

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DG 24-098

**LIBERTY UTILITIES (ENERGYNORTH NATURAL GAS) CORP. d/b/a LIBERTY
2025-2026 Local Distribution Adjustment Charge**

COMMENCEMENT OF ADJUDICATIVE PROCEEDING AND NOTICE OF HEARING

On August 20, 2024, Liberty Utilities (EnergyNorth Natural Gas) Corp. d/b/a Liberty (Liberty) petitioned to open this docket for review and approval of its 2025–2026 Local Distribution Adjustment Charge (LDAC). In support of its filing, Liberty filed schedules, proposed tariff changes, and the testimony of its employees Robert Garcia, Alyssa E. Maston, and Luke W. Sanborn. Liberty also submitted a proposed procedural schedule within the cover letter. All docket filings, other than any information subject to confidential treatment, are available on the Commission’s website at <https://www.puc.nh.gov/Regulatory/Docketbk/2024/24-098.html>.

I. BACKGROUND AND PROCEDURAL HISTORY

The purpose of the LDAC is to adjust, on an annual basis, Liberty’s delivery charges comprised of the Energy Efficiency Charge, the Revenue Decoupling Adjustment Factor, the Property Tax Adjustment Mechanism, Environmental Surcharges, rate case expenses and recoupment, and Gas Assistance Program costs. See Direct Testimony of Garcia and Maston at Bates Page 5. Liberty seeks to set the LDAC rate at \$0.1630 per therm for residential customers and \$0.0781 per therm for commercial and industrial customers. This would be a change from \$0.1986 per therm for residential customers and \$0.0874 per therm for commercial and industrial customers. See *id.* at Bates Page 6 and 8.

The procedural framework for LDAC review was changed in Order No. 26,872 (August 14, 2023) in Docket No. DG 23-027. The New Hampshire Department of Energy (DOE) submitted a proposed procedural framework which the Commission approved and adopted in that order. The LDAC recovery period is now set for February 1 through January 31 of the following year.

II. ISSUES PRESENTED

The filing presents, *inter alia*, the following issues: whether Liberty's proposed rates are just and reasonable pursuant to RSA 374:2 and RSA chapter 378; and whether Liberty has correctly forecasted and factored the appropriate elements into its LDAC rates. Accordingly, an adjudicative proceeding will be convened to address these issues.

The Commission will be conducting any hearings scheduled in this matter in person. The Commission will consider requests to conduct hearings using a hybrid format to permit remote participation by a specific individual only if the Commission has determined that a sufficient reason has been provided for why that individual would be unable to attend in person. Any party requesting that a specific individual be permitted to participate remotely should file a written request with the Commission's Clerk's Office no later than fifteen (15) days prior to the hearing date. If the Commission determines that one or more individuals will be permitted to appear remotely, then individuals in the Commission's hearing room, including the Commissioners, will be broadcast on a web-enabled platform.

Based upon the foregoing, it is hereby

ORDERED, that an adjudicative proceeding be commenced for the purpose of reviewing and resolving the foregoing issues pursuant to RSA chapter 541-A, RSA 374:2 and RSA chapter 378, and the Commission's procedural rules; and it is

FURTHER ORDERED, that the Commission APPROVES Liberty's proposed procedural schedule, which is contained in its August 20, 2024 cover letter, except for the proposed hearing date; 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 January 16, 2025, at 9:00 a.m. Three hours shall be allotted for this hearing; and it is

FURTHER ORDERED, that, consistent with the approved procedural schedule, the New Hampshire Department of Energy will file its position regarding Liberty's petition, including the reasons for this position, on or before December 5, 2024; 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 and any other parties on the service list, on or before November 1, 2024, 2024. 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 November 15, 2024; 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. All requests to 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

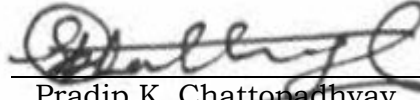
FURTHER ORDERED, that pursuant to N.H. Admin. R., Puc 203.12, Liberty shall notify all entities and individuals desiring to be heard at this hearing by publishing a copy of this order of notice on its website no later than two business days after the date of issue, such publication to be documented by affidavit filed with the Commission on or before October 7, 2024. 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 third day of October, 2024.



Daniel C. Goldner
Chairman



Pradip K. Chattopadhyay
Commissioner

Individuals needing assistance or auxiliary communication aids due to sensory impairment or other disability should contact the 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#: 24-098

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