

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

DG 09-095

ORDER OF NOTICE

On May 18, 2009, EnergyNorth Natural Gas, Inc. d/b/a National Grid NH (EnergyNorth) submitted its fiscal year 2009 (April 1, 2008 – March 31, 2009) annual cast iron bare steel main replacement program results and reconciliation filing pursuant to the terms of the National Grid/KeySpan merger settlement agreement approved by the Commission in Docket No. DG 06-107. *See National Grid plc, et al.*, Order No. 24,777 (July 12, 2007). On May 19, 2009, EnergyNorth filed a supplemental report on its 2009 fiscal year cast iron bare steel replacement program.

The filing contained the following information: (1) a report on actual cast iron bare steel capital spending for fiscal year 2009, including an explanation of differences from the fiscal year 2009 budget; (2) a proposed \$314,318 increase in the annual revenue requirement to be recovered through distribution rates effective for usage on and after July 1, 2009; and (3) the proposed cast iron bare steel main replacement plan for fiscal year 2010.

In the attachments supporting the filing, EnergyNorth calculated that the requested \$314,318 increase to its annual revenue requirement represents a 0.18% increase to distribution rates. On an overall bill basis, the increase to a typical residential heating customer would be \$2.54 for a residential customer using 1,250 therms per year, representing a 0.14% increase.

The filing raises, *inter alia*, issues related to whether EnergyNorth's filing conforms to the requirements of the merger settlement agreement and Letter of Understanding

between Staff and EnergyNorth related to the implementation of the Cast Iron Bare Steel Replacement Program (EnergyNorth letter dated June 19, 2008 filed in DG 06-107), whether EnergyNorth has appropriately accounted for the costs of cast iron bare steel replacement program, and whether the resulting rates are just and reasonable as required by RSA 378:5 and 378:8. Each party has the right to have an attorney represent them at their own expense.

Based upon the foregoing, it is hereby

ORDERED, that a hearing, pursuant to N.H. Admin. Rules Puc 203, be held before the Commission located at 21 S. Fruit St., Suite 10, Concord, New Hampshire on June 24, 2009 at 1:30 p.m.; and it is

FURTHER ORDERED, that pursuant to N.H. Admin. Rules Puc 203.12, EnergyNorth shall notify all persons desiring to be heard at this hearing by publishing a copy of this Order of Notice no later than May 28, 2009, in a newspaper with general circulation in those portions of the state in which operations are conducted, publication to be documented by affidavit filed with the Commission on or before June 24, 2009; and it is

FURTHER ORDERED, that pursuant to N.H. Admin. Rules Puc 203.17, any party seeking to intervene in the proceeding shall submit to the Commission seven copies of a Petition to Intervene with copies sent to EnergyNorth and the Office of the Consumer Advocate on or before June 19, 2009, such Petition stating the facts demonstrating how its rights, duties, privileges, immunities or other substantial interest may be affected by the proceeding, as required by N.H. Admin. Rule Puc 203.17 and RSA 541-A:32,I(b); and it is

FURTHER ORDERED, that any party objecting to a Petition to Intervene make said Objection on or before June 24, 2009.

By order of the Public Utilities Commission of New Hampshire this twenty-first
day of May 2009.

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.