

STATE OF NEW HAMPSHIRE
BEFORE THE
NEW HAMPSHIRE PUBLIC UTILITIES COMMISSION

DG 15-289

LIBERTY UTILITIES (ENERGYNORTH NATURAL GAS) CORP.
d/b/a LIBERTY UTILITIES

Petition for Franchise Approval

NG ADVANTAGE LLC'S PETITION TO INTERVENE

NOW COMES NG Advantage LLC (“NG Advantage”), and, pursuant RSA 541-A:32 and N.H. Admin. R. Puc 203.17, respectfully petitions the New Hampshire Public Utilities Commission (the “Commission”) for intervention as a full party in the above-captioned proceeding. In support of this petition, NG Advantage states as follows:

1. The Commission’s Order of Notice dated August 6, 2015 in this docket states, *inter alia*, that Liberty Utilities (EnergyNorth Natural Gas) Corp., d/b/a Liberty Utilities (“Liberty”) filed a petition to provide gas utility service in Hanover and Lebanon, New Hampshire, and that Liberty’s proposal includes providing re-gasified liquefied natural gas (“LNG”) and/or compressed natural gas (“CNG”) through a pipeline distribution system to customers in Hanover and Lebanon. Order of Notice, p. 1.

2. The Order of Notice also states that Liberty’s filing raises, *inter alia*, issues related to: “adequacy of LNG/CNG supply”; whether Liberty could offer its proposed service “at just and reasonable rates”; “whether approval of Liberty’s franchise petition would be for the public good, and whether terms and conditions for the franchise privilege should be applied for the public interest... .” Order of Notice, p. 2.

3. The Order of Notice established a deadline of September 7, 2015 for the submission of petitions to intervene and scheduled a prehearing conference for September 9, 2015. Accordingly, this Petition is timely filed.

4. The statutory standards for intervention are set forth in RSA 541-A:32, I and II. First, a petition for intervention *must* be granted if the petitioner states facts demonstrating how its rights, duties, privileges, immunities or other substantial interests may be affected by the proceeding (or the petitioner qualifies under any provision of law) and the interests of justice and orderly and prompt conduct of the proceedings would not be impaired by allowing intervention. *See* RSA 541-A:32, I(b) and (c). Second, the Commission *may* 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. *See also* N.H. Admin. R. Puc 203.17 (requiring the Commission to grant one or more petitions to intervene in accordance with the standards of RSA 541-A:32).

5. At the outset, NG Advantage would note that the Commission has granted NG Advantage’s Petition to Intervene in a docket (DG 15-155) regarding Valley Green Natural Gas, LLC’s petition for a natural gas distribution franchise in Hanover and Lebanon. *See* DG 15-155, Secretarial Letter (July 31, 2015). In so doing, the Commission determined that the intervention petition was “consistent with the applicable standards for intervention.” *Id.* Therefore, and for the reasons presented below, NG Advantage meets the above-referenced mandatory and discretionary intervention standards.

6. NG Advantage is a Delaware limited liability company having a principal place of business in Colchester, Vermont. NG Advantage is engaged in the business of delivering CNG to customers that, due to their physical locations, cannot receive natural gas deliveries

through a local distribution company (“LDC”) that is connected to an interstate natural gas pipeline. NG Advantage delivers CNG using its “virtual pipeline” – a fleet of tractor trailers – to industrial sites that are not located on a natural gas pipeline. Currently, NG Advantage is delivering fuel to four locations in New Hampshire - including one in West Lebanon - from its compressor stations in Pembroke, New Hampshire, and Milton, Vermont. NG Advantage also delivers CNG to a distribution pipeline system that is not currently connected to a transmission system. Vermont Gas is the customer for this delivery and sells the received gas to several users through its distribution pipeline in a manner similar to that proposed by Liberty. NG Advantage’s majority owner, Clean Energy Fuels, delivers LNG to a variety of customers throughout the country. If Liberty, or any other entity, is awarded a franchise for the Lebanon and Hanover area, NG Advantage would be able to deliver CNG or LNG for distribution through LDC facilities or directly to customers who are not connected to the LDC pipeline.

7. Liberty’s Petition for Franchise Approval (“the Petition”) indicates that Liberty intends to use a competitive bidding process to procure both LNG and CNG for customers in Hanover and Lebanon. Petition, ¶¶ 8 and 14.

8. Substantial interests of NG Advantage are likely to be affected by this proceeding because NG Advantage is a potential supplier of natural gas to the proposed franchise area. NG Advantage is well positioned to play a valuable role in Liberty’s proposal, and will likely participate in the competitive bid process for Liberty’s gas supply. NG Advantage believes its bid would be cost effective and competitive. If LNG is also needed to meet storage requirements, NG Advantage or Clean Energy Fuels may bid to provide that as well.

9. As a supplier of natural gas to an off-pipeline distribution system in Vermont, and as a participant in the CNG market, NG Advantage possesses substantial information and

experience that would be of value to the Commission and other parties in this proceeding. For example, NG Advantage can provide information regarding ways to meet reliability requirements for firm customers, which may or may not require the use of some LNG, so as to assure that ratepayers receive the benefit of the lower delivered cost of CNG. NG Advantage could also provide information regarding safety and reliability issues associated with trucked CNG. Thus, granting this petition for intervention would be in the interest of justice.

10. NG Advantage's intervention will not impair the orderly conduct of this proceeding. If allowed to intervene, NG Advantage will abide by the Commission's rules and the procedural schedule in this docket.

11. Liberty consents to this Petition.

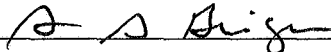
WHEREFORE, NG Advantage LLC respectfully requests that the Commission grant it full intervenor status in the proceeding and grant such other relief as the Commission deems just and equitable.

Respectfully submitted,

NG Advantage LLC

By its attorneys,
ORR & RENO, P.A.

Dated: September 3, 2015

By:  _____

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Certificate of Service

I hereby certify that a copy of the foregoing Petition has on this 3rd day of September, 2015 been either sent by electronic or first class mail, postage prepaid, to persons listed on the Service List.



Susan S. Geiger

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