

THE STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION

DW 13-236

Re: White Rock Water Company, Inc.
Lakeland Management Company, Inc.,
and Abenaki Water Co., Inc.

ASSENTED-TO MOTION FOR AN EXTENSION
OF TIME TO FILE SEWER TARIFF

The parties in the above-captioned docket and Staff of the N.H. Public Utilities Commission, hereby request an extension of time to March 28, 2014 to file a revised sewer tariff, due on March 17, 2014. In support of this Motion, the parties state as follows:

1. In its final Order approving the sale of assets of White Rock Water Company, Inc. and Lakeland Management Company, Inc., the Commission approved the Settlement Agreement (“Agreement”) reached between and among the parties to the docket. *See* Order No. 25,621 (January 14, 2014) at 9.

2. As provided by Section IV (E) of the Agreement, “[w]ithin sixty (60) days of the Commission’s final Order approving this Agreement, Abenaki agrees to file with the Commission a revised tariff setting forth the terms and conditions relating to the provision of sewer service to its customers in Belmont.” *See* Settlement Agreement, filed November 21, 2013, at 5. The sixty-day period following the Order’s issuance expires on Saturday, March 15, 2014, and as provided by N.H. Code of Adm. Rule Puc 202.03, the deadline for filing the tariff is Monday, March 17, 2014.

3. Abenaki, a wholly-owned subsidiary of New England Service Company, Inc. (“New England Service”), has no employees and relies on New England Service employees for its management. On or about February 28, 2014, Donald Vaughan, President and General Manager of New England Service, left the country to travel to Singapore to attend to a serious family medical situation. He is not expected to return to the country until March 15, 2014.

4. In light of Mr. Vaughan's absence, Abenaki respectfully requests that the Commission grant an extension until March 28, 2014 to file the revised sewer tariff. If the tariff is prepared more quickly than anticipated following Mr. Vaughan's return, Abenaki it will file it as soon as it is ready.

5. N.H. Code of Admin. Rule Puc 202.04(c) provides that the Commission shall grant an extension when:

- (1) The party making the request has demonstrated that circumstances would cause undue hardship or inconvenience unless the request were granted; and
- (2) The extension would not unduly delay the proceeding or adversely affect the rights of any party.

6. As discussed above, due to a family medical situation, Mr. Vaughan is presently out of the country and unavailable to prepare the tariff. While other New England Service employees are working on the tariff in his absence, it is unclear whether the tariff will be completed and ready for filing by March 17, 2014. Moreover, even if the tariff is completed by that date, Mr. Vaughan will not have had an opportunity to review it. Therefore, requiring Abenaki to file its report without an extension is likely to cause undue hardship to Abenaki due to Mr. Vaughan's absence. The requested extension will not unduly delay the proceeding, since the filing does not relate to matters with impending deadlines or matters on which the Commission or others must take immediate action. Similarly, the requested extension will not adversely affect the rights of any party to the proceeding.

7. The public interest will not be unduly harmed by the brief delay requested by this extension and Abenaki will prepare and file the tariff once Mr. Vaughan returns to the United States.

WHEREFORE, Abenaki respectfully requests that the Commission:

A. Issue an order granting its request for an extension of time until March 28, 2014 to file its sewer tariff; and

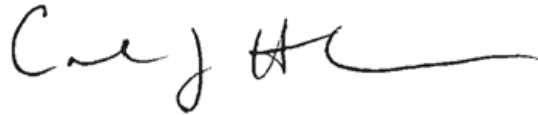
B. Grant such other and further relief as may be just and equitable.

Respectfully submitted,

ABENAKI WATER CO., INC.

By its Attorneys,

McLANE, GRAF, RAULERSON & MIDDLETON,
PROFESSIONAL ASSOCIATION



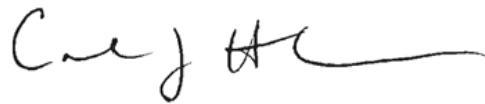
Dated: March 13, 2014

By: _____

Carol J. Holahan
McLane, Graf, Raulerson & Middleton, P.A.
11 South Main Street, Suite 500
Concord, NH 03301
(603) 226-0400
email: carol.holahan@mclane.com

CERTIFICATE OF SERVICE

I hereby certify that a copy of this motion has been forwarded to all parties on the service list in this docket.



Dated: March 13, 2014

Carol J. Holahan