

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DE 26-014

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

**Petition to Approve Updated Discount Percentage Rate
and to Approve Procedural Schedule**

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

On March 4, 2026, Liberty Utilities (Granite State Electric) Corp. d/b/a Liberty (Liberty) filed a petition requesting that the Commission approve its proposed adjusted discount percentage rate (DPR) applicable to its Purchase of Receivables (POR) Program. In support of its petition, Liberty filed the Direct Testimony of Liberty Utilities Service Corp. employee Robert Garcia, Senior Manager, Rates and Regulatory Affairs (Garcia Testimony), and related attachments, as well as proposed tariff pages. 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=DE%2026-014.

I. BACKGROUND AND PROCEDURAL HISTORY

In Docket No. DE 23-003, the Commission approved a settlement agreement establishing Liberty's POR program in accordance with RSA 53-E:9 (Settlement Agreement). *See Liberty Utils. (Granite State Elec.) Corp.*, Order No. 27,047 (August 16, 2024). Under the Settlement Agreement, aggregation programs supplying electricity, such as competitive electric power suppliers and community power aggregations (collectively, Suppliers), that choose to use Liberty's consolidated billing service are automatically enrolled in Liberty's POR Program, which requires them to sell their accounts receivable to Liberty. *Id.* at 3. Liberty then sends a

consolidated bill to retail customers participating in enrolled aggregation programs that contains both the energy service charge from the Supplier and Liberty's other service charges. *Liberty Utils. (Granite State Elec.) Corp.*, Examiner's Report and Recommended Order at 3 (December 22, 2023). On a specified payment date, Liberty pays each Supplier enrolled in the POR Program the amount due for its "supplier service" minus a DPR designed to recover, among other things, administrative and collection costs related to the POR Program. Order No. 27,047 at 3-4. In this way, Suppliers are ensured regular payments by Liberty for the electricity they supply without having to pursue collections for unpaid balances. Examiner's Report and Recommended Order at 3.

The Settlement Agreement contained a formula for calculating the DPR. Order No. 27,047 at 3-4; *Liberty Utils. (Granite State Elec.) Corp.*, Order No. 28,133 at 1-3 (April 22, 2025). Properly calculating the DPR ensures that Liberty's POR Program costs are fully borne by Suppliers, rather than customers using Liberty's default supply service. Order No. 28,133 at 3. The Commission approved an initial DPR of 1.439 percent applicable to the accounts receivable for both Liberty's Large Customer Group and Small Customer Group. *See id.* 3-4, 5-6. It also approved a payment date of the 17th of the month after the billing month for which receivables are purchased and authorized Liberty to implement its POR Program by June 5, 2025. *Id.* at 5-6.

In the POR Program's second year, the Settlement Agreement provided that separate DPRs would be calculated for Liberty's Large Customer Group and Small Customer Group. Settlement Agreement, Section II.C. The Settlement Agreement required Liberty to submit an annual filing with the Commission by March 1 of each year following implementation of the POR Program with a calculation of the respective DPRs, supporting calculations and

reconciliations for prior periods, and the payment date applicable to the upcoming 12-month period beginning on May 1. *Id.*, Section II.G. In its order approving the Settlement Agreement, however, the Commission declined to approve the May 1 effective date, stating that a two-month period to review Liberty's annual filing did not provide sufficient time for notice, party input, and issuance of the Commission's order. Order No. 27,047 at 8 n.3, 10. It approved an effective date of August 1, 2025. *Id.* at 10.

Mr. Garcia testified that, using the methodology in the Settlement Agreement, Liberty calculated negative DPRs for its Large Customer Group and Small Customer Group. Garcia Testimony at Bates pages 6, 9. These negative DPRs indicate that Liberty is over-recovering the costs related to its POR Program. *See id.* at Bates page 9. Instead of setting negative DPRs for the upcoming 12-month period, Liberty proposed setting the DPR for both customer groups at 0.0 percent and allowing costs (i.e., write-offs) to catch up. *Id.* at Bates pages 10-11. Liberty proposed keeping the current payment date of the 17th of the month. Petition (Pet.). ¶ 9.

To reduce the amount of over-recovery, Liberty requested that the Commission approve the proposed DPRs for effect on June 1, 2026, rather than August 1, 2026. *Id.* It proposed, in relevant part, the following procedural schedule:

<u>Activity/Event</u>	<u>Deadline</u>
Data Requests – Set 1	March 12, 2026
Reponses (Set 1)	March 26, 2026
Technical Session	March 31, 2026
Data Requests – Set 2	April 7, 2026
Responses (Set 2)	April 21, 2026
Technical Session/Settlement Conference	April 24, 2026

Id., ¶ 11. Liberty also proposed dates for a hearing and a decision by the Commission. *Id.* Liberty stated that it would facilitate notice by providing a copy of this petition to the parties appearing

in Docket No. DE 23-003. *Id.*, n.1. No objection to Liberty's proposed procedural schedule was filed.

The New Hampshire Department of Energy filed an appearance on March 5, 2026. On March 16, 2026, the Community Power Coalition of New Hampshire (CPCNH) filed a petition to intervene and requested an expedited order of notice, based on Liberty's proposal that its revised DPRs take effect on June 1. *See* Pet. to Intervene, ¶s 16-17. CPCNH stated that it procures and supplies electricity and related services to its member community power programs, which include more than 13,900 customers in Liberty's service territory. *See id.*, ¶s 2, 5. CPCNH argued that its interests are directly affected by Liberty's DPR, which affects CPCNH's revenue and could have an adverse impact on its members. *Id.*, ¶ 13. It requested to be made a full intervenor in this proceeding. *Id.* at 4. According to CPCNH, the DOE assented to its petition to intervene, and Liberty did not object to it. *Id.*, ¶s 18-19.

II. ISSUES PRESENTED

The filing presents, *inter alia*, the following issues: whether Liberty properly calculated the DPRs for its Large Customer Group and Small Customer Group in accordance with the Settlement Agreement and RSA 53-E:9; whether approval of a 0.0 percent DPR for both customer groups complies with the terms of the Settlement Agreement and RSA 53-E:9; whether the proposed DPRs, if approved, should take effect on June 1 instead of August 1, 2026; and whether the proposed payment date should be approved. Accordingly, an adjudicative proceeding will be convened to address these issues.

The Commission will be conducting the prehearing conference and 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 prehearing conference or 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 53-E:9, and the Commission's procedural rules; and it is

FURTHER ORDERED, that CPCNH's petition for intervention is GRANTED pursuant to RSA 541-A:32; and it is

FURTHER ORDERED, that Liberty's proposed procedural schedule, as stated in this order of notice, is APPROVED; and it is

FURTHER ORDERED, that the Commission will hold a prehearing conference, pursuant to Puc 204.07, at its offices located at 21 S. Fruit St., Suite 10, Concord, New Hampshire, on April 22, 2026, at 1:00 p.m., at which each party should be prepared to address any of the issues set forth in Puc 204.07; and it is

FURTHER ORDERED, that Liberty shall circulate a Structuring Statement to the parties on or before April 8, 2026 and file the Structuring Statement with the Commission no later than April 16, 2026;

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 20, 2026; and it is

FURTHER ORDERED, that during the prehearing conference, the Commission will consider the matters listed in Puc 204.07(f), including the establishment of a procedural schedule governing the remainder of the proceeding. Parties and potential parties are encouraged to facilitate the development of a procedural schedule by conferring prior to the prehearing conference, so that the presiding officer can address any matters on which there is disagreement during the prehearing conference; and it is

FURTHER ORDERED, that, immediately following the prehearing conference, Liberty shall make appropriate personnel available for the parties to hold a technical session to review the filing; 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 6, 2026. 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 16, 2026; and it is

FURTHER ORDERED, that the parties may submit a stipulation containing a discovery schedule, statement of any additional issues not identified in this order of notice, and at least three dates on which they would be available for a final hearing in this matter, including how much time will be required, with a request that the prehearing conference and technical session be cancelled, on or before April 16, 2026. The Commission may cancel the prehearing conference and technical session upon approval of such a stipulation; and it is

FURTHER ORDERED, that the 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

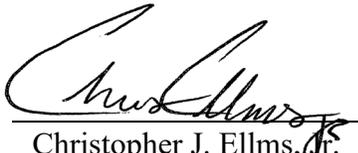
FURTHER ORDERED, that routine procedural inquiries may be made by contacting the Commission's Clerk's Office at (603) 271-2431 or www.puc.nh.gov/about-us/contact-us. All requests to the Commission should be made in a written pleading filed with the Commission. Unless otherwise authorized by law, *ex 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 April 3, 2026. 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

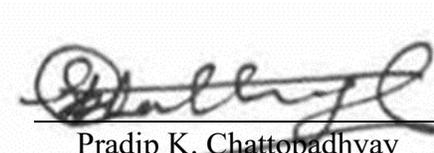
FURTHER ORDERED, that the Commission will hold a hearing in this matter at its offices located at 21 S. Fruit St., Suite 10, Concord, New Hampshire, on May 6, 2026, at 1:00 p.m.; and it is

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

So ordered, this twenty-sixth day of March 2026.



Christopher J. Ellms, Jr.
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#: 26-014

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