

STATE OF NEW HAMPSHIRE

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PUBLIC UTILITIES COMMISSION

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January 18, 2019

RE: DW 18-076 - Pennichuck Water Works, Inc.  
Motion for Rehearing or Reconsideration  
Denial of Motion

To the Parties:

On December 24, 2018, Pennichuck Water Works, Inc. (PWW), filed a Motion for Rehearing or Reconsideration concerning Order No. 26,200 issued on December 17, 2018. PWW argued that the Commission mistakenly conceived PWW's goodwill gesture of agreeing to customer credits, as directed by Order No. 26,200, as being credits associated with reparations, thereby mistakenly concluding that PWW was issuing credits as part of a penalty.

Pursuant to RSA 541:3, the Commission may grant rehearing or reconsideration when a party states good reason for such relief. Good reason may be shown by identifying new evidence that could not have been presented in the underlying proceeding or by identifying specific matters that were "overlooked or mistakenly conceived" by the Commission. *Aquarion Water Company of New Hampshire, Inc.*, Order No. 26,102 at 3 (February 9, 2018). A successful Motion for Rehearing or Reconsideration does not merely reassert prior arguments and request a different outcome. *Id.*

The Commission has reviewed PWW's motion and finds that it does not meet the required standard. The language highlighted by PWW in Order No. 26,200 as the basis for its argument is almost verbatim to the language included in Commission Staff's recommendation, filed on November 2, 2018. The Commission further notes that PWW concurred in the recommendation before filing. Thus, the Commission did not overlook or mistakenly conceive the nature of the credits in its Order. The Commission therefore denies PWW's Motion for Rehearing or Reconsideration. In doing so, however, the Commission confirms that PWW did not violate its tariff, which had no small-diameter private fire protection rate applicable to the smaller pipe size contractors were installing for fire protection.

Accordingly, the credits are not the result of a billing error, nor are the credits a result of a penalty or reparation pursuant to RSA 365:29.

Sincerely,

A handwritten signature in cursive script that reads "Debra A. Howland".

Debra A. Howland  
Executive Director

cc: Service List (Electronically)