



JUSTIN C. RICHARDSON

www.nhwaterlaw.com

May 18, 2023

Via Electronic Service Only
Daniel C. Goldner, Chairman
c/o ClerksOffice@puc.nh.gov
NH Public Utilities Commission
21 South Fruit Street, Suite 10
Concord, N.H. 03301-2429

Re: Docket No. 22 – 087; Lakes Region Water Co., Inc.; Confirmation of Newspaper
Publication of Order No. 26,817

Chairman Goldner:

Please find submitted herewith a true and accurate copy of the Commission's *Long Term Financing Order Nisi Approving Financing, Order No. 26,817*, as published in the Union Leader on May 17, 2023 and as referenced in Lakes Region's May 16, 2023 *Affidavit of Publication* filed with the Commission.

Please note that the Commission ordered on Page 6 that Lakes Region "shall cause a copy of [the] order to be published ... and through bill inserts in the next billing cycle after the issuance of this order [...] such publication to be no later than May 19, 2023". The Commission may be unaware that Lakes Region's billing cycles are quarterly bills for service rendered to one-third of its systems after meter readings at the end of each month on a rolling basis. This means that the "next billing cycle" will not occur until after the May 19 publication deadline and will include only those systems with a billing cycle ending in May.

Lakes Region believes its publication is sufficient and complies with the intent of Order No. 26,817. However, Lakes Region requests that the Commission confirm the effective date to be May 26, 2023, or, exercise its authority to "provide otherwise in a supplemental order issued prior to the effective date." (Page 6).

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Legal representation in the areas of water, utility, environmental and land use law in court and before state and local boards.

If there are any questions, please feel free to contact me.

Very truly yours,

A handwritten signature in black ink that reads "Justin Richardson". The signature is written in a cursive, flowing style.

Justin C. Richardson, Esq.
justin@nhwaterlaw.com
(603) 591 – 1241

Enclosure

Cc: Service List

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BILITY THAT YOUR PARENTAL RIGHTS MAY BE TERMINATED. THE POSSIBLE CONSEQUENCES TO YOUR PARENTAL RIGHTS MAY BE REVIEWED BY CLICKING ON THE COURT FORM, "Acknowledgement of Possible Consequences to Parental Rights in Abuse & Neglect Cases" (NHJB-2209-F) at www.courts.nh.gov/our-courts/circuit-court/family-division/forms/juvenile-abuse-and-neglect.
Once you appear, you have the right to oppose the proceedings and to present evidence. Pursuant to RSA 169-C:10, II(a), a petitioned parent has the right to an attorney, and if such parent cannot afford an attorney, an attorney will be appointed by the Court. The Court has the discretion to appoint an attorney for a non-petitioned parent who is a household member, if such parent cannot afford an attorney. In either of these circumstances, please contact the court to obtain a financial affidavit if you wish to request court-appointed counsel. The Court has no statutory authority to appoint an attorney for a non-petitioned parent who is not a household member, however such parent may hire their own attorney.
Additional information may be obtained from the Family Division Court identified in the heading of this Citation.
If you will need an interpreter or other accommodations for this hearing, please contact the Court immediately.
Please be advised (and/or advise clients, witnesses, and others) that it is a Class B felony to carry a firearm or other deadly weapon as defined in RSA 625:11, V in a courtroom or area used by a court.

BY ORDER OF THE COURT
May 15, 2023
Mary A. Barton, Clerk of Court (656950)
C: DCYF - Manchester District Office; Lisa M Rutherford, ESQ (UL - May 17, 24)

Additional information may be obtained from the Family Division Court identified in the heading of this Citation.
If you will need an interpreter or other accommodations for this hearing, please contact the Court immediately.
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Legal Notice

MORTGAGEE'S NOTICE OF SALE OF REAL ESTATE

By virtue of a Power of Sale contained in a certain Mortgage given by **Tyler Deschenes and Caitlyn Deschenes** (the "Mortgagor") to Mortgage Electronic Registration Systems, Inc., as nominee for Freedom Mortgage Corporation, its successors and assigns, dated November 19, 2020 and recorded in the Merrimack County Registry of Deeds in Book 3714, Page 2301 (the "Mortgage") of which mortgage the undersigned is present holder by assignment, pursuant to and in execution of said power and for breach of conditions of said Mortgage and for the purpose of foreclosing same will be sold at:
**Public Auction on
May 31, 2023 at 11:00 AM**
Said sale being located on the mortgaged premises and having a present address of **2 Robin Shore Drive, Canterbury, Merrimack County, NH**. The premises are more particularly described in the Mortgage.
Subject to a Protective Well Radt pursuant to RSA 485-A:30-b

NOTICE

PURSUANT TO NEW HAMPSHIRE RSA 479:25, YOU ARE HEREBY NOTIFIED THAT YOU HAVE A RIGHT TO PETITION THE SUPERIOR COURT FOR THE COUNTY IN WHICH THE MORTGAGED PREMISES ARE SITUATED, WITH SERVICE UPON THE MORTGAGEE, AND UPON SUCH BOND AS THE COURT MAY REQUIRE, TO ENJOIN THE SCHEDULED FORECLOSURE SALE.
The mortgagor's name and address for service of process is Freedom Mortgage Corporation at 10500 Kincaid Drive, Fishers, IN, 46037. The name and address of the mortgagor's agent for service of process is CT Corporation System at 2 1/2 Beacon Street, Concord, NH 03301. You can contact the New Hampshire Banking Department by e-mail at nhbd@banking.nh.gov.
For information on getting help with housing and foreclosure issues, please call the foreclosure information hotline at 1-800-437-5991. The hotline is a service of the New Hampshire Banking Department. There is no charge for this call.
The property will be sold subject to all unpaid real estate taxes and all other liens and encumbrances which may be entitled to precedence over the Mortgage. Notwithstanding any title information contained in this notice, the Mortgagee expressly disclaims any representations as to the state of the title to the Property involved as of the date of the notice of the date of sale. The property to be sold at the sale is "AS IS, WHERE IS".
The foreclosure sale will be made for the purpose of foreclosure of all rights of redemption of the said mortgagor(s) therein possessed by them and any and all persons, firms, corporations, or agencies claiming by, from or under them.

TERMS OF SALE:
A deposit of FIVE THOUSAND DOLLARS AND 00 CENTS (\$5,000.00) in the form of a certified check, bank treasurer's check, or money order will be required to be delivered at or before the time the bid is offered. The description of the premises contained in said mortgage shall control in the event of an error in this publication.
Freedom Mortgage Corporation
Present Holder of said Mortgage,
By Its Attorneys,
Orlans PC
PO Box 540540
Waltham, Massachusetts 02454
Phone: (781) 790-7800
(UL - May 10, 17, 24)

Legal Notice

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES
COMMISSION
DW 22-087
LAKES REGION WATER
COMPANY, INC.
Petition for Approval of**

Long-Term Financing Order Nisi Approving Financing ORDER NO. 28.817 MAY 12, 2023

Lakes Region Water Company, Inc. (Lakes Region, or the Company), requests approval of long-term financing through CoBank, ACB (CoBank). The Commission authorizes Lakes Region to borrow up to \$862,080 from CoBank to finance the cost of developing a new well source for its Paradise Shores system in Moultonborough, NH.

The petition and subsequent docket filings, other than information for which confidential treatment is requested or granted by the Commission, are posted to the Commission's website at www.pu.c.nh.gov/Regulatory/Docketbk/2022/22-087.html.

I. BACKGROUND AND PROCEDURAL HISTORY

Lakes Region is a regulated water utility as defined by RSA 362:2 and RSA 362:4. The Company's largest system, known as "Paradise Shores," is located in Moultonborough. The Paradise Shores system includes 421 mostly seasonal retail customers in the Balmoral subdivision and one wholesale utility customer, the Property Owners Association of Suissevale, Inc. (Suissevale). Suissevale purchases water from Lakes Region under a wholesale contract and redistributes that supply to its approximately 400 residential members.

Lakes Region filed its petition on December 16, 2022. On March 28, 2023, DOE filed a technical statement recommending approval of the petition. The Office of the Consumer Advocate did not submit an appearance in this docket, and no petitions to intervene were filed.

II. POSITIONS OF THE PARTIES

A. LAKES REGION

Lakes Region proposes to borrow \$862,080 from CoBank at a fixed interest rate to develop a new well source, construct a new pump and meter station, and connect to the existing water system at Paradise Shores in Moultonborough. Total financing costs to secure the loan are estimated to be \$20,575, which will be amortized over 20 years, consistent with the terms of the loan. Lakes Region stated that it has an ongoing relationship with CoBank that reduces the burden of financial and reporting requirements associated with having multiple lenders. The Company did not apply for low-interest financing through the NH Department of Environmental Services (NHDES) programs, which it asserts would have required additional administration, financial covenants, and security obligations. However, the company plans to explore grant options through Source Water Protection funding under the NHDES Drinking Water and Ground Water Trust programs.

B. DOE

DOE and its consultant reviewed Lakes Region's filings and recommended that the Commission approve the proposed financing and find the financing to be consistent with the public good pursuant to RSA 369:1. DOE determined that Paradise Shores requires additional supply and that Lakes Region's proposal for the development of a new well source is a reasonable solution consistent with the Company's duty to provide safe, adequate, and reliable water service to its customers under RSA 374:1. DOE further noted the declining production from existing wells; average demand exceeding allowed well yields; and the necessity for trucked-in water, and concluded that the proposed improvements appear to be investments made in the ordinary course of the Company's operations under RSA 374:1.

While noting a projected increase of 5.39 percent on general customer rates, DOE concluded that, from a regulatory standpoint, the proposed all-debt financing should improve the Company's capital structure, as it would move the debt-to-equity ratio to a more balanced position, from 30/70 to 60/40. Thus, DOE concluded that the terms of the loan are reasonable and that the proposed financing would effectively reduce the Company's weighted average cost of capital to the benefit of ratepayers. Accordingly, DOE recommended that the Commission find the proposed financing to be consistent with the public good, as required by RSA 369:1, and approve Lakes Region's request.

III. COMMISSION ANALYSIS

RSA 369:1 states that a utility may, "with the approval of the commission but not otherwise, issue and sell ... notes and other evidences of indebtedness payable more than 12 months after the date thereof for lawful corporate purposes." The Commission shall authorize the financing "if in its judgment the issue of such securities upon the terms proposed is consistent with the public good." RSA 369:4. The Commission reviews the amount to be financed, the reasonableness of the terms and conditions, the proposed use of proceeds, and the effect on rates. *Appeal of Easton*, 125 NH 205, 211 (1984) (*Easton*).

The rigor of an *Easton* inquiry varies depending on the circumstances of the request. As the Commission has noted in prior decisions, "certain financing related circumstances are routine, calling for more limited Commission review of the purposes and impacts of the financing, while other requests may be at the opposite end of the spectrum, calling for vastly greater exploration of the intended uses and impacts of the proposed financing." *Public Service Company of New Hampshire*, Order No. 25,050 at 14 (December 8, 2009). We engage in a more limited review for routine financing requests. *Id.* at 13-14. A routine request is one that will have no discernible "impact on rates or deleterious effect on capitalization, [and] in which the funds are to enable numerous investments appropriate in the ordinary course of utility operations." *Id.* at 13.

Lakes Region stated that the proposed financing in the amount of \$862,080 will be used to to finance the cost of developing a new well source, to construct a new pump/meter station and access road, and to connect to the existing Paradise Shores system, which serves mostly seasonal customers in Moultonborough, NH. Based on the Company's petition and DOE's substantive analysis of the proposed financing, we concur with DOE that the intended use of the proposed financing falls within the course of the Company's ordinary utility operations. We further concur with DOE's assessment that the proposed financing will lead to a more balanced capital structure, and lower weighted cost of capital that will benefit ratepayers. Accordingly, based on Lakes Region's petition and DOE's analysis and recommendation, the Commission finds the proposed financing to be reasonable.

We therefore conclude that approval of the proposed refinancing will permit Lakes Region to fulfill its duty under RSA 374:1 to provide safe, adequate, and reliable service to its customers, and that the financing is consistent with the public good, pursuant to RSA 369:1 and RSA 369:4. Accordingly, based on the Company's petition and on DOE's comprehensive investigation of the petition and review of discovery responses provided by the Company, we find that the financing request to be consistent with the public good. We therefore find that further investigation is not required and approve the proposed financing for effect on the date of this order.

Our approval of Lakes Region's financing does not limit or preclude the Commission from reviewing in a future case, directly or indirectly, the prudence, use, and usefulness of any specific project financed by the borrowed funds, RSA 378:28. The Commission retains the authority under RSA 374:4 to be kept informed of Lakes Region's use of the financing and any efforts to refinance under more favorable interest rates, separate and apart from any review under RSA 378:28.

Based upon the foregoing, it is hereby

ORDERED NISI, that subject to the effective date below, the request of Lakes Region Water Company, Inc. for approval of its proposed long-term financing, specifically borrowing up to \$862,080, for a 20-year term at a fixed interest rate to be determined by CoBank at the time of closing, as described herein, is hereby **GRANTED**; and it is

FURTHER ORDERED, that Lakes Region Water Company, Inc. file with DOE and the Commission evidence of the financing and the applicable interest rate within 15 days of the close of the financing; and it is

FURTHER ORDERED, that,

by no later than June 9, 2023, Lakes Region shall report the conditions under which the Company may pay this loan back on an expedited basis or refinance the loan when more favorable terms, including lower interest rates, become available; and it is

FURTHER ORDERED, that Lakes Region shall apprise the Commission and DOE annually, for a period of five years from the date of this order, of any favorable interest rate trends in the banking industry; and it is

FURTHER ORDERED, that the Petitioner shall cause a copy of this order to be published on its website by no later than the close of business on May 12, 2023; and through bill inserts in the next billing cycle after the issuance of this order, and once in a statewide newspaper of general circulation or of circulation in those portions of the state where operations are conducted, such publication to be no later than May 19, 2023, and to be documented by affidavit filed with this office on or before May 22, 2023; and it is

FURTHER ORDERED, that all persons interested in responding to this order be notified that they may submit their comments or file a written request for a hearing which states the reason and basis for a hearing no later than May 23, 2023, for the Commission's consideration; and it is

FURTHER ORDERED, that any party interested in responding to such comments or request for hearing shall do so no later than May 25, 2023; and it is

FURTHER ORDERED, that this order shall be effective May 26, 2023, unless the Petitioner fails to satisfy the publication obligation set forth above or the Commission provides otherwise in a supplemental order issued prior to the effective date.

By order of the Public Utilities Commission of New Hampshire this twelfth day of May, 2023.

Daniel C. Goldner
Chairman
Pradi K. Chattopadhyay
Commissioner
Carleton B. Simpson
Commissioner

(UL - May 17)

Legal Notice

There will be a meeting of the New Hampshire Health and Education Facilities Authority Board of Directors held at One Capitol Street, Suite 200, Concord, New Hampshire, on **Tuesday, May 23, 2023 at 9:30 a.m., EST**. The meeting will be open to the public. The agenda for this meeting is available at the Authority's office, One Capitol Street, Concord.

/s/ Bonnie S. Payette
Executive Director
(UL - May 17)

Grafton County Public Hearing Grafton County Commissioners' Proposed Fiscal Year 2024 Budget Monday, May 22, 2023 @ 6:00 PM Grafton County Administration Building 3855 Dartmouth College Highway North Haverhill, NH 03774

REVENUE:	
Nursing Home	\$14,457,021
Department of Corrections	319,617
County Farm	410,761
Building Rental	362,155
Register of Deeds	1,014,600
Sheriff's Department	1,280,700
Alternative Sentencing	110,000
Misc Revenue	38,000
Interest Earned	350,300
Federal PILT	115,000
Abandon Property	85,000
County Attorney	443,195
Human Services Recoveries	100,000
Subtotal	\$19,086,349
Surplus Used to Reduce Taxes	\$ 6,400,000
Amount to be Raised by Taxes	\$26,519,737
TOTAL REVENUES	\$52,006,086
EXPENDITURES:	
Commissioners' Ofc	\$ 567,772
Treasurer	13,066
County Attorney	2,095,361
VAWA Grant	133,499
Victim Witness Program	285,128
VOCA15 - Victim Witness Grant	159,127
Alternative Sentencing	296,391
SUD Treatment	276,117
Medical Referee	55,600
Delegation Expenses	7,500
Register of Deeds	533,695
Human Resource Dept	118,999
Information Technology	699,449
Sheriff's Dept	2,106,601
Dispatch	1,712,811
Maintenance	2,001,329
Human Services	8,190,009
Grafton County Economic	40,000
Extension	370,562
Social Service	508,655
Interest	5,000
Bonded Debt	2,144,000
Capital Outlay	165,725
Wage/Benefit Adjustment	453,344
Contingency	42,500
Unemployment	5,000
Nursing Home	21,130,605
Department of Corrections	6,242,423
Community Corrections	623,570
Governor's Commission Grant	145,654
Nightwatchmen	80,895
Farm	656,881
Conservation District	103,818
Transfers to Capital Reserve	35,000
TOTAL EXPENDITURES	\$52,006,086