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July 24, 2019

NHPUC 24JUL'19PM4:13

Via Hand-Delivery and Electronic Mail

Debra A. Howland, Executive Director
New Hampshire Public Utilities Commission
21 South Fruit Street, Suite 10
Concord, NH 03301-2429

**Re: Docket No. DG 17-068; Liberty Utilities (EnergyNorth Natural Gas) Corp. -- Keene Division
Petition for Declaratory Ruling**

Dear Ms. Howland:

On behalf of Liberty Utilities (EnergyNorth Natural Gas) Corp., d/b/a Liberty Utilities, I write to respectfully ask the Commission to promptly resolve the *Motion for Rehearing* filed by Mr. Clark in November 2017 and briefed by the parties in May 2018, because -- should the Commission deny Mr. Clark's motion -- the window of time is closing for Liberty to convert the Monadnock Marketplace customers prior to the 2019-2020 winter season.

In Order No. 26,065 (Oct. 20, 2017), the Commission granted Liberty's request to declare that it had the franchise to distribute natural gas in Keene. The Commission also stated that "Liberty shall not flow any gas through the CNG/LNG installation in Keene until the Commission's Safety Division has found the required plans and reports adequate, and completed its physical inspection of the facilities as described above." Order at 5.

Mr. Clark filed his motion for rehearing on the franchise issue in November 2017 and, after issuing an order of notice and conducting a prehearing conference, the Commission had the parties brief the issue of Liberty's right to serve natural gas in Keene in May 2018. Mr. Clark's motion remains pending.

Liberty satisfied the Order's only condition, quoted above, when the Safety Division stated in its April 16, 2019, Recommendation that Liberty's "2019 amended plan complies with Commission Order 26,065," which thus "allows the commencement of the proposed Monadnock Marketplace system conversion from propane-air to natural gas and begins the flow of natural gas." Recommendation at 2.

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Resolving Mr. Clark's 2017 motion is the last unresolved issue in this docket and the only obstacle to Liberty beginning the conversion process for the Marketplace customers.

Converting the customers is a process that takes 60 days. We must line up contractors (whose availability lessens as the winter season approaches because they are busy with other pre-winter work), coordinate schedules with Company employees, contractors, and the customers, and then perform the work when the customers' businesses are closed. Converting customers during the heating season poses unnecessary risks; a small issue that would be of no consequence if the conversion occurred during warm weather becomes a larger issue if the weather has turned cold and their heating system must be shut down for a time. Therefore, we must begin the conversion process now in order to finish by the end of September, in advance of cooler weather.

The Company has informally alerted the Commission and Staff to this situation several times over the recent months, including during the most recent Keene cost of gas hearing on April 23 (an excerpt of that transcript is attached). Given the timing issues described above, the Company feels compelled to make this formal filing to emphasize the importance of an order resolving Mr. Clark's motion.

Thank you.

Sincerely,



Michael J. Sheehan

Enclosure
cc: Service List