

STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION

Docket No. DG 20-105

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

Petition for Permanent Rates

Petition to Approve a Changes in Rates Otherwise Approved in Order No. 26,654

Liberty Utilities (EnergyNorth Natural Gas) Corp. d/b/a Liberty Utilities, through counsel, respectfully petitions the New Hampshire Public Utilities Commission (“Commission”) as directed in the Commission’s February 17, 2023, *Procedural Order Re: January 19, 2023 Tariff Filing* (the “February 17 Procedural Order”) to approve rates, and associated tariff pages that vary slightly from the rates approved in Order 26,654 (July 27, 2022).

In support of this petition, the Company states as follows:

1. Order No. 26,602 (Apr. 5, 2022) approved Liberty’s request to implement a \$4 million step adjustment for effect August 1, 2021, based on the terms of the Settlement Agreement in this docket. Since the 2022 approval occurred after the 2021 effective date, the Commission asked Liberty to make a filing by June 1, 2022, proposing a recoupment mechanism to collect the approved \$4 million over a future 12-month period beginning August 1, 2022, representing the revenue that Liberty would have collected from August 1, 2021, through August 1, 2022.
2. Liberty made the June 1 filing and, in Order No. 26,654, the Commission approved the August 1, 2022, rates that will collect the \$4 million over the following 12 months.
3. As recited in the February 17 Procedural Order, the Company made its compliance filing following Order No. 26,654 to implement the rates approved in that order. However, the

compliance filing included rates that varied slightly from those approved in Order 26,654, which the Company later explained was due to a mathematical error in the supporting schedules that calculated the rates. See February 17 Procedural Order at 2. That is, the Company's compliance filing included the "correct" rates.

4. The Commission properly noted that a "compliance tariff filing should not include changes to existing tariff pages that are not already approved in an underlying proceeding," *id.*, and thus asked the Company to make this filing to formally request approval of the corrected rates, supported by the corrected schedules.

5. Therefore, pursuant to the Commission's ratemaking authority in RSA 378 and the Commission's approval of the mechanism to recover the step adjustment in Order No. 26,654, Liberty now asks the Commission to approve the corrected rates as set forth in the Technical Statement of Erica L. Menard, as summarized below:

6. An itemization of the rates and corresponding Tariff Pages to be corrected can be found in the Tariff Administrator's September 15, 2022, letter of non-compliance. The pages to be revised and the reasons for the required revisions are as follows:

- Tariff pages 65 and 89 (Rate class G-44):
All over 100 therms per 30-day rate approved 0.4509, compliance tariff 0.4510.
- Tariff page 69 (Rate class G-46): Winter Period:
All therms per 30-day month approved 0.3659, compliance tariff 0.3658.
- Tariff pages 79 and 89 (Rate class G-55):
Customer Charge Per Meter approved 80.64, compliance tariff 80.70.

Id. Liberty seeks approval of the "compliance tariff" rates above as more fully explained in Ms. Menard's Technical Statement and supporting attachments.

7. As part of Liberty's January 19, 2023, response to the September 15, 2022, letter of non-compliance, the Company identified necessary adjustments to the tariff unrelated to the rates

approved for effect on August 1, 2022. Liberty also seeks approval of those adjustments, also as described in Ms. Menard's Technical Statement.

8. In addition to the Menard Technical Statement and attachments, the Company also directs the Commission to the August 16, 2022, proposed tariff pages which reflect the changes described above.

9. The Commission has the authority to make the above-requested changes pursuant to its ratemaking authority under RSA 378 and pursuant to Order No. 26,654, which granted the substantive relief on which the above corrections to the resulting rates are based.

WHEREFORE, the Company respectfully asks the Commission to:

- A. Grant the Company's request for modification of rates approved in Order No. 26,654 to reflect a 30% premium calculation for MEP rate classes G-44, G-46, and G-55 effective August 1, 2022;
- B. Approve the changes to tariff pages 87, 88, and 89 that are unrelated to Order No. 26,654 and are administrative in nature; and
- C. Grant such other relief as is just and reasonable and consistent with the public interest.

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

By its Attorney,



Date: March 6, 2023

By: _____
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Certificate of Service

I hereby certify that on March 6, 2023, a copy of this Petition has been electronically forwarded to the service list.

A handwritten signature in black ink, appearing to read "M. Sheehan", written in a cursive style.

Michael J. Sheehan