

THE STATE OF NEW HAMPSHIRE
BEFORE THE
PUBLIC UTILITIES COMMISSION

PNE ENERGY SUPPLY, LLC, et al. v. PSNH d/b/a EVERSOURCE ENERGY

Re: Transfer Question from Superior Court

Docket No. DE 15-491

LIBERTY UTILITIES (GRANITE STATE ELECTRIC) CORP.
PETITION TO INTERVENE

Liberty Utilities (Granite State Electric) Corp. d/b/a Liberty Utilities respectfully petitions the New Hampshire Public Utilities Commission pursuant to RSA 541-A:32 and Puc 203.17 to intervene in the above captioned matter. In support of this petition, Liberty Utilities states as follows:

1. This case involves a question transferred from the Superior Court to the Commission regarding litigation pending in New Hampshire Superior Court between certain competitive suppliers and Eversource Energy. The Commission, in its Order of Notice in this docket, stated, in part, that it will consider the following issues in this docket:

(1) the interpretation of relevant provisions of the Commission's Puc 2000 rules applicable to CEPS and electric load aggregators, (2) the interpretation of relevant provisions of RSA 374-F regarding electric restructuring principles and the obligation of electric distribution utilities to provide default service ... (4) the interpretation of relevant provisions of the ISO-NE Transmission, Markets and Services Tariff....

Order of Notice at 2.

2. The Commission's characterization of the issues suggests that this docket may result in a generic order announcing legal conclusions regarding the obligations between regulated

electric utilities and competitive electric suppliers. If that were the case, the order would be of universal application similar to a rulemaking and would be applicable to all regulated electric utilities in the state.

3. RSA 541-A:32 provides that a petition to intervene shall be granted where “(b) [t]he petition states facts demonstrating that the petitioner's rights, duties, privileges, immunities or other substantial interests may be affected by the proceeding or that the petitioner qualifies as an intervenor under any provision of law and (c) The presiding officer determines that the interests of justice and the orderly and prompt conduct of the proceedings would not be impaired by allowing the intervention.”

4. Liberty Utilities seeks to intervene in this docket because its rights, duties, privileges, immunities or other substantial interests may be affected by the proceeding. Liberty Utilities is a regulated electric distribution company that serves approximately 44,000 customers in almost two dozen cities and towns in southern New Hampshire and in the Connecticut River valley in western New Hampshire. Approximately 13% of Liberty’s customers use competitive supply, accounting for 46% of Liberty’s total load. There are 21 suppliers and 102 aggregators active in Liberty Utilities’ service territory. A relatively broad order answering the legal issues as framed by the Commission will thus affect Liberty Utilities’ “rights, duties, privileges, immunities or other substantial interests,” RSA 541-A:32, I, rendering Liberty an appropriate party to this docket.

5. In the alternative, Liberty seeks intervention under the permissive standard of RSA 541-A:32, II, for the same reasons discussed above because such intervention will “be in the interests of justice and would not impair the orderly and prompt conduct of the proceedings.” RSA 541-A:32, II.

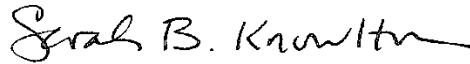
WHEREFORE, Liberty Utilities respectfully requests that the Commission:

- A. Grant this petition to intervene; and
- B. Grant such other and further relief as the Commission deems necessary and just.

Respectfully submitted,

LIBERTY UTILITIES (GRANITE STATE ELECTRIC)
CORP. D/B/A LIBERTY UTILITIES

By its Attorney,



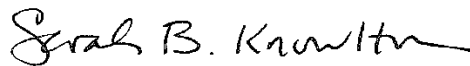
Date: March 31, 2016

By:

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Certificate of Service

I hereby certify that on March 31, 2016, a copy of this Petition to Intervene has been forwarded to the service list in this docket.



Sarah B. Knowlton