

THE STATE OF NEW HAMPSHIRE  
BEFORE THE  
PUBLIC UTILITIES COMMISSION

LAKES REGION WATER COMPANY, INC.

DW 10-041

LAKE'S REGION WATER COMPANY, INC.'S  
MOTION FOR CLARIFICATION  
(Regarding Order 25,196)

NOW COMES Lakes Region Water Company, Inc. (LRWC), through its attorneys, Shaheen & Gordon, P. A., hereby seeks clarification of the Commission's February 18, 2011 *Order Approving Temporary Rates* ("Order"). In support hereof, LRWC states as follows:

1. The Order approved temporary rates "on a service-rendered basis, effective for service rendered on or after September 17, 2010". See, Order at 10.
2. The Order states that "with respect to the September 17, 2010 proposed effective date for the temporary rate increase, we note that RSA 378:27 allows the Commission to authorize effective dates as early as the date on which the Petition for a permanent rate change is filed." See, Order at 8 citing *Appeal of Pennichuck Water Works*, 120 N.H. 562, 567 (1980).
3. In the Order, the Commission took note of LRWC's current difficult financial position. See, Order at 6-8.
4. Given the fact the Order specifically authorizes temporary rates as of September 17, 2010, LRWC seeks clarification as to the Commission's intentions regarding the ability of the LRWC to recover the rate increase for the period September 17, 2010 through the date of the Order. If the Commission intended for LRWC to recover temporary rates for this period, as the Order suggests, then LRWC requests that the Commission authorize a surcharge to LRWC customers to allow LRWC to recover unbilled temporary rates for this period.

5. The Commission is afforded relatively broad discretion to fashion temporary rates in keeping with the public interest. See, generally, RSA 378:27 and *Appeal of Pennichuck, supra*. Given LRWC's difficult financial position, it would be in the public interest to make the effective date for the temporary rate increase be September 17, 2010, thus warranting a surcharge that would enable LRWC to recover badly-needed revenue.

6. Attached hereto is an analysis prepared by LRWC consultant Stephen P. St. Cyr, which includes the following:

- a. a calculation demonstrating that the total unbilled revenue resulting from the approved temporary rate increase for the period September 17, 2010 through February 18, 2011 is \$41,760.00; and
- b. the details of a proposed one-time surcharge to LRWC customers that will enable LRWC to recover this revenue. The one-time surcharge varies, depending on the particular system and the timing of the quarterly billings, from \$17.18 to \$38.85.

### **CONCLUSION**

7. Given the issues identified above, LRWC requests that the Commission clarify its Order and authorize the following surcharge to LRWC customers so as to enable LRWC to recover unbilled but approved temporary rates for the period September 17, 2010 through February 18, 2011:

<b>System</b>	<b>One-Time Surcharge Per Customer</b>
Far Echo Harbor (FEH)	\$28.88
Paradis Shores (PS)	\$23.49
West Point (WP)	\$30.14
Waterville Valley Gateway (WVG)	\$17.18
Hidden Valley (HV)	\$28.84
Wentworth Cove (WC)	\$18.92
Pendleton Cove (PC)	\$19.03
Deer Run (DR)	\$25.15
Woodland Grove (WG)	\$29.85
Echo Lake Woods (ELW)	\$28.23
Brake Hill Acres (BH)	\$19.40
Tamworth Water (TWW)	\$38.85

175 Estates (175)	\$34.59
Deer Cove (DC)	\$18.90
Lake Ossipee Village (LOV)	\$33.79
Indian Mound (IM)	\$20.31

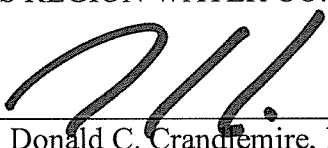
WHEREFORE, Lakes Region Water Company, Inc. respectfully requests that the  
Commission:

- A. Enter relief in accordance with the foregoing; and
- B. Grant such other and further relief as the Commission deems just.

Respectfully Submitted,

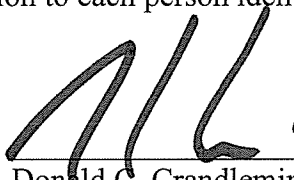
LAKES REGION WATER CO., INC.

Dated: March ~~10~~<sup>10</sup>, 2011

By:   
Donald C. Crandlemire, Esquire  
Shaheen & Gordon, P. A.  
P. O. Box 2703  
Concord, NH 03302  
(603) 225-7262

CERTIFICATE OF SERVICE

Pursuant to Rules Puc 203.02(a)(3) and Puc 203.11, I hereby certify that on this ~~10~~<sup>10<sup>TH</sup></sup> day of March, 2011; I served electronic copies of this Motion to each person identified on the Commission's service list for Docket No. 10-041.

  
Donald C. Crandlemire, Esquire  
Shaheen & Gordon, P. A.  
P. O. Box 2703  
Concord, NH 03302  
(603) 225-7262

Lakes Region Water Co., Inc.  
Reconciliation of Current Rates to Temporary Rates  
Effective Date of Temporary Rates  
DW 10-141 - Order # 25,196 issued 2/18/2011

9/17/2010

Div #	DIV	# Customers	Ending Billing Date	# days in Quarter	# days reconciled	Fixed Charges	Volume Charge	Total Billed	% increase	Total Increase	% reconcilable	\$ reconcilable	Total Reconcile
1	FEH	85	10/31/2010	92	45	\$ 7,756	\$ 2,037	\$ 9,793	18.51%	\$ 1,813	48.91%	\$ 887	
1	FEH	85	1/31/2011	92	92	\$ 7,756	\$ 716	\$ 8,472	18.51%	\$ 1,568	100.00%	\$ 1,568	
													\$ 2,455
													85
													\$ 28.88
2	PS	385	9/30/2010	92	14	\$ 35,095	\$ 13,864	\$ 48,959	18.51%	\$ 9,062	15.22%	\$ 1,379	
2	PS	386	12/31/2010	92	92	\$ 35,215	\$ 6,323	\$ 41,538	18.51%	\$ 7,689	100.00%	\$ 7,689	
													\$ 9,068
													386
													\$ 23.49
3	WP	43	10/31/2010	92	45	\$ 3,832	\$ 1,030	\$ 4,862	18.51%	\$ 900	48.91%	\$ 440	
3	WP	42	1/31/2011	92	92	\$ 3,342	\$ 1,122	\$ 4,464	18.51%	\$ 826	100.00%	\$ 826	
													\$ 1,266
													42
													\$ 30.14
4	WVG	84	11/30/2010	91	75	\$ 7,724	\$ 1,735	\$ 9,459	18.51%	\$ 1,751	82.42%	\$ 1,443	
													\$ 1,443
													84
													\$ 17.18
5	HV	119	10/31/2010	92	45	\$ 10,780	\$ 2,555	\$ 13,335	18.51%	\$ 2,468	48.91%	\$ 1,207	
5	HV	119	1/31/2011	92	92	\$ 10,776	\$ 1,244	\$ 12,020	18.51%	\$ 2,225	100.00%	\$ 2,225	
													\$ 3,432
													119
													\$ 28.84
6	WC	52	11/30/2010	91	75	\$ 4,729	\$ 1,723	\$ 6,452	18.51%	\$ 1,194	82.42%	\$ 984	
													\$ 984
													52
													\$ 18.92
7	PC	69	11/30/2010	91	75	\$ 6,296	\$ 2,313	\$ 8,609	18.51%	\$ 1,594	82.42%	\$ 1,313	
													\$ 1,313
													69
													\$ 19.03
8	DR	57	9/30/2010	92	14	\$ 5,201	\$ 1,700	\$ 6,901	18.51%	\$ 1,277	15.22%	\$ 194	
8	DR	59	12/31/2010	92	92	\$ 5,308	\$ 1,662	\$ 6,970	18.51%	\$ 1,290	100.00%	\$ 1,290	
													\$ 1,484
													59
													\$ 25.15
9	WG	74	9/30/2010	92	14	\$ 6,722	\$ 3,401	\$ 10,123	18.51%	\$ 1,874	15.22%	\$ 285	
9	WG	74	12/31/2010	92	92	\$ 6,681	\$ 3,715	\$ 10,396	18.51%	\$ 1,924	100.00%	\$ 1,924	

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													\$ 2,209
												Divided by # cutomers	74
												Surcharge per customer	\$ 29.85
10	ELW	44	9/30/2010	92	14	\$ 4,015	\$ 3,071	\$ 7,086	18.51%	\$ 1,312	15.22%	\$ 200	
10	ELW	44	12/31/2010	92	92	\$ 4,015	\$ 1,612	\$ 5,627	18.51%	\$ 1,042	100.00%	\$ 1,042	\$ 1,242
												Divided by # cutomers	44
												Surcharge per customer	\$ 28.23
11	BH	43	11/30/2010	91	75	\$ 3,780	\$ 1,685	\$ 5,465	18.51%	\$ 1,012	82.42%	\$ 834	\$ 834
												Divided by # cutomers	43
												Surcharge per customer	\$ 19.40
12	TWW	101	9/30/2010	92	14	\$ 12,556	\$ -	\$ 12,556	18.51%	\$ 2,324	15.22%	\$ 354	
12	TWW	101	12/31/2010	92	92	\$ 12,556	\$ -	\$ 12,556	18.51%	\$ 2,324	100.00%	\$ 2,324	
12	TWW	101	3/31/2011	90	48	\$ 12,625		\$ 12,625	18.51%	\$ 2,337	53.33%	\$ 1,246	\$ 3,924
			[ Tamworth is billed at beginning of quarter ]									Divided by # cutomers	101
												Surcharge per customer	\$ 38.85
13	175E	44	10/31/2010	92	45	\$ 5,670		\$ 5,670	18.51%	\$ 1,050	48.91%	\$ 513	
13	175E	44	1/31/2011	92	92	\$ 5,450		\$ 5,450	18.51%	\$ 1,009	100.00%	\$ 1,009	\$ 1,522
												Divided by # cutomers	44
												Surcharge per customer	\$ 34.59
14	DC	51	11/30/2010	91	75	\$ 6,317	\$ -	\$ 6,317	18.51%	\$ 1,169	82.42%	\$ 964	\$ 964
												Divided by # cutomers	51
												Surcharge per customer	\$ 18.90
15	LOV	227	10/31/2010	92	45	\$ 27,843	\$ -	\$ 27,843	18.51%	\$ 5,154	48.91%	\$ 2,521	
15	LOV	227	1/31/2011	92	92	\$ 27,819		\$ 27,819	18.51%	\$ 5,149	100.00%	\$ 5,149	\$ 7,670
												Divided by # cutomers	227
												Surcharge per customer	\$ 33.79
16	IM	96	11/30/2010	91	75	\$ 12,782	\$ -	\$ 12,782	18.51%	\$ 2,366	82.42%	\$ 1,950	\$ 1,950
												Divided by # cutomers	96
												Surcharge per customer	\$ 20.31
													\$ 41,760

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## summary

# of customers at last billing qtr for Temp Rate Reconciliation

1	FEH	85
2	PS	386
3	WP	42
4	WVG	84
5	HV	119
6	WC	52
7	PC	69
8	DR	59
9	WG	74
10	ELW	44
11	BH	43
12	TWW	101
13	175E	44
14	DC	51
15	LOV	227
16	IM	96
Total		<u>1,576</u>

Option # 1		
Surcharge	# Customers	Total
\$ 28.88	85	\$ 2,454.80
\$ 23.49	386	\$ 9,067.14
\$ 30.14	42	\$ 1,265.88
\$ 17.18	84	\$ 1,443.12
\$ 28.84	119	\$ 3,431.96
\$ 18.92	52	\$ 983.84
\$ 19.03	69	\$ 1,313.07
\$ 25.15	59	\$ 1,483.85
\$ 29.85	74	\$ 2,208.90
\$ 28.23	44	\$ 1,242.12
\$ 19.40	43	\$ 834.20
\$ 38.85	101	\$ 3,923.85
\$ 34.59	44	\$ 1,521.96
\$ 18.90	51	\$ 963.90
\$ 33.79	227	\$ 7,670.33
\$ 20.31	96	\$ 1,949.76
1,576		<u>\$ 41,758.68</u>

# of customers at last billing qtr NOT PART of Temp Rate Reconciliation

17	GG	55
Total Customers		<u>1631</u>