OCA) did not agree to establish an effective date of March 16 for temporary rates. On March 26, the OCA filed an objection to the Company's proposed effective date for the temporary rates. If the Commission approves temporary rates, the Commission will fix those rates and determine the effective date following the hearing referenced below.

PWW's request for permanent and temporary rates, and related docket filings, other than any information for which confidential treatment is requested of or granted by the Commission, are posted at <https://www.puc.nh.gov/Regulatory/Docketbk/2019/19-084.html>.

The filing raises, *inter alia*, issues related to RSA 378:27 and RSA 378:29.

We will suspend PWW's proposed temporary rates tariff pursuant to RSA 378:6, I(a) for a period not to exceed the suspension period set in Order No. 26,279, to allow the Company's temporary rate filing to be investigated. Each party has the right to have an attorney represent the party at the party's own expense.

Based upon the foregoing, it is hereby

ORDERED, that Pennichuck Water Works Inc., NHPUC No. 6 Water, proposed revised tariff pages 43, 44, 45, and 47 for temporary rates, are hereby suspended for a period not to exceed the suspension period set in Order No. 26,279, pursuant to RSA 378:6, I(a), pending investigation and further order of the Commission; and it is

FURTHER ORDERED, that, consistent with Governor Christopher T. Sununu's Emergency Order #12, the Commission will hold a web-enabled remote hearing, pursuant to

RSA 378:27, on May 13, 2020, at 9:00 a.m. Members of the public can access the hearing at: <https://nhgov.webex.com/nhgov/onstage/g.php?MTID=eb81d10462841c2ccd8176159f75c9db9>. Parties will be provided additional instructions prior to the hearing. Persons having difficulty obtaining access to this remote event should notify the Commission by calling (603) 271-2431; and it is

FURTHER ORDERED, that pursuant to N.H. Admin. R., Puc 1203.02(c) and (d), Pennichuck Water Works, Inc., shall send notice to all of its customers of the proposed temporary rates no later than April 15, 2020; and it is

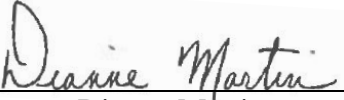
FURTHER ORDERED, that pursuant to N.H. Admin. R., Puc 203.12, Pennichuck Water Works, Inc., shall notify all persons desiring to be heard at this hearing by publishing a copy of this order on its website no later than one day after the date of issue. In addition, the Executive Director shall publish this order on the Commission's website no later than one day after the date of issue; and it is

FURTHER ORDERED, that consistent with N.H. Admin. R., Puc 203.17 and Puc 203.02,¹ any party seeking to intervene in the proceeding shall submit to the Commission a petition to intervene, with copies sent to Pennichuck Water Works, Inc., and the OCA, on or before May 11, 2020, such petition stating the facts demonstrating how its rights, duties, privileges, immunities, or other substantial interests may be affected by the proceeding, consistent with N.H. Admin. R., Puc 203.17; and it is

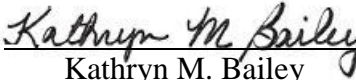
FURTHER ORDERED, that any party objecting to a petition to intervene make said objection on or before May 13, 2020.

¹ The paper filing requirements of N.H. Admin. R., 203.02(a)(1) and (5) have been indefinitely suspended pursuant to a Secretarial Letter dated March 17, 2020. Pursuant to the Secretarial Letter and the Commission's rules, the filing party should retain its paper filing and submit it when the temporary suspension is revoked by the Commission.

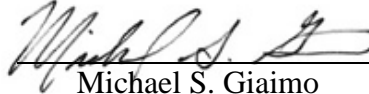
By order of the Public Utilities Commission of New Hampshire this thirteenth day of
April, 2020.



Dianne Martin
Chairwoman

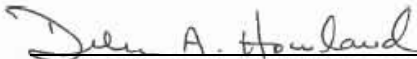


Kathryn M. Bailey
Commissioner



Michael S. Giaimo
Commissioner

Attested by:



Debra A. Howland
Executive Director

Service List - Docket Related

Docket#: 19-084

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