

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DW 20-184

AQUARION WATER COMPANY OF NEW HAMPSHIRE, INC.

Request for Change in Rates

**Order Granting Motion for Clarification and
Modifying Prior Order *Nisi* Approving Step Adjustment**

ORDER NO. 26,771

February 6, 2023

I. PROCEDURAL HISTORY

In Order No. 26,659 (July 29, 2022) the Commission approved a comprehensive settlement agreement (the Settlement) entered into by, the parties to the docket. The Settlement established permanent rates and included a single step adjustment (Step Adjustment) with a not-to-exceed amount of \$1,561,436. The Settlement provided that the final amount of the Step Adjustment would be subject to Department of Energy (DOE) audit and reconciliation and Commission approval. On September 22, 2022, Order No. 26,680 modified Order No. 26,659 by removing \$44,442 from the Step Adjustment.

On November 21, 2022, Aquarion filed a stipulation (Stipulation) concerning revisions to the requested Step Adjustment. The Stipulation followed the DOE audit and reconciliation. On January 19, 2023 the Commission issued Order No. 26,761 (*Nisi* Order) approving the Step Adjustment described in the Stipulation. The *Nisi* Order provided for an effective date of March 1, 2023.

II. MOTION FOR REHEARING AND CLARIFICATION

On February 3, 2023 Aquarion filed a motion for rehearing and clarification of the *Nisi* Order (Motion). The Motion claimed that the *Nisi* Order incorrectly applied the

approved revenue requirement increase for the step adjustment to the volumetric rates and not to the fixed customer charges. Aquarion argued that the Stipulation provided for rate increases to be applied on a uniform basis to both fixed and volumetric charges. In its Motion Aquarion points out that the result of the *Nisi* Order would be the need to recalculate the Step Adjustment revenue requirement across only the volumetric charges resulting in a higher percentage increase to those volumetric charges. According to Aquarion, the increased percentage is needed to make up the shortfall caused by removing the fixed charges from the rate increase.

III. COMMISSION ANALYSIS

The Commission has reviewed the Stipulation and attachments and has confirmed that the parties intended to apply the rate increase for the Step Adjustment across all of Aquarion's fixed and volumetric charges.

In the *Nisi* Order the Commission found the adjustments agreed to by the parties in the Stipulation to be appropriate and reasonable and found the revenue increase of \$1,328,088 in support of the Step Adjustment to be reasonable. In the *Nisi* Order we intended to approve the rate design proposed by the parties in the Stipulation. We therefore modify our prior *Nisi* Order and approve the revenue increase for the Step Adjustment to be applied on a uniform basis across all of Aquarion's fixed and variable rate components.

In all other respects the *Nisi* Order remains unchanged and in full force and effect with the exception of: (1) this modification to the rate design to conform to the parties' intent as expressed in the Stipulation; and (2) the changes to the dates set out in the ordering clauses below.

Based upon the foregoing, it is hereby

ORDERED, that the Motion for Clarification is GRANTED as set forth in this modified order; and it is

FURTHER ORDERED, that the Motion for Rehearing is DENIED as moot; and it is

FURTHER ORDERED *NI SI*, that subject to the effective date below, we approve an annual revenue increase of \$1,328,088 for Aquarion's Step Adjustment, to be applied on a uniform basis to all of Aquarion's fixed and volumetric charges; and that it is

FURTHER ORDERED, that Aquarion shall file on or before February 9, 2023, a revised Stipulation with the Commission containing signatures of each of the parties agreeing to the Stipulation; and that it is

FURTHER ORDERED, that Aquarion shall file on or before February 9, 2023, a corrected Detailed Explanation with the Commission with all numbers consistent with the Stipulation and attachments; and it is

FURTHER ORDERED, that Aquarion shall cause a copy of this modified order to be published on its website, such publication to be no later than February 9, 2023, and to be documented by affidavit filed with this office on or before February 13, 2023; and it is


FURTHER ORDERED, that all persons interested in responding to this order be notified that they may submit their comments or file a written request for a hearing which states the reason and basis for a hearing no later than February 15, 2023, for the Commission's consideration; and it is

FURTHER ORDERED, that any party interested in responding to such comments or request for hearing shall do so no later than February 20, 2023; and it is

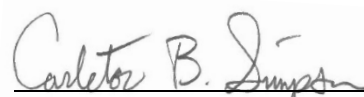
FURTHER ORDERED, that this order shall be effective March 1, 2023, unless Aquarion fails to satisfy the filing obligations and the publication obligation as set forth above or the Commission provides otherwise in a supplemental order issued prior to the effective date; and it is

FURTHER ORDERED, that Aquarion shall file a compliance tariff with the Commission on or before March 15, 2023, in accordance with N.H. Code Admin. Rules Puc 1603.02(b).

By order of the Public Utilities Commission of New Hampshire this sixth day of February 2023.



Daniel C. Goldner
Chairman



Carleton B. Simpson
Commissioner

Service List - Docket Related

Docket#: 20-184

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