

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DW 12-180

**WHITE ROCK WATER COMPANY, INC.
LAKELAND MANAGEMENT COMPANY, INC.**

Petition for Transfer of Stock

Order *Nisi* Approving Transfer of Stock

ORDER NO. 25.430

October 29, 2012

I. BACKGROUND

On July 2, 2012, Theresa Crawshaw, White Rock Water Company, Inc. (White Rock), and Lakeland Management Company, Inc. (Lakeland) filed petitions for approval to transfer corporate stock to Ms. Crawshaw. The petition and subsequent docket filings, other than any information for which confidential treatment is requested of or granted by the Commission, is posted to the Commission's website at <http://www.puc.nh.gov/Regulatory/Docketbk/2012/12-180.html>

White Rock is a regulated water utility located in Bow, and serves approximately 94 customers. Lakeland, located in Belmont, provides water service to approximately 158 customers, and sewer service to approximately 156 customers. In 2011, just prior to his death, Mr. Wade Crawshaw, the sole shareholder of both White Rock and Lakeland, transferred his stock in each company to Ms. Crawshaw, his wife. The capital stock of each utility consists of 100 shares of common stock with no par value. C&C Water Services, Inc. (C&C) is a water service company that is under contract with both utilities to provide operation and maintenance

services. Ms. Crawshaw and her son, Alex Crawshaw, are co-owners of C&C. C&C provides the following services to both utilities: maintenance and repair, system flushing, water sampling, preparation of reports, meter reading, and emergency service and response. Ms. Crawshaw has provided administrative services to both utilities, including accounting tasks, hiring of contractors and consultants, and regulatory relations for a number of years.

On September 13, 2012, Staff recommended approval of the stock transfer of the two companies to Ms. Crawshaw. Staff stated this issue arose in Lakeland's recent rate case Docket No. DW 10-306 and in Order No. 25,357 (issued May 1, 2012) approving permanent rates, the Commission directed Lakeland to file for approval of the stock transfer. The instant petition is in response to that directive. Staff supports the two stock transfers because C&C provides the technical qualifications for operation of the water and sewer utilities and Ms. Crawshaw provides the administrative duties for the utilities including accounting tasks, hiring of contractors and consultants, and regulatory relations. The Commission approved Ms. Crawshaw's contract with Lakeland in Order No. 25,357, however, Staff noted Ms. Crawshaw provides the same services to White Rock and still needs to file an executed affiliate agreement for those services.

II. COMMISSION ANALYSIS

Pursuant to RSA 374:22, "[n]o person or business entity shall...exercise any right or privilege under any franchise not theretofore actually exercised in such town, without first having obtained the permission and approval of the [C]ommission." Pursuant to RSA 374:30, a public utility may transfer its franchise when the Commission finds that it will be for the public good. Pursuant, to RSA 369:1, a public utility may not transfer or sell its stock without prior Commission approval. When the Commission considers whether a stock transfer is in the public

interest, it evaluates the managerial, financial and technical ability of the acquiring entity. In this case, C&C Water Services, Inc. will continue to serve as the certified system operator for White Rock and Lakeland and it will be responsible for all repair and maintenance activities and customer inquiries. Ms. Crawshaw will continue to perform the administrative tasks which are not part of the C&C contracts. The names of the utilities and customer contact information will remain the same; the stock transfer will be seamless to customers. We find Ms. Crawshaw has the requisite managerial, financial, and technical ability to operate a public utility. In light of the foregoing, we find the stock transfer of the two utilities to be in the public good and we will approve the transfer *nunc pro tunc*. In order to afford interested parties the opportunity to comment, we will issue our decision on a *nisi* basis.

Based upon the foregoing, it is hereby

ORDERED *NISI*, that White Rock and Lakeland's request to transfer corporate stock to Ms. Crawshaw is APPROVED, subject to the effective date below; and it is

FURTHER ORDERED, that White Rock file, pursuant to RSA 366:3, its affiliate agreement with Ms. Crawshaw for administrative services within 30 days of the effective date of this order; and it is

FURTHER ORDERED, that the petitioners shall cause a copy of this Order *Nisi* to be mailed by first class postage to all current and prospective customers no later than November 8, 2012 and to be documented by affidavit filed with this office on or before November 26, 2012; and it is

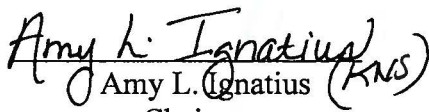
FURTHER ORDERED, that all persons interested in responding to this Order *Nisi* be notified that they may submit their comments or file a written request for a hearing which states


the reason and basis for a hearing no later than November 15, 2012 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 November 22, 2012; and it is

FURTHER ORDERED, that this Order *Nisi* shall be effective November 28, 2012, unless the petitioner fails to satisfy the mailing obligation set forth above or 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 twenty-ninth day of October, 2012.


Amy L. Ignatius
Chairman


Michael D. Harrington
Commissioner


Robert R. Scott
Commissioner

Attested by:


Debra A. Howland
Executive Director

Individuals needing assistance or auxiliary communication aids due to sensory impairment or other disability should contact the Americans with Disabilities Act Coordinator, 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 - EMAIL ADDRESSES - DOCKET RELATED

Pursuant to N.H. Admin Rule Puc 203.11 (a) (1): Serve an electronic copy on each person identified on the service list.

Executive.Director@puc.nh.gov

amanda.noonan@puc.nh.gov

Christina.Martin@oca.nh.gov

jordan@aphoenixrising.com

marcia.thunberg@puc.nh.gov

mark.naylor@puc.nh.gov

Rorie.E.P.Hollenberg@oca.nh.gov

steve.frink@puc.nh.gov