

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DE 25-019

LIBERTY UTILITIES (GRANITE STATE ELECTRIC) CORP. d/b/a LIBERTY

**Petition to Approve Vegetation Management Program Rate Adjustment
(Calendar Year 2024)**

COMMENCEMENT OF ADJUDICATIVE PROCEEDING AND NOTICE OF HEARING

On March 17, 2025, Liberty Utilities (Granite State Electric) Corp. d/b/a Liberty (Liberty) filed a petition requesting that the Commission approve its proposed vegetation management program (VMP) rate of \$0.00016 per kilowatt-hour (kWh) for the period of May 1, 2025 to April 30, 2026. In support of its petition, Liberty filed the combined direct testimony of the following Liberty Utilities Service Corp. employees: Heather Green, Manager of Vegetation Management; Jeffrey Farber, Interim President; and Robert Garcia, Manager of Rates and Regulatory Affairs (Direct Testimony); and related attachments. All docket filings, other than any information subject to confidential treatment, are available on the Commission's website at www.puc.nh.gov/regulatory/Docketbk/2025/25-019.html.

I. BACKGROUND AND PROCEDURAL HISTORY

As explained in the Direct Testimony, Liberty's VMP consists of activities necessary to maintain the safety and reliability of its electric distribution system, such as the identification and removal of high-risk trees that could interfere with utility lines. Direct Testimony at Bates pages 8-11. In Order No. 26,376 (June 30, 2020), the Commission approved a settlement agreement that permits Liberty to recover \$2,200,000 annually in base rates for VMP spending, with the possibility of recovering an additional amount up to 10 percent, or \$220,000 per year, for a total of \$2,420,000. See Docket No. DE 19-064, Hearing Exhibit 37 at Bates page 11. The

Commission may approve the carryover of any underspending into the next program year, which runs from May 1 to April 30. *See id.*, Appendix 5 at 2.

Liberty may recover this additional 10 percent, in the event of cost overruns under certain conditions, through a VMP reconciliation mechanism. *Liberty Utils.*, Order No. 26,624 at 3-4 (May 10, 2022). Alternatively, the difference between the base plan amount of \$2,200,000 and actual VMP expenses may be refunded to customers through the VMP reconciliation mechanism. *See* Docket No. DE 19-064, Hearing Exhibit 37, Appendix 5 at 2. By March 15 of each year, Liberty must submit a reconciliation filing, the purpose of which is to reconcile Liberty's actual VMP expenses in a given calendar year (CY) with its authorized budget through an adjustment to its VMP rate. *See* Docket No. DE 19-064, Hearing Exhibit 37 at Bates page 11, Appendix 5 at 2; *Liberty Utils.*, Order No. 26,998 at 5 (April 30, 2024).

Attachment 4 of the Direct Testimony shows that, in CY 2024, Liberty spent a total of \$148,762 more than the base plan amount. *Id.*, Bates page 41. Liberty is proposing a VMP rate of \$0.00016 per kWh, which it calculated by dividing \$148,762 (the sum of any over/under collections for the prior period and amounts recoverable or refundable for the program year) by the forecasted kWh deliveries for the subsequent 12-month period beginning May 1, 2025.¹ Direct Testimony at Bates pages 21-22; Attachment 4, Bates page 41.

According to Liberty, if this proposed VMP rate is approved, the average Energy Service residential customer using 650 kWh per month would see a monthly bill increase of \$0.10 or 0.07 percent. Direct Testimony at Bates page 23; Attachment 4,

¹ The Direct Testimony states on Bates page 22 that this sum is divided "by the forecasted kWh for the subsequent 12-month period beginning **May 1, 2025**," but refers to Attachment 4, which lists the divisor on line 4 of Bates page 41 as "Estimated kWh deliveries **May 1, 2024** – April 30, 2025." (Emphasis added).

Bates page 45. Although not mentioned in either its petition or cover letter, Liberty has requested the Commission to issue an order by April 25, 2025 to allow distribution rate changes to be made effective for service rendered on and after May 1, 2025. Direct Testimony at Bates page 22.

II. ISSUES PRESENTED

The filing presents, *inter alia*, the following issues: whether Liberty's VMP activities during CY 2024 were consistent with authorized VMP goals and parameters; whether Liberty accurately accounted for the CY 2024 costs of its VMP; whether Liberty appropriately calculated the prior period under collection and proposed VMP rate; and whether the proposed VMP rate, if approved, would be just and reasonable, as required by RSA 374:2, RSA 378:5, and RSA 378:7. 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 347:2, RSA 378:5, RSA 378:7, 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 April 17, 2025, at 9:00 a.m. Three hours shall be allotted for this hearing; and it is

FURTHER ORDERED, that the New Hampshire Department of Energy is requested to file its position regarding Liberty's petition, including the reasons for this position, on or before April 10, 2025; 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 RSA 541-A:32, Puc 204.08, and Puc 203.06, 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 April 4, 2025. 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 Puc 204.08; and it is

FURTHER ORDERED, that any party objecting to a petition to intervene make said objection on or before April 14, 2025; 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 in accordance with the Commission's administrative


rules. 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

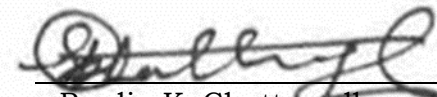
FURTHER ORDERED, that routine procedural inquiries may be made by contacting the Commission's Clerk's Office at (603) 271-2431 or ClerksOffice@puc.nh.gov. All requests to the Commission should be made in a written pleading filed with the Commission. Unless otherwise authorized by law, *ex parte* communications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

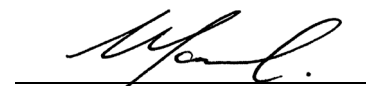
FURTHER ORDERED, that pursuant to Puc 204.04, Liberty shall notify all entities and individuals desiring to be heard at this hearing by publishing a copy of this order of notice on its website no later than two business days after the date of issue, such publication to be documented by affidavit filed with the Commission on or before April 1, 2025. 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-first day of March, 2025.


Daniel C. Goldner
Chairman


Pradip K. Chattopadhyay
Commissioner


Mark W. Dell'Orfano
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 : 25-019

Printed: 3/21/2025

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