

STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION

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April 6, 2018 - 10:06 a.m.
Concord, New Hampshire

RE: DG 17-068
LIBERTY UTILITIES (ENERGYNORTH
NATURAL GAS) CORP. d/b/a
LIBERTY UTILITIES:
Petition for Declaratory Ruling.
(Prehearing conference following
Order on Motion for Rehearing)

PRESENT: Chairman Martin P. Honigberg, Presiding
Commissioner Kathryn M. Bailey
Commissioner Michael S. Giaimo

Sandy Deno, Clerk

APPEARANCES: Reptg. Liberty Utilities (EnergyNorth
Natural Gas) Corp. d/b/a Liberty
Utilities:
Michael J. Sheehan, Esq.

Reptg. Terry Clark:
Richard M. Husband, Esq.

Reptg. Residential Ratepayers:
D. Maurice Kreis, Esq., Consumer Adv.
Office of Consumer Advocate

Reptg. PUC Staff:
Lynn Fabrizio, Esq.
Alexander F. Speidel, Esq.
Randall Knepper, Dir./Safety & Sec.
Stephen Frink, Dir./Gas & Water Div.

Court Reporter: Steven E. Patnaude, LCR No. 52

**CERTIFIED
ORIGINAL TRANSCRIPT**

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CHAIRMAN HONIGBERG: We are here in Docket DG 17-068, which originated as a Petition by Liberty for a Declaratory Ruling regarding its rights in the City of Keene. There is a procedural history that got us to where we are today.

But before we do anything else, let's take appearances.

MR. SHEEHAN: Good morning, Commissioners. Mike Sheehan, for Liberty Utilities (EnergyNorth Natural Gas). Present with me are Steve Hall, Bill Clark, and Manager of our Keene Division, Steve Rokes.

CHAIRMAN HONIGBERG: Mr. Husband.

MR. HUSBAND: Good morning, Commission. Richard Husband, appearing on behalf of Terry Clark.

MR. KREIS: Good morning, Mr. Chairman, Commissioners. I'm D. Maurice Kreis, sometimes known as "Don Kreis". I am the Consumer Advocate. My job, pursuant to RSA 365:28, is to represent the interests of residential utility customers, including the

1 residential customers of this utility.

2 MS. FABRIZIO: Good morning,
3 Commissioners. Lynn Fabrizio, on behalf of
4 Staff. And with me at table today are
5 co-counsel Alex Speidel; Director of the Safety
6 & Security Division, Randy Knepper; and
7 Director of the Water & Gas Division, Steve
8 Frink.

9 Thank you.

10 CHAIRMAN HONIGBERG: The brief
11 procedural history is that, after the
12 committee [Company?] filed its Petition for a
13 Declaratory Ruling, we issued an order
14 essentially granting the Petition, putting some
15 conditions on the exercise of its franchise
16 related to safety. There was a timely Motion
17 for Rehearing filed. We granted in part and
18 denied in part the Motion for Rehearing. We've
19 issued the Order of Notice for us to be here
20 today, and there are some specific things
21 stated in the Order of Notice about what we
22 expect to happen today.

23 I think that brings us to where we
24 are. We have one intervention petition that

1 Mr. Husband filed.

2 Do we have any positions?

3 Mr. Sheehan.

4 MR. SHEEHAN: I actually read the
5 order of December as granting Mr. Husband's
6 intervention. And we accept that finding,
7 because this docket addresses the scope of
8 Liberty's existing franchise, and thus arguably
9 affects the interests of non-customer
10 residents, which limitation the Commission
11 implicitly recognize is necessary to be
12 consistent with prior Commission orders that
13 limit standing in most matters to Liberty
14 customers.

15 CHAIRMAN HONIGBERG: Anyone else want
16 to comment on that? I mean, I think
17 Mr. Sheehan essentially has the ruling correct.
18 That Mr. Clark is in. It looks like Mr.
19 Husband is representing him. Everyone agrees?

20 MS. FABRIZIO: Yes.

21 CHAIRMAN HONIGBERG: All right.

22 MR. HUSBAND: Well, I --

23 CHAIRMAN HONIGBERG: Mr. Husband,
24 make sure your microphone is on please.

1 MR. HUSBAND: Well, I would just say
2 that I agree, that I also interpreted your
3 order to allow Mr. Clark in as an intervenor.
4 I did not read all the reasoning that was
5 applied by Liberty, however.

6 CHAIRMAN HONIGBERG: Yes. I didn't
7 subscribe to that. The conclusion is the
8 conclusion, and that I understand Liberty's
9 position on that.

10 Anything else we need to do in the
11 nature of preliminaries, before turning to what
12 we talked about in the Order of Notice?

13 *[No verbal response.]*

14 CHAIRMAN HONIGBERG: I see some
15 members of the public here. If someone wants
16 to participate in some way, other than in
17 providing comments or monitoring the docket, I
18 would recommend that people talk to
19 Ms. Fabrizio, Mr. Kreis, Mr. Sheehan, about
20 what their interests are.

21 The Order of Notice -- the order
22 granting rehearing and the Order of Notice both
23 set some expectations for what we were going to
24 do going forward. One of the things we said in

1 the Order of Notice was that people should be
2 prepared to present argument regarding the
3 status and conduct of the docket going forward
4 and what we should be doing as next steps. And
5 there's going to be a technical session that
6 follows this prehearing conference. And one of
7 the things we said about that is that people
8 should be ready to discuss submitting legal
9 briefs, public comments, and establishing a
10 schedule for their submission for our
11 consideration.

12 I have no doubt people may want to
13 talk about other things here this morning, but
14 that's what we had put in the Order of Notice.

15 So, we typically let the company go
16 first in situations like this for speaking,
17 where we'd like you to address your position on
18 this and how you think we should be going
19 forward.

20 The order we're going to go is Mr.
21 Sheehan, Mr. Husband, Mr. Kreis, and then
22 Ms. Fabrizio.

23 MR. SHEEHAN: Thank you. Typically,
24 at prehearing conferences, we give our

1 statement of the position on the issues.

2 Briefly, that would be what we put in the
3 petition, and essentially what the Commission
4 ordered in its October 20 order, and that is
5 that the Company does have the right to serve
6 Keene customers with natural gas.

7 CHAIRMAN HONIGBERG: Hang on one sec.
8 Off the record.

9 *[Brief off-the-record discussion*
10 *ensued.]*

11 CHAIRMAN HONIGBERG: Okay. Go ahead.

12 MR. SHEEHAN: I think I had the
13 microphone halfway there.

14 So, to the extent we have a statement
15 of position on the merits, that's it. As far
16 as the proceeding from now on, it's our
17 position that the issue in this docket is a
18 legal issue: "Do we have the right or not to
19 serve natural gas?"

20 And to the extent some parties were
21 not given the opportunity to speak on that
22 issue, then that's what we're here to talk
23 about and set up a schedule for.

24 So, it's our position that any

1 further process would simply be a filing of
2 papers that make an argument one way or another
3 on that legal issue, and that there's no need
4 for any more process, if you will.

5 CHAIRMAN HONIGBERG: Mr. Husband.

6 MR. HUSBAND: Thank you, Mr.
7 Chairman. Essentially, it's Mr. Clark's
8 position, and I would direct the Commission to
9 his filings for more fleshing out of the
10 issues, he's filed petitions to intervene not
11 only in this case, but also in the LCIRP case,
12 DG 17-152, which really set forth a number of
13 issues and concerns he has in this matter.

14 But quickly, in terms of where we are
15 right now, it's Mr. Clark's position that the
16 Petition can't go forward, first of all,
17 because it's unlawful on its face. Liberty's
18 plans do not conform with New Hampshire law.
19 They're both -- they're inconsistent with the
20 public interest, they conflict with RSA 378:37,
21 the official state energy statute, for reasons
22 that are enumerated in, again, the petitions to
23 intervene.

24 And I'm going to try and slow down

1 for the stenographer. Please raise your hand
2 if I'm too fast.

3 CHAIRMAN HONIGBERG: He'll be more
4 aggressive than that if he needs you to slow
5 down.

6 MR. HUSBAND: Okay. Thank you.
7 But -- so, first of all, what Liberty is
8 proposing to do is unlawful and it shouldn't go
9 forward at all. The Commission really should
10 pay attention to what is going on in the
11 five-year plan case, the LCIRP case, Docket
12 17-152, and enter a final determination in this
13 case consistent with that matter, because
14 Liberty's plans are being contested in that
15 proceeding as being unlawful. It would be
16 inconsistent with the Commission to find in
17 that proceeding that they're unlawful, while
18 granting them in this one.

19 Second of all, even if the plans
20 weren't unlawful, they belong before the SEC,
21 not the Public Utilities Commission. I think
22 that Liberty -- the proposed facility here fits
23 within the definition of an "energy facility"
24 under 162-H:2, Section VII.

1 Liberty has raised the argument that
2 it has to be at least a 30-megawatt -- the
3 statutory language says something to the effect
4 that an energy facility has to have -- has to
5 be a 30-megawatt -- have the capability or
6 equivalency of a 30-megawatt supply of energy.
7 It says, though, that or associated facilities.
8 And I don't think there's any doubt that what
9 is going on here is Liberty is setting up
10 little ancillary facilities throughout the
11 state, in Lebanon and Epping, and in Keene, and
12 this is really a part of that whole scheme and
13 those facilities. I cannot believe that all of
14 that gas that's going to be stored in Epping is
15 not somehow going to make its way to Keene
16 occasionally, especially if the plan supposedly
17 is to purchase it when it's cheaper, and then
18 distribute it -- I mean, purchase it, you know,
19 at lower cost, and then distribute it later.

20 So, if there's any interchange
21 between this facility and either the Lebanon or
22 Epping facility that hits the 30-megawatt mark,
23 I think it's clearly within the statute. Even
24 then, the statute begins that "energy

1 facilities include, but are not limited to".
2 So, the language does not limit it to
3 30-megawatt facilities. And I'd point out it
4 doesn't say "at least", "exactly". I would say
5 that at the very least the SEC statute here is
6 challenging.

7 But I am going to challenge the
8 jurisdiction of the PUC in deciding this matter
9 because of that.

10 CHAIRMAN HONIGBERG: Mr. Husband,
11 while you're finding your place, I'm going to
12 tell you that, although maybe you'll be able to
13 convince us otherwise, there doesn't seem to be
14 anything inconsistent with both the SEC and the
15 PUC having jurisdiction in different manners
16 over proposals by utilities to do certain
17 things. It could well be, and I think my
18 understanding is that the Granite Bridge
19 Project or aspects of it will come before the
20 SEC.

21 Mr. Sheehan, is that right?

22 MR. SHEEHAN: That's correct. We
23 believe both the pipeline from Manchester to
24 Stratham and the LNG facility are both subject

1 to SEC jurisdiction, and we will file requests
2 for approval for both.

3 CHAIRMAN HONIGBERG: Right. And in a
4 project that is still pending in a way before
5 the SEC, the Northern Pass proposal, there were
6 elements of that proposal that were before the
7 PUC at the same time they were before the SEC.

8 So, I guess I would ask you to
9 consider, and as I said, I mean, maybe you'll
10 convince us otherwise, ask you to consider the
11 possibility that it may well be that both
12 bodies have some jurisdiction over what it is
13 that the Company wants to do here. So, it's
14 possible, but keep an open mind on that.

15 MR. HUSBAND: I understand what
16 you're saying, Mr. Chairman. But I do want to
17 make the argument on that, I do want to press
18 that issue.

19 I do think to be fair, though,
20 because I can't tell on the face of their
21 Petition, it's very, very skeletal and sketchy,
22 exactly what the interaction might be between
23 various facilities. And I'd point out, even
24 though those -- even though the Epping

1 facilities will go before the SEC, this
2 facility is not scheduled to go before the SEC.

3 CHAIRMAN HONIGBERG: Understood. No,
4 I --

5 MR. HUSBAND: The SEC would not
6 consider any aspect of this facility.

7 CHAIRMAN HONIGBERG: I understand
8 what you're saying.

9 MR. HUSBAND: Okay. But I do, in
10 terms of what's going to go forward in this
11 proceeding, I would ask for the opportunity to
12 do some at least limited discovery and to find
13 out whether there are interactions between
14 various facility, whether they will be
15 exchanging gas, storing gas, going back and
16 forth, anything that would bring them within
17 the purview of the statute.

18 And I also would like to get into the
19 next issue, which I think you understand from
20 our pleadings, which is that, even if this
21 Commission were to decide this request in some
22 fashion, it would have to be under a petition
23 filed pursuant to 374 -- RSA 374:22 and 26,
24 because there is a change in the scope of

1 services here, I think, let's see -- I forget
2 the exact language, but there is a change in
3 the services that are being provided by
4 Liberty. This is something that's never been
5 done before. They have never had this kind of
6 a facility in Keene. They've never distributed
7 fracked natural gas. They have never had the
8 kind of high pressure technology and pipeline
9 that is proposed for this project in Keene.

10 And finally, I would say that the
11 Commission could only hear the request pursuant
12 to 374:22, and as such, it would have to be a
13 proceeding -- a full, you know, a full
14 adjudicative proceeding, with a final hearing
15 at the end, witnesses, discovery, and all of
16 that. But it's not scheduled for that, so it
17 has to be dismissed.

18 Thank you.

19 CHAIRMAN HONIGBERG: Mr. Kreis.

20 MR. KREIS: Thank you, Mr. Chairman.
21 I just have a few things to say.

22 One, I would like to thank the
23 Commission for granting the rehearing motion
24 filed by Mr. Clark. I think that was a correct

1 decision. The Commission's rules essentially
2 require that, before issuing a declaratory
3 judgment, the Commission go through the
4 formalities that we're going through here, and
5 so I'm grateful for the opportunity to
6 participate in those formalities.

7 On the merits, though, my position
8 comports largely with what I heard Mr. Sheehan
9 say. This issue, as it has been teed up in the
10 Commission's Order of Notice, is purely a legal
11 question, that question being "Does this public
12 utility already have a franchise in the City of
13 Keene to provide natural gas service to
14 customers by virtue of the fact that it has
15 been providing such service to them using
16 propane for some considerable period of time?"

17 I don't think that resolving that
18 question requires anything other than legal
19 argument -- excuse me -- legal argument,
20 provided preferably in writing, but also
21 possibly orally.

22 That isn't to say that the issues
23 that Mr. Clark just raised through his attorney
24 are not significant ones. The question of what

1 Liberty intends to do in the future, both in
2 Keene and in its other franchise territories,
3 and whether it should be allowed to move
4 forward with its very ambitious and large
5 Granite Bridge Project, those are -- and
6 whether all of that comports with the
7 requirements of the least cost integrated
8 resource planning process that is mandated by
9 statute, those are very important questions
10 that the Commission can, should, and indeed
11 must consider in detail, and very seriously.
12 It just happens to be that this is not the
13 docket where that kind of consideration is
14 appropriate.

15 On the merits, I've read the
16 Commission's order, and I don't have any
17 argument to make that the Commission decided
18 the matter incorrectly, other than having
19 deprived interested parties with an opportunity
20 to make argument before the Commission.

21 But I've studied the legal precedents
22 that the Commission cited and the reasoning
23 that the Commission adopted, and I have no
24 reason to question the correctness of the

1 Commission's legal conclusion. That said, I'm
2 open-minded with respect to what other parties
3 might raise before the Commission.

4 And finally, less for the benefit of
5 the Commission and maybe more for the benefit
6 of other people in the room, I would just like
7 to point out that the Office of the Consumer
8 Advocate and Liberty Utilities recently entered
9 into a Settlement Agreement in Liberty
10 Utilities' pending gas rate case, which is
11 Docket DG 17-048. That Settlement Agreement is
12 pending before the Commission. I am not going
13 to try to reargue why I think the Commission
14 should adopt that Settlement Agreement.

15 The point I'm making here is that
16 implicit in the terms of that Settlement
17 Agreement is the notion that (a) Liberty
18 Utilities has a franchise in the City of Keene
19 to deliver natural gas to its customers, and
20 should do that on a consolidated basis with
21 respect to all the rest of its natural gas
22 customers in New Hampshire.

23 I would urge everybody to look at
24 that Settlement Agreement, because it presents

1 an overall resolution of a bunch of issues that
2 relate to the provision of natural gas service
3 in Keene and everywhere else by Liberty. And I
4 think that, not only is that Settlement
5 Agreement in the public interest, but it's good
6 for consumers, which is why I signed it.

7 So, I think, by virtue of the fact we
8 signed that Settlement Agreement, I'm
9 essentially obliged to come here and say that
10 Liberty Utilities does have a franchise to
11 provide natural gas in Keene, and the
12 Commission should allow it to do so.

13 I think that's all I have to say.

14 CHAIRMAN HONIGBERG: Thank you, Mr.
15 Kreis. Ms. Fabrizio.

16 MS. FABRIZIO: Thank you, Mr.
17 Chairman.

18 Staff believes that the filings in
19 this docket to date have raised issues that
20 warrant further consideration by the Commission
21 supported by a legal briefing. And toward that
22 end, Staff recommends that parties -- party
23 briefs address whether Liberty has the legal
24 authority to offer CNG/LNG service in its

1 existing City of Keene franchise area pursuant
2 to RSA 374:22 and 26 without further Commission
3 proceedings, and whether conversion from a
4 propane-air system to the CNG/LNG system
5 proposed by Liberty constitutes a substantial
6 change in operations and a change in the
7 exercise of franchise rights or privileges
8 under RSA 374:22.

9 Thank you.

10 CHAIRMAN HONIGBERG: Mr. Sheehan, I
11 heard Mr. Husband talk about a desire for
12 discovery related to how the plans in Keene
13 relate to the Granite Bridge and other things.
14 I'm not -- Mr. Husband?

15 MR. HUSBAND: I'm sorry, Mr.
16 Chairman. But while you're on this topic, I
17 also meant to say, in terms of discovery and I
18 got sidetracked, I would like to do something,
19 in terms of discovery, in establishing whether
20 or not today's gas is the "same" gas as past
21 natural gas that's been used in Keene.

22 CHAIRMAN HONIGBERG: Okay. Mr.
23 Sheehan --

24 MR. HUSBAND: And that -- and just a

1 thought, the reason why I disagree with the
2 Consumer Advocate on this, I mean, I understand
3 this is a legal issue. But how do you argue a
4 legal determination that is grounded in facts
5 not before me?

6 CHAIRMAN HONIGBERG: Well, I --

7 MR. HUSBAND: I need this information
8 in order to be able to make a legal argument.

9 CHAIRMAN HONIGBERG: That's I think
10 where I want to go with Mr. Sheehan, and
11 understand what his position is on whether
12 there's any facts necessary. And if we need to
13 resolve a dispute between you and the Company,
14 or Staff's involved or the Consumer Advocate's
15 involved, I think we may need to queue that up
16 separately or as part of the preparation that
17 you're going to do in the technical session.

18 But I want to understand what
19 Mr. Sheehan's position is with respect to
20 discovery as you have just outlined it.

21 MR. SHEEHAN: As you noted, Chairman,
22 there are no facts in dispute that you need to
23 resolve in order to answer the legal question.

24 CHAIRMAN HONIGBERG: I don't think I

1 just noted that. I think it's a position that
2 we understand you're taking, I heard Mr. Kreis
3 say it.

4 MR. SHEEHAN: Let me say it
5 differently. As you noted, the question is
6 "whether there are facts in dispute that you
7 need to resolve in order to answer the legal
8 question presented?" And we don't think there
9 are.

10 There are facts, but those are
11 undisputed facts, and those are what we have
12 been doing over the last 150 years, with
13 Commission approval every step of the way,
14 providing certain types of gas over the years,
15 and what the statutes say, and what the
16 Commission orders say. So, I don't think there
17 are any facts that anyone can challenge that
18 would affect the legal analysis.

19 Certainly, Mr. Husband has related --
20 has referenced other facts that arguably are
21 disputed, but you don't need to resolve them to
22 reach the conclusion you have already reached
23 in this case, at least initially.

24 CHAIRMAN HONIGBERG: Okay. That

1 addresses the "gas" question that Mr. Husband
2 just talked about.

3 What about the plans elsewhere in the
4 state, and how, if at all, do they relate to
5 what's going on in Keene?

6 It's framed by Mr. Husband as being
7 related to the SEC's jurisdiction, although I
8 suspect it's a little broader than that.

9 MR. SHEEHAN: I heard Mr. Husband
10 say, because, for example, the LNG facility
11 we're proposing in Candia may serve Keene, that
12 therefore that draws the Keene facility within
13 the scope of SEC jurisdiction. And I
14 vehemently disagree with that statement of what
15 the SEC's jurisdiction is. The SEC looks at a
16 "energy facility" as defined, and that
17 definition doesn't include anything served by
18 such an energy facility. If it were, then the
19 Northern Pass Project would have given the SEC
20 jurisdiction over the Hydro-Quebec dam that was
21 generating the electricity and whatever
22 facility was using the electricity, and that's
23 clearly not the intent of the SEC statute.

24 And to the extent Mr. Husband wants

1 to evaluate and discover on our plans, the IRP
2 docket is the place to do that.

3 CHAIRMAN HONIGBERG: Mr. Kreis.

4 MR. KREIS: Just briefly, Mr.
5 Chairman.

6 I just want to remind everybody,
7 particularly the Commission, that the way the
8 declaratory judgment process is supposed to
9 work is, the party requesting a declaratory
10 judgment is supposed to present a verified
11 petition for such a judgment. And so,
12 therefore, the Commission, to the extent it
13 needs facts, should find them in the facts
14 alleged in the Petition.

15 So, the only potential defect I think
16 there might be here is the Petition wasn't
17 verified. So, the Commission probably ought to
18 ask the Company to verify its Petition. And
19 once it does that, then I think that it can
20 just rely on the facts as alleged in the
21 Petition, and should do so.

22 CHAIRMAN HONIGBERG: I think
23 Mr. Kreis has the correct answer here, Mr.
24 Husband. I understand there's discovery you

1 want. I guess I would encourage you, during
2 the technical session, to ask the questions of
3 the Company that you feel you would want to get
4 answers to. It may be that some of it can be
5 provided informally with respect to its plans
6 elsewhere in the state.

7 Without -- you know, it may be that
8 you're going to file a motion on something, and
9 we'll deal with it as it comes in. But, I
10 think, as a procedural matter, Mr. Kreis
11 probably has the right answer here.

12 Mr. Husband.

13 MR. HUSBAND: Thank you. Well, I
14 guess my response to that would be, I would
15 agree that Mr. Kreis would have the right
16 answer here, if I received a petition that was
17 in conformity with the rules. But, again, one
18 of the issues that was raised in the Motion for
19 Rehearing is that this Petition does not comply
20 with Puc 207. It doesn't state with enough
21 specificity what is being planned here, for me
22 to take a look at it, and decide whether the
23 facts I'm looking for through discovery are
24 there.

1 CHAIRMAN HONIGBERG: Okay.

2 MR. HUSBAND: So, I wouldn't -- if
3 they want to go back and amend its Petition to
4 put in the allegations in terms of interaction
5 with the other facilities, if they want to
6 describe exactly what the gas is that they will
7 be using, so I can say whether or not or maybe
8 argument whether that's the same gas that's
9 been used all along, then I would agree that
10 maybe I don't have the need for discovery, but
11 I don't have that.

12 CHAIRMAN HONIGBERG: I encourage you
13 all to talk about that during the technical
14 session. Maybe the Company will want to
15 provide some additional information, perhaps
16 with a verification, to move this process
17 along.

18 All right. Is there anything else
19 anybody wants to add? There are members of the
20 public here. We will give them an opportunity
21 to provide public comment briefly, if they
22 would like. But is there anything else anyone
23 here would like to say before we do that?

24 *[No verbal response.]*

1 CHAIRMAN HONIGBERG: All right. I
2 see members of the public. Would any of you
3 like to say anything? I know at least one of
4 you has provided some written comments. But is
5 there anything you'd like to say orally?

6 Yes, ma'am?

7 MS. MARTIN: I'm Patricia Martin,
8 from Rindge, New Hampshire.

9 I just want to say that I feel that,
10 even though this is a public hearing, you know,
11 the time and place of it does not include many
12 of the people from Keene, who should be hearing
13 about the details of this. And I wonder, if
14 moving forward, before Liberty builds their
15 permanent facility, if there will be -- if that
16 will go before the SEC, and if there will be an
17 opportunity for a public comment at a time and
18 date that would be inclusive of the public in
19 Keene?

20 CHAIRMAN HONIGBERG: I can give you a
21 general answer about the SEC's process, without
22 knowing now whether anything in Keene would, in
23 fact, be part of an SEC proceeding. I just
24 don't know that. It's not something that I

1 need to know right now.

2 If there were, then, yes. There
3 would be proceedings that would happen in the
4 county, in Cheshire County. It would almost
5 certainly be scheduled in Keene, which is the
6 location affected and probably has the best
7 facilities to hold such a hearing, or a
8 proceeding.

9 I can give you that kind of
10 information. But, beyond that, I don't think I
11 have anything else that would be helpful to
12 you. But, again, you can talk with the people
13 here during the technical session, if you'd
14 like, about what expectations people have going
15 forward.

16 MS. MARTIN: Thank you.

17 CHAIRMAN HONIGBERG: Anyone else here
18 like to say anything orally?

19 MS. JONES: Carolyn Jones, from
20 Keene. And I'm a customer of Liberty
21 Utilities.

22 And I, too, want to ask for public --
23 a hearing that the public can speak at, because
24 I think there are some serious issues for us in

1 Keene.

2 Thank you.

3 CHAIRMAN HONIGBERG: Anyone else?

4 MS. GILLARD: Nancy Gillard, Keene,
5 New Hampshire. I'm a long-time resident of
6 Keene.

7 And as I sit here and listen, and
8 have read the franchise agreement that we're
9 discussing, recognizing that this was a
10 franchise agreement signed over 100 years ago,
11 I feel this is very different from what was
12 signed then and what is being provided now.
13 And I need assurance that it is the same. And,
14 so, the franchise agreement should be supported
15 as written, and I'm not hearing that today.

16 So, I think a public hearing would be
17 something that we, as citizens, deserve.

18 Thank you.

19 CHAIRMAN HONIGBERG: Okay. Any other
20 members of the public wish to saying anything?

21 *[No verbal response.]*

22 CHAIRMAN HONIGBERG: All right. Is
23 there any other business we need to do with you
24 before we leave you to your technical session?

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[No verbal response.]

CHAIRMAN HONIGBERG: All right.

Thank you all.

***(Whereupon the prehearing
conference was adjourned at
10:35 a.m., and a technical
session was held thereafter.)***