

**STATE OF NEW HAMPSHIRE  
PUBLIC UTILITIES COMMISSION**

**DW 24-092**

**LAKEVIEW WATER COMPANY, INC.**

**Petition for Permanent Discontinuance of Service**

**Order Granting Substitution of Petitioner and Staying Proceedings**

**O R D E R N O. 28,103**

**February 13, 2025**

On July 23, 2024, Richard M. Casale, Trustee of the Casale Family 2005 Irrevocable Trust (the Trust) filed a petition for permanent discontinuance of service provided by Lakeview Water Company Inc. (Lakeview). The Trust is the owner of the property on which the wells of the Lakeview water system are located. Currently before the Commission are assented-to motions to (1) substitute Lakeview as the petitioner in this docket in place of the trust; and (2) suspend the procedural schedule in this docket until the resolution of certain matters with the New Hampshire Department of Environmental Services (DES).

The Commission first considers the motion to substitute Lakeview as the petitioner. Substitution of a new party as plaintiff is permitted when required to prevent injustice and in the absence of resultant prejudice to other parties. *National Marine Underwriters v. McCormack*, 138 N.H. 6, 8. As an initial matter, as the regulated utility, Lakeview is the proper entity to seek discontinuation of service. Allowing it to serve as the petitioner is therefore necessary to prevent injustice. *Id.* Moreover, substitution of Lakeview as the petitioner does not introduce an entirely new cause of action, does not call for substantially different evidence, and it causes no surprise for other parties. *Id.* Accordingly, the Commission finds substitution of Lakeview appropriate, and therefore GRANTS that motion.

The Commission next considers the motion to suspend the procedural schedule in this hearing until certain approvals are obtained from DES. The Commission agrees that this matter needs to be resolved prior to a final decision in this docket and that no harm will result from the delay. The Commission therefore GRANTS that motion.

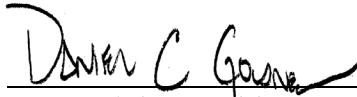
**Based upon the foregoing, it is hereby**

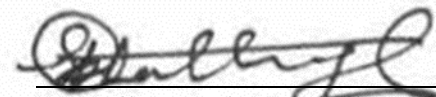
**ORDERED**, that Lakeview's petition is GRANTED and that Lakeview Water Company, Inc. shall be substituted as Petitioner in place of Richard M. Casale, Trustee of the Casale Family 2005 Irrevocable Trust; and it is

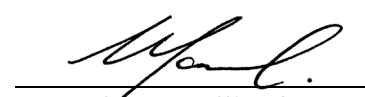
**FURTHER ORDERED**, that the motion to suspend the proceedings is GRANTED; and it is

**FURTHER ORDERED**, that Lakeview shall file a status update by July 30, 2025.

By order of the Public Utilities Commission of New Hampshire this thirteenth day of February, 2025.

  
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Daniel C. Goldner  
Chairman

  
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Pradip K. Chattopadhyay  
Commissioner

  
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Mark W. Dell'Orfano  
Commissioner

# Service List - Docket Related

Docket#: 24-092

Printed: 2/13/2025

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