

**THE STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DG 16-852

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

Petition for Franchise Approval

ORDER OF NOTICE

On December 21, 2016, Liberty Utilities (EnergyNorth Natural Gas) Corp. d/b/a Liberty Utilities, of Londonderry, New Hampshire (Liberty) a gas utility currently providing service to customers in 30 communities in south-central New Hampshire, Berlin in northern New Hampshire, and Keene in western New Hampshire, filed a petition to provide gas utility service, as defined by RSA 362:2 and 362:4-b, in Hanover and Lebanon. The petition and subsequent docket filings, other than any information for which confidential treatment is requested of or granted by the Commission, will be posted to the Commission's website at www.puc.nh.gov.

In its petition, Liberty outlines its proposal for providing re-gasified liquefied natural gas (LNG) and/or compressed natural gas (CNG) through a pipeline distribution system to customers in Hanover and Lebanon. On November 28, 2016, Liberty submitted the pre-filed testimony of: William J. Clark (Director of Business Development at Liberty Utilities Service Corp., a Liberty affiliate); Deborah M. Gilbertson (employed by Liberty Utilities Service Corp. as Sr. Manager Energy Procurement for Liberty); Richard G. MacDonald (employed by Liberty Utilities Service Corp. as Director of Gas Operations for Liberty) and David B. Simek (Lead Analyst for Liberty Utilities Service Corp.).

The filing raises, inter alia, issues related to RSA Chapter 374, specifically, RSA 374:1, whether Liberty would be in a position to furnish safe and adequate, and in all other respects just

and reasonable, gas service and facilities in Hanover and Lebanon, including all aspects of engineering, safety, and adequacy of LNG/CNG supply; RSA 374:2, whether Liberty would be in a position to offer its proposed service at just and reasonable charges to customers in Hanover and Lebanon, without burdening Liberty's existing customers with unreasonable rates due to cross-subsidization, and the methodology employed to assess major capital expenditures to expand the Liberty distribution system; RSA 374:8 and 374:13, whether Liberty keeps, and will continue to keep, accounts and records in the form prescribed by the Commission in connection with its franchise expansion; RSA 374:22, granting the Commission the power to review and approve Liberty's franchise petition, and RSA 374:26, 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 by the Commission; RSA 378, specifically, whether Liberty's proposed rates and tariffs for Hanover and Lebanon service, and any updated rates and tariffs for Liberty's existing gas customers, would be filed in conformance with the Commission's regulations, and would be just and reasonable; RSA 378:37, whether the proposal by Liberty comports with the New Hampshire Energy Policy; and RSA 371:17, whether Liberty would be required to petition the Commission for a license to cross public waters within its proposed franchise territory as part of its construction of its distribution network. Each party has the right to have an attorney represent the party at the party's own expense.

Based upon the foregoing, it is hereby

ORDERED, that a Prehearing Conference, pursuant to N.H. Code Admin. Rules Puc 203.15, be held before the Commission located at 21 S. Fruit St., Suite 10, Concord, New Hampshire on March 23, 2017 at 10:00 a.m. at which each party will provide a preliminary

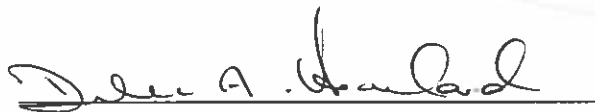
statement of its position with regard to the petition and any of the issues set forth in N.H. Code Admin. Rules Puc 203.15; and it is

FURTHER ORDERED, that pursuant to N.H. Code Admin. Rules Puc 203.12, Liberty shall notify all persons desiring to be heard at this hearing by publishing a copy of this Order of Notice no later than March 1, 2017, in a newspaper with general circulation in those portions of the state in which operations are conducted and are proposed to be conducted, publication to be documented by affidavit filed with the Commission on or before March 21, 2017; and it is

FURTHER ORDERED, that consistent with N.H. Code Admin. Rules Puc 203.17 and Puc 203.02, any party seeking to intervene in the proceeding shall submit to the Commission seven copies of a Petition to Intervene with copies sent to Liberty and the Office of the Consumer Advocate on or before March 21, 2017, such Petition stating the facts demonstrating how its rights, duties, privileges, immunities or other substantial interest may be affected by the proceeding, as required by N.H. Code Admin. Rule Puc 203.17; and it is

FURTHER ORDERED, that any party objecting to a Petition to Intervene make said Objection on or before March 23, 2017.

By order of the Public Utilities Commission of New Hampshire this sixteenth day of February, 2017.


Debra A. Howland
Executive Director

Individuals needing assistance or auxiliary communication aids due to sensory impairment or other disability should contact the Americans with Disabilities Act Coordinator, NHPUC, 21 S. Fruit St., Suite 10, Concord, New Hampshire 03301-2429; 603-271-2431; TDD Access: Relay N.H. 1-800-735-2964. Notification of the need for assistance should be made one week prior to the scheduled event.

SERVICE LIST - EMAIL ADDRESSES- DOCKET RELATED

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 #: 16-852-1 Printed: February 16, 2017

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
CONCORD NH 03301-2429
- 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.