

DW 09-204

LAW OFFICES OF
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Admitted NH & ME



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Mark Naylor, Director
Gas and Water Division
Public Utilities Commission
21 S. Fruit Street, Suite 10
Concord, New Hampshire 03301-2429

Re: Freedom Village Condominium Association & North Country Water Company

Dear Mr. Naylor,

Thank you for speaking with me last week. As we discussed on the telephone, please consider this letter a formal complaint against North Country Water Company on behalf of the Freedom Village Condominium Association.

North Country Water Company supplies all of the water for the 66 condominium units in the Association and has done that since at least 1988. Attached are two letters – one dated April 21, 2009 from Wendy Chase to Stanley Oliver the owner of North Country, and his reply dated May 11, 2009. Because of his threat to shut off the water, the Association has been paying the increased monthly rate of \$30.00 per unit. Mr. Oliver has continued to refuse to negotiate the rate or discuss the Association purchasing the water system.

North Country received an exemption from regulation by an Order from the PUC dated June 26, 1995. This exemption was based upon a finding that the service was adequate and that there was the “... ability of the association to negotiate directly with its water provider, ...” (see Order # 21,709; DE 93-197, page 3, second paragraph). Obviously, there is no such ability to negotiate with Mr. Oliver and we feel that continued exemption from regulation under RSA 362:4, I is not in the public interest and it certainly is not fair to the 66 owners at Freedom Village.

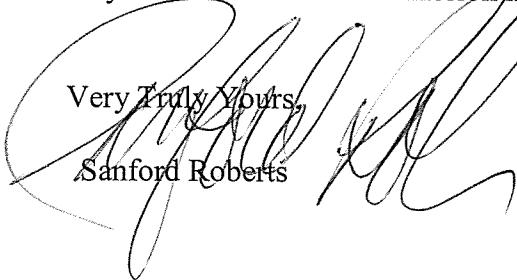
You should also be aware that many, if not the majority of the condominium units, are occupied seasonally and only use water for 6 months or less. In addition, because of the lack of maintenance by North Country, the Association has had to paint and put a new roof on the

pump house and remove trees that grew over the water tanks to keep the roots from breaching those tanks; they also plow access to the pump house, all with no contribution from North Country.

I would appreciate it if you can advise me of the next step in the process of the PUC addressing this situation. Any assistance your office or the Commission might provide will be appreciated.

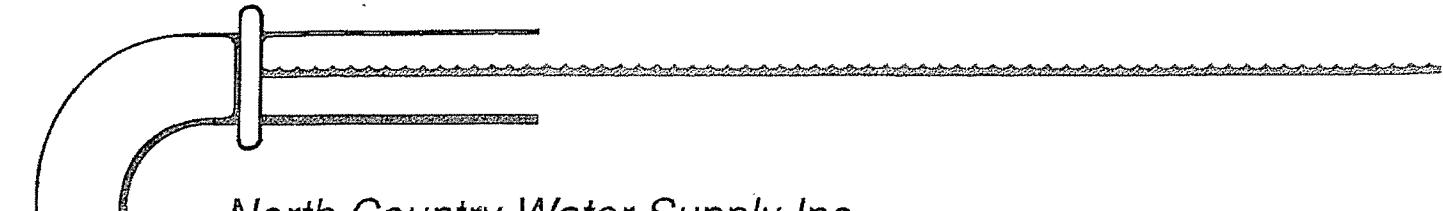
Very Truly Yours,

Sanford Roberts



SR/dd

cc: Freedom Village Board



North Country Water Supply Inc.

Wendy Chase, property manager
Great North
Malthouse Exchange
95 Brewer Lane 10
Portsmouth, NH 03801 May 11, 2009

RE Freedom Village Condo

Ms Chase,

Let me simplify the billing at FVC:

- 1) There is no contract to review. NCWS supplies water The units for an annual price.
- 2) There is no review or discussion of the price
- 3) There is an outstanding balance of \$5940 as of March 09. This should be paid immediately.
- 4) You can stall on the bill and raise as much smoke as You wish, but I will post the system for non payment And reduce the pressure or shut the water off. That Would be appreciated on Memorial Day!

This system has worked daily since the late 1980's with Very few problems. Let's not get into trouble! I strongly Suggest you pay the bill and move on!

Regards,

Stan Oliver

April 21, 2009

Mr. Stanley Oliver
North Country Water Supply, Inc.
PO Box 180
Barrington, NH 03825

Dear Mr. Oliver:

We noticed the Freedom Village Condominium Association is being billed \$30 per unit per month for water service. However, the contract dated August 1, 2004 shows a rate of \$20 per unit per month. Has a new contract been signed that we are unaware of? If not, we respectfully request you submit a new contract proposal to the board with your justification for a rate increase.

As the property manager for freedom Village, I am responsible for ensuring the accuracy of all bills. We simply cannot pay bills from the Association's funds without proper documentation.

On a separate issue, the New Hampshire Department of Environmental Services has informed us that you have not submitted updated Emergency and "As Built" plans for the Freedom Village water system. As the water system owner, you may be subject to fines and sanctions for failure to do so.

Thank you very much for your cooperation on this matter and please do not hesitate to contact me if you have any information or questions.

Sincerely yours,

Wendy Chase
Property Manager
Great North Property Management
603-436-4100x34