

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DG 25-057

LIBERTY UTILITIES (ENERGYNORTH NATURAL GAS) CORP. d/b/a LIBERTY

Winter 2025-2026 and Summer 2026 Cost of Gas

COMMENCEMENT OF ADJUDICATIVE PROCEEDING AND NOTICE OF HEARING

On September 4, 2025, Liberty Utilities (EnergyNorth Natural Gas) Corp. d/b/a Liberty (Liberty) filed a petition requesting that the Commission approve its proposed Winter 2025-2026 and Summer 2026 cost of gas (COG) rates. Liberty also proposed changing the Summer COG process to allow it to further adjust the approved base Summer COG rates, based on changes in the gas market. In support of its petition, Liberty filed the direct testimonies of the following Liberty Utilities Service Corp. (LUSC) employees: Mark J. Summerfield, Senior Manager of Energy Procurement; and Robert Garcia and Adam R.M. Yusuf, both with LUSC Rates and Regulatory Affairs (Joint 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/VirtualFileRoom/Docket.aspx?DocketNumber=DG%2025-057.

I. BACKGROUND AND PROCEDURAL HISTORY

Liberty proposes adjustments to its base COG rates annually for the winter period (November 1 through April 30) and the summer period (May 1 through October 31) using projected costs and sales. *Liberty Utils.*, Order No. 26,898 at 3 (October 31, 2023) (issued in Docket No. DG 23-076). Using the COG adjustment mechanism, Liberty is permitted to subsequently adjust the approved base rates monthly to take into account changes in the actual cost of gas, provided that COG rates are not

increased more than a cumulative maximum of 25 percent above base rates without Commission review and approval. *Liberty Utils.*, Order No. 27,069 at 1 (October 28, 2024) (provisionally approving Winter 2024-2025 COG rates in Docket No. DG 24-106); Order No. 26,898 at 3-4. COG rates may be reduced without limitation. Order No. 25,898 at 3.

As shown in the table contained in Liberty's petition and in the Joint Testimony, Liberty's proposed Winter 2025-2026 COG rates represent significant increases when compared to the rates that the Commission approved last year in Docket No. DG 24-106:

| | Rates Effective November 1, 2024 | November 1, 2025, Proposed Rate | Change | % Change |
|--------------------------------|-------------------------------------|---------------------------------------|------------|----------|
| Residential | \$0.6088 | \$0.9162 | \$0.3074 | 50% |
| Residential (GAP) ¹ | \$0.3348 | \$0.5039 | \$0.1691 | 51% |
| C&I – LLF (High winter use) | \$0.6088 | \$0.9163 | \$0.3075 | 51% |
| C&I – HLF (Low winter use) | \$0.6091 | \$0.9166 | \$0.3075 | 50% |
| Residential FPO ² | \$0.6288 | \$0.9362 | \$0.3074 | 49% |
| Residential FPO (GAP) | \$0.3458 | \$0.5149 | \$(0.1691) | 49% |
| Transportation | \$0.0014 | \$0.0029 | \$0.0015 | 107% |

Petition (Pet.), ¶3; Joint Testimony at Bates pages 068-069, 073. According to the Joint Testimony, the increases are primarily due to Liberty's large under-recovery from the 2024-2025 Winter period, during which there were unseasonably low temperatures and higher than anticipated gas costs. *Id.* at Bates page 073. If the proposed Winter 2025-2026 residential FPO COG rate were approved, the total bill of

¹ Referring to the Gas Assistance Program. See Order No. 27,069 at 3, n.3.

² Referring to Liberty's Fixed Price Option Program. See Joint Testimony at Bates pages 077-078.

an average residential customer using 609 therms would increase approximately \$183.14 or 18.2 percent. *Id.* at Bates page 078.

Liberty's proposed Summer 2026 COG rates, on the other hand, are lower than the Summer 2025 COG rates that the Commission approved in Order No. 28,152 (May 28, 2025), issued in Docket No. DG 24-106:

| | Rates Effective June 1, 2025 | Proposed Rate | Change | % Change |
|------------------|---------------------------------|---------------|------------|----------|
| Residential – R3 | \$0.4090 | \$0.3621 | (\$0.0469) | (11)% |
| C& I - G41 | \$0.4090 | \$0.3621 | (\$0.0469) | (11)% |
| C&I - G42 | \$0.4090 | \$0.3621 | (\$0.0469) | (11)% |
| C& I - G52 | \$0.4090 | \$0.3622 | (\$0.0468) | (11)% |

See Joint Testimony at Bates page 082; *see also* Pet., ¶4.

Citing the instability in gas markets in recent history, Liberty has proposed changing the Summer COG process to address future market price increases that cannot be addressed using only the COG adjustment mechanism's 25 percent cap. See Petition (Pet.), ¶s 7-12. Among the proposals presented in its petition, Liberty has requested that the Commission permit it to adjust the approved Summer COG rates, based solely on market pricing changes, by submitting a supplemental filing on or before March 15. Pet., ¶11. Pursuant to the proposed revised process, Liberty's new proposed Summer COG rates would go into effect May 1, unless a party objected or the Commission suspended the proposed rates. *Id.* The approved new Summer COG rates would then be the basis for the 25 percent cap. *Id.*

Liberty's cover letter accompanying its petition contained a proposed procedural schedule, which requested an October 22, 2025 hearing. This proposed procedural schedule, however, does not appear to be assented to by either the New Hampshire

Department of Energy (DOE) or the Office of the Consumer Advocate, so the Commission will not act on it. Liberty may file a motion to approve procedural schedule, which should indicate the other parties' positions. See N.H. Admin. R., Puc 203.07(b)(1).

II. ISSUES PRESENTED

The filing presents, *inter alia*, the following issues: whether Liberty correctly forecasted and factored the relevant elements into its proposed COG rates; and whether Liberty's proposed COG rates were properly calculated and are 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 374:2, RSA 378:5, and 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 October 22, 2025, at 9:00 a.m. Three hours shall be allotted for this hearing; and it is

FURTHER ORDERED, that the DOE is requested to file its position regarding Liberty's petition, including the reasons for this position, on or before October 16, 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 October 10, 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 October 20, 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

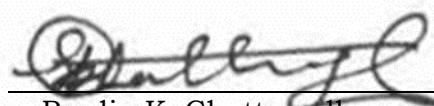
FURTHER ORDERED, that routine procedural inquiries may be made by contacting the Commission's Clerk's Office at (603) 271-2431 or www.puc.nh.gov/about-us/contact-us. All requests to the Commission should be made in a written pleading filed with the Commission. Unless otherwise authorized by law, *ex 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 September 26, 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 seventeenth day of September, 2025.



Mark W. Dell'Orfano
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 - Discovery

Docket#: 25-057

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