

DW 99-133

CENTRAL WATER COMPANY
CONSOLIDATED WATER COMPANY
INDIAN MOUND WATER CORP.
WILDWOOD WATER COMPANY
GUNSTOCK GLEN WATER COMPANY
DANIELS LAKE WATER WORKS, INC.

Investigation Into Failures to File Annual Reports

Order to Show Cause

O R D E R N O. 23,304

September 21, 1999

Pursuant to RSA 374:15, every public utility must file with the Commission such reports containing facts and statistics as may be required by the Commission. Exercising its authority under the statute, the Commission has promulgated PUC 609.05, requiring each water utility in the state that keeps its books on a calendar-year basis to file an annual report with the Commission each year, on or before March 31. Further exercising its authority under RSA 374:15, the Commission has promulgated PUC 607.07(b), requiring each utility to file periodic reports with the Commission as required by PUC 609. Pursuant to RSA 374:17, any public utility that does not file reports required by the Commission at the time specified by the Commission shall forfeit the sum of \$100 per day unless excused or granted an extension of time by the Commission. Further, any officer or agent of a utility who wilfully violates any order of the Commission may be subject to criminal and civil sanctions up to

\$10,000 for each violation, pursuant to RSA 375:42.

It appears that each of the companies named in this docket - Central Water Company, Consolidated Water Company, Indian Mound Water Corp., Wildwood Water Company, Gunstock Glen Water Company and Daniels Lake Water Works, Inc. - has, as of the date of this order, failed to file the annual report that was due at the Commission's offices on March 31, 1999. In the case of Daniels Lake Water Works, the annual reports covering calendar years 1996 and 1997 were only recently filed and rejected by Staff as facially inadequate.

According to information on file with the Commission, Staff granted Gunstock Glen Water Company and its treasurer, Ms. Bernice Paradise, two extensions of the March 31 deadline such that the Company's 1998 annual report was due on June 15, 1999. At the written request of Stephen P. St. Cyr, agent for the five other subject companies, Staff granted Indian Mound Water Corp. an extension to April 30, 1999; Consolidated Water Company an extension to May 17, 1999; Central Water Company an extension to May 30, 1999; and Wildwood Water Company an extension to April 30, 1999. Notwithstanding these extensions, none of the companies have filed 1998 annual reports as of the date of this order.

Based upon the foregoing, it is hereby

ORDERED, that Docket No. DW 99-133 be established for the purpose of determining whether Central Water Company, Consolidated Water Company, Indian Mound Water Corp., Wildwood Water Company, Gunstock Glen Water Company and Daniels Lake Water Works, Inc. each should be fined an amount not to exceed \$100 per day, and one or more of each utility's agents and/or officers should be fined \$10,000 for failure to provide the above cited annual reports; and it is

FURTHER ORDERED, that Central Water Company, Consolidated Water Company, Indian Mound Water Corp., Wildwood Water Company, Gunstock Glen Water Company and Daniels Lake Water Works, Inc. appear before the Commission in a hearing at the offices of the Commission, 8 Old Suncook Road, Building #1, Concord, New Hampshire on October 13, 1999 at 10:00 A.M. for the purpose of showing cause why each utility or its agent and/or officers should not be fined for failure to file the required annual report or reports.

By order of the Public Utilities Commission of New
Hampshire this twenty-first day of September, 1999.

Douglas L. Patch
Chairman

Susan S. Geiger
Commissioner

Nancy Brockway
Commissioner

Attested by:

Thomas B. Getz
Executive Director and Secretary