

**STATE OF NEW HAMPSHIRE  
BEFORE THE  
PUBLIC UTILITIES COMMISSION**

Investigation Into  
Indirect Gas Costs

**DOCKET NO. DG 07-033**

**SETTLEMENT AGREEMENT**

This Settlement Agreement is entered into this 2nd day of April, 2009, by and among Northern Utilities, Inc. ("Northern"), and the Staff of the New Hampshire Public Utilities Commission with the intent of resolving all issues in the above-captioned proceeding with respect to Northern.

**ARTICLE I.**  
**Introduction**

1.1 Every six months, Northern files with the Commission a proposed Cost of Gas ("COG") rate for the upcoming six months. In addition to direct gas costs, the COG rate recovers several other costs that relate to gas supply service. One such cost is the under or over-collected gas cost, plus carrying charges, incurred during the prior winter or summer period.

1.2 This proceeding was opened by the New Hampshire Public Utilities Commission ("Commission") on March 15, 2007, to consider, inter alia, issues related to the reconciliation of prior period over recovery; appropriate interest charges related to timing differences between costs and revenues and rate impacts.

1.3 On September 13, 2007, the Commission issued Order No. 24,786 finding that the amount of the under/over-collection should be calculated using accrued revenues rather than billed revenues in Northern's reconciliation calculation. In addition, the Commission determined that the change should take effect November 1, 2005. Order No. 24,786 did not, however, address how the transition from billed revenue accounting to accrued revenue accounting would be accomplished.

1.4 Northern filed a motion to rehear Order No. 24,786 and on September 25, 2008, the Commission issued Order No. 24,901 in which it reiterated its determination that the new accounting method is just and reasonable. The Commission went on to grant rehearing as to the method of transitioning to the new accounting method and invited the parties to attempt to reach settlement on the transition issue and to report back to the Commission. *Id.* at 8.

1.5 Based upon information gathered through settlement discussions and the informal exchange of information, Northern and Staff have reached agreement on the issues in this proceeding as follows:

## ARTICLE II. Transition Mechanism

2.1 The transition issue, in simple terms, boils down to a question as to what is the correct beginning balance in Northern's reconciliation account at the time of the changeover from billed to accrued revenue accounting. The parties to this settlement agreement have agreed that the transition should take place November 1, 2008, and that the beginning balance should be set at the October 31, 2008 ending balance in the reconciliation account under billed revenue accounting (i.e.,

\$3,964,047) less the revenue received in November, 2008 that relates to October 2008 consumption (i.e., \$1,506,169) for a net of \$2,457,878. The parties have attached as Exhibit A a spreadsheet which shows that the \$3,964,047 represents the sum of the October 31, 2008 ending balances for the summer and winter periods and that the \$1,506,169 represents the reported collections for November 2008 allocated to the summer period. Northern will continue, however, with its peak and off-peak accounting.

2.2 Effective November 1, 2008, Northern shall transition to accrued accounting for its reconciliation mechanism using the transition method described in section 2.1 and Exhibit A.

### ARTICLE III. General Provisions

3.1 Northern and Staff agree and recommend that the Commission find that the terms of this Settlement Agreement are just and reasonable and consistent with the public interest and should be adopted in full.

3.2 This Agreement is expressly conditioned upon the Commission's acceptance of all its provisions, without change or further condition. If the Commission does not accept the Agreement in its entirety, without change or condition, or if the Commission makes any findings that go beyond the scope of this Agreement, and Northern or Staff is unable to agree with said changes, conditions or findings, the Agreement shall be deemed to be withdrawn and shall not constitute any part of the record in this proceeding and shall not be used for any other purpose.

3.3 Under this Agreement, Northern and Staff agree to this joint submission to the Commission as a resolution of the issues specified herein only.

3.4 Northern and Staff agree that the Commission's acceptance of the Agreement does not constitute continuing approval of, or precedent for, any particular issue in this proceeding, except that the matters set forth in this agreement shall be binding to the extent expressly set forth herein. Acceptance of this Settlement Agreement by the Commission shall not be deemed to restrain this Commission's exercise of its authority to promulgate future orders, regulations or rules that resolve similar matters affecting other parties in a different fashion, nor shall this Settlement Agreement be deemed to restrain the authority of the Legislature to enact any law that would resolve the matters covered by this Settlement Agreement in a different fashion.

3.5 This Agreement shall not be deemed an admission by Northern or Staff that any allegation or contention in this proceeding by any other Party, other than those specifically agreed to herein, is true and valid. This Agreement shall not be deemed to foreclose Staff or Northern from taking any position in any subsequent proceedings, with the exception of those specifically agreed to herein.

3.6 The rights conferred and obligations imposed on Northern by this Settlement Agreement shall be binding on or inure to the benefit of their successors in interest or assignees as if such successor or assignee was itself a Party hereto.

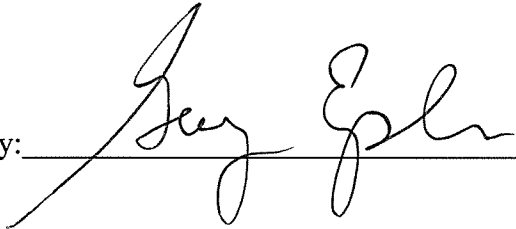
3.7 This Settlement Agreement is the product of confidential settlement negotiations. The content of these negotiations, including any documents prepared during such negotiations for the purpose of reaching a settlement, shall be privileged and all offers of settlement shall be without prejudice to the position of any party presenting such offer.

3.8 This Agreement may be executed in multiple counterparts, which together shall constitute one agreement.

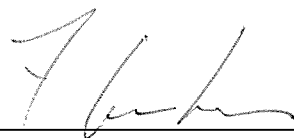
ARTICLE IV.  
Conclusion

4.1 Northern and Staff affirm that the proposed Settlement Agreement is appropriate, just and reasonable and should be approved.

NORTHERN UTILITIES, INC.

By: \_\_\_\_\_

STAFF OF THE NEW HAMPSHIRE  
PUBLIC UTILITIES COMMISSION

By: \_\_\_\_\_

NORTHERN UTILITIES, INC. - NH DIVISION  
SUMMER PERIOD BILLING MONTH VS. CALENDAR MONTH RECONCILIATION  
SCHEDULE 2: ADJUSTMENTS TO REPORTED SUMMER PERIOD ACCOUNTS  
November 2005-October 2008

	November 2005	December	January 2006	February	March	April	May 2006	June	July	August	September	October
<b>BILLING MONTH</b>												
<b>SUMMER PERIOD</b>												
Summer Period Account Beginning Balance (1)	\$ 1,590,752	\$ (407,054)	\$ (409,259)	\$ (411,646)	\$ (414,047)	\$ (416,463)	\$ (419,066)	\$ 236,115	\$ (415,449)	\$ (322,236)	\$ 65,260	\$ 125,658
Plus: Cost of Firm Gas (Schedule 4)	\$ 29,443	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,932,295	\$ 1,231,428	\$ 1,134,178	\$ 1,325,897	\$ 1,152,911	\$ 2,071,520
Less: Reported Collections (Schedule 3)	\$ (2,030,446)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ (1,276,512)	\$ (1,882,395)	\$ (1,038,438)	\$ (937,521)	\$ (1,093,166)	\$ (1,362,560)
Adj: Billing Adjustment	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Summer Period Account Ending Balance	\$ (410,251)	\$ (407,054)	\$ (409,259)	\$ (411,646)	\$ (414,047)	\$ (416,463)	\$ 236,717	\$ (414,852)	\$ (319,709)	\$ 66,140	\$ 125,004	\$ 834,619
Month's Average Balance	\$ 590,250	\$ (407,054)	\$ (409,259)	\$ (411,646)	\$ (414,047)	\$ (416,463)	\$ (91,174)	\$ (89,369)	\$ (367,579)	\$ (128,048)	\$ 95,132	\$ 480,139
Interest Rate (Prime Rate)	6.50%	6.50%	7.00%	7.00%	7.00%	7.50%	7.93%	8.02%	8.25%	8.25%	8.25%	8.25%
Interest Applied	\$ 3,197	\$ (2,205)	\$ (2,387)	\$ (2,401)	\$ (2,415)	\$ (2,603)	\$ (603)	\$ (597)	\$ (2,527)	\$ (880)	\$ 654	\$ 3,301
Summer Period Account Ending Balance w/interest	\$ (407,054)	\$ (409,259)	\$ (411,646)	\$ (414,047)	\$ (416,463)	\$ (419,066)	\$ 236,115	\$ (415,449)	\$ (322,236)	\$ 65,260	\$ 125,658	\$ 837,920
Interest Rate Diff (billing month less calendar month)	\$ -	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 3,009	\$ 3,664	\$ 1,110	\$ 1,078	\$ 1,288	\$ 5,642
<b>WINTER PERIOD</b>												
Winter Period Account Beginning Balance (1)	\$ 2,185,271	\$ 5,773,513	\$ 7,425,448	\$ 6,832,500	\$ 7,059,875	\$ 6,296,649	\$ 3,910,785	\$ 2,301,472	\$ 2,537,315	\$ 2,770,951	\$ 2,939,013	\$ 3,189,346
Plus: Cost of Firm Gas (Schedule 4)	\$ 5,142,673	\$ 7,985,684	\$ 8,304,079	\$ 7,506,372	\$ 6,407,299	\$ 2,413,891	\$ 200,908	\$ 219,727	\$ 215,452	\$ 148,501	\$ 229,339	\$ (55,088)
Less: Reported Collections (Schedule 3)	\$ (1,575,928)	\$ (6,369,399)	\$ (8,938,491)	\$ (7,319,399)	\$ (7,209,368)	\$ (4,831,553)	\$ (1,830,680)	\$ -	\$ -	\$ -	\$ -	\$ -
Adj: Billing Adjustment	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Winter Period Account Ending Balance	\$ 5,752,016	\$ 7,389,797	\$ 6,791,036	\$ 7,019,473	\$ 6,257,806	\$ 3,878,986	\$ 2,281,013	\$ 2,521,199	\$ 2,752,767	\$ 2,919,452	\$ 3,168,352	\$ 3,134,258
Month's Average Balance	\$ 3,968,643	\$ 6,581,655	\$ 7,108,242	\$ 6,925,987	\$ 6,658,840	\$ 5,087,818	\$ 3,095,899	\$ 2,411,335	\$ 2,645,041	\$ 2,845,202	\$ 3,053,682	\$ 3,161,802
Interest Rate (Prime Rate)	6.50%	6.50%	7.00%	7.00%	7.00%	7.50%	7.93%	8.02%	8.25%	8.25%	8.25%	8.25%
Interest Applied	\$ 21,497	\$ 35,651	\$ 41,465	\$ 40,402	\$ 38,843	\$ 31,799	\$ 20,459	\$ 16,116	\$ 18,185	\$ 19,561	\$ 20,994	\$ 21,737
Winter Period Account Ending Balance w/interest	\$ 5,773,513	\$ 7,425,448	\$ 6,832,500	\$ 7,059,875	\$ 6,296,649	\$ 3,910,785	\$ 2,301,472	\$ 2,537,315	\$ 2,770,951	\$ 2,939,013	\$ 3,189,346	\$ 3,155,995
Interest Rate Diff (billing month less calendar month)	\$ 9,659	\$ 25,129	\$ 31,262	\$ 29,019	\$ 25,476	\$ 17,985	\$ 6,964	\$ 972	\$ 1,007	\$ 1,014	\$ 1,021	\$ 1,028

NORTHERN UTILITIES, INC. - NH DIVISION  
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November 2005-October 2008

	November	December	January 2007	February	March	April	May	June	July	August	September	October
<b>BILLING MONTH</b>												
<b>SUMMER PERIOD</b>												
Summer Period Account Beginning Balance (1)	\$ 837,920	\$ (594,995)	\$ (599,086)	\$ (603,205)	\$ (607,352)	\$ (611,528)	\$ (615,732)	\$ (71,693)	\$ (155,283)	\$ (172,798)	\$ (180,727)	\$ (3,098)
Plus: Cost of Firm Gas (Schedule 4)	\$ (1,909)	-	-	-	-	-	1,280,648	1,218,870	984,001	821,956	1,040,013	1,594,634
Less: Reported Collections (Schedule 3)	\$ (1,431,838)	-	-	-	-	-	(734,255)	(1,304,023)	(991,346)	(830,817)	(875,761)	(856,316)
Adj: Billing Adjustment	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	2,342	(9,045)	2,142	13,991	3,771
Summer Period Account Ending Balance	\$ (595,827)	\$ (594,995)	\$ (599,086)	\$ (603,205)	\$ (607,352)	\$ (611,528)	\$ (69,338)	\$ (154,505)	\$ (171,674)	\$ (179,516)	\$ (2,485)	\$ 738,991
Month's Average Balance	\$ 121,047	\$ (594,995)	\$ (599,086)	\$ (603,205)	\$ (607,352)	\$ (611,528)	\$ (342,535)	\$ (113,099)	\$ (163,478)	\$ (176,157)	\$ (91,606)	\$ 367,946
Interest Rate (Prime Rate)	8.25%	8.25%	8.25%	8.25%	8.25%	8.25%	8.25%	8.25%	8.25%	8.25%	8.03%	7.74%
Interest Applied	\$ 832	\$ (4,091)	\$ (4,119)	\$ (4,147)	\$ (4,176)	\$ (4,204)	\$ (2,355)	\$ (778)	\$ (1,124)	\$ (1,211)	\$ (613)	\$ 2,373
Summer Period Account Ending Balance w/interest	\$ (594,995)	\$ (599,086)	\$ (603,205)	\$ (607,352)	\$ (611,528)	\$ (615,732)	\$ (71,693)	\$ (155,283)	\$ (172,798)	\$ (180,727)	\$ (3,098)	\$ 741,364
Interest Rate Diff (billing month less calendar month)	\$ 5,031	\$ 143	\$ 144	\$ 145	\$ 146	\$ 147	\$ 3,505	\$ 6,007	\$ 5,104	\$ 4,117	\$ 3,199	\$ 4,287
<b>WINTER PERIOD</b>												
Winter Period Account Beginning Balance (1)	\$ 3,155,995	\$ 5,580,627	\$ 7,865,995	\$ 8,719,656	\$ 7,588,685	\$ 4,266,719	\$ 164,952	\$ (2,396,206)	\$ (2,051,476)	\$ (1,662,109)	\$ (1,296,940)	\$ (923,130)
Plus: Cost of Firm Gas (Schedule 4)	\$ 4,112,789	\$ 7,066,832	\$ 7,470,542	\$ 8,167,220	\$ 6,286,869	\$ 2,990,688	\$ 354,521	\$ 359,967	\$ 402,089	\$ 375,305	\$ 381,214	\$ 382,618
Less: Reported Collections (Schedule 3)	\$ (1,687,097)	\$ (4,821,563)	\$ (6,702,504)	\$ (9,325,592)	\$ (9,602,611)	\$ (7,112,106)	\$ (2,949,013)	\$ -	\$ -	\$ -	\$ -	\$ -
Adj: Billing Adjustment	\$ (37,820)	\$ (5,966)	\$ 28,805	\$ (28,467)	\$ (46,837)	\$ 4,469	\$ 40,976	\$ -	\$ -	\$ -	\$ -	\$ -
Winter Period Account Ending Balance	\$ 5,543,867	\$ 7,819,930	\$ 8,662,838	\$ 7,532,817	\$ 4,226,106	\$ 149,770	\$ (2,388,565)	\$ (2,036,239)	\$ (1,649,387)	\$ (1,286,804)	\$ (915,726)	\$ (540,512)
Month's Average Balance	\$ 4,349,931	\$ 6,700,278	\$ 8,264,416	\$ 8,126,236	\$ 5,907,395	\$ 2,208,245	\$ (1,111,806)	\$ (2,216,223)	\$ (1,850,431)	\$ (1,474,456)	\$ (1,106,333)	\$ (731,821)
Interest Rate (Prime Rate)	8.25%	8.25%	8.25%	8.25%	8.25%	8.25%	8.25%	8.25%	8.25%	8.25%	8.03%	7.74%
Interest Applied	\$ 29,906	\$ 46,064	\$ 56,818	\$ 55,868	\$ 40,613	\$ 15,182	\$ (7,644)	\$ (15,237)	\$ (12,722)	\$ (10,137)	\$ (7,403)	\$ (4,720)
Winter Period Account Ending Balance w/interest	\$ 5,573,773	\$ 7,865,995	\$ 8,719,656	\$ 7,588,685	\$ 4,266,719	\$ 164,952	\$ (2,396,206)	\$ (2,051,476)	\$ (1,662,109)	\$ (1,296,940)	\$ (923,130)	\$ (545,232)
Interest Rate Diff (billing month less calendar month)	\$ 9,079	\$ 22,465	\$ 30,134	\$ 33,255	\$ 33,203	\$ 27,378	\$ 12,288	\$ 2,236	\$ 2,251	\$ 2,267	\$ 2,221	\$ 2,155

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November 2005-October 2008

	November	December	January 2008	February	March	April	May	June	July	August	September	October	November	Total
<b>BILLING MONTH</b>														
<b>SUMMER PERIOD</b>														
Summer Period Account Beginning Balance (1)	\$ 741,364	\$ (92,816)	\$ (93,383)	\$ (93,926)	\$ (94,396)	\$ (94,841)	\$ (95,255)	\$ 759,144	\$ 697,524	\$ 767,194	\$ 984,428	\$ 1,312,362	\$ 2,032,076	
Plus: Cost of Firm Gas (Schedule 4)	\$ (6,582)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,724,164	\$ 1,669,979	\$ 1,402,045	\$ 1,370,965	\$ 1,387,744	\$ 1,899,835	\$ 2,027	
Less: Reported Collections (Schedule 3)	\$ (790,217)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ (871,145)	\$ (1,748,366)	\$ (1,334,111)	\$ (1,170,538)	\$ (1,074,815)	\$ (1,184,953)	\$ (1,506,169)	
Adj: Billing Adjustment	\$ (39,402)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 13,739	\$ (1,308)	\$ 13,165	\$ 10,231	\$ (1,510)	\$ (38,131)	
Summer Period Account Ending Balance	\$ (94,837)	\$ (92,816)	\$ (93,383)	\$ (93,926)	\$ (94,396)	\$ (94,841)	\$ 757,764	\$ 694,496	\$ 764,149	\$ 980,787	\$ 1,307,587	\$ 2,025,734	\$ 489,803	
Month's Average Balance	\$ 323,264	\$ (92,816)	\$ (93,383)	\$ (93,926)	\$ (94,396)	\$ (94,841)	\$ 331,254	\$ 726,820	\$ 730,837	\$ 873,990	\$ 1,146,008	\$ 1,669,048	\$ 1,260,940	
Interest Rate (Prime Rate)	7.50%	7.33%	6.98%	6.00%	5.66%	5.24%	5.00%	5.00%	5.00%	5.00%	5.00%	4.56%	4.00%	
Interest Applied	\$ 2,020	\$ (567)	\$ (543)	\$ (470)	\$ (445)	\$ (414)	\$ 1,380	\$ 3,028	\$ 3,045	\$ 3,642	\$ 4,775	\$ 6,342	\$ 4,203	
Summer Period Account Ending Balance w/interest	\$ (92,816)	\$ (93,383)	\$ (93,926)	\$ (94,396)	\$ (94,841)	\$ (95,255)	\$ 759,144	\$ 697,524	\$ 767,194	\$ 984,428	\$ 1,312,362	\$ 2,032,076	\$ 494,006	
Interest Rate Diff (billing month less calendar month)	\$ 2,768	\$ 309	\$ 296	\$ 256	\$ 242	\$ 225	\$ 2,004	\$ 3,028	\$ 3,045	\$ 3,642	\$ 4,775	\$ 6,342	\$ 4,203	\$ 78,903
<b>WINTER PERIOD</b>														
Winter Period Account Beginning Balance (1)	\$ (545,232)	\$ 3,312,916	\$ 4,191,128	\$ 4,434,825	\$ 4,234,256	\$ 4,048,666	\$ 1,265,115	\$ (825,601)	\$ (174,445)	\$ 88,211	\$ 1,074,117	\$ 1,518,858	\$ 1,931,971	
Plus: Cost of Firm Gas (Schedule 4)	\$ 5,297,051	\$ 6,517,400	\$ 7,067,273	\$ 6,359,268	\$ 5,998,341	\$ 2,055,930	\$ (137,055)	\$ 652,831	\$ 262,275	\$ 983,213	\$ 438,876	\$ 407,833	\$ 4,645,507	
Less: Reported Collections (Schedule 3)	\$ (1,447,526)	\$ (5,658,565)	\$ (6,840,667)	\$ (6,572,275)	\$ (6,176,992)	\$ (4,832,202)	\$ (1,958,569)	\$ 403	\$ 561	\$ 277	\$ 474	\$ (1,264)	\$ (1,206,206)	
Adj: Billing Adjustment	\$ -	\$ (3,471)	\$ (7,923)	\$ (9,181)	\$ (26,427)	\$ (18,855)	\$ 3,995	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Winter Period Account Ending Balance	\$ 3,304,293	\$ 4,168,279	\$ 4,409,811	\$ 4,212,637	\$ 4,029,178	\$ 1,253,539	\$ (826,514)	\$ (172,366)	\$ 88,390	\$ 1,071,700	\$ 1,513,467	\$ 1,925,427	\$ 5,371,272	
Month's Average Balance	\$ 1,379,531	\$ 3,740,597	\$ 4,300,469	\$ 4,323,731	\$ 4,131,717	\$ 2,651,102	\$ 219,300	\$ (498,983)	\$ (43,028)	\$ 579,955	\$ 1,293,792	\$ 1,722,142	\$ 3,651,621	
Interest Rate (Prime Rate)	7.50%	7.33%	6.98%	6.00%	5.66%	5.24%	5.00%	5.00%	5.00%	5.00%	5.00%	4.56%	4.00%	
Interest Applied	\$ 8,622	\$ 22,849	\$ 25,014	\$ 21,619	\$ 19,488	\$ 11,576	\$ 914	\$ (2,079)	\$ (179)	\$ 2,416	\$ 5,391	\$ 6,544	\$ 12,172	
Winter Period Account Ending Balance w/interest	\$ 3,312,916	\$ 4,191,128	\$ 4,434,825	\$ 4,234,256	\$ 4,048,666	\$ 1,265,115	\$ (825,601)	\$ (174,445)	\$ 88,211	\$ 1,074,117	\$ 1,518,858	\$ 1,931,971	\$ 5,383,444	
Interest Rate Diff (billing month less calendar month)	\$ 9,936	\$ 21,759	\$ 23,785	\$ 19,030	\$ 17,120	\$ 12,978	\$ 5,949	\$ (2,079)	\$ (179)	\$ 2,416	\$ 5,391	\$ 6,544	\$ 12,172	\$ 464,291