

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DG 26-028

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

Petition for Approval of an Updated Rate for Extra Footage Charge Adjustment

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

On May 1, 2026, Liberty Utilities (EnergyNorth Natural Gas) Corp. d/b/a Liberty (Liberty) filed a petition to update its extra footage charge for residential line extensions, which it revised on June 9, 2026. In support of its petition, Liberty filed the technical statement of Ryan Patnode and Robert Garcia, and supporting attachments. All docket filings, other than any information subject to confidential treatment, are available on the Commission's website at the PUC Virtual File Room, see [Docket DG 26-028](#).

I. BACKGROUND AND PROCEDURAL HISTORY

Under the terms of Liberty's tariff, the company is required to file an annual update to its extra footage charge for residential service extensions with an effective date of July 1 of each year. Pursuant to its tariff, Liberty filed a petition to adjust this charge on May 1, 2026. On May 12, 2026, the Commission issued a procedural order requesting that the New Hampshire Department of Energy (DOE) review the petition and file a recommendation by June 2, 2026. The DOE subsequently filed a motion to extend this deadline to June 23, 2026, which the Commission granted.

Notably, in Docket No. DE 26-026, the Commission opened a docket to review a similar petition filed by Liberty's electric affiliate to update its overhead line extension rate. In that docket, a dispute has arisen between Liberty and the DOE over the correct methodology to calculate the per foot charge. On June 26, 2026, the Commission convened an adjudicative docket to review the petition in Docket No. DE 26-026, scheduled a hearing for July 28, 2026, at 10:00 a.m., and set a deadline of July 10, 2026, for the parties to file a settlement agreement.

In this docket, on June 19, 2026, the DOE filed an assented-to motion to extend its deadline for filing a recommendation on the petition. In its motion, the DOE represented that the parties were unable to complete discovery in time for the DOE to file a recommendation by the June 23 deadline. In addition, because the issues in this docket and in Docket No. DE 26-026 are similar, the DOE represented that it wants to consider them together and present a unified, informed position on both. The DOE requested that the Commission set a new deadline of July 14, 2026, for the parties to either file a settlement agreement or for the DOE to file a technical statement. Finally, because the DOE did not file the motion for an extension at least three business days for the deadline as required by New Hampshire Code of Administrative Rules, Puc 203.07(b)(4), the DOE requested waiver from that rule under Puc 203.01(a).

Liberty requested an effective date of July 1, 2026, which will not be possible if the Commission extends the deadline for the DOE to file a recommendation to mid-July. The Commission therefore assumes that the parties have assented to an August 1, 2026, deadline, as they have in Docket No. DE 26-026. In addition, it is not clear whether the DOE anticipates disputing the methodology used by Liberty as the DOE has in the companion docket for Liberty's electric affiliate. It is likewise not clear whether the parties anticipate the need for a hearing if they do not reach agreement.

In light of these circumstances, and given timing concerns, the Commission will schedule a hearing for the same day as the hearing in Docket No. DE 26-026. A hearing may not be necessary if the parties are able to reach a settlement on July 10, 2026. However, given the potential effective date of August 1, 2026, there would not be enough time to schedule, notice, and hold a public hearing, and then issue an order, before the effective date. Therefore, the Commission will schedule a hearing at this time and, if the parties believe that a hearing is not needed, they can request that the Commission cancel the hearing pursuant to the ordering clauses below.

II. ISSUES PRESENTED

The filing presents, *inter alia*, the following issues: how should Liberty calculate the extra footage charge for residential line extensions in light of its tariff, authorizing orders, and the requirement that all rates be just and reasonable pursuant to RSA 374:2 and RSA 378:7; and, in light of the approved methodology, what should Liberty's updated line extension be. 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 378:7, and the Commission's procedural rules; and it is

FURTHER ORDERED, that Liberty's proposed tariff, with an effective date of July 1, 2026, is suspended for up to twelve months pursuant to RSA 378:6, I(a), pending investigation and further order by the Commission; and it is

FURTHER ORDERED, that the Commission GRANTS the DOE's motion to extend its deadline to file a position statement to July 14, 2026, including its request for a waiver from Puc 203.07(b)(4) pursuant to 203.01(a), for the reasons laid out in the DOE's motion.

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 July 28, 2026, at 1:00 pm. Two hours shall be allotted for this hearing; and it is

FURTHER ORDERED, that, on or before July 14, 2026, Liberty and the New Hampshire Department of Energy shall file either: (1) a settlement agreement resolving the dispute between the two parties; or (2) a status update indicating that the parties were unable to resolve the dispute. If the parties resolve the issue by settlement agreement, and all parties agree that a hearing is not necessary, they may request that the Commission cancel the hearing and resolve the petition by order *nisi* in the July 14, 2026, 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 July 7, 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 July 10, 2026; 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 July 6, 2026. In addition, the

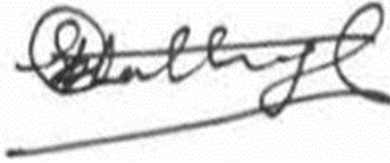
Clerk shall publish this order of notice on the Commission's website no later than two business days after the date of issue; and it is

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

So ordered, this twenty-sixth day of June 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#: 26-028

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