

State of New Hampshire
Public Utilities Commission

Docket No. DG 17-152

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

Least Cost Integrated Resource Plan

and

Docket No. DG 17-198

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

**Petition to Approve Firm Transportation Agreements and the
Granite Bridge Project**

Motion to Amend Procedural Schedules

Liberty Utilities (EnergyNorth Natural Gas) Corp. (“Liberty”), through counsel, respectfully moves the Commission to amend the procedural schedules in Docket Nos. DG 17-152 and DG 17-198 to address the concerns CLF raised in its July 19, 2019, *Request to Modify Schedule*, and to make other minor adjustments.

In support of this motion, Liberty represents as follows:

1. In May 2019, the Commission issued secretarial letters approving procedural schedules agreed to by the parties in both Docket No. DG 17-198 (the “Granite Bridge docket”) and Docket No. DG 17-152 (the “LCIRP docket”). These procedural schedules provided for hearings in the LCIRP docket on November 21 and 22, and hearings in the Granite Bridge docket on December 4 and 5.

2. Liberty’s June 28 supplemental filing in the LCIRP docket was not specifically provided for in that docket’s procedural schedule. CLF’s *Request to Modify Schedule* seeks to amend the schedules “to allow discovery on the additional supplemental testimony [filed in the

LCIRP docket] and incorporation of responses into testimony to be filed in both cases.” CLF Motion at 1. CLF’s motion requested hearing dates for both dockets in January 2020.

3. The changes proposed in this motion accommodate CLF’s desire to have LCIRP discovery available to incorporate into Granite Bridge testimony, while keeping the existing November and December hearing dates. Liberty proposes the following schedules for the LCIRP docket and the Granite Bridge docket. ¹:

	Proposed 17-152 schedule	Proposed 17-198 schedule
Supplemental filing	6/28	
Response to Supplemental Filing	7/15	
Discovery in 17-152 on supplemental filing	7/15 – 7/31 [responses due 8/9]	
Staff/OCA/intervenor testimony	8/16	8/21
Discovery	8/16-9/10	8/21-9/10
Final date for responses	9/20	9/20
Technical session/Settlement conference	Week of 9/23-27	Week of 9/23-27
Liberty rebuttal testimony	10/10	10/11

¹ The hearing date remains the same in the LCIRP docket and has been changed, at Staff’s request, from December 4 and 5 to December 2, 3, and 4. All the other dates have been adjusted.

Discovery	10/10-24	10/11-25
Final date for responses	11/7	11/8
Technical session/ settlement conference	11/13	11/14
Hearing	11/21-22	12/2-4

4. CLF was provided a draft of this motion. CLF does not oppose the requested modification of the schedules at this time, pending a Commission decision on the outstanding motions.²

5. A draft of this motion was also circulated to the other parties who have been active in this docket. Commission Staff, the OCA, and PLAN do not object.

6. Mr. Clark, who is a party only in the LCIRP docket, stated through counsel that he “would support a schedule in-between Liberty’s proposed schedule [with a November 21-22 hearing] and the schedule proposed in CLF’s Request to Modify Schedule [with a late January hearing], but Liberty’s proposed schedule is too compressed for Mr. Clark to support.” Counsel stated that there is insufficient time for discovery prior to the revised testimony deadline: “Liberty’s proposed schedule only affords a partial discovery period running right now.” Liberty notes that an entire month has passed since the June 28 filing, during which time the existing procedural schedule called for Mr. Clark’s testimony to be filed by August 9, yet Mr. Clark did not seek to extend the schedule and Mr. Clark has not asked a single discovery question

² See CLF’s July 15, 2019, *Motion to Direct Liberty to Re-file its Plan*; CLF’s May 10, 2019, *Motion to Find Liberty’s April 30 Supplement Non-Compliant*.

regarding the June 28 filing, undermining his argument of having insufficient time for discovery.³

7. In separate filings, the Greater Nashua Chamber of Commerce and the Greater Concord Chamber of Commerce expressed their desire to maintain the existing hearing date in the Granite Bridge docket (they are not parties to the LCIRP docket).

WHEREFORE, Liberty respectfully asks that the Commission:

- A. Approve the changes to the procedural schedules in Docket No. DG 17-152 and Docket No. DG 17-198 as set forth above; and
- B. Grant such other relief as is just and equitable.

Respectfully submitted,
Liberty Utilities (EnergyNorth Natural Gas) Corp., d/b/a
Liberty Utilities
By its Attorney,



Date: July 26, 2019

By: _____
Michael J. Sheehan, Esq. #6590
116 North Main Street
Concord, NH 03301
Telephone (603) 724-2135
Michael.Sheehan@libertyutilites.com

Certificate of Service

I hereby certify that on July 26, 2019, a copy of this filing has been electronically forwarded to the service lists in both Docket No. DG 17-152 and Docket No. DG 17-198.



Michael J. Sheehan

³ Although Mr. Clark's July 8, 2019, *Response to June 28, 2019 Filing* does not formally seek relief, it asks the Commission not to consider the revised filing or, in the alternative, to find the filing to be inadequate and deny the LCIRP, incorporating his pre-June 28 filings.