

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DW 24-117

BEDFORD WASTE SERVICES CORPORATION AND ALPINE PACIFIC, INC.

**Joint Petition for Approval to Change Ownership of
Bedford Waste Services Corporation**

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

On December 13, 2024, Bedford Waste Services Corporation (Bedford Waste) and Alpine Pacific, Inc. (Alpine Pacific) filed a joint petition¹ requesting that the Commission approve Alpine Pacific's acquisition of Bedford Waste pursuant to RSA 374:30. In support of their petition, Bedford Waste and Alpine Pacific (collectively, the Joint Petitioners) filed the direct testimony and related attachments of: Stephen P. St. Cyr, Bedford Waste's manager (St. Cyr Testimony); and Marc Liechti and Justin Ahmann (the Buyers), who own Alpine Pacific (Buyers' Testimony). All docket filings, other than any information subject to confidential treatment, are available on the Commission's website at www.puc.nh.gov/regulatory/Docketbk/2024/24-117.html.

I. BACKGROUND AND PROCEDURAL HISTORY

Bedford Waste is a public sewer utility that serves 78 lots in a residential development in Bedford, New Hampshire known as "Bedford Three Corners." Petition (Pet.), ¶¶ 2-3. It is a New Hampshire corporation in good standing owned solely by Robert S. LaMontagne. *Id.*, ¶ 1.

Alpine Pacific is a Delaware corporation in good standing that is registered to do business in Montana. *Id.*, ¶ 4. It is a holding company owned by Marc Liechti, a

¹ Mr. Liechti and Mr. Ahmann did not sign the petition as officers or directors of Alpine Pacific, the named petitioner.

director, and Justin Ahmann, the president and registered agent. Buyers' Testimony at 4, 6, 9; Pet., ¶¶ 4-5. The Buyers are residents of Montana and are both licensed in Montana as water operators and wastewater operators. Buyers' Testimony at 3-4, 8. Through their affiliate, Alpine Pacific Utilities, LLC, the Buyers own and operate eight water systems in Montana, one in Pennsylvania, and one in Maine. *Id.* at 5; Pet., ¶ 4. They also own and operate three sewer utilities that are the same size or larger than Bedford Waste. Buyers' Testimony at 5; Pet., ¶¶ 4, 13.

Mr. LaMontagne and Mr. Ahmann, as president of Alpine Pacific, executed a "Stock Purchase Agreement," pursuant to which Alpine Pacific would buy the 10 shares of Bedford Waste private common stock owned by Mr. LaMontagne and assume ownership of Bedford Waste, including its assets and liabilities. *See* Attachment SPS-3; St. Cyr Testimony at 6-7; Buyers' Testimony at 6, 11. The Joint Petitioners would like to complete this transaction by the end of the second quarter of 2025. Buyers' Testimony at 11.

After closing on the transaction has occurred, the Buyers would manage the day-to-day operations of Bedford Waste through Alpine Pacific Utilities, LLC, with maintenance and operational services provided by affiliates Alpine Pacific Power & Water, LLC and Hydro Hooligans, LLC, which has employees in New Hampshire. *Id.* at 6, 8-9. There would be no immediate change to Bedford Waste's current rates and charges. *See id.* at 10; Pet., ¶ 12.

II. ISSUES PRESENTED

The filing presents, *inter alia*, the following issues: whether the transfer of Bedford Waste's franchise and assets to Alpine Pacific is for the public good and should be permitted under RSA 374:30, RSA 374:22, and RSA 374:26; whether the transfer of ownership of Bedford Waste to Alpine Pacific is lawful, proper, and in the

public interest pursuant to RSA 374:33; whether the transfer of Bedford Waste's franchise to Alpine Pacific will result in Alpine Pacific providing reasonably safe and adequate service at just and reasonable rates to customers in the transferred franchise area in accordance with RSA 374:1, RSA 374:2, and RSA 378:7; and whether the transfer of Bedford Waste's liabilities to Alpine Pacific is consistent with the public good under RSA 369:1. Accordingly, an adjudicative proceeding will be convened to address these issues.

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 resolving the foregoing issues pursuant to RSA chapter 541-A, 374:30, RSA 374:22, RSA 374:26, RSA 374:33, RSA 374:1, RSA 374:2, RSA 378:7, RSA 369:1, 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 February 19, 2025, at 1:00 p.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 Mr. Liechti and Mr. Ahmann shall file an appearance on behalf of Alpine Pacific, which they have each signed in their capacity as an officer or director of Alpine Pacific, on or before February 3, 2025;

FURTHER ORDERED, that the New Hampshire Department of Energy is requested to file its position regarding the Joint Petitioners' petition, including the reasons for this position, on or before February 5, 2025; 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; and it is

FURTHER ORDERED, that, immediately following the prehearing conference, the Joint Petitioners 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 the Joint Petitioners

and any other parties on the service list, on or before February 7, 2025. 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 February 18, 2025; and it is

FURTHER ORDERED, that the parties may submit a stipulation containing a discovery schedule, statement of any additional issues not identified in this order of notice, and at least three dates on which they would be available for a final hearing in this matter, including how much time will be required, with a request that the prehearing conference and technical session be cancelled, on or before February 12, 2025. The Commission may cancel the prehearing conference and technical session upon approval of such a stipulation; 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 the proposed notice contained in the attachment to the St. Cyr Testimony is APPROVED with the following amendment: this notice should include the link to the above-captioned docket on the Commission's website and add the following language in bold type to the first paragraph:

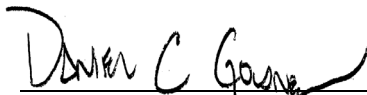
The New Hampshire Public Utilities Commission has issued an order of notice in Docket No. DW 24-117, which schedules a prehearing conference on February 19, 2025, at 1:00 p.m. A copy of the order of notice will be posted in the docket on the Commission's website;

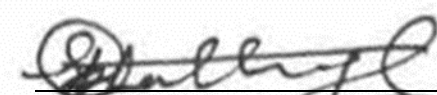
and it is

FURTHER ORDERED, that pursuant to N.H. Admin. R., Puc 203.12, Bedford Waste 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, and by mailing a copy of the approved notice by first-class and certified United States mail to the Town of Bedford Board of Selectmen and the Bedford Three Corners Owners Association, Inc., postmarked no later than January 27, 2025, such publication to be documented by affidavit filed with the Commission on or before February 3, 2025. 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 seventeenth day of January, 2025.


Daniel C. Goldner
Chairman


Pradip K. Chattopadhyay
Commissioner


Mark W. Dell'Orfano
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#: 24-117

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