

NORTHWAY FINANCIAL INC
Form 25
September 11, 2007

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**UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
Washington, D. C. 20549
FORM 25
NOTIFICATION OF REMOVAL FROM LISTING AND/OR
REGISTRATION UNDER SECTION 12(b) OF THE
SECURITIES EXCHANGE ACT OF 1934.**

Commission File Number: 000-23129

Northway Financial, The Nasdaq Stock Market LLC

(Exact name of Issuer as specified in its charter, and name of Exchange where security is listed and/or registered)

9 Main Street, Berlin, New Hampshire 03570, (603)752-1171

(Address, including zip code, and telephone number, including area code, of Issuer's principal executive offices)

Common Stock, Par Value \$1.00 per share

(Description of class of securities)

Please place an X in the box to designate the rule provision relied upon to strike the class of securities from listing and registration:

- 17 CFR 240.12d2-2(a)(1)
- 17 CFR 240.12d2-2(a)(2)
- 17 CFR 240.12d2-2(a)(3)
- 17 CFR 240.12d2-2(a)(4)
- Pursuant to 17 CFR 240.12d2-2(b), the Exchange has complied with its rules to strike the class of securities from listing and/or withdraw registration on the Exchange. ¹
- Pursuant to 17 CFR 240.12d2-2(c), the Issuer has complied with the rules of the Exchange and the requirements of 17 CFR 240.12d2-2(c) governing the voluntary withdrawal of the class of securities from listing and registration on the Exchange.

Pursuant to the requirements of the Securities Exchange Act of 1934, Northway Financial, Inc. (Name of Issuer or Exchange) certifies that it has reasonable grounds to believe that it meets all of the requirements for filing the Form 25 and has caused this notification to be signed on its behalf by the undersigned duly authorized person.

September 11, 2007

By */s/ Richard P. Orsillo*

Senior Vice
President and Chief
Financial Officer

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Date

Name

Title

¹ Form 25 and attached Notice will be considered compliance with the provisions of 17 CFR 240.19d-1 as applicable. See General Instructions.

SEC 1654
(03-06)

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Common Stock

\$

1,564,777

Pooled separate accounts

11,934,063

\$

13,498,840

4. Income Tax Status

The Plan obtained its determination letter on April 1, 2005, in which the Internal Revenue Service stated that the Plan, as then designed, was in compliance with the applicable requirements of the IRC. The Plan has been amended since receiving the determination letter, however, the Plan administrator and the Plan's tax counsel believe that the Plan is currently designed and operated in compliance with the applicable requirements of the IRC.

5. **Risks and Uncertainties**

The Plan provides for various investments in common stock, pooled separate accounts, and a group annuity contract. Investment securities, in general, are exposed to various risks, such as interest rate, credit, and overall market volatility risks. Due to the level of risk associated with certain investment securities, it is reasonably possible that changes in the value of investment securities will occur in the near term and that such changes could materially affect the amounts reported in the statements of net assets available for benefits and participant account balances.

6. **Party-in-Interest Transactions**

The Plan invests in various PRIAC pooled separate accounts, a company of Prudential. These investments are considered party-in-interest transactions because Prudential Bank & Trust, FSB, a company of Prudential, serves as trustee of the Plan. The Plan management has approved these investment options.

The Plan also invests in the Company's common stock. Transactions in Company stock are considered party-in-interest transactions because the Company is the Plan sponsor.

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Comfort Systems USA, Inc. 401(k) Plan

Schedule H, Line 4(a) Schedule of Delinquent Participant Contributions

EIN: 76-0526487 PN: 001

Year ended December 31, 2006

Participant contributions transferred late to plan	Total that constitutes nonexempt prohibited transactions			Total fully corrected under VFCP and PTE 2002-51
	Contributions not corrected	Contributions corrected outside VFCP	Contributions pending correction in VFCP	
\$ 881	\$	\$881	\$	\$

See accompanying Report of Independent Registered Public Accounting Firm.

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Comfort Systems USA, Inc. 401(k) Plan

Schedule H, Line 4(i) Schedule of Assets (Held At End of Year)

EIN: 76-0526487 PN: 001

December 31, 2006

(a)	(b)	(c)	(d)	(e)
	Identity of issue, borrower, lessor, or similar party	Description of Investment including maturity date, rate of interest, collateral, par or maturity value	Cost	Current Value
*	Prudential Retirement Ins	Guaranteed Income	N/A	\$ 28,326,031
*	Prudential Retirement Ins	Retirement Goal 2050 Fund	N/A	2,669,424
*	Prudential Retirement Ins	Retirement Goal 2040 Fund	N/A	4,802,960
*	Prudential Retirement Ins	Retirement Goal 2030 Fund	N/A	5,205,257
*	Prudential Retirement Ins	Retirement Goal 2020 Fund	N/A	3,026,368
*	Prudential Retirement Ins	Retirement Goal 2010 Fund	N/A	1,008,807
*	Prudential Retirement Ins	Dryden S&P 500 Index Fund	N/A	6,948,841
*	Prudential Retirement Ins	Large Cap Growth/Goldman Sachs	N/A	15,947,991
*	Prudential Retirement Ins	Small Cap Growth/Times Square Fund	N/A	6,695,155
*	Prudential Ret. Brokerage Svcs	Comfort Systems USA Stock 459,203 shares	N/A	5,804,325
*	Prudential Retirement Ins	Large Cap Value/LSV Asset Mgmt	N/A	9,119,574
*	Prudential Retirement Ins	Mid Cap Value/Wellington Mgmt	N/A	4,812,092
*	Prudential Retirement Ins	International Blend/The Boston Co	N/A	2,792,938
*	Prudential Retirement Ins	Balanced I/Wellington Management Fund	N/A	7,203,774
*	Prudential Retirement Ins	Waddell & Reed Accum-CL A SH	N/A	4,441,580
*	Prudential Retirement Ins	Oppenheimer Global Fund (Class A)	N/A	11,640,765
*	Prudential Retirement Ins	Mid Cap Growth/Goldman Sachs Fund	N/A	5,416,275
*	Prudential Retirement Ins	St St Global Adv RUS 3000 INDX	N/A	562,892
*	Prudential Retirement Ins	Wells Fargo Adv Small Cap Z	N/A	5,356,375
*	Prudential Retirement Ins	AP Fund	N/A	1,108
	Outstanding Participant Loans	4.75% - 11.50%, various maturity dates	N/A	3,630,480
				\$ 135,413,012

N/A - Not applicable as permitted by Department of Labor for participant-directed individual account plans.

See accompanying Report of Independent Registered Public Accounting Firm.

SIGNATURES

Pursuant to the requirements of the Securities and Exchange Act of 1934, the 401(k) Investment Committee has duly caused this annual report to be signed on its behalf by the undersigned hereunder duly authorized.

COMFORT SYSTEMS USA, INC. 401(k) PLAN

By: /s/ WILLIAM GEORGE
William George
Executive Vice President and
Chief Financial Officer of
Comfort Systems USA, Inc.
401(k) Investment Committee Member

Date: June 28, 2007

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INDEX TO EXHIBITS

The following is included as an exhibit to the report:

NUMBER	DESCRIPTION
23.1	Consent of UHY LLP

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