

THE STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION

City of Laconia
Petition to Extend Water and Sewer Service Areas in Belmont

DW 23-016

AFFIDAVIT OF NOTIFICATION

I, Nancy Brown, Administrative Assistant, City Manager's Office, City of Laconia, New Hampshire, do on oath depose and state as follows:

1. I am the Administrative Assistant, City Manager's Office, City of Laconia.
2. On March 15, 2023, our city attorney forwarded me the Commission's March 15, 2023 Order regarding Commencement of Adjudicative Proceeding and Notice of Prehearing Conference.
3. Pursuant to that order, that day, I posted both a summary of and a link to that Order on the City of Laconia web site. See attached.

Date: 3/16/2023

Nancy Brown
Nancy Brown

STATE OF NEW HAMPSHIRE
COUNTY OF BELKNAP

Personally appeared before me the above named Nancy Brown and made oath that the foregoing is true and accurate to the best of her information and belief.

Date: 3/16/23

TAB M BAKER
Notary Public/Justice of the Peace
My commission expires NOVEMBER 2, 2027
TAB M BAKER
NOTARY PUBLIC
State of New Hampshire
My Commission Expires
November 2, 2027

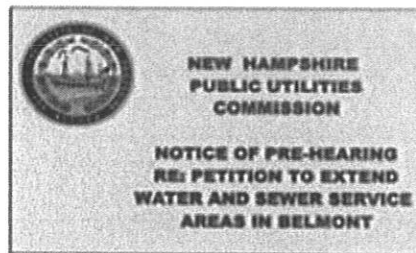


City of Laconia - Spotlight

Posted on: March 15, 2023

NH Public Utilities Commission Notice

At its February 13, 2023 meeting the Laconia City Council approved a request to extend City water and sewer services to 18 residential lots in Mountain Lake Village, LLC that lie in Belmont, with all installation costs to be borne by the owner/developer. Laconia Water and Sewer Departments determined that the City of Laconia water and sewer systems contain sufficient capacity to accommodate this request, and the addition will have no adverse effect on the existing water system or our current customers.



Following the Council's approval of this request, a petition was filed with the State of New Hampshire Public Utilities Commission to extend water and sewer service to this specified area in Belmont. This request must receive the PUC's approval pursuant to State statutes. The prehearing conference will be held on April 6, 2023. The PUC requires that this information be provided to the public by advertising it on the City's website.

Details are provided in the Order of Notice which can be accessed [here](#).

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**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DW 23-016

CITY OF LACONIA

Petition to Extend Water and Sewer Service Areas in Belmont

**COMMENCEMENT OF ADJUDICATIVE PROCEEDING
AND NOTICE OF PREHEARING CONFERENCE**

On February 17, 2023, the City of Laconia (Laconia) filed a request to expand its water and sewer service area to include eighteen additional residential lots in the neighboring Town of Belmont (Belmont). In support of its petition, Laconia filed a number of attachments, including maps demonstrating the proposed service area extension. The petition and subsequent docket filings, other than any information for which confidential treatment is requested of or granted by the Commission, are available on the Commission's website at

<https://www.puc.nh.gov/Regulatory/Docketbk/2023/23-016.html>.

I. BACKGROUND AND PROCEDURAL HISTORY

According to its petition, Laconia provides water and sewer services to its residents. It now seeks to expand its franchise area to serve eighteen¹ additional properties in Belmont. Laconia stated that the owner of these lots, Mountain Lake Village, LLC, requested that Laconia extend its service to cover the additional lots because Belmont does not provide water and sewer services in that area of the town. See Laconia Petition Exhs. 2-3 and 5. Laconia further represents that Belmont

¹ The opening paragraph of Laconia's petition states that Laconia is seeking to extend service to thirty-four properties in Belmont. In paragraph 2, however, the petition represents that Laconia is seeking to extend service to eighteen properties. Based on the attachments to the petition, it appears that eighteen is the correct figure. If that is incorrect, however, Laconia should clarify the number of properties it seeks to extend service to under its current petition.

supports Laconia's petition to expand its franchise. See Laconia Petition Exh. 5.

Laconia requests that the Commission resolve this request on an expedited basis.

Pursuant to RSA 362:2, a municipality that provides water and sewer services to residents within its corporate limits is exempt from the definition of a public utility. A municipality that provides water and sewer service to customers outside its corporate boundaries may also be exempt from the definition of a public utility under RSA 362:4 if it meets the criteria outlined in that statute. However, whenever a municipality seeks to expand its franchise to serve new customers outside its corporate boundaries, it must receive the Commission's approval pursuant to RSA 374:22 and 374:26. See RSA 362:4, III(a); RSA 362:4, III-a.

II. ISSUES PRESENTED

The filing presents, *inter alia*, the following issue: whether Laconia's proposed extension of its franchise to eighteen residential lots in Belmont would be for the public good, as required by RSA 374:22 and RSA 374:26. Accordingly, an adjudicative proceeding will be convened to address this issue.

The Commission will be conducting the prehearing conference and any hearings scheduled in this matter in person. The Commission will consider requests to conduct hearings using a hybrid format to permit remote participation by a specific individual only if the Commission has determined that a sufficient reason has been provided for why that individual would be unable to attend in person. Any party requesting that a specific individual be permitted to participate remotely should file a written request with the Commission's Clerk's Office no later than fifteen (15) days prior to the prehearing conference or hearing date. If the Commission determines that one or more individuals will be permitted to appear remotely, then individuals in the Commission's

hearing room, including the Commissioners, will be broadcast on a web-enabled platform.

Based upon the foregoing, it is hereby

ORDERED, that an adjudicative proceeding be commenced for the purpose of reviewing and addressing the foregoing issues pursuant to RSA chapter 541-A, RSA 374:22, and RSA 374:26, and the Commission's procedural rules; and it is

FURTHER ORDERED, that the Commission will hold a prehearing conference, pursuant to N.H. Admin. R., Puc 203.15, at its offices located at 21 S. Fruit St., Suite 10, Concord, New Hampshire, on April 6, 2023, at 9:00 a.m., at which each party should be prepared to address any of the issues set forth in N.H. Admin. R., Puc 203.15; and it is

FURTHER ORDERED, that during the prehearing conference, the Commission will consider the matters listed in Puc 203.15(c) and (d), including the establishment of a procedural schedule governing the remainder of the proceeding. Parties and potential parties are encouraged to facilitate the development of a procedural schedule by conferring prior to the prehearing conference, so that the presiding officer can address any matters on which there is disagreement during the prehearing conference. Any procedural schedule, however, will not be approved until after the prehearing conference and after consulting the Commission's calendar; and it is

FURTHER ORDERED, that, immediately following the prehearing conference, Laconia shall make appropriate personnel available for the parties to hold a technical session to review the filing; and it is

FURTHER ORDERED, that any entity or individual may petition to intervene and seek to be admitted as a party in this proceeding. Each party has the right to have an attorney represent the party at the party's own expense; and it is

FURTHER ORDERED, that, consistent with N.H. Admin. R., Puc 203.17 and Puc 203.02, any entity or individual seeking to intervene in the proceeding shall file with the Commission a petition to intervene with copies sent to Laconia and any other parties on the service list, on or before March 27, 2023. The petition shall state the facts demonstrating how the petitioner's rights, duties, privileges, immunities, or other substantial interests may be affected by the proceeding, consistent with N.H. Admin. R., Puc 203.17; and it is

FURTHER ORDERED, that any party objecting to a petition to intervene make said objection on or before April 3, 2023; and it is

FURTHER ORDERED, that parties shall file any proposed exhibits, written testimony, motions, or other documents intended to become part of the record in this proceeding with the Commission. Pursuant to the secretarial letter issued on March 17, 2020, which is posted on the Commission's website at <https://www.puc.nh.gov/Regulatory/Secretarial%20Letters/20200317-SecLtr-Temp-Changes-in-Filing-Requirements.pdf>, all Commission rules requiring the filing of paper copies are suspended until further notice. Parties may elect to submit any filing in electronic form unless otherwise ordered by the Commission. Filings will be considered filed as of the time the electronic copy is received by the Commission; and it is

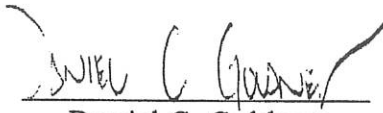
FURTHER ORDERED, that routine procedural inquiries may be made by contacting the Commission's Clerk's Office at (603) 271-2431 or ClerksOffice@puc.nh.gov. All requests to the Commission should be made in a written pleading filed with the Commission. Unless otherwise authorized by law, *ex parte* communications are prohibited; and it is

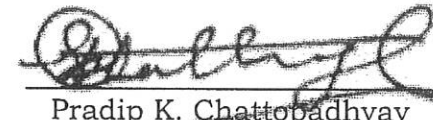
FURTHER ORDERED, that pursuant to N.H. Admin. R., Puc 203.12, Laconia shall notify all entities and individuals desiring to be heard at this hearing by

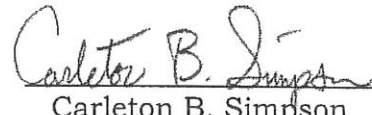
publishing a copy of this order of notice on its website no later than two business days after the date of issue, such publication to be documented by affidavit filed with the Commission on or before March 29, 2023. Further, Laconia shall provide a copy of this notice to the owner of the residential lots at issue by either direct mail or e-mail no later than two business days after the date of issue, such notice to be documented by affidavit filed with the Commission on or before March 29, 2023. In addition, the Clerk shall publish this order of notice on the Commission's website no later than two business days after the date of issue; and it is

FURTHER ORDERED, that any hearings in this matter shall be conducted in accordance with the attached hearing guidelines.

So ordered, this fifteenth day of March, 2023.


Daniel C. Goldner
Chairman


Pradip K. Chattopadhyay
Commissioner


Carleton B. Simpson
Commissioner

Individuals needing assistance or auxiliary communication aids due to sensory impairment or other disability should contact the 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 - Docket Related

Docket#: 23-016

Printed: 3/15/2023

Email Addresses

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Suzanne.G.Amidon1@energy.nh.gov
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THE STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION

City of Laconia
Petition to Extend Water and Sewer Service Areas in Belmont

DW 23-016

AFFIDAVIT OF NOTIFICATION

I, Laura Spector-Morgan, attorney to the City of Laconia, New Hampshire, do on oath depose and state as follows:

1. I am one of the City of Laconia's attorneys.
2. On March 15, 2023, I received the Commission's March 15, 2023 *Order Regarding Commencement of Adjudicative Proceeding and Notice of Prehearing Conference*.
3. Pursuant to that order, that day, I e-mailed that Order to Philip Brouillard, Esquire, who, through Mountain Lake Village, LLC, owns all 18 of the lots proposed to be served by the City of Laconia water and sewer. See Deed, attached as Exhibit 2 to *Petition Pursuant to RSA 362:4 and RSA 374:22 to Extend Water and Sewer Service Areas*; see also Business Information from the New Hampshire Secretary of State, attached hereto.

Date: March 16, 2023


Laura Spector-Morgan

STATE OF NEW HAMPSHIRE
COUNTY OF BELKNAP

Personally appeared before me the above named Laura Spector-Morgan and made oath that the foregoing is true and accurate to the best of her information and belief.

Date: 3/16/23


Notary Public/Justice of the Peace
exp 8/4/26

NH Department of State, 107 North Main St. Room 204, Concord, NH 03301 -- [Contact Us \(/online/](#)
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Business Information

Business Details

Business Name:	MOUNTAIN LAKE VILLAGE, LLC	Business ID:	366644
Business Type:	Domestic Limited Liability Company	Business Status:	Good Standing
Management Style:	Manager Managed		
Business Creation Date:	01/03/2001	Name in State of Formation:	Not Available
Date of Formation in Jurisdiction:	01/03/2001		
Principal Office Address:	16 ACADEMY STREET, LACONIA, NH, 03246, USA	Mailing Address:	16 ACADEMY STREET, LACONIA, NH, 03246, USA
Citizenship / State of Formation:	Domestic/New Hampshire		
		Last Annual Report Year:	2023
		Next Report Year:	2024
Duration:	Perpetual		
Business Email:	NONE	Phone #:	NONE
Notification Email:	NONE	Fiscal Year End Date:	NONE

Principal Purpose

S.No	NAICS Code	NAICS Subcode
1	OTHER / REAL ESTATE	

Principals Information

Name/Title	Business Address
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Philip A. Brouillard / Manager	16 Academy Street, Laconia, NH, 03246, USA
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16 Academy Street, Laconia, NH, 03246, USA
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Philip A. Brouillard / Member	16 Academy Street, Weirs Beach, NH, 03246, USA
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16 Academy Street, Weirs Beach, NH, 03246, USA
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Page 1 of 1, records 1 to 2 of 2

Registered Agent Information

Name: Brouillard, Philip A, Esq

Registered Office 16 Academy Street, Laconia, NH, 03246, USA

Address:

Registered Mailing 16 Academy Street, Laconia, NH, 03246, USA

Address:

Trade Name Information

No Trade Name(s) associated to this business.

Trade Name Owned By

No Records to View.

Trademark Information

Trademark Number	Trademark Name	Business Address	Mailing Address
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No records to view.

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