

THE STATE OF NEW HAMPSHIRE PUBLIC UTILITIES COMMISSION

DW 16-257

Bow Lake Estates Water Works, Inc.

MOTION TO CONTINUE

Bow Lake Estates Water Works, Inc., by and through its attorneys, hereby respectfully moves the New Hampshire Public Utilities Commission (“PUC”) to reschedule the May 16, 2017 hearing for forty five (45) days to allow Bow Lake Estates Water Works, Inc. (“Bow Lake”) to finalize the sale of its franchise to Hampstead Area Water Company, Inc., on grounds as follows:

1. On or about April 7, 2017, the PUC scheduled a hearing for May 16, 2017 for Bow Lake and Stanley H. Oliver to show cause why:
  - a. They have failed to pay the \$250 fine outlined in the PUC’s prior order dated August 10, 2016;
  - b. They failed to deliver a purchase and sale contract for the Bow Lake franchise (“Franchise”) by October 1, 2016, or alternatively to pay the \$10,000 fine; and,
  - c. Further fines should not be levied against Mr. Oliver and Bow Lake and why the Franchise should not be revoked and the Company placed in receivership pursuant to RSA 374:41 and 374:47-a.
2. Bow Lake has been negotiating the sale of the Franchise for quite some time.
3. The negotiations have resulted in a final Letter Agreement between Bow Lake and Hampstead Area Water Company, Inc., for the sale of the Franchise. A copy of the Letter Agreement executed by Mr. Oliver is attached hereto as Exhibit 1.
4. The Letter Agreement has been forwarded to Hampstead Area Water Company, Inc. today for signature. Pursuant to the terms of the Letter Agreement, Hampstead Area Water Company, Inc. is required to petition for PUC approval to purchase and acquire the Franchise within ten business days of Bow Lake executing the Letter Agreement.
5. Based upon the foregoing, it is believed that the sale of the Franchise is imminent.
6. The main purpose of the hearing is to determine why a purchase and sales has not been submitted and whether or not the Franchise should be revoked.

7. It is believed that the sale of the Franchise will resolve the majority of the outstanding issues.

WHEREFORE, Bow Lake Estates Water Works, Inc. respectfully requests that the PUC:

- A. Grant this motion and reschedule the hearing for forty five (45) days to allow Bow Lake to finalize the sale of the Franchise; and,
- B. Grant such other and further relief as is just, lawful and otherwise appropriate.

Respectfully submitted,

BOW LAKE ESTATES  
WATER WORKS, INC.

By its attorneys,

KALIL & LaCOUNT

Dated: May 4, 2017

By:   
Jillian E. Colby, Bar ID #18023  
Kali & LaCount  
681 Wallis Road  
Rye, New Hampshire 03870  
603-964-1414  
jillian@ryelaw.net