

**STATE OF NEW HAMPSHIRE  
PUBLIC UTILITIES COMMISSION**

**DG 21-008**

**LIBERTY UTILITIES (ENERGYNORTH NATURAL GAS) CORP.  
D/B/A LIBERTY UTILITIES**

**Petition for Approval of a Firm Transportation Agreement  
with Tennessee Gas Pipeline Company, LLC**

**ORDER OF NOTICE**

On January 20, 2021, Liberty Utilities (EnergyNorth Natural Gas) Corp. d/b/a Liberty Utilities (Liberty, or the Company) filed a petition for approval of a firm transportation agreement with Tennessee Gas Pipeline Company, LLC (TGP) for gas supply. The petition and subsequent docket filings, other than any information for which confidential treatment is requested of or granted by the Commission, will be posted to the Commission's website at <https://www.puc.nh.gov/Regulatory/docketbk/2021/21-008.html>.

The filing raises, *inter alia*, issues related to whether the proposed firm transportation agreement is prudent, reasonable, and consistent with the public interest; and whether the testimony provided with the petition addressing resource requirements, evaluation of resource alternatives, possible future capital investment to fully utilize the capacity, and TGP contract risks and risk mitigation, supports approval of the agreement. Those issues relate to RSA 374:1 and 374:2 (public utilities to provide reasonably safe and adequate service at "just and reasonable" rates); RSA 374:4 (the Commission's duty to keep informed of the manner in which all public utilities in the state provide for safe and adequate service); RSA 374:7 (Commission authority to investigate and ascertain the methods employed by public utilities to "order all reasonable and just improvements and extensions in service or methods" to supply gas); and RSA 378:7 (rates collected by a public utility for services rendered or to be rendered must be just and reasonable).

The terms of the firm transportation agreement with TGP would permit Liberty to terminate the agreement on November 1, 2022, without liability if approvals have not been obtained from jurisdictional regulatory authorities that the Company determines are necessary in connection with the TGP Capacity contract. Under the terms of the agreement, notice of such termination must be provided to TGP no later than July 31, 2022. Liberty requests an expedited review of the agreement and issuance of an order by September 1, 2021, to enable the Company to provide timely notice of satisfaction of the agreement conditions precedent or lack thereof.

The petition also includes a motion for protective order and confidential treatment regarding the firm transportation agreement. Each party has the right to have an attorney represent the party at the party's own expense.

**Based upon the foregoing, it is hereby**

**ORDERED**, that, consistent with Governor Christopher T. Sununu's Emergency Order #12, the Commission will hold a web-enabled remote prehearing conference, pursuant to N.H. Admin. R., Puc 203.15, on March 24, 2021 at 1:30 pm, at which each party will provide a preliminary statement of its position with regard to the petition and any of the issues set forth in N.H. Admin. R., Puc 203.15. Members of the public who wish to access the prehearing conference may do so [by clicking here](#). **If you have any difficulty obtaining access to this remote event, please notify the Commission by calling (603) 271-2431 as soon as possible.** Parties will be provided with additional instructions prior to the prehearing conference; and it is

**FURTHER ORDERED**, that, immediately following the prehearing conference, Liberty, the Staff of the Commission, and any intervenors hold a web-enabled remote technical session to review the petition; and it is

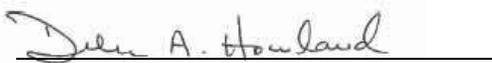
**FURTHER ORDERED**, that pursuant to N.H. Admin. R., Puc 203.12, Liberty shall notify all persons desiring to be heard at this hearing by publishing a copy of this order of notice on its website

no later than one business day after the date of issue. In addition, the Executive Director shall publish this order of notice on the Commission's website no later than one business day after the date of issue; and it is

**FURTHER ORDERED**, that, consistent with N.H. Admin. R., Puc 203.17 and Puc 203.02, any party seeking to intervene in the proceeding shall file with the Commission a petition to intervene with copies sent to Liberty and the Office of the Consumer Advocate on or before March 19, 2021, such petition stating the facts demonstrating how its rights, duties, privileges, immunities, or other substantial interests may be affected by the proceeding, consistent with N.H. Admin. R., Puc 203.17. Pursuant to the secretarial letter issued on March 17, 2020, which is posted on the Commission's website at <https://www.puc.nh.gov/Regulatory/Secretarial%20Letters/20200317-SecLtr-Temp-Changes-in-Filing-Requirements.pdf>, any party seeking to intervene may elect to submit this filing in electronic form; and it is

**FURTHER ORDERED**, that any party objecting to a petition to intervene make said objection on or before March 24, 2021.

By order of the Public Utilities Commission of New Hampshire this sixteenth day of February, 2021.



Debra A. Howland  
Executive Director

Individuals needing assistance or auxiliary communication aids due to sensory impairment or other disability should contact the Americans with Disabilities Act Coordinator, 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#: 21-008

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