

DW 09-177

THE STATE OF NEW HAMPSHIRE

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August 9, 2012

Jason Reimers
Assistant Attorney General
Department of Justice
33 Capitol Street
Concord, NH 03301

Re: Bow Lake Estates Water Works, Inc.

Dear Assistant Attorney Reimers:

The Commission refers to the Attorney General's Office an unpaid debt owing to the State of New Hampshire, Public Utilities Commission in the amount of \$1,425 from Bow Lake Estates Water Works, Inc. (Bow Lake). This debt arises from fines totaling \$1,250 for failure to file annual reports and unpaid utility assessments of \$175.

Pursuant to Order No. 25,091 (dated April 13, 2010), the Commission found that Bow Lake failed to file its 2007 and 2008 Annual Reports and ordered a forfeiture of \$1,500, \$250 of which was due no later than April 30, 2010. The Commission suspended \$1,250 of the fine on the condition that Bow Lake file its 2009 Annual Report by June 1, 2010 and its 2010 Annual Report by March 31, 2011. The order further stated that if Bow Lake failed to file its 2009 Annual Report by June 1, 2010, a \$500 fine would automatically be due, payable by June 15, 2010. In addition, if Bow Lake failed to file its 2010 Annual Report by March 31, 2011, a \$750 fine would automatically be due, payable by April 15, 2011.

Bow Lake paid the \$250 fine on May 4, 2010. However, Bow Lake failed to file its 2009 Annual Report by June 1, 2010; the annual report was eventually filed on December 21, 2011, over 18 months late. The 2010 Annual Report, due by March 31, 2011, has not been filed. Failure to file the 2009 and 2010 Annual Reports by the dates in Order No. 25,091 invoked the suspended portions of the fine; \$500 and \$750, respectively.

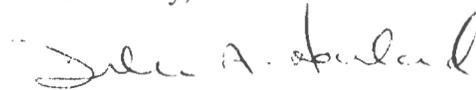
Finally, Bow Lake failed to pay its Fiscal Year (FY) 2011 Utility Assessment of \$100. Bow Lake was sent its FY 2012 utility assessment invoice dated October 11, 2011 by certified mail on October 12, 2011 to the address of record, a Post Office Box. The invoice was returned to the Commission marked "unclaimed" by the U.S. Postal Service. The October 11, 2011 invoice shows the prior unpaid assessment of \$100 (for FY 2011) in addition to the utility assessment obligation currently due for FY 2012 of \$75.

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Bow Lake has a duty as a regulated public utility in the State of New Hampshire to adhere to Commission orders (pursuant to RSA 365:23), pay its portion of the utility assessment (pursuant to RSA 363-A) and provide a mailing address to accept service (pursuant to RSA 365:32). Bow Lake is not exempt from any of these duties by the Commission. Therefore, the Commission requests that the Attorney General's Office pursue recovery of the \$1,425 owed to the State which the Commission, through its own resources, has been unable to recover.

Sincerely,

A handwritten signature in cursive script, appearing to read "Debra A. Howland".

Debra A. Howland
Executive Director

cc: Docket File (DW 09-177)