

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DW 07-127

LAKELAND MANAGEMENT COMPANY

Petition for Approval of Sale of Corporate Stock and Change of Control

Order Approving Sale

ORDER NO. 24,848

April 23, 2008

I. BACKGROUND

On November 26, 2007, Lakeland Management Company, Inc. (Lakeland) filed a petition pursuant to RSA 374:30 to transfer all of its stock to Wade R. Crawshaw. Lakeland is a water and sewer utility providing service to 154 water customers and 152 sewer customers in Belmont. Mr. Crawshaw is the sole shareholder of White Rock Water Company, a water utility located in Bow. Mr. Crawshaw is also the owner and operator of C & C Water Services, Inc. (C&C), which operates water systems and is the current operator of Lakeland.

On January 7, 2008, the Commission issued an order of notice scheduling a prehearing conference and technical session for January 30, 2008. On January 28, 2008, the Commission received a letter from a Lakeland customer, Mr. Jeffrey DeMarie, who requested intervenor status. On January 30, 2008, the prehearing conference was held as scheduled, and Staff filed a letter submitting a proposed procedural schedule for approval. By secretarial letter issued February 19, 2008, the Commission approved the procedural schedule. On February 20, 2008, Mr. DeMarie advised the Commission that he was withdrawing his request for intervention.

On March 19, 2008, Staff submitted a letter to the Commission recommending approval of the acquisition of the stock of Lakeland by Mr. Crawshaw. Staff stated that it had conducted

discovery, and attached to its letter the data responses made by Lakeland and Mr. Crawshaw. Staff stated that it was satisfied that Mr. Crawshaw has the managerial, financial, and technical capabilities to own and operate Lakeland through C & C Water Services, Inc. According to the discovery responses, C & C currently operates 17 systems and possesses the equipment and personnel to maintain the Lakeland system as it has under contract with Lakeland's current owners. Staff noted that C & C will continue to provide 24-hour emergency service, and that customer contact information will remain the same since C & C has been the system operator for the past several years. Staff's letter also noted that Lakeland is currently planning an expansion of its system to serve a new 32-unit apartment complex, and in 2007 completed the drilling of a new bedrock well necessary for that expansion. In 2008, Lakeland will be adding 20,000 gallons of new storage capacity and other system improvements to serve this expansion.

II. COMMISSION ANALYSIS

A public utility may transfer its franchise pursuant to RSA 374:30 when the Commission finds that it will be for the public good. The Commission is also required by RSA 369:1 to make a finding of public good in instances where a public utility proposes to sell its stock.

In performing these reviews, the Commission evaluates the managerial, financial, and technical ability of an individual or company to operate a public utility. In this case, Mr. Crawshaw currently owns the stock of White Rock Water Company, Inc., a regulated water utility. In Docket No. DW 03-240, the Commission concluded that Mr. Crawshaw possessed the requisite qualifications to own and operate a public utility. *See White Rock Water Company, Inc.*, Order No. 24,322, 89 NH PUC 272 (2004). Through his company, C & C Water Services, Inc., Mr. Crawshaw has been operating water and wastewater systems in New Hampshire for

more than 20 years. C & C Water Services currently operates 17 systems in New Hampshire, including Lakeland, and has the equipment and personnel necessary to continue operating the Lakeland system. Accordingly, we find that Mr. Crawshaw possesses the requisite managerial, financial, and technical ability to operate Lakeland’s water and sewer utilities.

In our review of the filing, the discovery materials provided by Staff, and Staff’s recommendation, it appears that the proposed sale of Lakeland’s stock will have no effect on the utility’s customers. Inasmuch as C & C Water Services will continue to operate the system and customer contact information including emergency contact will remain the same, the transfer will be seamless to the customers. In light of these facts, we find that the proposed transfer of the stock of Lakeland Management Company, Inc. is in the public good.

Based upon the foregoing, it is hereby

ORDERED, that the request of Lakeland Management Company, Inc. to transfer all of its stock to Wade Crawshaw is APPROVED.

By order of the Public Utilities Commission of New Hampshire this twenty-third day of April, 2008.

Thomas B. Getz
Chairman

Graham J. Morrison
Commissioner

Clifton C. Below
Commissioner

Attested by:

Debra A. Howland
Executive Director & Secretary