

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 July 10, 2017 hearing for sixty (60) 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 show cause hearing for May 16, 2017 in this matter. One of the purposes of the hearing was to show cause why a purchase and sale contract for the Bow Lake franchise (“Franchise”) had not been delivered to the PUC by October 1, 2016, or alternatively a \$10,000 fine had not been paid.
2. On or about May 4, 2017, Bow Lake submitted a Motion to Continue the May 16, 2017 hearing as negotiations between Bow Lake and Hampstead Area Water Company, Inc. (“Hampstead Water”) had recently resulted in a final Letter Agreement for the Franchise. At that time, a copy of the Letter Agreement was submitted along with the request to continue the hearing to allow for the sale to be completed.
3. On or about May 12, 2017, the PUC rescheduled the May 16, 2017 hearing until July 10, 2017.
4. Although it was anticipated that the sale of the Franchise would have been completed prior to the July 10, 2017 hearing, a title search performed on behalf of Hampstead Water subsequently revealed two outstanding mortgages of record from 1991 that Bow Lake believes should have been discharged.
5. At this time, Bow Lake and its counsel are working to obtain discharges of the mortgages and expect to have them shortly so that the sale can be finalized.
6. Based upon the foregoing, it is believed that the sale of the Franchise is imminent; however, additional time is needed to obtain discharges and clear the title to the Franchise’s real estate which is a part of the sale.
7. 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.
8. It is believed that the sale of the Franchise will resolve the majority of the outstanding issues.

9. In addition to the foregoing, Jillian E. Colby, attorney for Bow Lake has a prior scheduled mediation in Maine on July 10, 2017 making it impossible for her to attend the July 10, 2017 hearing in this matter.

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

- A. Grant this motion and reschedule the hearing for sixty (60) 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: June 28, 2017

By: 

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