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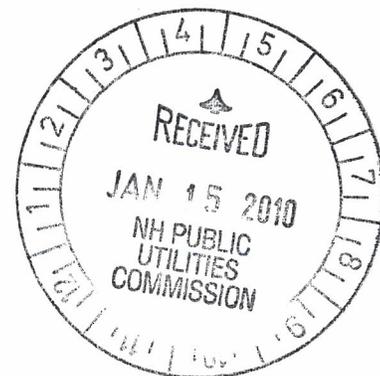
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January 15, 2010



Debra A. Howland  
Executive Director  
New Hampshire Public Utilities Commission  
21 S. Fruit St., Suite 10  
Concord, New Hampshire 03301

Re: DW 06-075 Lakeview Water Company, Inc. – Petition to Dissolve  
Staff Update and Recommendation

Dear Ms. Howland:

The purpose of this letter is to provide an update with regard to Lakeview's petition to discontinue water service and dissolve its franchise in Alton and to provide Staff's recommendation on resolving this docket. The development Lakeview serves has, as a condition of the subdivision approval, a requirement that public water be supplied to customers. Lakeview's petition to dissolve was filed on June 18, 2006, and at that time eleven customers had left the system by installing private wells, and eleven customers remained connected.

Staff and Lakeview met in a technical session on June 30, 2006 and subsequently learned from Staff of the Department of Environmental Services (DES) that the development served by Lakeview was approved on the condition that a community water system provide water service. DES Staff indicated that if a revised subdivision plan were filed and could demonstrate that soil and other conditions were adequate for on-site wells, the requirement for a community water system could be eliminated. In late 2006 and again in early 2007, Staff contacted all customers by letter to determine their status as to their current water supply, and to obtain from current well users as much data as possible with respect to their lots. In early 2008, Lakeview undertook an effort to assemble the data needed to prepare a revised subdivision plan by hiring Lewis Engineering. Partly because Staff had received minimal information from residents, Lakeview's engineer researched historical test pit data for many of the lots in the subdivision. However, Lewis Engineering was not able to obtain data for all lots. Attempts to dig test pits on some of the lots were met with little cooperation from residents, and it now appears that DES is

requiring test pit data for all of the lots in the subdivision before it removes the condition. As a result, Lakeview and DES are at an impasse. Additionally, Staff is not aware of any enforcement plans by DES regarding the use of on-site wells.

Staff now understands that all remaining customers have left the water system. This is confirmed by correspondence from Mr. Mobilia, the president of Lakeview, received by Staff on December 10, 2009. See attached. In that letter, Lakeview indicates that Lewis Engineering has “gone as far as they could” with DES and that Lakeview was ceasing operations effective November 30. Lakeview hired Gilford Well Company on December 4 to shut down and drain the water system. In a conversation with Mr. Mobilia on December 7, I inquired as to the status of the two remaining customers that Staff understood remained on the system in late August of 2009. He indicated that he had spoken with one of them, Mr. King, shortly after letters were sent to those two remaining customers in late August. Mr. King had asked that the system not be shut down until the end of January. Mr. Mobilia declined that request and indicated he would keep the system operating until the end of November. He has had no further contact with Mr. King. As to the second customer, Parsons, who apparently had connected to the system some years earlier without Lakeview’s knowledge, Mr. Mobilia provided a copy of the signed certified mail receipt indicating that this customer received Mr. Mobilia’s letter on September 4. He has not been in contact with this customer otherwise. Mr. Mobilia indicated to me in our phone call that he assumes both customers have installed wells. As of today’s date, the system has been shut down since December 4 and we have not been contacted by any customers of Lakeview.

In light of the unique circumstances of this water system, Staff recommends the Commission consider authorizing Lakeview to temporarily discontinue service pursuant to RSA 374:28 which states: the Commission “may authorize any public utility to discontinue, temporarily or during such portion of each year as the [c]ommission may deem expedient, any part of its service whenever it shall appear that such temporary or seasonal discontinuance will not unreasonably inconvenience the public...” Staff had been concerned that, with a very small number of customers taking service, the Lakeview system may become unviable both in terms of adequate revenues to run the system and in availability of capital for system improvements that may become necessary. The issue of viability becomes less of a concern with all customers leaving the system. In light of the facts of this matter, Staff is of the opinion that discontinuation of service by Lakeview will not inconvenience the public. At this time, the system assets, including the lot containing the system’s supply well, remain in place and the water system can be rehabilitated if customers are required by DES to reconnect to a public water system.

For these reasons, Staff recommends the Commission consider an alternative to a granting of the petition for dissolution of the franchise. Since Lakeview serves no customers and has no income from customers, temporarily authorizing Lakeview to discontinue service pursuant to RSA 374:28 would not unreasonably inconvenience the public. Thank you for your consideration.

Sincerely,



Mark A. Naylor  
Director, Gas & Water Division

cc: service list  
Richard DeSeve, DES  
Brandon Kernen, DES

CHARLES MOBILIA  
LAKEVIEW WATER COMPANY  
111 WOODSIDE ROAD  
MEDFORD MA 02155

Docket #: 06-075      Printed: January 15, 2010

**FILING INSTRUCTIONS:    PURSUANT TO N.H. ADMIN RULE PUC 203.02(a),**  
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MARK NAYLOR  
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21 SOUTH FRUIT ST, SUITE 10  
CONCORD NH 03301-2429

December 7, 2009

Lakeview Water Co., Inc.  
111 Woodside Road  
Medford, MA 02155



Dear Mark,

This letter is to inform you that Lakeview Water Co., Inc. will cease all operations in the town of Alton, NH as of November 30, 2009.

Lewis Engineering, at a cost of \$10,480.00 loaned to Lakeview Water Co., Inc. by me, has informed me that they have gone as far as they could with D.E.S. These costs plus lost income, approximately Ten to Twelve Thousand dollars, owed to me by Lakeview Water Co., Inc. to maintain the water system over a number of years, has left me no other choice but to close operations.

I am going to try to sell the wells and pump house to recover the many of thousands of dollars owed to me from Lakeview Water Co., Inc.

Thank you for your attention to this matter. If you have any questions, please call me at 781-391-1274.

Sincerely,

Charles Mobilia  
President  
Lakeview Water Co., Inc.

cc: Marcia Thunberg

**Gilford Well Company, Inc.**

1440 Lake Shore Road  
 Gilford, NH 03249

**INVOICE**

Invoice Number: 19338  
 Invoice Date: Dec 4, 2009  
 Page: 1

Voice: (603) 524-6343  
 Fax: (603) 524-6332

<b>Bill To:</b>
Lakeview Water Co., Inc. 111 Woodside Road Medford, MA 02155

<b>Ship to:</b>
Batchelder Mountain Alton, NH

<b>Customer ID</b>	<b>Customer PO</b>	<b>Payment Terms</b>	
Lakeview Water Co		Net 10 Days	
<b>Sales Rep ID</b>	<b>Shipping Method</b>	<b>Ship Date</b>	<b>Due Date</b>
Harris, T	Our Truck	12/4/09	12/14/09

Quantity	Item	Description	Unit Price	Amount
3.00	LABMCP	Labor: Pump Mechanic per hour	75.00	225.00
3.00	LABHLP	Labor: Pump Helper per hour	60.00	180.00
Shut down and drained system. Thank you. We appreciate your business.				
<b>Subtotal</b>				<b>405.00</b>
Sales Tax				
<b>Total Invoice Amount</b>				<b>405.00</b>
Payment/Credit Applied				
<b>TOTAL</b>				<b>405.00</b>

Check/Credit Memo No:

*PAID in FULL*  
*AWC*

MARK

Copies of Certified Mail  
Sign Return Receipt

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

MR Mike KING  
72 Hermit RD  
ALTON BAY N.H  
03810-4116

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

x *Manukhela*

Agent  
 Addressee

B. Received by (Printed Name)

*Manukhela*

C. Date of Delivery

*9/12*

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type

Certified Mail  
 Registered  
 Insured Mail

Express Mail  
 Return Receipt for Merchandise  
 C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number  
(Transfer from service label)

7008 0150 0003 0240 7205

Domestic Return Receipt

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

x *Eileen Parsons*

Agent  
 Addressee

B. Received by (Printed Name)

*Eileen PARSONS*

C. Date of Delivery

*9-4-07*

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type

Certified Mail  
 Registered  
 Insured Mail

Express Mail  
 Return Receipt for Merchandise  
 C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number  
(Transfer from service label)

7008 0150 0003 0240 7199

Domestic Return Receipt

102595-02-M-1540

PS Form 3811, February 2004  
Sent To: Street, Apt. or PO Box City, State, Zip

proof of a Return cover the waiver for receipt is addressed piece with present thr a Certified d mail. ing an i