

**THE STATE OF NEW HAMPSHIRE**  
**Before the**  
**PUBLIC UTILITIES COMMISSION**

**Liberty Utilities (EnergyNorth Natural Gas) Corp. d/b/a Liberty Utilities**  
**Petition for Expansion of Franchise to Town of Pelham and Windham**

**Docket No. DG 15-362**

**NORTHERN UTILITIES, INC.**  
**LATE-FILED PETITION TO INTERVENE**

Northern Utilities, Inc. (“Northern” or “the Company”) hereby respectfully petitions the New Hampshire Public Utilities Commission (“Commission”) for full party Intervenor status in the above captioned matter pursuant to RSA 541-A: 32 and N.H. Code of Admin. Proc. Puc 203.17. Though Northern acknowledges that the date established by the Commission for submission of Petitions to Intervene in this docket has recently passed, the docket is still in an early stage and Northern’s intervention will be in the interests of justice, will not impair the proper conduct of these proceedings, and will not prejudice any of the parties. In support of its Petition, Northern states the following:

1. Northern is a public utility organized and existing under the laws of New Hampshire. It is wholly owned by Unitil Corporation, a New Hampshire corporation and public utility holding company. Northern is primarily engaged in the business of distributing natural gas in various cities and towns in New Hampshire and Maine. Northern’s primary place of business is located at 6 Liberty Lane West, Hampton, New Hampshire.

2. On August 31, 2015, Liberty Utilities (EnergyNorth Natural Gas) Corp. d/b/a Liberty Utilities (“Liberty”) filed a petition requesting that the Commission grant it franchises to serve in the Towns of Pelham and Windham, New Hampshire pursuant to RSA 374:22 and 26. The Commission has opened this docket to consider Liberty’s request.

3. On September 21, 2015, the Commission issued an Order of Notice scheduling a prehearing conference for October 28, 2015 and further ordering that any party seeking to intervene in this docket submit a Petition to Intervene on or before October 23, 2015.

4. Notwithstanding the deadline for intervention established by the Order of Notice, the Commission has the authority to grant a petition to intervene at any time, upon determining that such intervention would be in the interests of justice and would not impair the orderly conduct of the proceedings. RSA 541-A:32, II. For the reasons set forth below, Northern’s intervention in

this docket serves the interests of justice and will not impair the orderly conduct of the proceedings.

5. Pursuant to RSA 541-A:32 and Puc 203.17, the Commission shall grant a petition to intervene if it “states facts demonstrating that the petitioner's rights, duties, privileges, immunities or other substantial interests may be affected by the proceeding or that the petitioner qualifies as an intervenor under any provision of law,” and if “the interests of justice and the orderly and prompt conduct of the proceedings would not be impaired by allowing the intervention.” RSA 541-A:32, I.

6. Northern, like Liberty, is a public utility engaged in the business of distributing natural gas to towns in New Hampshire. As such, positions taken by Liberty, Commission Staff, the Office of the Consumer Advocate (“OCA”), or other intervenors, as well as the Commission’s ultimate analysis in this docket, may impact Northern’s business and its ability or efforts to expand and extend gas service to New Hampshire customers in the future.

7. Under Liberty’s proposal in this docket, it appears that Liberty plans to support the costs of a new interconnection with the Tennessee Gas Pipeline and extend its distribution system into Windham and Pelham to potentially serve customers at the same rates paid by other Liberty customers.

8. Northern takes no position regarding Liberty’s proposal at this time. Northern is, however, generally supportive of the expansion of natural gas distribution within New Hampshire, and believes that such expansion will yield benefits to the public and the environment. As a natural gas utility that may seek to extend its gas distribution system and franchise in the future, Northern has a substantial and direct interest in the policy developments implicated by Liberty’s petition. As such, Northern’s participation in this docket serves the interests of justice.

9. Liberty’s proposal raises several important policy concerns including, but not limited to, the appropriate financial models and method(s) used to evaluate the financial viability of large gas distribution expansion projects, the proper ratemaking treatment associated with investments to expand into new franchise areas, and the effective geographic area to be included within the scope of a request to expand into a new franchise area. As a natural gas utility operating in New Hampshire that may seek to extend its gas distribution system and franchise territory, Northern has a substantial and direct interest in the ability of a natural gas utility to obtain a franchise to expand service to customers.

10. Northern has contacted counsel for Liberty regarding this Petition, and as of this writing Liberty has not taken a position on the Petition. Northern also contacted counsel for the Office of the Consumer Advocate, which assents to the Petition, and Commission Staff, which takes no position on the Petition.

WHEREFORE Northern respectfully requests that the Commission grant its Late-Filed Petition to Intervene consistent with RSA 541-A:32 and Puc 203.17 and such further relief as may be just and equitable.

Respectfully submitted,

By: 

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