

STATE OF NEW HAMPSHIRE

PUBLIC UTILITIES COMMISSION

December 19, 2013 - 2:23 p.m.
Concord, New Hampshire

NHPUC JAN09'14 PM12:47

RE: DE 13-327
GRANITE STATE ELECTRIC COMPANY
d/b/a LIBERTY UTILITIES:
Annual Retail Rate Adjustment.

PRESENT: Chairman Amy L. Ignatius, Presiding
Commissioner Robert R. Scott
Commissioner Michael D. Harrington

Sandy Deno, Clerk

APPEARANCES: Reptg. Granite State Electric Company
d/b/a Liberty Utilities:
Sarah B. Knowlton, Esq.

Reptg. Residential Ratepayers:
Susan Chamberlin, Esq., Consumer Advocate
Office of Consumer Advocate

Reptg. PUC Staff:
Suzanne G. Amidon, Esq.
Grant Siwinski, Electric Division

Court Reporter: Steven E. Patnaude, LCR No. 52

ORIGINAL

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WITNESS PANEL: **DAVID B. SIMEK**
 JOHN D. WARSHAW

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13	1 GSEC January 2014 Retail Rate Filing, including the Testimony and Schedules of David B. Simek and John D. Warshaw (11-21-13)	4
16	2 Eleventh Revised Page 84, consisting of Bates Pages 083-R and 084-R	4

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P R O C E E D I N G

CHAIRMAN IGNATIUS: Okay. I'd like to open the hearing in Docket DE 13-327. This is Granite State Electric Company, doing business as Liberty Utilities, Annual Retail Rate Adjustment.

So, let's begin first with appearances.

MS. KNOWLTON: Good afternoon Commissioners. My name is Sarah Knowlton. I'm here today for Granite State Electric Company, which does business as Liberty Utilities. And, with me today are the Company's two witnesses, David B. Simek and John D. Warshaw.

CHAIRMAN IGNATIUS: Good afternoon.

MS. CHAMBERLIN: Good afternoon. Susan Chamberlin, Consumer Advocate for the residential ratepayers.

CHAIRMAN IGNATIUS: Good afternoon.

MS. AMIDON: Good afternoon. Suzanne Amidon, for Commission Staff. With me today is Grant Siwinski, an analyst in the Electric Division.

CHAIRMAN IGNATIUS: Good afternoon and welcome. And, the witnesses are already seated. Is there anything to take up before we begin with testimony?

MS. KNOWLTON: Yes. There are two exhibits that we'd like to mark for identification. The

[WITNESS PANEL: Simek~Warshaw]

1 first is the Company's November 21st, 2013 filing, which
2 contains the testimony and schedules of David B. Simek and
3 John D. Warshaw, as "Exhibit 1".

4 CHAIRMAN IGNATIUS: So marked.

5 (The document, as described, was
6 herewith marked as **Exhibit 1** for
7 identification.)

8 MS. KNOWLTON: The second is the
9 December 6, 2013 Revised Tariff Page 84, which is Bates
10 numbered Pages 083-R and 084-R, as "Exhibit 2".

11 CHAIRMAN IGNATIUS: So marked for
12 identification. Thank you.

13 (The document, as described, was
14 herewith marked as **Exhibit 2** for
15 identification.)

16 MS. KNOWLTON: The Company calls David
17 Simek and John Warshaw.

18 (Whereupon **David B. Simek** and
19 **John D. Warshaw** was duly sworn by the
20 Court Reporter.)

21 **DAVID B. SIMEK, SWORN**

22 **JOHN D. WARSHAW, SWORN**

23 **DIRECT EXAMINATION**

24 BY MS. KNOWLTON:

{DE 13-327} {12-19-13}

[WITNESS PANEL: Simek~Warshaw]

1 Q. Starting with you, Mr. Simek. Would you please state
2 your full name for the record.

3 A. (Simek) Sure. It's David Simek.

4 Q. By whom are you employed?

5 A. (Simek) Liberty Energy Utilities New Hampshire Corp.

6 Q. What is your position with the Company?

7 A. (Simek) I am a Utility Analyst providing electric rate
8 related services for the Company.

9 Q. What did you do prior to joining Liberty Utilities?

10 A. (Simek) I had worked for NSTAR Electric & Gas, in
11 Massachusetts, worked in Energy Supply. And, prior to
12 that, I had worked in their Investment Planning group.

13 Q. Do you have the November 21st, 2013 filing before you?

14 A. (Simek) Yes.

15 Q. And, that contains your testimony, correct?

16 A. (Simek) Yes.

17 Q. And was that prepared by you or under your direction?

18 A. (Simek) Yes.

19 Q. Do you have any corrections to that testimony?

20 A. (Simek) Yes. On Bates stamp Page 004, under the
21 "Conclusion" section, it's labeled that the Conclusion
22 is on Page "155". That's a typo. It should be
23 Page "15". And, also, on Bates stamp 009, in Line 9,
24 the very last word "is" should be omitted.

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1 Q. Do you have any updates to your testimony?

2 A. (Simek) Yes. Also, on Bates stamp 009, on Line 6, I'm
3 showing there that we had planned for the stranded cost
4 Contract Termination Charge that we were told by
5 National Grid that it would be filed with the
6 Commission either on or before December 1st. And, it
7 has come to our attention that this has not been filed
8 yet. We did confirm with National Grid that they are
9 planning on filing that 30 days after the effective
10 date of when and if these rates get approved. They
11 also verified that the 0.080 cents per kilowatt-hour is
12 the uniform charge that we will be charged for the
13 Contract Termination Charge.

14 Q. And, is that the charge that you included in your
15 testimony and schedules?

16 A. (Simek) Yes.

17 Q. Subject to those corrections and that update, if I were
18 to ask you the questions contained in your testimony
19 today, would the answers be the same?

20 A. (Simek) Yes.

21 Q. Mr. Warshaw, I'll ask you the same questions. Do you
22 have the November 21st, 2013 filing in front of you?

23 A. (Warshaw) Yes, I do.

24 Q. And, that contains your testimony, correct?

[WITNESS PANEL: Simek~Warshaw]

1 A. (Warshaw) Yes.

2 Q. Was that prepared by you or under your direction?

3 A. (Warshaw) It was.

4 Q. Do you have any updates to your testimony?

5 A. (Warshaw) I have one correction. On Bates stamp 110,
6 on Line 9, the third column, under "Year-to-Year
7 Incremental/Detrimental", the value "30,409" should be
8 struck, and instead the value "2,068,496" should be
9 inserted.

10 CMSR. SCOTT: One more time please.

11 WITNESS WARSHAW: Okay. You would
12 strike the value of "30,000" --

13 CHAIRMAN IGNATIUS: Wait, wait. I'm
14 even behind that. What line are you in?

15 WITNESS WARSHAW: I'm on Line 9, which
16 is the "Subtotal of ISO-NE Tariff Charges".

17 CHAIRMAN IGNATIUS: Yes.

18 WITNESS WARSHAW: And, the third column
19 is showing the delta from one year to the next. And, I
20 have the wrong value in at that one spot. So, you would
21 strike "30,409", which is the second one, and you would
22 instead put "\$2,068,496".

23 CHAIRMAN IGNATIUS: And, that's just
24 getting the math --

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[WITNESS PANEL: Simek~Warshaw]

1 WITNESS WARSHAW: Correct.

2 CHAIRMAN IGNATIUS: -- right between the
3 first two columns?

4 WITNESS WARSHAW: Yes.

5 CHAIRMAN IGNATIUS: Thank you.

6 BY MS. KNOWLTON:

7 Q. Do you have any other corrections or updates?

8 A. (Warshaw) That's all I found.

9 Q. Subject to that correction, if I were to ask you today
10 the questions in your testimony, would the answers be
11 the same?

12 A. (Warshaw) Yes, they would.

13 Q. Mr. Simek, would you describe for the Commission the
14 reconciliations that are occurring in this filing.

15 A. (Simek) Yes. Three separate distribution charge
16 reconciliations are included in this filing. It's the
17 Stranded Cost Charge, the Transmission Service Charge,
18 and the GreenUp Service Recovery Charge. The Stranded
19 Cost Charge is made up of a uniform charge and a
20 reconciliation of the Contract Termination Charge with
21 New England Power, to recover the stranded costs
22 related to the divestiture of their generation assets.
23 Under the Transmission Service Charge, it's also based
24 on a base charge and a reconciliation component. The

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1 purpose of the charge is for the Company to recover its
2 transmission-related expenses billed by ISO-New England
3 and New England Power. The third charge in this filing
4 is related to the GreenUp Service Recovery provision,
5 which is related to recovery for the administration of
6 our GreenUp Service Program.

7 Q. Would you walk us through the adjustments to the rates
8 that the Company is proposing with regard to each of
9 these elements.

10 A. (Simek) Yes. If we can go to Bates stamp Page 007,
11 Line 17 through 23 shows a comparison of the rates
12 between the 2013 what the average charge was cents per
13 kilowatt-hour, to what the proposed rates are for 2014.
14 For the Stranded Cost Charge and the GreenUp Recovery
15 Adjustment Factor, I'll discuss those. Then, I'll ask
16 John to discuss the transmission portion of the
17 increase.

18 For the Stranded Cost Charge, that 0.080
19 cents, really is based off of the uniform charge that
20 we're getting charged by National Grid. Again, that
21 was what we were -- I verified with National Grid that
22 that is the amount that they are filing. The
23 reconciliation portion of that charge was minimal and
24 did not affect the average price here.

1 Q. And, is that reconciliation from 2013 -- or, excuse me,
2 2012 costs?

3 A. (Simek) Yes.

4 Q. Thank you.

5 A. (Simek) And, that reconciliation is based off of a
6 cycle bill calculation, so that the dollars are
7 generally very minimal, which, again, wouldn't affect
8 the factor out to a fifth decimal.

9 Q. And, would you address the GreenUp Recovery Adjustment
10 Factor next please.

11 A. (Simek) Yes. The GreenUp Recovery Adjustment Factor in
12 2013 was a negative 0.001, which was related to a prior
13 year overcollection, and it was a credit given back to
14 customers. For 2014, we're recommending to have no
15 charge, based on the fact that we expect administrative
16 costs to be very low.

17 Q. On Page 018 of your testimony, you refer to the
18 Company's request to terminate its GreenUp Program as
19 part of it says "DE-013", do you see that, on Lines 6
20 through 7?

21 A. (Simek) Yes.

22 Q. If I were to tell you that the reference there is to
23 the rate case, which is "DE-063" [DE 13-063?], would
24 you accept that?

1 A. (Simek) Yes.

2 Q. And, are you familiar with that request to eliminate
3 the GreenUp Program?

4 A. (Simek) Yes.

5 Q. And, do you know, Mr. Simek, how many customers
6 participate now? And, if you don't know, Mr. Warshaw,
7 if you could answer.

8 A. (Simek) I believe it's slightly over a hundred.

9 A. (Warshaw) Yes.

10 Q. Do you know how many customers participated in GreenUp
11 a year ago?

12 A. (Warshaw) It was 111, as of January -- as of the end of
13 January of this year.

14 Q. Mr. Simek, given that the request in the rate case is
15 pending to eliminate the GreenUp Program, do you have
16 any update that you can provide to the Commission in
17 terms of the timing of that potential elimination?

18 A. (Simek) Yes. We are in the process, currently in the
19 process of implementing a new Cogsdale billing program.
20 And, this -- the implementation would inquire --
21 require additional IT programming costs to include the
22 GreenUp Program in the new system. And, we're
23 requesting fairly soon, I believe, to ask to eliminate
24 the program, so that we will not incur those

1 programming costs.

2 Q. Mr. Warshaw, would you address the transmission rate
3 adjustment that's being proposed in the filing.

4 A. (Warshaw) You mean the Transmission Charge? The
5 changing Transmission Charge?

6 Q. Yes. Thank you.

7 A. (Warshaw) Yes. We are proposing to increase the
8 Transmission Charge to our customers, from a value of
9 1.86 cents per kilowatt-hour in 2013 to a value of 1.97
10 cents per kilowatt-hour in 2014. This is the result of
11 a combination of reconciliation of the 2013 charges
12 versus revenue for transmission charges, and also the
13 proposed 20 -- transmission charges that the Company
14 would experience in 2014. And, this is based on the
15 transmission investments that the various transmission
16 providers in New England have planned to make and
17 implement during the 2014 period.

18 Q. Mr. Warshaw, do your schedules identify those projects?

19 A. (Warshaw) No, they do not. But there is a significant
20 number of projects that are in process throughout --
21 across New England. The ones that would have -- well,
22 all of the projects across New England will end up
23 being included in the development of the uniform RNS --
24 that would be included to develop the Regional Network

[WITNESS PANEL: Simek~Warshaw]

1 Service Charge that the Company pays for transmission
2 service.

3 Q. Mr. Warshaw, if you would look at Bates Page 125, which
4 is Exhibit JDW-5.

5 A. (Warshaw) Yes.

6 Q. Okay. Would you explain what this is and how this
7 relates to the charge, the Transmission Charge that's
8 being proposed.

9 A. (Warshaw) These are the -- for the various transmission
10 owners in New England, this is the capital additions
11 that are planned for calendar year 2014. And, this
12 number, the "\$907 million", is used to develop the
13 forecasted RNS Charge that was used to develop our
14 transmission rate. And, based on that, the change in
15 investments, the ISO is forecasting an increase in the
16 RNS rates from \$85.32, that was effective June 1st of
17 2013, to a value of \$94 that would be effective
18 June 1st of 2014. And, that's a proposed rate. That's
19 not a rate that's been filed or approved by the FERC as
20 of yet.

21 Q. Does Granite State Electric Company have any ability to
22 control those costs?

23 A. (Warshaw) Virtually none.

24 Q. Why is that?

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[WITNESS PANEL: Simek~Warshaw]

1 A. (Warshaw) We do not own any transmission service. And,
2 our participation in ISO-New England is very, very
3 small, compared to the number of participants that are
4 involved in ISO-New England.

5 MS. KNOWLTON: I have no further
6 questions for the panel.

7 CHAIRMAN IGNATIUS: Thank you.
8 Ms. Chamberlin.

9 MS. CHAMBERLIN: Thank you.

10 **CROSS-EXAMINATION**

11 BY MS. CHAMBERLIN:

12 Q. Continuing on the transmission costs, is it fair to
13 characterize these projects as being beneficial to the
14 ISO-New England region, as opposed to simply Granite
15 State Electric?

16 A. (Warshaw) Yes. These are projects that are beneficial
17 to delivering low cost -- lowest cost power to all of
18 New England.

19 Q. And, how are those costs allocated to Liberty at your
20 level?

21 A. (Warshaw) At our level, we incur a transmission cost
22 based on our peak demand for each month.

23 Q. I have a question for Mr. -- I'm forgetting your name,
24 sir?

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1 A. (Simek) Simek.

2 Q. "Simek". Thank you. Turning to DBS-7, which, let's
3 see, what's the Bates stamp page?

4 A. (Simek) It's Bates stamp 055.

5 Q. 055. Could you look at the "Interest" column please.

6 A. (Simek) Yes.

7 Q. And, do you agree with me that there are zeros all the
8 way through on the "Interest" column for these over
9 recovery and under recovery amounts?

10 A. (Simek) Yes.

11 Q. And, can you -- do you agree with me that typically
12 interest is applied on any over or under recovery?

13 A. (Simek) Yes.

14 Q. And, can you explain why no interest is charged on this
15 -- no interest is reflected on this chart?

16 A. (Simek) Yes. I went back, when I was completing this,
17 as I testified, that I went back and kept with past
18 practices. And, I went through, back to 2009, every
19 filing, and there was no interest charged for either
20 over or under recoveries. Now, the under recoveries
21 were for every year, 2009 through 2012 -- 2011, I'm
22 sorry, and then 2012 and 2000 -- and then, of course,
23 this filing are both over recoveries for transmission.

24 Q. And, just looking at the numbers involved, is the

[WITNESS PANEL: Simek~Warshaw]

1 amount of interest a fairly small number, either way?

2 A. (Simek) I believe so, yes.

3 Q. Okay. Other than past practice, you have no
4 substantive reason why the interest was not applied?

5 A. (Simek) Correct.

6 MS. CHAMBERLIN: Thank you.

7 (Short pause.)

8 MS. CHAMBERLIN: Thank you. That's all
9 I have.

10 CHAIRMAN IGNATIUS: Thank you.

11 Ms. Amidon.

12 MS. AMIDON: Thank you. Good afternoon.

13 WITNESS SIMEK: Good afternoon.

14 WITNESS WARSHAW: Good afternoon.

15 BY MS. AMIDON:

16 Q. Mr. Warshaw, on Page 125 of the filing, as we
17 previously observed, there was a list of transmission
18 owners, is that correct, and the associated capital
19 additions that were contemplated by those owners for
20 2014?

21 A. (Warshaw) Yes.

22 Q. And, I notice that the largest amount is attributable
23 to Northeast Utilities. Do you see what I'm talking
24 about there?

{DE 13-327} {12-19-13}

[WITNESS PANEL: Simek~Warshaw]

1 A. (Warshaw) Yes.

2 Q. Do you know what, in any detail, and I don't want
3 extensive detail, but do you know any of the projects
4 specifically that are being contemplated for
5 installation by NU and where they would be located?

6 A. (Warshaw) I only know at a very high level, but --

7 Q. That's all I need.

8 A. (Warshaw) But, among the projects that NU is looking to
9 install, and this is not just for calendar year '14, a
10 lot of these projects have multiyear investments, and
11 this is just the cost that is going to -- is proposed
12 or is forecast for the 2014 period. There is a
13 Pittsfield to Greenfield transmission solution, and
14 that I believe is in Massachusetts. There's something
15 called a "PSNH 10-year Project" to work on the
16 transmission system in New Hampshire. And, then,
17 there's a -- what's called a "Southwest Connecticut
18 Project", and that's, again, being part of a longer
19 term program to improve the ability of moving power
20 across the southern half of New England.

21 Q. So, each of these projects then are multiyear projects?

22 A. (Warshaw) Yes. That's my understanding. They are
23 multiyear projects that are reviewed by the ISO on an
24 annual basis in their regional system plan.

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[WITNESS PANEL: Simek~Warshaw]

1 Q. And, the PSNH 10-year Project in New Hampshire, I
2 think, is it safe to say that is not Northern Pass, but
3 improvements to transmission generally?

4 A. (Warshaw) Correct. That is not a Northern Pass
5 Project.

6 Q. Okay. Thank you. Mr. Simek, you referred to the
7 GreenUp Program in your filing?

8 A. (Simek) Yes.

9 Q. And, from what I understand from your testimony today,
10 the Company is making changes in its billing system,
11 you mentioned the "Cogsdale system", is that right?

12 A. (Simek) Yes.

13 Q. And, I believe that you are aware through informal
14 discussions that both PSNH and Unitil have discontinued
15 their renewable program effectively?

16 A. (Simek) Yes.

17 Q. So, Granite State would be the third and final utility
18 that would be proposing discontinuance of this program,
19 is that right?

20 A. (Simek) Yes.

21 Q. And, from my familiarity with the rate case, Docket
22 13-063, the Company originally requested that the
23 GreenUp Program be eliminated in the context of that
24 rate case, correct?

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1 A. (Simek) Correct.

2 Q. But, now, with this new reality of the Cogsdale
3 switchover, you're finding you need to accelerate the
4 termination of the program to avoid additional costs
5 associated with the Cogsdale project?

6 A. (Simek) Correct.

7 Q. So, is it fair to say that the Commission might expect
8 a request for an order *nisi*, supported by other
9 information, that would request an earlier termination
10 of the GreenUp Program?

11 A. (Simek) Yes.

12 MS. AMIDON: Okay. Thank you. That's
13 all I have.

14 CHAIRMAN IGNATIUS: Thank you.
15 Commissioner Scott.

16 CMSR. SCOTT: Thank you. I don't have
17 many questions.

18 BY CMSR. SCOTT:

19 Q. On Bates 110 of Exhibit 1, I was just curious, it
20 references a "ISO-New England Disgorgement Fund
21 Credit". Is that the -- just for my edification, is
22 that the Constellation ruling, is that where that comes
23 from?

24 A. (Warshaw) Yes. That was that one-time payment.

[WITNESS PANEL: Simek~Warshaw]

1 Q. Okay. And, that answers my next question. So, you
2 don't expect to get that again then?

3 A. (Warshaw) I hope not. I hope Constellation doesn't
4 misbehave and end up having to make another payment
5 like that.

6 Q. Okay. I won't editorialize on that then. On the
7 GreenUp fund, the overcollection you mentioned, what
8 drove that? Was that basically caused by, you had to
9 project some guess of the number of customers moving
10 forward and the number of customers fell short or what
11 drove the overcollection?

12 A. (Simek) I'm actually -- I don't know that answer. That
13 was prior to my time at the Company. The collection I
14 believe was from July 2011 till -- through June 2012.
15 And, then, it was determined, as of last year's retail
16 rate filing, for -- to go from January through December
17 of this year to give the money back.

18 Q. Mr. Warshaw looked like he wanted to answer. So, I
19 don't want to bar him from doing so.

20 A. (Warshaw) I agree, you know, what Mr. Simek said is
21 exactly how I remember it, too.

22 CMSR. SCOTT: Thank you. That's all I
23 had.

24 CHAIRMAN IGNATIUS: Thank you. I have

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1 no questions. Any redirect, Ms. Knowlton?

2 MS. KNOWLTON: I have none.

3 CHAIRMAN IGNATIUS: All right. Then,
4 the witnesses are excused. Thank you very much for your
5 testimony.

6 Is there any objection to striking the
7 identification on the two exhibits and making them full
8 exhibits to the docket?

9 (No verbal response)

10 CHAIRMAN IGNATIUS: Seeing none, we will
11 do so. Anything prior to closings?

12 (No verbal response)

13 CHAIRMAN IGNATIUS: Then, why don't we
14 begin with Ms. Chamberlin.

15 MS. CHAMBERLIN: Thank you. I would ask
16 that the Commission direct the Company, in its next
17 adjustment filing, to address the "interest" question.
18 Either start applying interest on over and
19 undercollections or provide an explanation as to why.
20 It's something the OCA noticed in the filing. We don't
21 have a substantive reason for it. It may exist, but we
22 don't know what it is. So, we'd ask the Company to look
23 into that and get back to the Commission in its next
24 filing.

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1 Other than that, we appreciate that much
2 of these costs occur at the ISO level and are allocated
3 down through the region, and Liberty has to pay its share,
4 and it is doing so. So, we do not object to the filing
5 being implemented as proposed.

6 CHAIRMAN IGNATIUS: Thank you.
7 Ms. Amidon.

8 MS. AMIDON: Thank you. The Staff has
9 reviewed the filing. And, we have determined that Granite
10 State has calculated the CTC and the transmission factors
11 and reconciliation amounts in a manner consistent with the
12 prior filings and as approved by the Commission in
13 connection with restructuring. And, therefore, we would
14 -- we do not object to this Petition taking effect as the
15 Company has requested for rates effective January 1, 2014.

16 CHAIRMAN IGNATIUS: Thank you. And, I
17 take it, from your question about the GreenUp, that you're
18 anticipating there may be another filing to come
19 addressing the GreenUp?

20 MS. AMIDON: Correct. And, I just
21 wanted to outline, you know, make sure that the Company
22 had clearly stated for the record why they would be
23 accelerating their request for the termination of the
24 program.

1 CHAIRMAN IGNATIUS: Ms. Knowlton.

2 MS. KNOWLTON: Thank you. The Company
3 asks that the Commission approve the retail rate filing in
4 its entirety. We believe that the Stranded Cost Charge
5 that was incorporated into the filing is appropriate. Mr.
6 Simek did confirm that amount of the CTC with National
7 Grid, even though its filing has not come in yet. The
8 transmission adjustment is based on charges that flow
9 through from FERC-approved tariffs down to Granite State,
10 and would ask that that adjustment be approved as well.

11 And, finally, with regard to the
12 GreenUp, we do desire to wind the program down, as the
13 other two electric utilities have done, Unitil and PSNH.
14 And, the Company will be filing a petition with a
15 technical statement asking that the Commission allow it to
16 wind down that program sooner than an order would issue in
17 its distribution rate case, DE 13-063, so that the Company
18 can avoid IT programming costs as it works through its
19 cutover process from National Grid to its own customer
20 information system. Thank you.

21 CHAIRMAN IGNATIUS: Thank you. And,
22 this is all for effect January 1st, 2014?

23 MS. KNOWLTON: Correct.

24 CHAIRMAN IGNATIUS: All right. Then, we

1 will take this under advisement. And, appreciate
2 everyone's testimony today. Thank you. We're adjourned.

3 **(Whereupon the hearing was adjourned at**
4 **2:51 p.m.)**