

Commonwealth of Massachusetts  
Department of Public Utilities

Petition of Housatonic Water Works Company,  
pursuant to G.L. c. 164, § 94, G.L. c. 165, § 2, and  
220 CMR 5.00 for Approval of a General Increase  
in Rates

No. 23-65

**TOWN OF STOCKBRIDGE’S MOTION FOR ENFORCEMENT OF THE DEPARTMENT’S  
ORDER ON JOINT MOTION TO APPROVE SETTLEMENT AGREEMENT**

Intervenor, the Town of Stockbridge (“Stockbridge”), respectfully requests that the Department initiate an investigation into and issue remedial orders concerning the Petitioner, Housatonic Water Works Company’s (“Company”), failure to comply in good faith with the terms of the Department’s Order on Joint Motion to Approve Settlement Agreement (“Order”) dated July 31, 2024, under the Department’s inherent authority to enforce its own orders and its supervisory powers under G.L. c. 164, § 93 and G.L. c. 165, § 1, *et seq.* For the reasons outlined in Stockbridge’s Response to Housatonic Water Works’ Notice of Delay of Settlement Phase 2 Implementation (“Response”), served and filed contemporaneously with this Response, the ongoing water quality crisis afflicting the Company’s customers only worsens. The Notice provides no basis to believe that the Company has made good faith or substantial efforts to comply with the Settlement Agreement and Order. Instead, it appears that the Company has pocketed its Phase 1 rate increase – including a healthy but unearned rate of return – and has done little else to move forward to Phase 2. All the while, the Company’s water quality issues persist with no end in sight.<sup>1</sup>

---

<sup>1</sup> Stockbridge acknowledges that this Motion is somewhat novel. Immediate action is necessary to forestall even more harm to the Company’s customers and this Motion is intended to help the Department understand the urgency of the situation and the need for immediate Departmental action. This Motion is not intended to waive or forestall Stockbridge’s rights to separately petition the Department under G.L. c. 164, § 93 in the future.

Stockbridge therefore requests that:

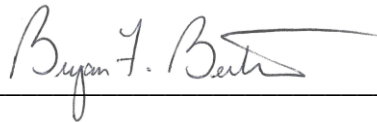
1. Open an investigation into the Company's compliance with the Settlement Agreement and Order;
2. Issue Information Requests exploring the Company's compliance with the Settlement Agreement and Order;
3. Open a period of discovery for the Intervenor Towns to issue Information Requests exploring the Company's compliance with the Settlement Agreement and Order;
4. Order the Company to supplement its Notice and to Show Cause for why it has not violated the Settlement Agreement and Order; and
5. Order the Company's Phase 1 rate increase suspended unless and until the Company complies with the Settlement Agreement and Order.

WHEREFORE, for the foregoing reasons and the reasons outlined in Stockbridge's Response, Stockbridge respectfully requests that the Department issue an Order providing for some or all of the relief listed above.

Respectfully submitted,

THE TOWN OF STOCKBRIDGE,

By its attorneys,



Bryan F. Bertram (BBO #667102)

Donna Brewer (BBO #545254)

HARRINGTON HEEP LLP

40 Grove Street • Suite 190

Wellesley, MA 02482

(617) 489-1600

(617) 489-1630 (fax)

DBrewer@harringtonheep.com

BBertram@harringtonheep.com

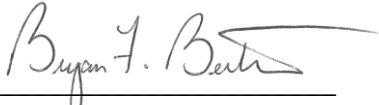
Commonwealth of Massachusetts  
Department of Public Utilities

Petition of Housatonic Water Works Company,  
pursuant to G.L. c. 164, § 94, G.L. c. 165, § 2,  
and 220 CMR 5.00 for Approval of a General  
Increase in Rates

No. 23-65

**CERTIFICATE OF SERVICE**

I certify that, on February 5, 2025, I served a copy of the foregoing document on all parties in these proceedings by emailing a copy of the same, in compliance with the requirements outlined in 980 Code Mass. Regs. § 1.03.



Bryan Bertram