

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DW 19-135

LAKES REGION WATER COMPANY, INC.

Petition for Approval of Financing

Order *Nisi* Affirming Approval of Financing

ORDER NO. 26,457

February 12, 2021

In this Order *nisi*, the Commission affirms its authorization of Lakes Region Water Company to borrow \$633,000 from CoBank to purchase assets required to provide water service. This order *nisi* is necessary because the company did not satisfy the publication requirement established in Order No. 26,447 approving the financing. This order is being issued on a *nisi* basis to ensure that interested persons receive notice of the Commission's determination and have the opportunity to comment or request a hearing prior to the order taking effect.

I. BACKGROUND

On January 28, 2021, the Commission issued Order No. 26,447, *nisi*, authorizing Lakes Region Water Company, Inc. (Lakes Region or Company) to borrow \$633,000 from CoBank to purchase assets required to provide water service. The Commission set an effective date of February 12, 2021, with several conditions precedent. As relevant here, one condition required Lakes Region to publish a copy of Order No. 26,447 *nisi*, "on its website within one business day of this order..." i.e. by January 29, 2021.

Lakes Region timely filed its affidavit of publication on February 8, 2021.¹ The affidavit attests to publication of the order *nisi* to Lakes Region's website six business days beyond the

¹ A screen shot of the Company's website, included in Lakes Region's *Affidavit of Publication* (filed February 8, 2021) and as an attachment to the Company's *Motion to Extend* (filed February 9, 2021) inadvertently describes

publication deadline. Consequently, proper notice and opportunity to be heard, which the *nisi* process is explicitly designed to afford, were not provided to the public. As a result, Order No. 26,447, by its terms, did not take effect.

Notwithstanding Lakes Region's delay in publishing the prior Order, the Commission believes Lakes Region's petition, as described in Order No. 26,447, should be granted. In this order, the Commission affirms, and incorporates by reference, Order No. 26,447 which may be found on the Commission's website at: https://puc.nh.gov/Regulatory/Docketbk/2019/19-135/ORDERS/19-135_2021-01-28_ORDER_26447.PDF.

Because the prior order, Order No. 26,447, was never effective, it is no longer subject to modification. Accordingly, Lakes Region's *Motion to Extend* (filed February 9, 2021) is denied. *See Hampstead Area Water Company, Inc.*, Order No. 25,827 (October 14, 2015, Docket No. 15-254); NH Admin. R., Puc 202.04 (motion to extend deadlines).

Based upon the foregoing, it is hereby

ORDERED *NISI*, that subject to the effective date below, authority for Lakes Region Water Company, Inc. to undertake a loan of \$633,000 under the terms and conditions described in Order No. 26,447, is hereby GRANTED; and it is

FURTHER ORDERED, that Lakes Region Water Company, Inc. shall cause a copy of this order *nisi* to be published on its website within one business day of this order, such publication to be documented by affidavit filed with the Commission on or before February 20, 2021; and it is

Order No. 26,447 as an "Order of Notice." Instead, Order No. 26,447 is an "Order approving financing," or "Order approving the Company's petition for Long Term Debt" as the Company also stated in the same screen shot.

FURTHER ORDERED, that the Executive Director of the Commission shall cause a copy of this order *nisi* to be published on the Commission's website within one business day; and it is

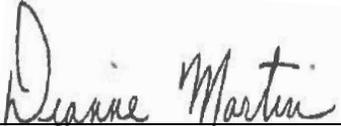
FURTHER ORDERED, that persons interested in responding to this order *nisi* be notified that they may submit their comments or file a written request for a hearing which states the reason and basis for a hearing no later than February 22, 2021, for the Commission's consideration; and it is

FURTHER ORDERED, that any party interested in responding to such comments or request for hearing shall do so no later than February 24, 2021; and it is

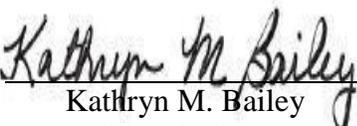
FURTHER ORDERED, that this order shall be effective February 25, 2021, unless Lakes Region Water Company, Inc. fails to satisfy the publication obligation set forth above or the Commission provides otherwise in a supplemental order issued prior to the effective date; and it is

FURTHER ORDERED, that Lakes Region Water Company Inc.'s *Motion to Extend* is hereby DENIED.

By order of the Public Utilities Commission of New Hampshire this twelfth day of February, 2021.

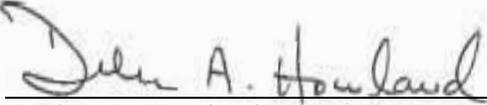


Dianne Martin
Chairwoman



Kathryn M. Bailey
Commissioner

Attested by:



Debra A. Howland
Executive Director

Service List - Docket Related

Docket# : 19-135

Printed: 2/12/2021

Email Addresses

ExecutiveDirector@puc.nh.gov
douglas.brogan@gmail.com
robyn.descoteau@puc.nh.gov
steve.frink@puc.nh.gov
david.goyette@puc.nh.gov
jayson.laflamme@puc.nh.gov
anthony.leone@puc.nh.gov
amanda.noonan@puc.nh.gov
ocalitigation@oca.nh.gov
justin@nhwaterlaw.com
Mary.Schwarzer@puc.nh.gov
Christopher.tuomala@puc.nh.gov
leah@Lakesregionwater.com