

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DE 12-307

PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE

Petition of James Snyder Requesting Review of Line Extension Charges

Order Denying Request for Rehearing

ORDER NO. 25,469

March 6, 2013

I. PROCEDURAL BACKGROUND

On October 15, 2012, James Snyder of Canterbury, New Hampshire filed a petition regarding the line extension charges included in the approved tariffs of Public Service Company of New Hampshire (PSNH). Mr. Snyder is a PSNH customer who requested electric service to a planned residence located on a Class V road.

The Commission issued Order No. 25,461 denying Mr. Snyder's petition on January 31, 2013. On February 13, 2013, Mr. Snyder filed a motion for rehearing of Order No. 25,461 and PSNH filed an objection to Mr. Snyder's motion on February 15, 2013. On February 26, 2013 Mr. Snyder filed a response to PSNH's objection and on March 5, 2013 he filed a request for action on his motion for rehearing.¹

II. POSITIONS OF THE PARTIES

A. James Snyder

In his request for rehearing, Mr. Snyder challenged the Commission's findings that the PSNH line extension tariff met the goals of: (1) minimizing subsidization occurring between existing customers and new customers; and (2) reducing the time PSNH spent on administering,

¹ For additional procedural history of this docket see, Order No. 25,461 (Jan. 31, 2013).

estimating and monitoring line extensions, making it more straightforward and easier to understand. He asserted that both were unreasonable and illogical.

He argued that the current line extension policy created a subsidy from present customers to future customers who would use the new line without cost. Mr. Snyder stated that while it might be easier to understand, the new line extension tariff is not fair. Mr. Snyder claimed that it is unfair that one customer pay the entire cost of installing a line extension while potential future customers received the benefit at no cost.

B. Public Service Company of New Hampshire

In its objection, PSNH stated that Mr. Snyder's motion to rehear the Commission's Order No. 25,461 does not meet the standard set out in RSA 541:3. According to PSNH, Mr. Snyder did not identify new evidence or arguments and, instead, requested that the Commission re-evaluate its conclusions about subsidization by one customer group to another. Finally, PSNH claimed that Mr. Snyder's arguments that all customers should pay for electricity service to Class V or higher roads ignores the ratemaking principle that the costs of constructing lines to new customer locations should be borne by those customers causing the costs.

III. COMMISSION ANALYSIS

Pursuant to RSA 541:3 the Commission may grant rehearing or reconsideration when a party shows good reason for such relief. Good reason may be shown by identifying new evidence that could not have been produced in the underlying proceeding, *see O'Loughlin v. N.H. Personnel Comm'n*, 117 N.H. 999, 1004 (1977), or by identifying specific matters that were "overlooked or mistakenly conceived" by the deciding tribunal. *Dumais v. State*, 118 N.H. 309, 311 (1978). A successful motion for rehearing does not merely reassert prior arguments and

request a different outcome. *Public Service Company of New Hampshire*, Order No. 25,239 (June 23, 2011) at 8.

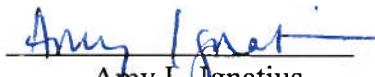
Mr. Snyder's petition stems from his disagreement with the line extension policy instituted by PSNH according to the terms of a settlement agreement approved by the Commission in Order No. 25,046 in DE 08-135. Accurately allocating costs to customers who cause those costs to be incurred is an important tenet of public utility ratemaking. *See* James C. Bonbright, *Principles of Public Utility Rates* (New York: Columbia University Press, 1961) at 291. In Order No. 25,046 we concluded that the proposed tariff was just and reasonable and in the public interest. In Order No. 25,461 we reviewed our earlier findings, together with Mr. Snyder's arguments, and found no reason to change our conclusions regarding PSNH's line extension tariff.

In his request for rehearing, Mr. Snyder has not presented us with any new facts that would persuade us to reopen the investigation of PSNH's line extension tariff. Though we recognize that the cost of Mr. Snyder's line extension is significant given the length of public road currently without electric service, we cannot conclude that it would be fairer for other customers to subsidize Mr. Snyder's decision to build on a parcel that has no electric service. Further, Mr. Snyder has not made any new policy arguments that we have not considered in our prior order. Accordingly, we will deny Mr. Snyder's request for rehearing.

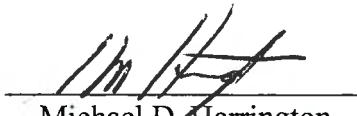
Based upon the foregoing, it is hereby

ORDERED, that the motion for rehearing of Order No. 25,461 filed by James A. Snyder is DENIED.

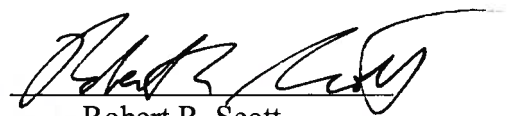
By order of the Public Utilities Commission of New Hampshire this sixth day of March, 2013.



Amy L. Ignatius
Chairman

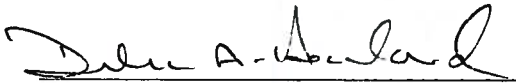


Michael D. Harrington
Commissioner



Robert R. Scott
Commissioner

Attested by:



Debra A. Howland
Executive Director

SERVICE LIST - EMAIL ADDRESSES - DOCKET RELATED

Pursuant to N.H. Admin Rule Puc 203.11 (a) (1): Serve an electronic copy on each person identified on the service list.

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Docket #: 12-307-1 Printed: March 06, 2013

FILING INSTRUCTIONS:

- a) Pursuant to N.H. Admin Rule Puc 203.02 (a), with the exception of Discovery, file 7 copies, as well as an electronic copy, of all documents including cover letter with: DEBRA A HOWLAND
EXEC DIRECTOR
NHPUC
21 S. FRUIT ST, SUITE 10
CONCORD NH 03301-2429
- b) Serve an electronic copy with each person identified on the Commission's service list and with the Office of Consumer Advocate.
- c) Serve a written copy on each person on the service list not able to receive electronic mail.