THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE ATTORNEY GENERAL
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ATTORNEY GENERAL

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October 27, 2023

Mark D. Marini, Secretary
Department of Public Utilities
One South Station, 3rd Floor
Boston, MA 02110

Re: ***Housatonic Water Works Company,*** **D.P.U. 23-65**

Dear Secretary Marini:

Enclosed please find the Office of the Attorney General's First Set of Document and Information Requests and Certificate of Service. Please file according to your usual practice. Thank you for your assistance in this matter.

Sincerely,

/s/ William C. Rose
William C. Rose
Assistant Attorney General

Enclosures

cc: Kevin Crane, Hearing Officer
Service List

COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF PUBLIC UTILITIES

Housatonic Water Works Company	**D.P.U. 23-65**

OFFICE OF THE ATTORNEY GENERAL'S FIRST SET OF
DOCUMENT AND INFORMATION REQUESTS

INSTRUCTIONS

1. These Document and Information Requests ("Requests") call for all information, including information contained in documents, that relates to the subject matter of the Requests and that is known or available to Housatonic Water Works Company (the "Company") or to any individual or entity sponsoring testimony or retained by the Company to provide information, advice, testimony or other services in connection with this proceeding.

2. Where a Request has a number of separate subdivisions or related parts or portions, a complete response is required to each such subdivision, part, or portion. Any objection to a Request should clearly indicate the subdivision, part, or portion of the Request to which it is directed.

3. If information requested is not available in the exact form requested, provide such information or documents as are available that best respond to the Request.

4. These Requests are continuing in nature and require supplemental responses when further or different information with respect to the same is obtained.

5. Each Request to "Please produce all documents . . ." or similar phrases includes a request to "identify" all such documents.

6. "Identify" with respect to documents means to state the nature of the document, the date on which it was prepared, the subject matter, the titles and the names and positions of each person who participated in the preparation of the document, the addressee(s), and the custodian of the documents. To the extent that a document is self-identifying, it need not be separately identified.

7. Each Request calling upon the Company to "state the basis" of or for a particular claim, assertion, allegation, contention, or proposition requires the Company to provide the following:

   a. identify each and every document (and, where pertinent, the section, article, or subparagraph thereof) that forms any part of the source of the party's information regarding the alleged facts or legal conclusions referred to by the Request;

b. identify each and every communication that forms any part of the source of the party's information regarding the alleged facts or legal conclusions referred to by the Request;

c. state separately the acts or omissions to act on the part of any person (identifying the acts or omissions to act by stating their nature, time, and place and identifying the persons involved) that form the part of the party's information regarding the alleged facts or legal conclusions referred to in the Request; and,

d. state separately any and all other facts that form the basis of the party's information regarding the alleged facts or conclusions referred to in the Request.

8. For each document produced or identified in a response which is computer generated, state separately (a) what types of data, files, or tapes are included in the input and the source thereof, (b) the form of the data that constitutes machine input (e.g., punch cards, tapes), (c) a description of the recording system employed (including descriptions, flow charts, etc.), and (d) the identity of the person who was in charge of the collection of input materials, the processing of input materials, the databases utilized, and the programming to obtain the output.

9. If a Request can be answered in whole or part by reference to the response to another Request served in this proceeding, it is sufficient to so indicate by specifying the other Request by participant and number, by specifying the parts of the other response which are responsive, and by specifying whether the response to the other Request is a full or partial response to the instant Request. If it constitutes a partial response, the balance of the instant Request must be answered.

10. If the Company cannot answer a Request in full, after exercising due diligence to secure the information necessary to do so, state the answer to the extent possible, state why the Company cannot answer the Request in full, and state what information or knowledge is in the Company's possession concerning the unanswered portions.

11. If, in answering any of these Requests, you feel that any Request or definition or instruction applicable thereto is ambiguous, set forth the language you feel is ambiguous and the interpretation you are using to respond to the Request.

12. If a document requested is no longer in existence, identify the document, and describe in detail the reasons the document in unavailable.

13. Provide copies of all requested documents. A response that does not provide the Attorney General with the responsive documents and that requests the Attorney General to inspect documents at any location is not responsive.

14. If you refuse to respond to any Request by reason of a claim of privilege, or for any other reason, state in writing the type of privilege claimed and the facts and circumstances you rely upon to support the claim of privilege or the reason for refusing to respond. With respect to requests for documents to which you refuse to respond, identify each such document.

15. Each request for information includes a request for all documents that support the response provided.

16. Please furnish each response on a separate sheet of three-hole paper, beginning with a restatement of the question, formatted with the header set forth in Department standard "ground rules," and with the person responsible for the answer named at the end of the response. Individual responses of more than one page should be stapled or bound and each page consecutively numbered.

17. If the response contains attachments with confidential materials and the cover sheet with the request is filed separately from the public filing, provide a copy of the cover sheet with the confidential attachment.

18. The terms "and" or "or" shall mean "and/or" so that they both have conjunctive and disjunctive meaning, such as to make them terms of inclusion rather than terms of exclusion.

19. The term "document" refers to documents or electronically stored information—including writings, drawings, graphs, charts, photographs, sound recordings, images and other data or data compilations—stored in any medium from which information can be obtained either directly or, if necessary, after translation by the responding party into a reasonably usable form.

20. The term "communication" means the transmittal of information (in the form of facts, ideas, inquiries, or otherwise).

21. The term "concerning" means referring to, describing, offering evidence of, or constituting.

22. The term "identify" with respect to persons means to give, to the extent known, the person's full name, present or last known address, and when referring to a natural person, the present or last known place of employment. Once a person has been identified in accordance with this definition, only the name of that person need be listed in response to subsequent Requests.

23. The term "Company" refers to Housatonic Water Works Company. Unless the Request specifically provides otherwise, the term Companies includes all parent or holding companies, witnesses, representatives, employees, agents, and legal counsel.

24. Please submit responses within ten (10) business days of receiving this request.

COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF PUBLIC UTILITIES

Housatonic Water Works Company	**D.P.U. 23-65**

OFFICE OF THE ATTORNEY GENERAL'S FIRST SET OF DOCUMENT AND INFORMATION REQUESTS

REQUESTS

AG-1-1 Referring to Exh. JJM-1, at 8, please provide an accounting of the "Two-Million dollars" in unpaid compensation sufficient to identify the year(s) in which the unpaid compensation was accrued and the Officer(s)/Stockholder(s) to which the unpaid compensation is owed. Provide copies of the agreements, board resolutions, or other documents establishing the Officer(s)/Stockholder(s)' right to the referenced compensation.

AG-1-2 Referring to the Company's response to DPU 1-17, and Exh. JJM-1, at 8, please clarify whether Supervision/Operator Employees 1 and 2 are Officers/Stockholders of the Company. If yes, clarify whether the "Two-Million dollars" in unpaid compensation is in addition to the $114,147.95 salary received by each Supervision/Operator Employee.

AG-1-3 Referring to Transcript A, at 74, please provide a list of all open and closed Small Claims, Superior Court, and any other actions to which the Company is or was a party from Nov. 1, 2017, to the present. Include in your response docket numbers, dates of initial filing or re-filing, venues in which the case was filed or re-filed, and a description of the resolution of the case, as applicable.

AG-1-4 Referring to the Company's proposed Rules and Regulations tariff, M.D.P.U. No. 20, at § 20(a), please explain the Company's residential bill dispute process(es) and arrearage management programs, if any. Provide copies of all Company policies related thereto.

AG-1-5 Referring to the Company's proposed Rules and Regulations tariff, M.D.P.U. No. 20, at § 20(j), and Transcript A, at 33, please state the number of customer accounts currently in arrears and the number of properties to which a lien may attach should the Company's proposed tariff be approved.

AG-1-6 Referring to Transcript A, at 34–35, please explain the Company's policies

related to turning off customer service connections to permit repair of service lines.

AG-1-7 Referring to the Comments of Janice Gildawie and Thomas Wiggins, D.P.U. 15-179, at 2, and Exh. JJM-1 at 3, please state the date at which the Company first became aware of discoloration issues related to its water supply. Detail all actions taken by the Company to address the discoloration issues, including notifications or recommendations given to customers.

AG-1-8 Referring to Exh. JJM-1, at 5, please provide the following information regarding the planned new manganese filtration system, along with the associated building and equipment:

a. the current planned budget cost for each component of the project;

b. copies of the requests for proposals for each component of the project;

c. copies of each of the responses to the requests for proposals for the project;

d. the Company's analysis and evaluation that went into selecting the venders who were awarded the contracts for each of the components of the project;

e. the current expected construction start date for each of the projects;

f. an identification of and a timeline for the important milestones for the construction of the components of the project;

g. the expected date that each component of the project will be providing service; and

h. the workpapers, calculations, formulas, assumptions, and other supporting documentation used to determine the addition to the Company's proposed rate base associated with each component of the project, including the plant in service, the accumulated depreciation, and the accumulated deferred income taxes.

AG-1-9 Referring to Exh. JJM-1, at 6, please provide the following information regarding the planned new second water storage tank and associated main replacement:

a. the current planned budget cost for each component of the project;

b. copies of the requests for proposals for each component of the project;

c. copies of each of the responses to the requests for proposals for the project;

d. the Company's analysis and evaluation that went into selecting the venders who were awarded the contracts for each of the components of the project;

e. the current expected construction start date for each of the projects;

f. an identification of and a timeline for the important milestones for the construction of the components of the project;

g. the expected date that each component of the project will be providing service; and

h. the workpapers, calculations, formulas, assumptions, and other supporting documentation used to determine the addition to the Company's proposed rate base associated with each component of the project, including the plant in service, the accumulated depreciation, and the accumulated deferred income taxes.

AG-1-10 Referring to Exh. JJM-1, at 6, please provide the following information regarding the planned Phase 1 Main Replacement Project:

a. the current planned budget cost for each component of the project;

b. copies of the requests for proposals for each component of the project;

c. copies of each of the responses to the requests for proposals for the project;

d. the Company's analysis and evaluation that went into selecting the venders who were awarded the contracts for each of the components of the project;

e. the current expected construction start date for each of the projects;

f. an identification of and a timeline for the important milestones for the construction of the components of the project;

g. the expected date that each component of the project will be providing service; and

h. the workpapers, calculations, formulas, assumptions, and other supporting documentation used to determine the addition to the Company's proposed rate base associated with each component of the project, including the plant in service, the accumulated depreciation, and the accumulated deferred income taxes.

AG-1-11 Referring to Exh. JJM-1, at 4, please provide the following information regarding the planned HAA5 Treatment/Testing System Project:

a. the current planned budget cost for each component of the project;

b. copies of the requests for proposals for each component of the project;

c. copies of each of the responses to the requests for proposals for the project;

d. the Company's analysis and evaluation that went into selecting the venders who were awarded the contracts for each of the components of the project;

e. the current expected construction start date for each of the projects;

f. an identification of and a timeline for the important milestones for the construction of the components of the project;

g. the expected date that each component of the project will be providing service; and

h. the workpapers, calculations, formulas, assumptions, and other supporting documentation used to determine the addition to the Company's proposed rate base associated with each component of the project, including the plant in service, the accumulated depreciation, and the accumulated deferred income taxes.

AG-1-12 Referring to Exh. JJM-1, at 7, please provide the following information regarding the planned Great Barrington Fire District Interconnection Project:

a. the current planned budget cost for each component of the project;

b. copies of the requests for proposals for each component of the project;

c. copies of each of the responses to the requests for proposals for the project;

d. the Company's analysis and evaluation that went into selecting the venders who were awarded the contracts for each of the components of the project;

e. the current expected construction start date for each of the projects;

f. an identification of and a timeline for the important milestones for the construction of the components of the project;

g. the expected date that each component of the project will be providing service; and

h. the workpapers, calculations, formulas, assumptions, and other supporting documentation used to determine the addition to the Company's proposed rate base associated with each component of the project, including the plant in service, the accumulated depreciation, and the accumulated deferred income taxes.

AG-1-13 Referring to Exh. GCW-1, at 13, please provide the Company's current expected date that it will be providing service to the North Plain Road development.

AG-1-14 Referring to Exh. GCW-1, at 13, please provide the Company's current expected date that it will be providing service to the Housatonic School development.

AG-1-15 Referring to Exh. JJM-1, at 5, please provide a complete and detailed description of all of the alternatives that the Company has considered to meet its planned hiring of two new certified operators for its system.

AG-1-16 Referring to Exh. JJM-1, at 5, please provide a complete and detailed description of the additional licensing requirements that a Class T1 certified operator must achieve to become a Class T2 certified operator.

Dated: October 27, 2023

COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF PUBLIC UTILITIES

Housatonic Water Works Company	**D.P.U. 23-65**

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon all parties of record in this proceeding in accordance with the requirements of 220 C.M.R. 1.05(1) (Department's Rules of Practice and Procedure). Dated at Boston this 27th day of October, 2023.

/s/ William C. Rose
William C. Rose
Assistant Attorney General
Massachusetts Attorney General
Office of Ratepayer Advocacy
One Ashburton Place
Boston, MA 02108
(617) 727-2200