



The Commonwealth of Massachusetts

DEPARTMENT OF PUBLIC UTILITIES

NOTICE OF PUBLIC HEARING AND PROCEDURAL CONFERENCE

D.P.U. 09-04

May 7, 2009

Request of Milford Water Company for approval of its 2008 metered rate adjustment under its surcharge for water purchased tariff, M.D.T.E. 17A, Original Sheets 8 and 9.

On February 11, 2009, Milford Water Company ("Company") submitted a request for approval of its second metered rate adjustment pursuant to its surcharge for water purchased ("SWP") tariff, M.D.T.E. 17A, Original Sheets 8 and 9, approved by the Department as part of a settlement in Milford Water Company, D.T.E. 05-61 (2006). The SWP tariff allows the Company to recover, by means of an annual surcharge, the differential between the cost of water purchased from other water systems under emergency conditions and the Company's own metered service rates. On March 23, 2009, the Department suspended implementation of the Company's proposed rate adjustment pursuant to the SWP tariff until August 1, 2009.

The Company proposes to recover purchased water-related costs for 2008 in the amount of \$26,714.73 by means of a surcharge to all customers (Application at 1-2). The Company proposes to collect this total surcharge amount over the eight-month period beginning August 1, 2009 and ending March 31, 2010 (Application at 2). If the Company's surcharge is approved as proposed, the 2008 SWP factor would be \$0.02299 per hundred cubic feet ("HCF").

If the Department approves the Company's proposal to implement the 2008 SWP factor on August 1st, customer bills will decrease because the proposed 2008 SWP factor is lower than the 2007 SWP factor of \$0.5067 per HCF, which ends on July 31, 2009. Milford Water Company, D.P.U. 08-05, at 41 (2008). For the average residential customer using 10,000 cubic feet of water per year, the surcharge for 2008 would be \$2.30 per year in addition to the Company's base rates, which remain the same.

The Department will conduct a public hearing to receive comments on the Company's proposal on **Wednesday, May 27, 2009 at 2:00 p.m.** at the Department's offices, One South Station, 2nd Floor, Boston, Massachusetts. The public hearing will be immediately followed by a procedural conference. Any person interested in commenting on this matter may appear at the public hearing or submit written comments to the Department no later than the close of business (5:00 p.m.) on **Wednesday, May 27, 2009**. Any person interested in participating in the evidentiary phase of this proceeding must file a written petition for leave to intervene no later than the close of business (5:00 p.m.) on **Tuesday, May 26, 2009**.

A petition to intervene must satisfy the timing and substantive requirements of 220 C.M.R. § 1.03. Receipt by the Department, not mailing, constitutes filing and determines whether a petition is timely filed. A late-filed petition may be disallowed as untimely, unless good cause is shown for a waiver under 220 C.M.R. § 1.01(4). Pursuant to 220 C.M.R. § 1.03(1), a petition must satisfy the standing requirements of G.L. c. 30A, § 10 to be allowed.

One original and two (2) copies of all written documents should be filed with Mary L. Cottrell, Secretary, Department of Public Utilities, One South Station, Boston, Massachusetts, 02110. In addition, one (1) copy of all written documents must be filed with the Company's counsel, Company's counsel, Eric J. Krathwohl, Rich May, 176 Federal Street, Boston, Massachusetts, 02110-2223.

All documents also should be submitted to the Department in electronic format using one of the following methods: (1) by e-mail attachment to dpu.efiling@state.ma.us and shaela.collins@state.ma.us; or (2) on 3.5" disk or CD-ROM. The text of the email, disk label, or CD-ROM must specify: (1) the docket number of the proceeding (D.P.U. 09-04); (2) name of the person or company submitting the filing; and (3) a brief descriptive title of the person to contact in the event of questions about the filing. All documents submitted in electronic format will be posted on the Department's website: <http://www.mass.gov/dpu>.

Copies of the filing are available for inspection during regular business hours at the Company's offices, 66 Dilla Street, Milford, Massachusetts, at Milford Town Hall, 52 Main Street, Milford, Massachusetts, and at the Department's offices, One South Station - 2nd Floor, Boston, Massachusetts 02110. In addition, electronic filings are available on the Department's website, <http://www.mass.gov/dpu>. For further information, please contact the Company at (508) 473-5110, or Shaela Collins, Hearing Officer, Department of Public Utilities, at (617) 305-3500.