

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

Docket No. DG 21-008

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

**Petition for Approval of a Firm Transportation Agreement with Tennessee Gas Pipeline
Company, LLC**

**CONSERVATION LAW FOUNDATION
PETITION TO INTERVENE**

The Public Utilities Commission (“Commission”) has initiated a proceeding to consider Liberty’s “Petition for Approval of a Firm Transportation Agreement with Tennessee Gas Pipeline Company, LLC [TGP].” In the petition, Liberty seeks approval of a 20-year contract with TGP for 40,000 Dth per day of natural gas capacity on the TGP-owned Concord Lateral from the Dracut, Massachusetts receipt point to the Londonderry, New Hampshire delivery point (TGP Contract). In its February 16, 2021 Order of Notice, the Commission directed interested parties to seek intervention by March 19, 2021. Conservation Law Foundation (“CLF”) hereby petitions to intervene in the above-captioned proceeding, pursuant to the Order of Notice and in accordance with N.H. Admin. Rules, Puc 203.17, and RSA 541-A:32. In support of its petition to intervene, CLF avers as follows:

1. CLF is a private, non-profit organization dedicated to protecting New Hampshire’s and New England’s environment for the benefit of all people. CLF uses the law, science, and markets to create solutions that build healthy communities, sustain a vibrant economy, and preserve natural resources, including resources affected by the generation, transmission, and distribution of electric power and the transportation and use of natural gas. Consistent with its

mission to promote thriving, resilient communities, CLF advances sound clean energy policies that strengthen New Hampshire's, and the region's, economic vitality. CLF has approximately 5,140 members in New England, including over 730 members in New Hampshire.

2. In this docket, the Commission will review Liberty's petition for approval of the TGP Contract. CLF's participation in Docket No. DG 21-008 will uniquely aid in the consideration of Liberty's petition. CLF has extensive expertise concerning natural gas, natural gas storage, and non-gas alternatives, as well as energy projects and markets. As a participant in the NEPOOL stakeholder process, CLF has participated in the formation and refinement of New England's energy markets and planning of the region's electric transmission grid. An active voting member of NEPOOL, CLF previously represented its end-user sector in the ISO-NE Natural Gas Electric Coordination working group. CLF's expertise in the energy arena extends to, *inter alia*, natural gas and electricity coordination, natural gas energy efficiency and conservation, natural gas supplies, natural gas distribution infrastructure, greenhouse gas emission reduction requirements, electrification, grid modernization, and the economic and environmental impacts of natural gas pipelines.

3. CLF's substantial involvement in New Hampshire natural gas, energy efficiency, and other energy matters has spanned two decades. This involvement includes intervention in numerous dockets before the Commission, such as Docket Nos.: DR 97-211, DE 01-057, DE 07-064, DE 08-103, DE 08-145, DE 09-033, DE 10-160, DE 10-188, DE 10-261, DE 11-215, DE 11-250, DE 13-108, DE 13-275, DE 14-120, DE 14-238, DE 15-124, IR 15-124, IR 15-137, IR 15-296, DE 16-241, DE 16-693, DE 16-817, DE 17-124, and DE 17-136. CLF has also participated in natural gas-related proceedings before numerous other state agencies in New England, as well as the Federal Energy Regulatory Commission.

4. More recently, and of particular relevance to the instant docket, CLF intervened in Commission Docket Nos. DG 17-152 and DG 17-198. DG 17-198, which was recently closed by the Commission, involved Liberty's now-abandoned Granite Bridge project. As argued by Liberty in the petition in this matter, Liberty's efforts on the proposed Granite Bridge project preceded and led to Liberty negotiating the TGP Contract. Further, DG 17-152 involves Liberty's Least Cost Integrated Resource Plan and includes natural gas demand projections that directly relate to Liberty's allegation, in this docket, that it lacks capacity to meet existing and future demand.

5. CLF and its members, including members who are Liberty gas customers, have a strong interest in ensuring that the facts of the agreements and expenditures proposed in this proceeding are fully aired, and that adequate consideration is given to potential alternatives, including non-gas alternatives that may entail lower costs and fewer environmental impacts. CLF and its members have an interest in ensuring that non-gas alternatives are given adequate consideration in part because natural gas is a major contributor to climate change and impacts the health and welfare of CLF's members and their children, as well as the resilience of the local economy. As New Hampshire, and New England more broadly, transitions away from excessive reliance on fossil fuels, fossil fuel expansion projects by regulated entities that may result in increased greenhouse gas emissions, reduced competition for clean energy, and/or stranded costs, should be subject to appropriate review. The contractual agreement proposed by Liberty in this proceeding is substantial in size and economic impact, entailing a major expansion of rate base and significant implications for competitive and regulated market participants.

6. Due to the significant impacts of the proposed contract, the rights, privileges, and interests of CLF and its members, particularly those who are Liberty gas customers and will

consequently shoulder the costs of the proposed contract, will be substantially affected by the outcome of this proceeding.

7. CLF also respectfully submits that its intervention as a party in this proceeding is likely to elucidate important issues and facilitate an expeditious and just resolution of this proceeding, as a result of CLF's special expertise and experience.

8. CLF's participation is in the interests of justice and the orderly and prompt conduct of the proceeding. CLF's participation will neither delay nor disrupt this proceeding. The interests of CLF and its members are not adequately represented by any other party.

WHEREFORE, CLF respectfully requests that it be granted full intervenor status in this proceeding.

Respectfully submitted,

CONSERVATION LAW FOUNDATION

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