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VIA ELECTRONIC DELIVERY

Daniel C. Goldner, Chairman  
New Hampshire Public Utilities Commission  
21 S. Fruit Street, Suite 10  
Concord, N.H. 03301

Re: DW 22-082 – Residents of Colonial Drive  
Receivership Complaint - Status Update on Negotiations

Dear Chairman Goldner:

Pursuant to the Commission’s temporary filing requirements dated March 17, 2020, and pursuant to Commission Order No. 26,841, dated June 8, 2023, the residents of Colonial Drive are proving this update in writing of the status of negotiations among the parties. Per a settlement reached among the residents, Lamprey Suburban Septic, and Agape Community Church, the residents have formed a non-profit homeowners association (see Attachment A) and are in the process of holding their first annual meeting to approve bylaws and a declaration of covenants and restrictions. The residents and Agape Community Church are finalizing acquisition documents so that once the bylaws and covenants and restrictions are in place, a transfer deed can be signed conveying ownership of all sewer-related assets to the homeowner’s association. The residents have also attached, per Order No. 26,841, a “title opinion from a title professional”. Attorney Mark Dunn researched and certified that title to the sewer assets in Colonial Drive still rests with the church, now named Agape Community Church. See Attachment B. Center Harbor Christian Church, the developer of Colonial Drive, was renamed to Agape Community Church on 2/9/2018. The residents reached out to the parties in this docket for this update. Only the Department of Energy responded; it concurred with this update.

Given the evidence that Agape Community Church owns the sewer system and that the system is providing service to the public, the residents plan to address the technical need for approval of the asset transfer under RSA 374:30 by filing a motion within 30 days, with legal analysis. This motion will allow parties to provide their opinion to the Commission on this legal issue.

Very Truly Yours,

A handwritten signature in black ink that reads "Marcia A. Brown".

Marcia A. Brown

cc: Docket-Related Service List for DW 22-082  
Attachment A-Colonial Drive Sewer Association Articles of Formation  
Attachment B-Title Opinion