

**THE STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DW 12-346

BEDFORD WASTE SERVICES CORPORATION

Petition for Financing

ORDER OF NOTICE

On December 3, 2012, Bedford Waste Services Corporation (Bedford) petitioned for authority to refinance an existing note and past-due amounts as well as for 2012 improvements to its leach fields. Bedford is a regulated sewer utility pursuant to RSA 362:2 and serves 78 customers in a limited portion of the Town of Bedford. The petition and subsequent docket filings, other than any information for which confidential treatment is requested of or granted by the Commission, will be posted to the Commission's website at <http://www.puc.nh.gov/Regulatory/Docketbk/2012/12-346.html>.

Bedford seeks to issue new financing in the amount of \$170,000 with a 15 year term at a fixed interest rate of 8%. Monthly payments of principal and interest will be \$1,624.61. Bedford proposes to borrow these funds from its owner, Robert S. LaMontage, in order to refinance its existing promissory note with a current balance of \$111,837; to repay three missed semi-annual payments on the promissory note of \$29,883; to pay the balance owed on a recent leach field rejuvenation project in the amount of \$24,280; and to pay the costs of pursuing the financing of \$4,000.

Bedford states that the interest rate for the proposed financing is the same rate as with the existing promissory note. Bedford explored financing with four banks, but none were willing to lend. Bedford states that its cash flow has been depleted due to costs incurred in the leach field

rejuvenation project which was completed in July 2012 and installation of vents in November 2012 which are expected to extend the life of the leach fields. This financing will allow Bedford to pay the remaining balance owed. The resulting loan payments are expected to be approximately the same as the existing promissory note when compared on an annual basis. Bedford states that its rates are currently adequate to meet its expenses, and it will not be seeking a change in rates.

The filing raises, inter alia, issues related to RSA Chapter 369 and whether the terms of the proposed financing and the use of the funds are consistent with the public good. Pursuant to N.H. Code Admin. Rules Puc 203.12(a)(5), each party has the right to have an attorney represent them at their own expense.

Based upon the foregoing, it is hereby

ORDERED, that a Prehearing Conference, pursuant to N.H. Code Admin. Rules Puc 203.15, be held before the Commission located at 21 S. Fruit St., Suite 10, Concord, New Hampshire on February 12, 2013 at 10:00 a.m., at which each party will provide a preliminary statement of its position with regard to the petition and any of the issues set forth in N.H. Code Admin. Rules Puc 203.15 shall be considered; and it is

FURTHER ORDERED, that, immediately following the prehearing conference, Bedford, the Staff of the Commission and any intervenors hold a technical session to review the petition and allow Staff and the parties to develop a procedural schedule for review of the filing; and it is

FURTHER ORDERED, that pursuant to N.H. Code Admin. Rules Puc 203.12, Bedford shall notify all persons desiring to be heard at this hearing by mailing a copy of this Order of Notice, no later than January 17, 2013, to all current and known prospective customers, as well

as to the Town Clerk for the Town of Bedford, and that said mailings be documented by affidavit filed with the Commission on or before February 8, 2013; and it is

FURTHER ORDERED, that pursuant to N.H. Code Admin. Rules Puc 203.17, any party seeking to intervene in the proceeding shall submit to the Commission seven copies of a petition to intervene with copies sent to Bedford and the Office of the Consumer Advocate on or before February 7, 2013, such petition stating the facts demonstrating how its rights, duties, privileges, immunities or other substantial interest may be affected by the proceeding, as required by N.H. Code Admin. Rule Puc 203.17 and RSA 541-A:32, I(b); and it is

FURTHER ORDERED, that any party objecting to a petition to intervene make said Objection on or before February 12, 2013.

By order of the Public Utilities Commission of New Hampshire this third day of January, 2013.



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.

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FILING INSTRUCTIONS:

- a) Pursuant to N.H. Admin Rule Puc 203.02 (a), with the exception of Discovery, file 7 copies, as well as an electronic copy, of all documents including cover letter with: DEBRA A HOWLAND
EXEC DIRECTOR
NHPUC
21 S. FRUIT ST, SUITE 10
CONCORD NH 03301-2429
- b) Serve an electronic copy with each person identified on the Commission's service list and with the Office of Consumer Advocate.
- c) Serve a written copy on each person on the service list not able to receive electronic mail.