

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DE 26-035

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

Petition to Amend Tariff to Establish Net Metering Credit Adjustment Mechanism

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

On June 5, 2026, Liberty Utilities (Granite State Electric) Corp. d/b/a Liberty (Liberty) filed a petition requesting that the Commission authorize it, pursuant to RSA 362-A:9, VII, to amend its tariff to establish a Net Metering Credit Adjustment Mechanism (NMCAM), a new reconciliation mechanism for recovering net energy metering (NEM) credits given to customer-generators.¹ In support of its petition, Liberty filed the testimony of Robert Garcia, Liberty Utilities Service Corp. Senior Manager, Rates and Regulatory Affairs (Garcia Testimony), and proposed tariff pages. All docket filings, other than any information subject to confidential treatment, are available on the Commission’s website at PUC Virtual File Room, see [Docket DE 26-035](#).

I. BACKGROUND AND PROCEDURAL HISTORY

Liberty compensates customer-generators for the electricity they generate behind the retail meter on their premises and export to the electric distribution system that exceeds the amount they receive in a billing period. *See* N.H. Admin. R., Puc 903.02(j). These NEM credits are calculated based on per kilowatt-hour (kWh) distribution charges and transmission charges,

¹ The term “customer-generator” is defined in New Hampshire Code of Administrative Rules, Puc 902.05.

and, for default service customers, the default service rate assessed per kWh. *Id.*, Puc 903.02(j)(5). In 2025, Liberty provided a total of \$1.2 million in NEM credits to customer-generators, most of which were NEM credits for default energy service. Garcia Testimony at Bates page 009.

Presently, Liberty recovers the NEM credits paid to customer-generators through three different reconciliation mechanisms that are adjusted in three separate proceedings. *Id.* at Bates page 009; Petition (Pet.), ¶ 3. Liberty recovers supply-related NEM credits for default energy service in its default service docket through the Energy Service Adjustment Factor applicable to its Large Customer Group and Small Customer Group. Garcia Testimony at Bates page 007; Pet., ¶ 3. It recovers transmission-related NEM credits from most customers in the annual retail rates docket through the Transmission Service Cost Adjustment. Garcia Testimony at Bates page 008; Pet., ¶ 3. Liberty recovers distribution-related NEM credits from all customers in a third docket through the Revenue Decoupling Adjustment Factor. *Id.*

In its petition, Liberty proposed recovering all NEM credits through one reconciliation mechanism, the NMCAM, which would apply to all Liberty customers. Pet., ¶ 5. The NMCAM would be a component of the Stranded Cost Charge recovered through Liberty's annual retail rates docket. *See* Garcia Testimony at Bates pages 007, 010. If the NMCAM were approved, then the first reconciliation would be reflected in Liberty's March 2027 annual retail rates filing. *Id.* at Bates page 010.

On July 13, 2026, Liberty filed an assented-to motion to approve the parties' proposed procedural schedule. The Commission denies this motion without prejudice to accommodate petitions to intervene and input from any intervening parties. The parties may file a new motion for approval of a revised procedural schedule after the intervention period has passed.

II. ISSUES PRESENTED

The filing presents, *inter alia*, the following issues: whether Liberty's proposed amendments to its tariff to establish an NMCAM for recovering NEM credits given to customer-generators is consistent with RSA 362-A:9, VII; whether the establishment and implementation of an NMCAM would prevent cross-subsidization, as required under the standards of RSA 378:10 and RSA 378:11; and whether the establishment and implementation of an NMCAM will result in just and reasonable rates, 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, 362-A:9, VII, RSA 378:10, RSA 378:11, RSA 374:2, RSA 378:5, RSA 378:7, and the Commission's procedural rules; and it is

FURTHER ORDERED, that Liberty's Motion to Approve Procedural Schedule is denied without prejudice; 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 15, 2026, at 10:00 a.m. One day 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 October 5, 2026; 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 August 14, 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 August 19, 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

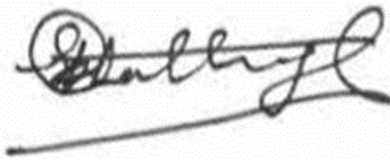
FURTHER ORDERED, that pursuant to Puc 204.04, Liberty shall notify all entities and individuals desiring to be heard at this hearing by publishing a copy of this order of notice on its website no later than two business days after the date of issue, such publication to be documented by affidavit filed with the Commission on or before August 7, 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-eighth day of July 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#: 26-035

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