

STATE OF NEW HAMPSHIRE
BEFORE THE
PUBLIC UTILITIES COMMISSION

DG 15-289

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

Petition for Franchise Approval

Motion to Reopen the Record

Now comes Liberty Utilities (EnergyNorth Natural Gas) Corp. d/b/a Liberty Utilities (“EnergyNorth” or “the Company”), by and through its attorneys, Orr & Reno, P.A., and moves pursuant to Admin. Rules Puc 203.07 and 203.30 to reopen the record and establish a hearing and pre-hearing process for the submission of additional testimonial and documentary evidence that will enhance the Commission’s ability to resolve the matter in dispute. In support of this Motion, EnergyNorth states the following:

1. In this proceeding, the Company is seeking approval of its request for a natural gas franchise to serve customers in Lebanon and Hanover. In Docket No. DG 15-155, Valley Green Natural Gas, LLC (“Valley Green”) had sought approval of its request for a natural gas franchise for the same area. The records in both dockets have been closed.
2. In the Motion to Stay filed in this proceeding on August 12, 2016, EnergyNorth indicated that it was engaged in discussions with Valley Green that might result in a proposal to resolve both this docket and the Valley Green docket. As a result of those discussions, Valley Green withdrew its petition for a natural gas franchise to serve customers in Lebanon and Hanover.

3. Since the hearing was completed in this docket, EnergyNorth has reached agreement on rates and tariff changes, approved by the Commission in Docket No. DG 16-447, relative to Managed Expansion Program Rates. This will allow for the orderly economic expansion of gas service to new areas. As a result of those tariff changes, the Company will not commence expansion construction unless it has reasonable assurance that its future revenue stream will be at least 25% of the cost of construction. In addition, an expansion project will not commence unless a discounted cash flow analysis shows a positive net present value of the difference between anticipated revenue and the revenue requirement over a 10-year period. *See* Order No. 25,933 (August 4, 2016). These tariff changes are consistent with Staff recommendations provided through testimony filed in this docket before the close of the record.

4. Also, since the hearing was completed in this docket, EnergyNorth reached agreement in another franchise docket, Docket No. DG 15-362, Petition for Expansion of Franchise to Towns of Pelham and Windham, reflecting similar terms and conditions. See the Settlement Agreement filed in DG 15-362 on August 15, 2016.

5. Moreover, since the close of the hearing in this docket, the Company has engaged ICF International, Inc., a management consulting services company, to conduct a market assessment to determine the feasibility of expanding its distribution network. The market assessment, which is nearing completion, will be used to develop a detailed 5-year business plan for developing the distribution system in Hanover and Lebanon, consistent with Staff recommendations provided through testimony filed in this docket before the close of the record.

6. The Company requests that the Commission reopen the record in this docket to allow for the filing of additional documents and supporting testimony that would provide the Commission with important evidence based on changed circumstances and the new information developed since the close of the record, as set forth in paragraphs 2 through 5 above. To allow for the orderly introduction of additional testimony and related evidence, the Company requests that the Commission schedule an additional hearing in this docket at the earliest available date. The Company also requests that the Commission establish a pre-hearing process to allow for the parties to engage in additional discovery, as necessary, based upon new information in support of the proposed franchise. Granting this Motion will enhance the Commission's ability to resolve any remaining disputed issues in this docket and will facilitate issuance of a fully informed decision by the Commission.

7. EnergyNorth has sought the concurrence of other parties to this Motion. As of the time of the filing of this Motion, the Office of Consumer Advocate and the City of Lebanon have assented to the motion. The other parties were not able to respond before the filing of this motion.

Wherefore, EnergyNorth respectfully requests that the New Hampshire Public Utilities Commission:

- A) Grant this Motion to Reopen the Record in this proceeding;
- B) Schedule a hearing for the earliest available date to allow for the introduction of new testimony and evidence in support of the proposed franchise;
- C) Establish a process for the parties to engage in additional, pre-hearing discovery, as necessary, which could include the immediate scheduling of a technical session or issuance of a new procedural schedule; and

D) Grant such other relief as may be just and equitable.

Respectfully submitted,

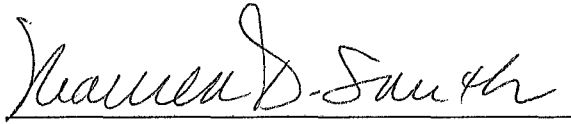
Liberty Utilities (EnergyNorth Natural Gas) Corp. d/b/a Liberty Utilities

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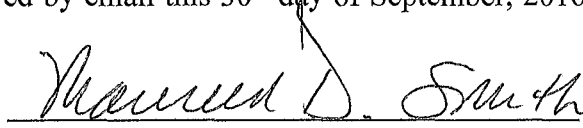


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Dated: September 30, 2016

Certificate of Service

A copy of this Motion has been served by email this 30th day of September, 2016 on the service list in DG 15-289.



Maureen D. Smith

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