

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DW 25-063

**LAKES REGION WATER CO., INC.
AND REBECCA LANE WATER SYSTEM ASSOCIATION**

Petition to Transfer Utility Assets and Franchise and for Related Approvals

**COMMENCEMENT OF ADJUDICATIVE PROCEEDING
AND NOTICE OF PREHEARING CONFERENCE**

On September 12, 2025, Lakes Region Water Co., Inc. (LRWC) and Rebecca Lane Water System Association (RLWSA) (together, the Joint Petitioners) filed a petition requesting that the Commission approve an expansion of LRWC's franchise to RLWSA's service area and the transfer of RLWSA's water system to LRWC.¹ The Joint Petitioners also requested that the Commission authorize LRWC to apply the terms and rates of its existing tariff to customers in the proposed franchise area. In support of its petition, the Joint Petitioners filed two attachments: Attachment A, a copy of the signed Asset Purchase Agreement dated July 10, 2025 (Asset Purchase Agreement), with related schedules and exhibits; and Attachment B, a copy of the presentation made at RLWSA's annual meeting held on November 13, 2024. All docket filings, other than any information subject to confidential treatment, are available on the Commission's website at www.puc.nh.gov/VirtualFileRoom/Docket.aspx?DocketNumber=DW%2025-063.

I. BACKGROUND AND PROCEDURAL HISTORY

LRWC is a regulated public utility that provides water service to approximately 1,839 customers in 19 public water systems that are located in the Mt. Washington Valley and Lakes Region. *Lakes Region Water Co., Inc.*, Order No. 27,033 at 1 (July 12, 2024). According to the

¹ The petition was signed on behalf of RLWSA by Brian Desmarais, who is listed as a RLWSA Director.

petition and Asset Purchase Agreement, RLWSA is a volunteer association that provides water service to the Hunting Ridge subdivision in Conway, New Hampshire, including the areas of Rebecca Lane, Hunting Ridge Road, and Whispering Pines. *See* Petition (Pet.), ¶s 2-3; Asset Purchase Agreement at 2. One of the exhibits included with Attachment A, a New Hampshire Department of Environmental Services “Sanitary Survey Site Inspection Report” dated June 2, 2025 (DES Report), noted that RLWSA is a community system serving single family homes. Although the DES Report lists the number of connections as 62,² it stated that RLWSA was then serving 56 homes and supplying water to approximately 140 people. The Joint Petitioners stated in their petition that RLWSA relies on third-party operators to maintain and operate its water system. Pet., ¶ 3.

During its annual meeting held on November 13, 2024, attended by Michael Williams and Brian Desmarais, who are listed in Attachment B as RLWSA’s president and treasurer, respectively, RLWSA’s Board of Directors proposed selling its water system to LRWC. *See* Attachment B; Pet., ¶ 4. The Joint Petitioners asserted in their petition that RLWSA members voted overwhelmingly to authorize RLWSA to transfer the RLWSA water system to LRWC. Pet., ¶ 5. The Joint Petitioners subsequently executed the Asset Purchase Agreement, in which RLWSA agreed to convey its water system to LRWC, subject to Commission approval. *See* Attachment A, Asset Purchase Agreement. Mr. Williams signed the Asset Purchase Agreement as president of RLWSA. *See id.*

The New Hampshire Department of Energy (DOE) filed its appearance in this docket on September 17, 2025. On September 29, 2025, LRWC filed a motion to adopt the following procedural schedule, to which it indicated that both RLWSA and the DOE assented:

² The petition stated that RLWSA provides water service to 62 customers. Pet., ¶ 2. Attachment B indicated that RLWSA has 63 “water service addresses.”

<u>Activity/Event</u>	<u>Deadline</u>
Data Requests (Set 1)	October 9, 2025
Responses (Set 1)	October 23, 2025
Data Requests (Set 2)	November 6, 2025
Responses (Set 2)	November 13, 2025
Technical Session (Virtual)	November 20, 2025, at 1:30 p.m.
Data Requests (Set 3—if necessary)	December 4, 2025
Responses (Set 3—if necessary)	December 11, 2025
Parties File Settlement Agreement or DOE Files Technical Statement	January 8, 2026 (or by 12/18/2025, if Set 3 Discovery is Unnecessary)

LRWC listed several proposed hearing dates, as well. LRWC requested that the Commission issue an order of notice requiring publication through both its and RLWSA's websites and by electronic mail to RLWSA's customers. It noted, however, that four RLWSA customers may not use electronic mail.

II. ISSUES PRESENTED

The filing presents, *inter alia*, the following issues: whether LRWC should be permitted under RSA 374:22 to expand its franchise into RLWSA's service area; whether LRWC has presented evidence of suitable and adequate water supply pursuant to RSA 374:22, III; whether LRWC's expansion of its franchise into RLWSA's service area would be for the public good under RSA 374:26; whether the transfer of RLWSA's assets to LRWC will result in LRWC providing reasonably safe and adequate service at just and reasonable rates to customers in the transferred franchise area in accordance with RSA 374:1, RSA 374:2, and RSA 378:7; and whether LRWC's implementation of its existing tariffed rates in connection with the proposed franchise expansion requires a detailed examination of possible rate subsidization or preference under RSA 378:10. Accordingly, an adjudicative proceeding will be convened to address these issues.

The Commission will be conducting the prehearing conference and any hearings scheduled in this matter in person. The Commission will consider requests to conduct hearings using a hybrid format to permit remote participation by a specific individual only if the Commission has determined that a sufficient reason has been provided for why that individual would be unable to attend in person. Any party requesting that a specific individual be permitted to participate remotely should file a written request with the Commission's Clerk's Office no later than fifteen (15) days prior to the prehearing conference or hearing date. If the Commission determines that one or more individuals will be permitted to appear remotely, then individuals in the Commission's hearing room, including the Commissioners, will be broadcast on a web-enabled platform.

Based upon the foregoing, it is hereby

ORDERED, that an adjudicative proceeding be commenced for the purpose of reviewing and resolving the foregoing issues pursuant to RSA chapter 541-A, RSA 374:22, RSA 374:22, III, RSA 374:26, RSA 374:1, RSA 374:2, RSA 378:7, RSA 378:10, and the Commission's procedural rules; and it is

FURTHER ORDERED, that LRWC's Motion to Adopt Procedural Schedule is **GRANTED**, in part and the procedural schedule contained in this order of notice is **APPROVED**.

The Commission will schedule a hearing at a later date, if necessary; and it is

FURTHER ORDERED, that the Commission will hold a prehearing conference, pursuant to Puc 204.07, at its offices located at 21 S. Fruit St., Suite 10, Concord, New Hampshire, on November 25, 2025, at 1:00 p.m., at which each party should be prepared to address any of the issues set forth in Puc 204.07; and it is

FURTHER ORDERED, RLWSA shall file proof of which individuals are members of RLWSA Board of Directors, including their titles, and the RLWSA Board of Directors' authorization to enter into the Asset Purchase Agreement with LRWC, prior to the prehearing conference; and it is

FURTHER ORDERED, that the Joint Petitioners shall circulate a Structuring Statement to the parties on or before November 10, 2025 and file the Structuring Statement with the Commission no later than November 19, 2025; and it is

FURTHER ORDERED, that during the prehearing conference, the Commission will consider the matters listed in Puc 204.07(f); and it is

FURTHER ORDERED, that, immediately following the prehearing conference, the Joint Petitioners shall make appropriate personnel available for the parties to hold a technical session to review the filing; and it is

FURTHER ORDERED, that any entity or individual may petition to intervene and seek to be admitted as a party in this proceeding. Each party has the right to have an attorney represent the party at the party's own expense; and it is

FURTHER ORDERED, that, consistent with RSA 541-A:32, Puc 204.08, and Puc 203.06, any entity or individual seeking to intervene in the proceeding shall file with the Commission a petition to intervene with copies sent to the Joint Petitioners and any other parties on the service list, on or before November 7, 2025. The petition shall state the facts demonstrating how the petitioner's rights, duties, privileges, immunities, or other substantial interests may be affected by the proceeding, consistent with Puc 204.08; and it is

FURTHER ORDERED, that any party objecting to a petition to intervene make said objection on or before November 17, 2025; and it is

FURTHER ORDERED, that the parties may submit a stipulation containing a discovery schedule, statement of any additional issues not identified in this order of notice, and at least three dates on which they would be available for a final hearing in this matter, including how much time will be required, with a request that the prehearing conference and technical session be cancelled, on or before November 20, 2025. The Commission may cancel the prehearing conference and technical session upon approval of such a stipulation; and it is

FURTHER ORDERED, that the parties shall file any proposed exhibits, written testimony, motions, or other documents intended to become part of the record in this proceeding with the Commission in accordance with the Commission's administrative rules. Parties may elect to submit any filing in electronic form unless otherwise ordered by the Commission. Filings will be considered filed as of the time the electronic copy is received by the Commission; and it is

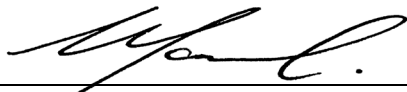
FURTHER ORDERED, that routine procedural inquiries may be made by contacting the Commission's Clerk's Office at (603) 271-2431 or www.puc.nh.gov/about-us/contact-us. All requests to the Commission should be made in a written pleading filed with the Commission. Unless otherwise authorized by law, *ex parte* communications are prohibited; and it is

FURTHER ORDERED, that pursuant to Puc 204.04, the Joint Petitioners shall notify all entities and individuals desiring to be heard at this hearing by publishing a copy of this order of notice on their respective websites no later than two business days after the date of issue. LRWC shall document the foregoing publication by filing an affidavit with the Commission on or before October 16, 2025. RLWSA also shall notify its current customers by emailing a copy of this order of notice to all customers with electronic mail no later than October 16, 2025. It shall notify its current customers who do not have electronic mail by mailing a copy of the order

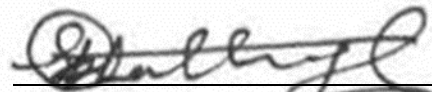
of notice by first-class and certified United States mail, postmarked no later than October 16, 2025. RLWSA shall document the foregoing publication by filing an affidavit, which indicates when a copy of this order of notice was posted on its website and how and when each customer was notified, with the Commission on or before October 30, 2025. In addition, the Clerk shall publish this order of notice on the Commission's website no later than two business days after the date of issue; and it is

FURTHER ORDERED, that any hearings in this matter shall be conducted in accordance with the attached hearing guidelines.

So ordered, this seventh day of October, 2025.



Mark W. Dell'Orfano
Interim Chairman



Pradip K. Chattopadhyay
Commissioner

Individuals needing assistance or auxiliary communication aids due to sensory impairment or other disability should contact the NHPUC, 21 S. Fruit St., Suite 10, Concord, New Hampshire 03301-2429; 603-271-2431; TDD Access: Relay N.H. 1-800-735-2964. Notification of the need for assistance should be made one week prior to the scheduled event.

Service List - Docket Related

Docket#: 25-063

Printed: 10/7/2025

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