

THE STATE OF NEW HAMPSHIRE



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April 21, 2014

Gary Epler, Esq.  
Unitil Energy Systems, Inc.  
6 Liberty Lane West  
Hampton, NH 03842

Re: DE 14-078, Statewide Low-Income Electric Assistance Program  
Request to Modify *Statewide Low-Income Electric Assistance Program*, Order No.  
25,643 (Mar. 28, 2014)

Dear Mr. Epler:

On April 15, 2014, Unitil Energy Systems, Inc. (UES), requested a four day delay in the effective date of *Statewide Low-Income Electric Assistance Program*, Order No. 25,643 (Mar. 28, 2014), as applied to UES.

Order No. 25,643 approved three changes to the Electric Assistance Program (EAP) that were recommended by the EAP Advisory Board to address a surplus in the EAP fund. These changes raised the maximum income eligibility, increased three of the program's discount tiers, and restarted the two year period for temporary increases previously approved. The changes were to go into effect 30 days from the order's effective date, or April 27, 2014.

UES requested a delay in the effective date to May 1, 2014, because UES anticipates approval of a step increase in its rates to also go into effect May 1. The step increase was provided for in the settlement agreement reached in UES's last rate case, Docket No. 10-055, and is now before the Commission for approval in Docket No. DE 14-063. A hearing was held in that matter on April 18. If approved, the step increase will be effective May 1, 2014.

UES argued that making the two rate changes occur on the same day will advance administrative efficiency, avoid confusion for EAP customers who would otherwise have two rate changes within days, and will be consistent with Order No. 25,643.

Staff, the Office of Consumer Advocate, The Way Home, and the Community Action Programs advised the Commission that they did not object to UES's request.

Although filed as a waiver request, UES seeks a ministerial change in an order, not the waiver of a rule. The Commission applies “a public interest standard in our review of a requested modification of an order.” *Florida Power & Light Co.*, Order No. 25,138 at 5 (Aug. 12, 2010). In considering such changes to an order, the Commission considers whether the modification is agreed upon, is clerical or ministerial in nature, involves timing or scheduling, or pertains to other non-substantive terms. These factors militate in favor of granting UES’s request. Notice and a hearing are not required because the underlying order “was made under a provision of law that did not require a hearing and a hearing was, in fact, not held.” RSA 365:28.

The Commission has determined that the standards for a modification to Order No. 25,643 are satisfied here and that granting the request is consistent with the public good. Accordingly, the effective date of Order No. 25,643 as to UES has been extended to May 1, 2014.

Sincerely,

A handwritten signature in blue ink that reads "Debra A. Howland" followed by a stylized flourish.

Debra A. Howland  
Executive Director

cc: Service list

**SERVICE LIST - EMAIL ADDRESSES - DOCKET RELATED**

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**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 #: 14-078-1 Printed: April 22, 2014

**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  
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- 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.**