PROVIDING, PURSUANT TO RSA 38:6, FOR DETERMINATION OF THE PLANT AND PROPERTY NECESSARY FOR MUNICIPAL WATER UTILITY SERVICE AND AUTHORIZING THE MAYOR TO GIVE REQUIRED WRITTEN NOTICE TO THE UTILITY

In the Year Two Thousand and Three RESOLVED by the Board of Aldermen of
Whereas, pursuant to RSA 38:3, on January 14, 2003 the voters of the City of Nashua confirmed by majority vote the vote of the Board of Aldermen to establish a water works system; and Whereas, pursuant to RSA 38:6, within thirty (30) days of the confirming vote, the Board of Aldermen must: (i) provide written notice of the confirming vote to any utility engaged in distributing water for sale in Nashua; (ii) determine what portion of the utility’s plant and property is necessary for municipal water service; and (iii) provide written inquiry to the utility as to whether the utility elects to sell the plant and property identified as necessary for municipal water service. Now therefore be it resolved by the Board of Aldermen of the City of Nashua as follows: (1) Pursuant to RSA 38:6, the Board of Aldermen hereby determines that: (a) All of the plant and property of Pennichuck Water Works, Inc. located within and without Nashua is hereby determined to be necessary for municipal water utility service and in the public interest for the City to acquire; (b) All of the plant and property of Pennichuck East Utility, Inc. is hereby determined to be necessary for municipal water utility service and in the public interest for the City to acquire; and (c) All the plant and property of Pittsfield Aqueduct Company, Inc. is hereby determined to be necessary for municipal water utility service and in the public interest for the City to acquire. (2) Pursuant to RSA 38:6, the Mayor is authorized to provide the written notice called for by RSA 38:6 including the determination made under this resolution.