



State of New Hampshire
DEPARTMENT OF ADMINISTRATIVE SERVICES
 OFFICE OF THE COMMISSIONER
 25 Capitol Street – Room 120
 Concord, New Hampshire 03301

CHARLES M. ARLINGHAUS
 Commissioner
 (603)-271-3201

JOSEPH B. BOUCHARD
 Assistant Commissioner
 (603)-271-3204

May 1, 2018

His Excellency, Governor Christopher T. Sununu
 and the Honorable Council
 State House
 Concord, New Hampshire 03301

REQUESTED ACTION

Authorize the Department of Administrative Services (the "Department"), pursuant to RSA 4:40, to grant a perpetual water line easement on State land to Aquarion Water Company of New Hampshire, Inc. ("Aquarion"), the local water utility serving the Town of Hampton, New Hampshire and adjacent communities, for the construction, installation, operation, maintenance, repair, and replacement of a water supply main and any related fixtures or equipment as may be necessary to provide water service to the Hampton Circuit Courthouse facility to be constructed in the Town of Hampton along the eastern side of Timber Swamp Road between the Hampton Park & Ride, the Interstate 95 right-of-way, and a Department of Transportation Highway Maintenance Facility.

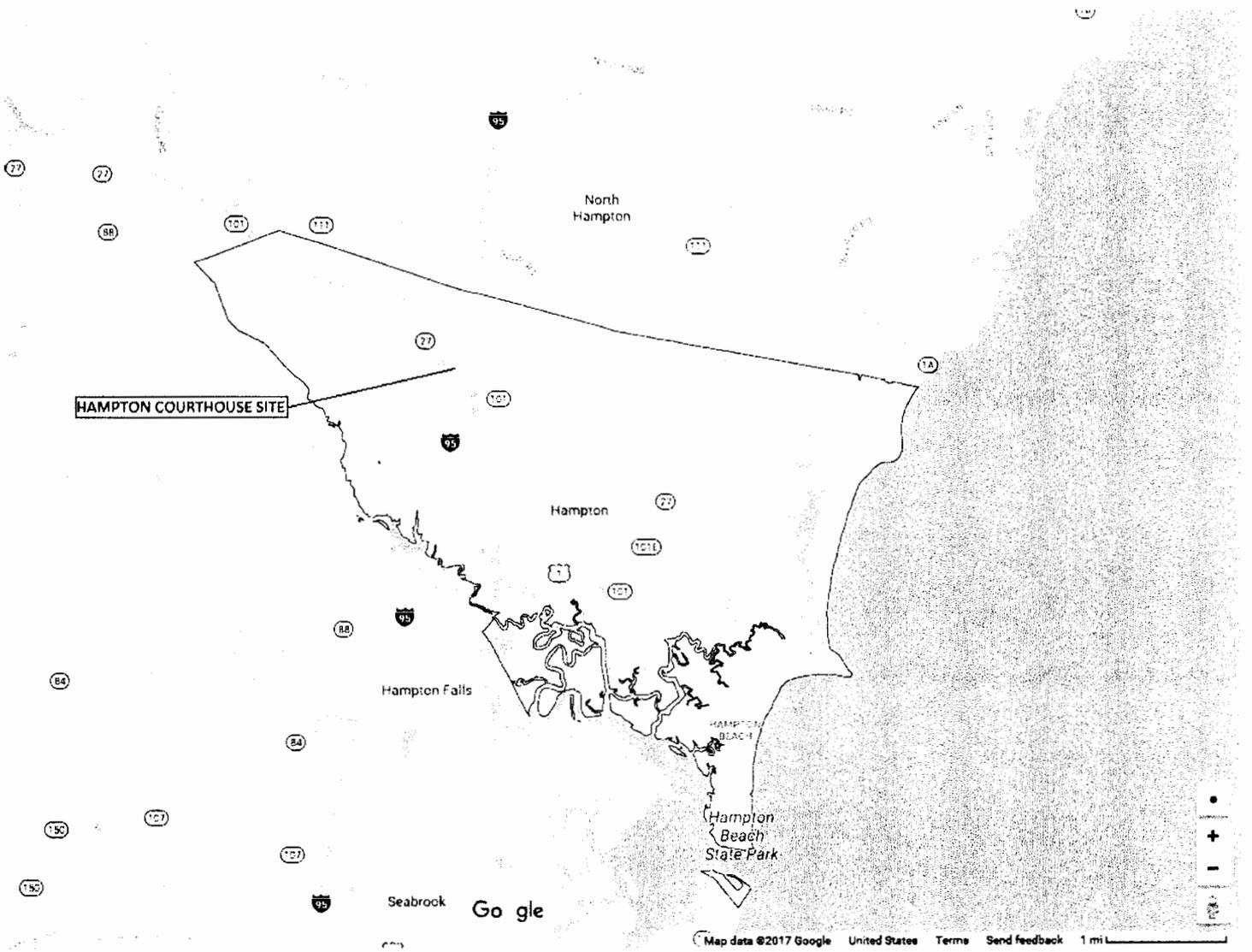
EXPLANATION

On November 8, 2017 (Agenda Item #81) the Governor and Executive Council authorized the Department to enter into a contract for the construction of the Hampton Circuit Courthouse facility. Site work for the project began in late 2017, and construction of the water main extension necessary to provide water service to the site is nearly complete. It is anticipated that construction of the building will begin shortly. The proposed water line easement would affect a thirty (30) foot wide strip of land extending from the easterly Circuit Courthouse parcel boundary along the southerly parcel boundary a distance of approximately two hundred seventy-seven (277) feet and will be necessary for the acceptance, activation, operation, and maintenance of the new water supply main by Aquarion.

The proposed utility easement shall be granted to Aquarion free of charge, together with the transfer of the water main extension constructed within the corresponding easement area, in exchange for making available and providing to the State water utility service to the new Circuit Courthouse facility. The effectiveness of the proposed easement shall commence upon its execution by the Commissioner of the Department of Administrative Services, following authorization by the Governor and Executive Council, and shall continue in perpetuity. In accordance with RSA 4:40, the proposed easement grant was conditionally approved by the Long Range Capital Planning and Utilization Committee at its meeting on November 14, 2017, and the condition of approval was satisfied by the submission to the Committee of a Letter dated December 7, 2017 from the Department's Real Property Asset Manager.

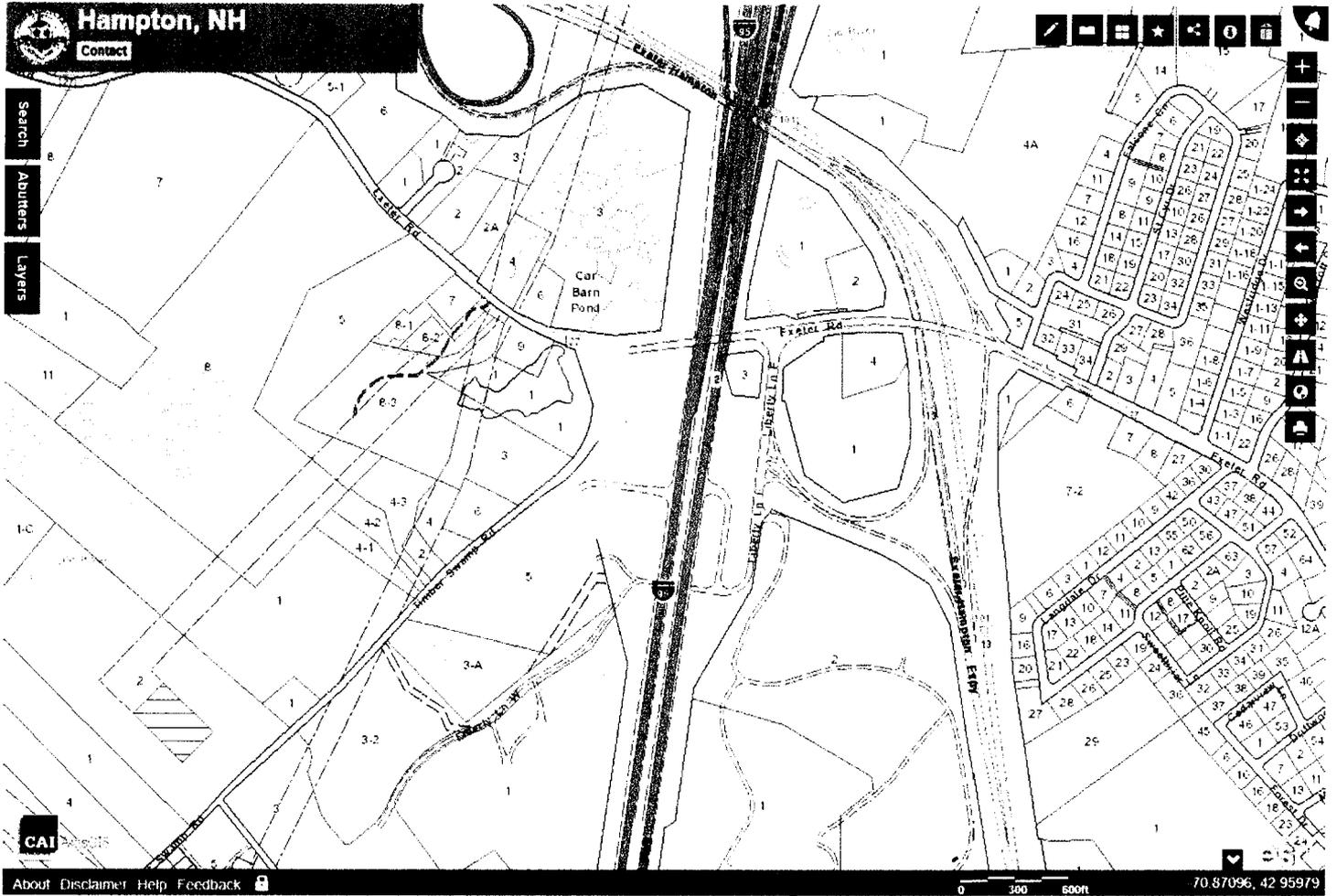
Respectfully submitted,

Charles M. Arlinghaus
 Commissioner



**Future Site of Hampton Circuit Court Facility
Timber Swamp Road, Hampton, NH**

**General Location
Google Maps**



**Future Site of Hampton Circuit Court Facility
Timber Swamp Road, Hampton, NH**

Tax Map Detail

Showing Affected Municipal Tax Parcel Shaded in Yellow (as currently configured)

Note: Tax parcel does not match State administrative parcel configuration



**Future Site of Hampton Circuit Court Facility
Timber Swamp Road, Hampton, NH
(Wooded area between Timber Swamp Road and I-95, directly below Hampton Park & Ride)**

Aerial View



LRCP 17-034

MICHAEL W. KANE, MPA
Legislative Budget Assistant
(603) 271-3181

State of New Hampshire

OFFICE OF LEGISLATIVE BUDGET ASSISTANT
State House, Room 102
Concord, New Hampshire 03301

CHRISTOPHER M. SHEA, MPA
Deputy Legislative Budget Assistant
(603) 271-3181

STEPHEN C. SMITH, CPA
Director, Audit Division
(603) 271-2785

November 15, 2017

Charles M. Arlinghaus, Commissioner
Department of Administrative Services
25 Capitol Street, Room 120
Concord, New Hampshire 03301

Dear Commissioner Arlinghaus,

The Long Range Capital Planning and Utilization Committee, pursuant to the provisions of RSA 4:40, on November 14, 2017, approved, **contingent upon clarification of the ownership of the named utility**, the request of the Department of Administrative Services, to grant a perpetual water line easement on State land, at no cost, to Aquarion Water Company of New Hampshire, Inc. for the construction, installation, operation, maintenance, repair, and replacement of a water supply main and any related fixtures or equipment as may be necessary to provide water service to the Hampton Circuit Court Facility to be constructed in the Town of Hampton along the eastern side of Timber Swamp Road between the Hampton Park & Ride, the Interstate 95 right-of-way, and a Department of Transportation Highway Maintenance Facility, subject to the conditions as specified in the request dated October 27, 2017.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael W. Kane".

Michael W. Kane
Legislative Budget Assistant

MWK/pe
Attachment

Cc: Jared Nylund, Bureau of Plant and Property Management ✓
Department of Administrative Services



State of New Hampshire

DEPARTMENT OF ADMINISTRATIVE SERVICES
OFFICE OF THE COMMISSIONER
25 Capitol Street - Room 120
Concord, New Hampshire 03301

CHARLES M. ARLINGHAUS
Commissioner
(603) 271-3201

JOSEPH B. BOUCHARD
Assistant Commissioner
(603) 271-3204

December 7, 2017

The Honorable Gene Chandler, Chairman
Long Range Capital Planning and Utilization Committee
L.O.B. - Room 201
Concord, New Hampshire 03301

Dear Chairman Chandler and Members of the Honorable Committee:

At its meeting on November 14, 2017, the Long Range Capital Planning and Utilization Committee (the "Committee") considered a request by the Department of Administrative Services (the "Department") to grant a perpetual water line easement on State land to Aquarion Water Company of New Hampshire, Inc. ("Aquarion"), free of charge, for the construction, installation, operation, maintenance, repair, and replacement of a water supply main and any related fixtures or equipment as may be necessary to provide water service to the Hampton Circuit Court facility to be constructed in the Town of Hampton along the eastern side of Timber Swamp Road between the Hampton Park & Ride, the Interstate 95 right-of-way, and a Department of Transportation Highway Maintenance Facility (LRCP 17-034). Aquarion is the local public water utility serving the Town of Hampton and certain adjacent communities.

At the November meeting the Committee expressed concern that Aquarion might not be the correct entity to take title to the proposed water line easement. The basis for this concern was a Committee member's recollection that Aquarion might have been involved in a recent merger or acquisition. As a result, the Committee member believed that a different entity other than Aquarion might be the correct grantee of the proposed easement. Ultimately the Committee approved the proposed easement grant "contingent upon clarification of the ownership of the named utility." This letter is submitted in satisfaction of foregoing condition of Committee approval.

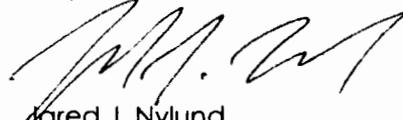
In June 2017 Aquarion and Eversource Energy ("Eversource") filed a joint petition with the New Hampshire Public Utilities Commission (PUC Docket # DW 17-114) (the "Petition") requesting approval of the "indirect acquisition" of Aquarion by Eversource. The Petition indicates, in pertinent part, that Eversource proposes to acquire all of the issued and outstanding common stock of Macquarie Utilities Inc. ("Macquarie"), a Delaware corporation and the holding company of Aquarion and other affiliated entities, and that the proposed transaction would result in Eversource having ownership and control of Aquarion through multiple intervening subsidiaries. The Petition states that Macquarie would be renamed but would remain as the holding company of Aquarion and its affiliates, all of which would retain their current organizational structure following the acquisition. The Petition further indicates that Aquarion's local management structure, customer service team, and local office in Hampton would remain in place, and that "no substantial changes to current employee levels or existing operational facilities" of Aquarion are planned following the acquisition. This means that Aquarion would continue to exist as the same New Hampshire corporation having the same name and to operate as the Hampton public water utility both before and after the proposed acquisition of Macquarie. Therefore, based on the Petition, there is now and would continue to be no need to change the grantee of the proposed water line easement.

According to the Petition, the ownership of Aquarion is more particularly described as follows: Aquarion Water Company of New Hampshire, Inc. is now and would continue to be a wholly owned subsidiary of Aquarion Water Company, a Connecticut corporation; Aquarion Water Company is now and would continue to be a wholly owned subsidiary of Aquarion Company, a Delaware corporation; Aquarion Company is now and would continue to be a wholly owned subsidiary of Macquarie Utilities Inc., a Delaware corporation, which would be renamed as Eversource Aquarion Holdings, Inc. following the proposed acquisition; and Macquarie Utilities Inc., renamed as Eversource Aquarion Holdings, Inc., would become a wholly owned subsidiary of Eversource Water Ventures, Inc., a Connecticut corporation to be formed for the proposed acquisition as a wholly owned subsidiary of Eversource Energy.

A review of the information available on the web site of the Corporation Division of the Office of the New Hampshire Secretary of State was conducted on December 7, 2017. The Corporation Division is the designated recording office for all formation and other statutory filings and required information regarding business entities operating or registered in New Hampshire. As of December 7, 2017, Aquarion Water Company of New Hampshire, Inc., a New Hampshire corporation, was listed on the web site as being in "good standing" and having filed no articles of merger or articles of amendment to change the name of the corporation.

Please contact the undersigned at (603) 271-7644 or jared.nylund@nh.gov with any questions or requests for additional information.

Respectfully submitted,



Jared J. Nylund
Real Property Asset Manager

Enclosure

Cc: Stephen R. Lorentzen, Administrator
Division of Plant and Property Management