

**STATE OF NEW HAMPSHIRE  
PUBLIC UTILITIES COMMISSION**

**DG 21-132**

**LIBERTY UTILITIES (ENERGYNORTH NATURAL GAS) CORP.  
d/b/a LIBERTY-KEENE DIVISION**

**2021/2022 Winter Cost of Gas**

**COMMENCEMENT OF ADJUDICATIVE PROCEEDING AND NOTICE OF HEARING**

On September 15, 2021, Liberty Utilities (EnergyNorth Natural Gas) Corp. d/b/a Liberty-Keene Division (Liberty-Keene or the Company) submitted a winter 2021/2022 cost of gas (COG) filing outlining its proposed COG and fixed price option (FPO) rates for the winter period (November 1, 2021 through April 30, 2022). The COG submission and subsequent docket filings, other than any information for which confidential treatment is requested of or granted by the Commission, are available on the Commission's website at

<https://www.puc.nh.gov/Regulatory/Docketbk/2021/21-132.html>.

**I. BACKGROUND AND PROCEDURAL HISTORY**

Liberty-Keene's September 15, 2021 filing included proposed tariff pages, schedules, and the joint testimony of Deborah M. Gilbertson, Catherine A. McNamara, and David B. Simek. According to the filing, the proposed winter 2021/2022 COG rate is \$1.8741 per therm for residential customers, a \$0.5925 per therm increase compared to last winter's weighted average residential COG rate of \$1.2816 per therm. The proposed FPO rate is \$1.8941 per therm compared to last winter's FPO rate of \$1.2300 per therm. The Company bases this rate on the projected usage of both propane air and compressed natural gas (CNG) in Keene. The proposed change to Liberty-Keene's winter COG rate is expected to increase a non-FPO residential heating customer's total bill for the winter period by approximately \$380.82 or 83.4 percent.

The proposed change in the COG rate is expected to increase a typical non-FPO commercial customer's total bill for the winter period by approximately \$1,819.54 or 104.4 percent.

The local delivery adjustment clause (LDAC) rate proposed as applicable to Liberty-Keene will be determined and implemented in a different Liberty COG proceeding: Liberty Utilities (EnergyNorth Natural Gas) Corp. d/b/a Liberty Utilities, Docket No. DG 21-130. Liberty-Keene's proposed LDAC rates for November 1, 2021 through April 30, 2022 in Docket No. DG 21-130 are \$0.1733 per therm for residential customers and \$0.0860 per therm for commercial customers, compared to the \$0.0589 per therm and \$0.0555 per therm rates, respectively, that are currently in effect. The Liberty filing in Docket No. DG 21-130 is available on the Commission's website at <https://www.puc.nh.gov/Regulatory/Docketbk/2021/21-130.html>.

## **II. ISSUES PRESENTED**

The filing presents the following issues: issues related to RSA 374:2 and RSA chapter 378, including: the justness and reasonableness of rates, fares, and charges; the forecasting of sales, supplier prices, and transportation prices; weather normalization; operational issues; the retroactive adjustment of certain reconciling rates; the calculation of indirect gas costs; purchasing decisions related to current and past supplies; capacity and revenue projections related to transportation service and released capacity; the reconciliation of prior period costs and revenue; the prudence and recovery of environmental remediation; and the calculation of the COG and FPO rates, including CNG demand and supply costs. Accordingly, an adjudicative proceeding will be convened to address these issues.

Although the state of emergency declared as a result of the COVID-19 pandemic has lapsed, the Commission is aware that not all potential parties, including regulated

utilities, have returned to full in-person work environments. Therefore, and for the foreseeable future, the Commission intends to continue providing a hybrid approach to its proceedings in order to accommodate those who wish to remain remote and those who desire to be physically present. In order to facilitate this hybrid approach, individuals in the Commission's hearing room, including the Commissioners, will be broadcast on a web-enabled platform. Parties and the public will be able to participate in or observe Commission proceedings in-person or remotely.

**Based upon the foregoing, it is hereby**

**ORDERED**, that an adjudicative proceeding be commenced for the purpose of investigating and resolving the foregoing issues pursuant to RSA chapter 541-A, RSA 374:3 -:7, and :15 - :19, and the Commission's procedural rules; and it is

**FURTHER ORDERED**, that the Commission will hold a hearing in this matter at its offices located at 21 S. Fruit St., Suite 10, Concord, New Hampshire, on October 25, 2021, at 1:00 p.m. Commissioners will be present in the hearing room and will use a web-enabled platform to conduct the hearing. Members of the public who wish to access the hearing remotely may do so by [clicking here](#). **If you have any difficulty obtaining access to this remote event, please notify the Commission by calling (603) 271-2431 as soon as possible.** Parties and members of the public wishing to attend the hearing in person are encouraged to register in advance, on or before October 20, 2021, by calling (603) 271-2431; and it is

**FURTHER ORDERED**, that any entity or individual may petition to intervene and seek to be admitted as a party in this proceeding. Each party has the right to have an attorney represent the party at the party's own expense; and it is,

**FURTHER ORDERED**, that, consistent with N.H. Admin. R., Puc 203.17 and Puc 203.02, any entity or individual seeking to intervene in the proceeding shall file

with the Commission a petition to intervene with copies sent to Liberty-Keene, the Department of Energy, the Office of the Consumer Advocate, and any other parties on the service list, on or before October 12, 2021. The petition shall state the facts demonstrating how the petitioner's rights, duties, privileges, immunities, or other substantial interests may be affected by the proceeding, consistent with N.H. Admin. R., Puc 203.17; and it is

**FURTHER ORDERED**, that any party objecting to a petition to intervene make said objection on or before October 21, 2021; and it is

**FURTHER ORDERED**, that parties shall file any proposed exhibits, written testimony, motions, or other documents intended to become part of the record in this proceeding with the Commission. Pursuant to the secretarial letter issued on March 17, 2020, which is posted on the Commission's website at <https://www.puc.nh.gov/Regulatory/Secretarial%20Letters/20200317-SecLtr-Temp-Changes-in-Filing-Requirements.pdf>, all Commission rules requiring the filing of paper copies are suspended until further notice. Parties may elect to submit any filing in electronic form unless otherwise ordered by the Commission. Filings will be considered filed as of the time the electronic copy is received by the Commission; and it is


**FURTHER ORDERED**, that routine procedural inquiries may be made by contacting the Commission's Clerk's Office at (603) 271-2431 or [ClerksOffice@puc.nh.gov](mailto:ClerksOffice@puc.nh.gov). All requests for relief from the Commission should be made in a written pleading filed with the Commission. Unless otherwise authorized by law, *ex parte* communications are prohibited; and it is

**FURTHER ORDERED**, that pursuant to N.H. Admin. R., Puc 203.12, Liberty-Keene shall notify all entities and individuals desiring to be heard at this hearing by publishing a copy of this order of notice on its website no later than two business days

after the date of issue, such publication to be documented by affidavit filed with the Commission on or before October 12, 2021. In addition, the Clerk shall publish this order of notice on the Commission's website no later than two business days after the date of issue; and it is

**FURTHER ORDERED**, that any hearings in this matter shall be conducted in accordance with the attached hearing guidelines.

So ordered, this twenty-eighth day of September, 2021.

  
Dianne Martin  
Presiding Officer  
Chairwoman

Individuals needing assistance or auxiliary communication aids due to sensory impairment or other disability should contact the Americans with Disabilities Act Coordinator, NHPUC, 21 S. Fruit St., Suite 10, Concord, New Hampshire 03301-2429; 603-271-2431; TDD Access: Relay N.H. 1-800-735-2964. Notification of the need for assistance should be made one week prior to the scheduled event.

# Service List - Docket Related

Docket# : 21-132

Printed: 9/28/2021

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