

DT 01-200

DIXVILLE TELEPHONE COMPANY

Investigation Into Failure to File Annual Reports

Order to Show Cause

O R D E R N O. 23,801

October 11, 2001

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 407.10, requiring each telephone 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 Dixville Telephone Company (Dixville) has, as of the date of this order, failed to file annual reports covering

calendar years 1999 and 2000 that were due at the Commission's offices on March 31,2000 and March 31, 2001,respectively.

According to testimony provided by Staff, numerous filing extensions for both 1999 and 2000 fiscal years were granted to Dixville based on extraordinary circumstances at the Company that prevented the filing of the annual reports on a timely basis. Notwithstanding these extensions, Dixville has not filed 1999 and 2000 annual reports as of the date of this order.

Based upon the foregoing, it is hereby

ORDERED, that Dixville Telephone Company appear before the Commission in a hearing at the offices of the Commission, 8 Old Suncook Road, Building #1, Concord, New Hampshire on October 29, 2001 at 3:00 P.M. for the purpose of showing cause why the utility or its agent and/or officers should not be fined for failure to file the required annual reports.

By order of the Public Utilities Commission of New
Hampshire this eleventh day of October, 2001.

Douglas L. Patch
Chairman

Susan S. Geiger
Commissioner

Nancy Brockway
Commissioner

Attested by:

Thomas B. Getz
Executive Director and Secretary