

**BEFORE THE NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

Lakes Region Water Co., Inc

Petition for Financing Approval

Docket No. DW 19 – 135

MOTION TO EXTEND DATE FOR WEB SITE PUBLICATION

Lakes Region Water Co., Inc. (“Lakes Region”) moves to extend the date for publication of Order No. 26,447 on its web site as follows:

1. On January 28, 2021, the Commission issued Order No. 26,447, an order nisi approving Lakes Region’s petition for financing approval (“Financing Order”). Concurrently, the Commission issued Order No. 26,446 in Docket No. 19 – 177 approving a rate adjustment for its Dockham Shores system (“Dockham Shores Order”).
2. The Financing Order provided that Lakes Region “shall cause a copy of this order nisi to be published on its website within one business day of this order”. Page 10. Lakes Region had not anticipated the requirement to publish orders on its web site within 24 hours based on its prior financing approvals which did not contain this requirement. *See* Order No. 26,069 in DW 17 – 146; Order No. 25,895 in DW 16 – 427; Order No. 25,964 in DW 16 – 619 (10-day customer notice); and Order No. 25,984 in DW 16 – 854.
3. Lakes Region normally publishes Commission orders to the Customer Notice page of its web site at: <http://lakesregionwater.com/customers/public-notices/> . However, on Thursday January 28, 2021 and Friday January 29, 2021, Lakes Region’s utility manager was unavailable. Its rate consultant was also unavailable. Lakes Region’s undersigned legal counsel and President reviewed the Financing Order and the Dockham Shores Order when issued.

However, it did not occur to them to examine the ordering paragraphs to see if immediate publication was required. As a result, by mistake, Lakes Region did not take immediate action to publish the Financing Order on its web site within 24 hours as required.

4. On February 8, 2021, Lakes Region's utility manager discovered the error and immediately published the Financing Order on its web site. Lakes Region immediately notified staff of its error and proposed corrective action. *See Attached.*

5. In light of the foregoing, Lakes Region requests that the Commission extend the date to publish notice of the Financing Order on its web site to February 8, 2021. Lakes Region also suggests that the Commission correspondingly extend the date for customers to submit "such comments or request for hearing" from February 10, 2021 to Monday February 22, 2021. Lakes Region will publish notice of the extension to its web site.

6. Extending both dates will maintain (and increase) the required notice to customers. The Financing Order provide for 12-days of notice to customers. Extension to February 22, 2021 will provide for 13-days of notice to customers on Lakes Region's web site, as well as the notice provided on the Commission's web site. The extension to February 22, 2021 remains within the 30-day window provided by RSA 541:3.

7. Without an extension, an undue hardship could result. CoBank requires Lakes Region's counsel to certify to it that all Commission requirements for financing have been satisfied and are in full force and effect prior to closing. It is unknown whether CoBank would agree to waive this requirement. This can be easily avoided by extending the date for publication on the Company's web site and for customer comments without adverse impact to customers.

8. Rule Puc 202.04 *Extensions of Time* provides that the Commission shall grant a request for extension of time if: "(1) The party making the request has demonstrated that

circumstances would cause undue hardship or inconvenience unless the request were granted; and (2) The extension would not unduly delay the proceeding or adversely affect the rights of any party.”

9. Staff advised that it takes no position as to this Motion.

WHEREFORE Lakes Region respectfully requests that the Commission grant this motion and: (a) extend the January 29, 2021 deadline for publication on the Company’s web site to February 8, 2021; (b) extend the February 10, 2021 deadline for customer comments to February 22, 2021; and (c) grant such other relief as justice may require.

Respectfully submitted,

**LAKES REGION WATER
COMPANY, INC.**

By its Counsel,

NH WATER LAW



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Dated: February 9, 2021

CERTIFICATE OF SERVICE

I certify that a complete copy of the foregoing is being sent this day to all persons on the Commission’s official service list for this proceeding.



Justin C. Richardson, Esq.