

STATE OF NEW HAMPSHIRE  
PUBLIC UTILITIES COMMISSION  
DG 15-289

*Liberty Utilities Corp. Petition for Franchise Approval in Lebanon and Hanover*

ARIEL ARWEN'S OBJECTION TO  
LIBERTY UTILITIES' MOTION TO STAY PROCEEDINGS

I, Ariel Arwen, object to the Motion to Stay Proceedings filed by Liberty Utilities (EnergyNorth Natural Gas) Corp., d/b/a Liberty Utilities ("Liberty Utilities"). I state the following in support of my objection:

1. I am an intervenor in the above-captioned docket and in Docket No. DG 15-155, in which Valley Green Natural Gas, LLC ("Valley Green") has filed a petition requesting the franchise to serve the same area as is being requested by Liberty Utilities.
2. Liberty Utilities asserts in its Motion to Stay that it "and Valley Green are engaged in discussions that may result in a proposal to resolve this docket and the Valley Green docket." It further asserts that a "similar Motion for Stay is being filed in DG 15-155."
3. The Commission has previously decided not to consolidate the two dockets, which is effectively what Liberty Utilities and Valley Green are now asking for with their coordinated, jointly filed motions to stay the two sets of proceedings. I argued in my **PARTIALLY-ASSENTED-TO MOTIONS TO CONSOLIDATE DOCKETS** that the two proceedings in the two dockets are duplicative and can yield only a single result. I argued, in addition, that "not consolidating the two dockets raises Due Process concerns." However, the Commission disagreed with my argument and ruled that "the Commission has elected to maintain the separateness of the two proceedings in the interests of justice and administrative efficiency."
4. In the interests of justice and to preserve the due process and integrity of the proceedings that have taken place in the two dockets, the Commission should now decide to grant or deny Liberty Utilities' petition based solely on the merits **as presented at the hearings**. If the Commission were to allow the effective consolidation of the two dockets **after the hearings in both proceedings have been completed**, that surely would raise due process concerns.
5. As a *pro se* intervenor, I have been at a substantial disadvantage during the proceedings and in the hearings. I have been far more inconvenienced by the need to attend hearings in both dockets than any of the other parties who have attended and been represented by counsel. Nonetheless, I have participated in the hearings in both dockets, I have cross-examined witnesses and I have filed written arguments. I ask only that the Commission make its determination now, based on the merits as presented. Liberty Utilities and Valley Green will be free to petition the Commission with any new proposals that they have, individually or jointly.
6. An agreement between Liberty Utilities and Valley Green will not address the main objections raised in testimony by PUC staff and the Office of the Consumer Advocate, namely that Liberty Utilities lacks customer commitments and has not performed a Discounted Cash Flow analysis to determine the economic costs and benefits.

7. For these reasons, I object to Liberties Utilities' motion to stay. I will file a companion objection in Docket No. DG 15-155.

Respectfully submitted this 15<sup>th</sup> day of August 2016,

/s/ 

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**CERTIFICATE OF SERVICE**

I hereby certify that on August 15, 2016, I served an electronic copy of this filing with each person identified on the Commission's service list for Docket No. DG 15-289 pursuant to Rule Puc 203.02(a).

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