

DW 99-126
LACONIA WATER WORKS

DW 00-017
CITY OF LACONIA

Petitions to Expand Water and Sewer Service into Gilford
Order Nisi Approving Expansion of Service Areas

O R D E R N O. 23,423

March 13, 2000

Laconia Water Works filed on September 10, 1999, a petition for expansion of water service in a limited area of the Town of Gilford, with supplemental filings on September 27, 1999 and November 9, 1999. On January 28, 2000, the City of Laconia filed a similar petition for authority to provide sewer service to the same area. Laconia Water Works is an independent municipal entity, while sewer service falls under the City of Laconia's Department of Public Works.

Both petitions relate to an Intermunicipal Agreement (Agreement) between the City of Laconia and the Town of Gilford designed to foster economic development in a 32.8 acre area (half in Laconia and half in Gilford) known as the Blaisdell Avenue Development Area, through relocation of Blaisdell Avenue and extension of water and sewer service to the area. The petitioners provided separate letters from the Gilford selectmen in support of their respective requests.

Laconia Water Works submitted a letter from the Department of Environmental Services meeting the requirement of RSA 374:22,III regarding the suitability and availability of water. The Laconia water and sewer systems both have ample capacity to serve the area, and no other water or sewer entity is available to provide service to the area. The petitioners will provide water and sewer service, respectively, to the Gilford area uniformly in accordance with existing tariffs and practice for service inside Laconia, thus satisfying the conditions of RSA 362:4,III(a) for exemption from Commission regulation.

Pursuant to RSA 374:26, permission to expand a franchise may be granted without hearing when all interested parties are in agreement. Commission Staff has reviewed the petitions and recommends approval. However, in order to allow any interested parties the opportunity to comment, we will issue our order on a nisi basis. In light of the above, we find that the proposed expansion will be in the public good and it is approved on a nisi basis.

Based upon the foregoing, it is hereby

ORDERED NISI, that pursuant to RSA 374:22 and 26, Laconia Water Works is authorized to extend water service, and

the City of Laconia is authorized to extend sewer service, into a limited area of the Town of Gilford consisting of Lots 1-26, 1-27, 1-28, 1-29, 1-30, 1-33, 1-34 and 1-35 on Town of Gilford Tax Map 201; and it is

FURTHER ORDERED, that both petitioners are exempted from Commission regulation in accordance with RSA 362:4,III(a); and it is

FURTHER ORDERED, that Laconia Water Works shall cause a copy of this Order Nisi to be published once in a statewide newspaper of general circulation or of circulation in those portions of the state where operations are conducted, with a copy mailed to the Gilford Town Clerk, such publication and mailing to be no later than March 20, 2000 and to be documented by affidavit filed with this office on or before March 30, 2000; and it is

FURTHER ORDERED, that all persons interested in responding to this petition be notified that they may submit their comments or file a written request for a hearing on this matter before the Commission no later than March 30, 2000; and it is

FURTHER ORDERED, that any party interested in responding to such comments or request for hearing shall do so

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no later than April 6, 2000; and it is

FURTHER ORDERED, that this Order Nisi shall be effective April 13, 2000, unless the Commission provides otherwise in a supplemental order issued prior to the effective date.

By order of the Public Utilities Commission of New Hampshire this thirteenth day March, 2000.

Douglas L. Patch
Chairman

Susan S. Geiger
Commissioner

Nancy Brockway
Commissioner

Attested by:

Thomas B. Getz
Executive Director and Secretary