

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DG 26-047

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

2027-2028 Local Distribution Adjustment Charge

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

On August 21, 2026, Liberty Utilities (EnergyNorth Natural Gas) Corp. d/b/a Liberty (Liberty) filed a petition requesting that the Commission approve its proposed Local Distribution Adjustment Charge (LDAC) rates, effective February 1, 2027. In support of its petition, Liberty filed the direct testimony of the following Liberty Utilities Service Corp. employees: Robert Garcia, Rates and Regulatory Affairs Senior Manager, and Adam R.M. Yusuf, Rates and Regulatory Affairs Analyst II (Garcia and Yusuf Testimony); and Luke W. Sanborn, Environment Manager. Liberty's cover letter contained a proposed procedural schedule, which it stated was consistent with the procedural schedule followed in last year's LDAC docket, No. DG 25-055.¹ All docket filings, other than any information subject to confidential treatment, are available on the Commission's website at [Docket No. DG 26-047](#).

I. BACKGROUND AND PROCEDURAL HISTORY

The LDAC is a per therm charge consisting of the following surcharges, each of which recovers different categories of expenses: the Environmental Surcharge; the Revenue Decoupling

¹ In its cover letter dated August 21, 2025, filed in Docket No. DG 25-055, Liberty stated that the New Hampshire Department of Energy (DOE) and the Office of the Consumer Advocate (OCA) agreed with Liberty's proposed procedural schedule. The Commission approved this proposed procedural schedule, as modified, in the order of notice issued on September 9, 2025.

Adjustment Factor; the Property Tax Adjustment Mechanism; the Rate Case Expense and Recoupment Surcharge; the Gas Assistance Program Surcharge; the Lost Revenue Factor; the Regulatory Reconciliation Adjustment; and the Energy Efficiency Charge (EEC). *See Liberty Utils.*, Order No. 28,203 at 3-7 (January 30, 2026) (discussing expenses recovered by each surcharge). Through the LDAC rate adjustment mechanism, Liberty reconciles the costs recovered through the foregoing surcharges, other than the EEC, and in its annual LDAC filing, Liberty requests the Commission's approval of adjustments to its LDAC rates. *See id.* at 3. The Commission annually reviews and approves the EEC in a separate docket pursuant to RSA 374-F:3, VI-a(d)(2). *See, e.g., Elec. and Gas Utils.*, Order No. 28,197 (December 15, 2025) (issued in Docket No. DE 25-071).

In accordance with the framework that the Commission approved in Docket No. DG 23-027, Liberty submits its annual LDAC filing on or around August 20 with a proposed procedural schedule. *See Liberty Utils.*, Order No. 26,872 (August 14, 2023) (adopting default schedules and guidelines appended to Report 1 and first framework filed by DOE on July 14, 2023); "DOE Proposed Guidelines for LDAC, EnergyNorth and Liberty-Keene COG-Supply Default Schedules" (LDAC Guidelines and Default Schedules), ¶ 20. Based on its requested adjustments to the surcharges comprising the LDAC (other than the EEC), Liberty proposes separate LDACs for its residential customers, as well as its commercial and industrial (C&I) customers, to be implemented in the new LDAC rate year, which runs from February 1 to January 31. Order No. 28,203 at 3. Liberty submits any updated LDAC filing on or around November 1. *See* LDAC Guidelines and Default Schedules.

The Commission approved a residential LDAC of \$0.1184 per therm and a C&I LDAC of \$0.0725 per therm in last year's LDAC docket, No. DG 25-055, effective February 1, 2026.

Liberty Utils., Order No. 28,203 at 1, 7-8, 11 (January 30, 2026). In the above-captioned docket, Liberty proposed LDAC rates of \$0.1390 per therm for residential customers and \$0.0861 per therm for C&I customers, effective February 1, 2027. Garcia and Yusuf Testimony at Bates pages 7, 9. If approved, then Liberty’s proposed LDAC rates would increase the average residential heating customer’s annual bill by \$15.30, or 17.8 percent. *See id.* at Bates page 21.² In its petition, Liberty stated that it would submit its updated filing in November 2026. Petition, ¶¶s 2-3, 8, 12, and 14.

The DOE filed its appearance on August 31, 2026. On the same date, the DOE filed a letter containing the following alternative proposed procedural schedule:

<u>Activity/Event</u>	<u>Deadline</u>
Discovery Set 1 to Liberty	September 11, 2026
Liberty Set 1 Responses	September 25, 2026
Technical Session #1	October 14, 2026, 9:00 a.m. to 2:00 p.m.
Discovery Set 2 to Liberty	November 3, 2026
Liberty Update Filing	November 17, 2026
Liberty Set 2 Responses	November 18, 2026
Technical Session #2	December 1, 2026, 9:00 a.m. to 2:00 p.m.
DOE/Office of the Consumer Advocate Testimony or Technical Statements	December 8, 2026
Liberty Rebuttal (If Needed)	December 16, 2026
Discovery Set 3 to Liberty	December 18, 2026
Liberty Set 3 Responses	December 28, 2026
Technical Session #3 (If Needed)	January 12, 2027, 9:00 a.m. to 12:00 p.m.
Hearing	Week of January 19, 2027

The DOE also proposed deadlines for filing a settlement agreement, exhibit and witness list, and exhibits, but did not request a waiver of the Commission’s administrative rules providing for

² The table in the Garcia and Yusuf Testimony at Bates page 21 contains the following mislabeled headings: “Winter 2025-2026” and “Summer 2026.”

these deadlines. *See* N.H. Admin. R., Puc 203.01(a). Its proposed schedule contained a date for a status conference with the Commission, which may not be necessary. On October 12, 2026, the OCA filed its appearance.

The DOE stated that it was proposing an alternative procedural schedule, because Liberty did not consult the DOE before submitting its own proposed procedural schedule with the initial filing, and Liberty's proposed schedule was inconsistent with the LDAC Guidelines and Default Schedules. No response to the DOE's alternative procedural schedule was filed.

II. ISSUES PRESENTED

The filing presents, *inter alia*, the following issues: whether Liberty's proposed LDAC rates, including surcharges other than the EEC, are based on correct forecasts and accurate inputs and were properly calculated, consistent with prior Commission orders; and whether Liberty's proposed LDAC rates 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, 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 January 19, 2027, at 10:00 a.m. One day shall be allotted for this hearing; and it is

FURTHER ORDERED, that the alternative procedural schedule proposed by the DOE is APPROVED in part, as shown in this order of notice, with the deadlines for filing a settlement agreement, exhibit and witness list, and exhibits to remain those set by the Commission's administrative rules; 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 January 5, 2027; 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 December 8, 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 December 18, 2026; and it is

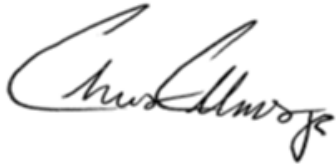
FURTHER ORDERED, that the parties shall file any proposed exhibits, written testimony, motions, or other documents intended to become part of the record in this proceeding with the Commission in accordance with the Commission's administrative rules. Parties may elect to submit any filing in electronic 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

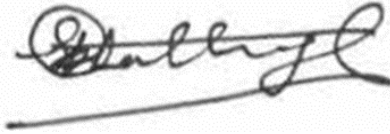
FURTHER ORDERED, that pursuant to Puc 204.04, Liberty shall notify all entities and individuals desiring to be heard at this hearing by publishing a copy of this order of notice on its website no later than two business days after the date of issue, such publication to be documented by affidavit filed with the Commission on or before October 26, 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 fifteenth day of October 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#: 26-047

Printed: 10/15/2026

Email Addresses

Adam.Yusuf@Libertyutilities.com
amanda.o.noonan@energy.nh.gov
anthony.j.leone@energy.nh.gov
Ashraful.Alam@energy.nh.gov
ClerksOffice@puc.nh.gov
donald.m.kreis@oca.nh.gov
Energy-Litigation@energy.nh.gov
Ian.Harmon@libertyutilities.com
karen.sinville@libertyutilities.com
Luke.Sanborn@libertyutilities.com
Marc.H.Vatter@oca.nh.gov
mary.e.schwarzer@energy.nh.gov
michael.sheehan@libertyutilities.com
Michele.J.Roberge@energy.nh.gov
ocalitigation@oca.nh.gov
paul.b.dexter@energy.nh.gov
regulatory.nh@libertyutilities.com
Robert.Garcia@libertyutilities.com