

STATE OF NEW HAMPSHIRE
BEFORE THE
NEW HAMPSHIRE PUBLIC UTILITIES COMMISSION

Docket No. DW 07-105

Whether Lakes Region Water Company, Inc.
Should be Placed in Receivership

Petition to Intervene on Behalf of the Property Owners Association at Suissevale, Inc.

The Property Owners Association at Suissevale, Inc. (“POASI”) respectfully petitions the New Hampshire Public Utilities Commission (“Commission”) for leave to intervene as a full party in the above-captioned proceeding under Rule Puc 203.17 and RSA 541-A:32. In support of this petition, POASI represents that:

1. On October 10, 2007 the Commission issued an Order of Notice in the above-captioned docket opening a proceeding to determine whether Lakes Region Water Company, Inc. (“Lakes Region”) “should be placed in receivership pursuant to RSA 374:47-a in light of concerns over whether Lakes Region continues to have the managerial and financial capacity to provide safe and adequate service to its customers, and the ability to acquire necessary capital to fund needed system improvements.” As the Commission noted in the Order of Notice, the statute authorizes it, after notice and a hearing, “to appoint a receiver or direct its Staff to take such temporary action as is necessary to assure continued service to the utility’s customers.” In that Order of Notice the Commission set a prehearing conference for November 27, 2007 at 2PM and established a deadline of November 22, 2007 for the submission of petitions to intervene.

2. POASI is an association of homeowners located in Moultonborough, New Hampshire, which owns, maintains and operates its own water distribution system for the

sole purpose of providing water to its members. The Department of Environmental Services has determined that POASI is not a public water system within the meaning of RSA 485:1-a, XV. POASI has never been regulated as a public utility and the Commission has granted POASI an exemption from regulation as a public utility pursuant to RSA 362:4. Order No. 24,698 issued on November 8, 2006 in DW 06-106.

3. POASI is a long-standing customer of Lakes Region that depends on Lakes Region for the water needed to serve its members. Lakes Region has supplied water to POASI as a wholesale customer since 1994 through one meter point located on the edge of its franchise area in its Paradise Shores System adjacent to POASI. In Order No. 24,693, issued on October 31, 2006 in docket DW 06-133, the Commission approved a special contract between Lakes Region and POASI pursuant to which Lakes Region supplies water to POASI and POASI pays Lakes Region at a volume rate that is higher than the tariffed rate charged to the individual Paradise Shores System customers who are part of Lakes Region's service area, in an area adjacent to the POASI system. The term of the contract is 30 years.

4. POASI has made a capital contribution, subject to certain terms and conditions, to the construction of a water storage facility, which Lakes Region is in the process of constructing and which will be used in part to serve POASI.

5. The financial, public health and safety interests of POASI's members and POASI's interest as a wholesale customer of Lakes Region are potentially at risk, depending on what action the Commission takes in this docket. POASI's rights, duties, privileges or substantial interests may be affected by the proceeding. POASI believes it must intervene in this proceeding to protect these rights. Granting POASI's petition for

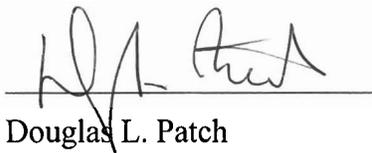
intervention would be in the interest of justice and would not impair the orderly and prompt conduct of the proceedings.

WHEREFORE, POASI respectfully requests that the Commission grant it full intervenor status in the proceeding or grant such other relief as the Commission deems just and equitable.

Respectfully submitted,

Property Owners Association at Suissevale, Inc.

By Their Attorneys



Douglas L. Patch

Orr & Reno, P.A.

One Eagle Square

Concord, N.H. 03302-3550

(603) 223-9161

Dated: October 24, 2007

Certificate of Service

I hereby certify that a copy of the foregoing Petition has on this 24th day of October, 2007 been mailed first class postage to Lakes Region Water Company, Inc. and the Office of Consumer Advocate.

By: 

Douglas L. Patch

STATE OF NEW HAMPSHIRE
BEFORE THE
NEW HAMPSHIRE PUBLIC UTILITIES COMMISSION

Docket No. DW 07-105

Whether Lakes Region Water Company, Inc.

Should be Placed in Receivership

Appearance

Please enter my Appearance pursuant to Rule Puc 203.16 as counsel for Property Owners Association at Suissevale, Inc. in the above-captioned matter, the proceedings to determine whether Lakes Region Water Company, Inc. should be placed in receivership pursuant to RSA 374:47-a. I am licensed to practice law in New Hampshire. I agree to adhere to the Commission's rules of practice and procedure and to adhere to any orders of the Commission or agreements between the parties in the docket, including orders or agreements addressing confidentiality.

Respectfully submitted,

Property Owners Association at Suissevale, Inc.

By Their Attorneys



Douglas L. Patch

Orr & Reno, P.A.

One Eagle Square

Concord, N.H. 03302-3550

(603) 223-9161

Dated: October 24, 2007

Certificate of Service

I hereby certify that a copy of the foregoing Appearance has on this 24th day of October, 2007 been mailed first class postage prepaid to Lakes Region Water Company, Inc. and the Office of Consumer Advocate.

By:  _____
Douglas L. Patch