

Summary

Tim Lyons is a partner with ScottMadden with more than 30 years of experience in the energy industry. Tim has held senior positions at several gas utilities and energy consulting firms. His experience includes rate and regulatory support, sales and marketing, customer service and strategy development. Prior to joining ScottMadden, Tim was Vice President of Sales and Marketing for Vermont Gas. He has also served as Vice President of Marketing and Regulatory Affairs for Providence Gas Company, Director of Rates at Boston Gas Company, and Project Director at Quantec, LLC, an energy consulting firm.

Tim has sponsored testimony before 20 state regulatory commissions. Tim holds a B.A. from St. Anselm College, an M.A. in Economics from The Pennsylvania State University, and an M.B.A. from Babson College.

Areas of Specialization

- Regulation and Rates
- Retail Energy
- Utilities
- Natural Gas

Capabilities

- Regulatory Strategy and Rate Case Support
- Strategic and Business Planning
- Capital Project Planning
- Process Improvements

Articles and Speeches

- “Country Strong: Vermont Gas shares its comprehensive effort to expand natural gas service into rural communities.” ***American Gas Association***, June 2011 (with Don Gilbert).
- “Talking Safety With Vermont Gas.” ***American Gas Association***, February 2009 (with Dave Attig).
- “Consumers Say ‘Act Now’ To Stabilize Prices.” ***Power & Gas Marketing***, September/ October 2001 (with Jim DeMetro and Gerry Yurkevicz).
- “Rate Reclassification: Who Buys What and When.” ***Public Utilities Fortnightly***, October 15, 1991 (with John Martin).

Sponsor	Date	Docket No.	Subject
Regulatory Commission of Alaska			
ENSTAR Natural Gas Company	06/16	Docket No. U-16-066	Adopted testimony and sponsored Lead/Lag study for a general rate case proceeding.
Arkansas Public Service Commission			
Liberty Utilities (Pine Bluff Water)	10/18	Docket No. 18-027-U	Sponsored testimony supporting the cost of service, rate design and bill impact studies for a general rate case proceeding.
California Public Utilities Commission			
Southwest Gas Corporation (Southern California, Northern California and South Lake Tahoe jurisdictions)	8/19	Docket No. A.19-08-015	Sponsored testimony on behalf of three separate rate jurisdictions related to: revenue requirements, lead-lag/ cash working capital, and class cost of service, rate design and bill impact analysis for a general rate case proceeding.
Connecticut Public Utilities Regulatory Authority			
Yankee Gas Company	07/14	Docket No. 13-06-02	Sponsored report and testimony supporting the review and evaluation of gas expansion policies, procedures and analysis.
Illinois Commerce Commission			
Liberty Utilities (Midstates Natural Gas)	07/16	Docket No. 16-0401	Sponsored testimony supporting the cost of service, rate design and bill impact studies for a general rate case proceeding. The testimony includes proposal for new commercial classes and a decoupling mechanism.
Iowa Utilities Board			
Liberty Utilities (Midstates Natural Gas)	07/16	Docket No. RPU-2016-0003	Sponsored testimony supporting the cost of service, rate design and bill impact studies for a general rate case proceeding. The testimony includes proposal for new commercial classes.
Kansas Corporation Commission			
The Empire District Electric Company	12/18	Docket No. 19-EPDE-223-RTS	Sponsored testimony supporting cost of service, rate design, bill impact and lead-lag studies for a general rate case proceeding.
Maine Public Utilities Commission			
Northern Utilities, Inc. d/b/a Unitil	06/19	Docket No. 2019-00092	Sponsored testimony supporting a proposed capital investment cost recovery mechanism.
Northern Utilities, Inc. d/b/a Unitil	06/15	Docket No. 2015-00146	Sponsored testimony supporting the proposed gas expansion program, including a zone area surcharge.
Maryland Public Service Commission			
Sandpiper Energy, a Chesapeake Utilities company	12/15	Case No. 9410	Sponsored testimony supporting the cost of service, rate design and bill impact studies for a general rate case proceeding. The testimony includes proposal for new residential and commercial classes.
Massachusetts Department of Public Utilities			
Liberty Utilities (New England Gas Company)	07/18	Docket No. DPU 18-68	Sponsored the Long-Range Forecast and Supply Plan filing for the five-year forecast period 2018/2019 through 2022/2023.

Sponsor	Date	Docket No.	Subject
Liberty Utilities (New England Gas Company)	07/16	Docket No. DPU 16-109	Sponsored the Long-Range Forecast and Supply Plan filing for the five-year forecast period 2016/2017 through 2020/2021.
Boston Gas	10/93	Docket No. DPU 92-230	Sponsored testimony describing the Company's position regarding rate treatment of vehicular natural gas investments and expenses.
Boston Gas	03/90	Docket No. DPU 90-55	Sponsored testimony supporting the weather and other cost of service adjustments, rate design and customer bill impact studies for a general rate case proceeding.
Boston Gas	03/88	Docket No. DPU 88-67-II	Sponsored testimony supporting the rate reclassification of commercial and industrial customers for a rate design proceeding.
Michigan Public Service Commission			
Lansing Board of Water & Light and Michigan State University	04/20	Docket No. U-20650	Sponsored testimony evaluating Consumer Energy's cost of service and rate design proposals.
Lansing Board of Water & Light and Michigan State University	04/19	Docket No. U-20322	Sponsored testimony evaluating Consumer Energy's cost of service and rate design proposals.
Midland Cogeneration Ventures, LLC	09/18	Docket No. U-18010	Sponsored testimony evaluating Consumer Energy's cost of service and rate design proposals.
Missouri Public Service Commission			
Spire Missouri, Inc.	12/20	Docket No. GR-2021-0108	Sponsored testimony supporting the Lead/Lag study for a general rate case proceeding.
The Empire District Electric Company	08/19	Docket No. ER-2019-0374	Sponsored testimony supporting the cost of service, rate design, bill impact and lead-lag studies for a general rate case proceeding. The testimony also included proposals for a weather normalization mechanism.
Liberty Utilities (Midstates Natural Gas)	09/17	Docket No. GR-2018-0013	Sponsored testimony supporting the cost of service, rate design, bill impact and lead-lag studies for a general rate case proceeding. The testimony also included proposals for a revenue decoupling/ weather normalization mechanism as well as tracker accounts for certain O&M expenses and capital costs.
Missouri Gas Energy	04/17	Docket No. GR-2017-0216	Sponsored testimony supporting the cost of service, rate design, bill impact and Lead/Lag studies for a general rate case proceeding. The testimony included support for a decoupling mechanism.
Laclede Gas Company	04/17	Docket No. GR-2017-0215	Sponsored testimony supporting the cost of service, rate design, bill impact and Lead/Lag studies for a general rate case proceeding. The testimony included support for a decoupling mechanism.
New Hampshire Public Utilities Commission			

Sponsor	Date	Docket No.	Subject
Liberty Utilities (EnergyNorth Natural Gas) Corp. d/b/a Liberty Utilities	11/17	Docket No. DG 17-198	Sponsored testimony supporting a leveled cost analysis for approval of firm supply and transportation agreements.
Liberty Utilities d/b/a Granite State Electric Company	04/16	Docket No. DE 16-383	Adopted testimony and sponsored Lead/Lag study for a general rate case proceeding.
<i>Nevada Public Utilities Commission</i>			
Southwest Gas Corporation	02/20	Docket No. 20-02023	Sponsored testimony supporting the class cost of service, rate design, bill impact and Lead/Lag studies for a general rate case proceeding.
<i>New Jersey Board of Public Utilities</i>			
South Jersey Gas Company	03/20	Docket No. GR20030243	Sponsored testimony supporting the Lead/Lag study for a general rate case proceeding.
Elizabethtown Gas Company	04/19	Docket No. GR19040486	Sponsored testimony supporting the Lead/Lag study for a general rate case proceeding.
Pivotal Utility Holdings, Inc. d/b/a Elizabethtown Gas Company	08/16	Docket No. GR16090826	Sponsored testimony supporting the Lead/Lag study for a general rate case proceeding.
<i>Corporation Commission of Oklahoma</i>			
The Empire District Electric Company	03/19	Cause No. PUD 201800133	Sponsored testimony supporting the cost of service, rate design, bill impact and Lead/Lag studies for a general rate case proceeding.
The Empire District Electric Company	04/17	Cause No. PUD 201600468	Adopted direct testimony and sponsored rebuttal testimony supporting the revenue requirements for a general rate case proceeding. The testimony included proposals for alternative ratemaking mechanisms.
<i>Rhode Island Public Utilities Commission</i>			
Providence Gas Company	08/01 09/00 08/96	Docket No. 1673	Sponsored testimony supporting the changes in cost of gas adjustment factor related to projected under-recovery of gas costs; Filed testimony and witness for pilot hedging program to mitigate price risks to customers; Filed testimony and witness for changes in cost of gas adjustment factor related to extension of rate plan.
Providence Gas Company	08/00	Docket No. 2581	Sponsored testimony supporting the extension of a rate plan that began in 1997 and included certain modifications, including a weather normalization clause.
Providence Gas Company	03/00	Docket No. 3100	Sponsored testimony supporting the de-tariff and deregulation of appliance repair service, enabling the Company to have needed pricing flexibility.
Providence Gas Company	06/97	Docket No. 2581	Sponsored testimony supporting a rate plan that fixed all billing rates for three-year period; included funding for critical infrastructure investments in accelerated replacement of mains and services, digitized records system, and economic development projects.

Sponsor	Date	Docket No.	Subject
Providence Gas Company	04/97	Docket No. 2552	Sponsored testimony supporting the rate design, customer bill impact studies and retail access tariffs for commercial and industrial customers, including redesign of cost of gas adjustment clause, for a rate design proceeding.
Providence Gas Company	02/96	Docket No. 2374	Sponsored testimony supporting the rate design, customer bill impact studies and retail access tariffs for largest commercial and industrial customers for a rate design proceeding.
Providence Gas Company	01/96	Docket No. 2076	Sponsored testimony supporting the rate reclassification of customers into new rate classes, rate design (including introduction of demand charges), and customer bill impact studies for a rate design proceeding.
Providence Gas Company	11/92	Docket No. 2025	Sponsored testimony supporting the Integrated Resource Plan filing, including a performance-based incentive mechanism.
Railroad Commission of Texas			
Texas Gas Service Company – Central Texas and Gulf Coast Service Areas	12/19	GUD No. 10928	Sponsored testimony supporting the Lead/Lag study for a general rate case proceeding.
CenterPoint Energy – Beaumont/ East Texas Division	11/19	GUD No. 10920	Sponsored testimony supporting the Lead/Lag study for a general rate case proceeding.
Texas Gas Service Company – Borger/ Skellytown Service Area	08/18	GUD No. 10766	Sponsored testimony supporting the Lead/Lag study for a general rate case proceeding.
Texas Gas Service Company – North Texas Service Area	06/18	GUD No. 10739	Sponsored testimony supporting the Lead/Lag study for a general rate case proceeding.
CenterPoint Energy – South Texas Division	11/17	GUD No. 10669	Sponsored testimony supporting the Lead/Lag study for a general rate case proceeding.
Texas Gas Service Company – Rio Grande Valley Service Area	06/17	GUD No. 10656	Sponsored testimony supporting the Lead/Lag study for a general rate case proceeding.
Atmos Pipeline – Texas	01/17	GUD No. 10580	Sponsored testimony supporting the Lead/Lag study for a general rate case proceeding.
CenterPoint Energy – Texas Gulf Division	11/16	GUD No. 10567	Sponsored testimony supporting the Lead/Lag study for a general rate case proceeding.
Public Utility Commission of Texas			
CenterPoint Energy Houston Electric, LLC	04/19	Docket No. 49421	Sponsored testimony supporting the Lead/Lag study for a general rate case proceeding.
Vermont Public Utilities Commission			
Vermont Gas Systems	12/12	Docket No. 7970	Sponsored testimony describing the market served by \$90 million natural gas expansion project to Addison County, VT. Also described the terms and economic benefits of a special contract with International Paper.

Sponsor	Date	Docket No.	Subject
Vermont Gas Systems	02/11	Docket No. 7712	Sponsored testimony supporting the market evaluation and analysis for a system expansion and reliability regulatory fund.
Virginia State Corporation Commission			
American Electric Power - Appalachian Power Company	3/20	Case No. PUR-2020-00015	Sponsored testimony supporting the Lead/Lag study for the 2020 triennial review of base rates, terms and conditions.

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REVENUE DECOUPLING ADJUSTMENT CLAUSE

1.0 PURPOSE

The purpose of the Revenue Decoupling Adjustment Clause (“RDAC”) is to establish procedures that allow the Company to adjust, on an annual basis, rates for distribution service that reconcile Actual Base Revenues per Customer with Authorized Base Revenues per Customer.

2.0 EFFECTIVE DATE

The Revenue Decoupling Adjustment Factor (“RDAF”) shall be effective on the first day of the Adjustment Period, as defined in Section 4.0.

3.0 APPLICABILITY

The RDAF shall apply to the Company’s Domestic Delivery Service (Schedule D), Domestic Delivery Service (Schedule TOU-D) and General Delivery Service (Schedule G), as determined in accordance with the provisions of this Tariff.

4.0 DEFINITIONS

The following definitions shall apply throughout the Tariff:

1. Actual Base Revenues is the revenue collected for a Customer Class through the Company’s customer charge and distribution charges. This excludes revenues collected through the RDAF.
2. Actual Number of Customers is the number of customers for the applicable customer class. Actual Number of Customers shall be based on the monthly equivalent bills for a customer class.
3. Actual Base Revenues per Customer is Actual Base Revenues divided by the Actual Number of Customers for a Customer Class.
4. Adjustment Period is the 12-month period for which the RDAF will be applied for each applicable customer class. The first Adjustment Period shall be the twelve-month period from August 1, 2023 to July 31, 2024. Each subsequent Adjustment Period shall be the twelve months August 1 through July 31.
5. Authorized Base Revenues is the base revenues for a Customer Class as authorized by the Commission in the Company’s most recent base rate case or other proceedings that result in an adjustment to base rates, or as adjusted by Commission order. This includes revenues authorized to be recovered through the Company’s customer charge and distribution

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- charges. This also includes any step revenue increases authorized by the Commission, but excludes revenues authorized to be recovered from the RDAF.
6. Authorized Base Revenues per Customer is the Authorized Base Revenues divided by the Authorized Number of Customers for a customer class.
 7. Authorized Number of Customers is the number of customers in the test year for the applicable Customer Class as used in the rate design in the Company's most recent base rate case or as adjusted by Commission order.
 8. Customer Class is the group of customers for purposes of calculating the Revenue Decoupling Adjustment amounts defined as follows: Domestic Delivery Service (Schedule D), Domestic Delivery Service (Schedule TOU-D), Regular General Service (Schedule G2), Regular General Service (Schedule G2 kWh meter), Regular General Service (Schedule G2 Quick Recovery Water Heating and Space Heating), and Large General Service (Schedule G1).
 9. Measurement Period is the 12-month period in which the Company will measure variances between actual base revenues per customer and authorized base revenues per customer for each customer class. The first Measurement Period shall be the twelve-month period from April 1, 2022 to March 31, 2023. Each subsequent Measurement Period shall be the twelve months April 1 through March 31.
 10. Revenue Decoupling Adjustment ("RDA") is the cumulative monthly revenue variances, carrying costs and reconciliation amount for the Measurement Period. The RDA forms the basis for RDAF.

5.0 CALCULATION OF REVENUE DECOUPLING ADJUSTMENT FACTOR

i. Description of RDAF Calculation

For each month within the Measurement Period, the Company shall calculate the variance between Actual Revenue per Customer and Authorized Revenue per Customer, for each Customer Class as defined in Section 4.0. The revenue per customer variance will be multiplied by the Actual Number of Customers per class, to determine the monthly Customer Class revenue variance. The revenue variance will be recorded in a deferral account with carrying costs accrued monthly at Prime rate with said Prime rate to be fixed on a quarterly basis and to be established as reported in THE WALL STREET JOURNAL on the first business day of the month preceding the calendar quarter. If more than one interest rate is reported, the average of the reported rates shall be used. On June 1 following the end of each Measurement Period, the Company will file for implementation of the RDAF, starting the first day of the Adjustment Period. The RDA at the end of Measurement Period will form the basis for the RDAF calculation. The RDA, including reconciliation amount and carrying costs, will be allocated to each customer class based upon the percentage of each class' Authorized Base Revenue, including step

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adjustments. The resulting class RDA will be divided by the class’s projected sales for the adjustment period to determine the RDAF applicable to the given customer class.

ii. RDAF Calculation

1. Monthly Revenue Variance (MRV)

$$MRV_i^{CC} = (ARPC_i^{CC} - AURPC_i^{CC}) \times ACUST_i^{CC}$$

Where:

$ACUST_i^{CC}$: Actual number of customers for month i for applicable Customer Class.

$ARPC_i^{CC}$: Actual Base Revenue Per Customer for month i for applicable Customer Class, derived as:

$$ARPC_i^{CC} = \frac{\text{Actual Month } i \text{ Revenue for Customer Class}}{\text{Actual Month } i \text{ Bills for Customer Class}}$$

$AURPC_i^{CC}$: Authorized Base Revenue Per Customer for month i for applicable Customer Class, derived as:

$$AURPC_i^{CC} = \frac{\text{Authorized Month } i \text{ Revenue for Customer Class}}{\text{Authorized Month } i \text{ Bills for Customer Class}}$$

CC : The six Customer Classes as defined in Section 4.0.

i : The twelve Months of the Measurement Period (April through March)

2. Revenue Decoupling Adjustment (RDA)

$$RDA = [\sum_{CC=1}^6 [\sum_{i=1}^{12} MRV_i^{CC} + \text{CarryingCosts}_i^{CC}]] + REC_p$$

Where:

$\text{CarryingCosts}_i^{CC}$: Carrying Costs on the deferral account balance calculated at Prime rate for month i for applicable Customer Class.

REC_p : RDAC Reconciliation Balance from prior period p as defined in Section 7.0.

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3. RDA Allocation, subject to Adjustment Cap

*IF: RDA < 0
AND IF: |RDA| > RDC*

$$THEN: RDA^{CC} = RDC \times \frac{AURV^{CC}}{\sum_{CC=1}^{CC=6} [AURV^{CC}]}$$

$$AND: REC_C = RDA - RDC$$

$$OTHERWISE: RDA^{CC} = RDA \times \frac{AURV^{CC}}{\sum_{CC=1}^{CC=6} [AURV^{CC}]}$$

Where:

|RDA|: Absolute Value of RDA

$AURV^{CC}$: Authorized Base Revenues for Customer Class

RDC : The Revenue Decoupling Cap that equals two and one half (2.5%) percent of total revenues from delivered sales for the most recent twelve-month period, April to March, as defined in Section 8.0 for the Adjustment Period. This cap is applicable to under recoveries only; over recoveries shall be credited in full.

REC_C : RDAC Reconciliation Balance for current period as defined in Section 7.0.

4. RDAF Calculation

$$RDAF^{CC} = -1 \times \frac{RDA^{CC}}{FS^{CC}}$$

Where:

FS^{CC} : The forecasted kWh Sales for the Adjustment Period for the applicable customer class

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6.0 Application of the RDAF to Customer Bills

The RDAF (\$ per kWh) shall be truncated at the nearest one one-thousandths of a cent per kWh. The RDAF will be applied to the monthly billed sales for each customer during the applicable Adjustment Period.

7.0 RDAC Reconciliation

The deferred balance shall contain the accumulated difference between the authorized RDA for the Adjustment Period determined in accordance with Section 4.0, and actual revenues received by the Company through application of the RDAF to customer bills in the Adjustment Period. Carrying costs shall be calculated on the average monthly balance of the deferred balance using the Prime rate.

8.0 Revenue Decoupling Adjustment Cap

The RDA for the Adjustment Period (determined in accordance with Section 5.0) may not exceed two and one half (2.5%) percent of total revenues from delivered sales for the most recent twelve-month period, April to March, with revenue for externally supplied customers being adjusted by imputing the Company's default service charges for that period. Total revenue shall include amounts that the Company has billed the Customer Classes as defined in Section 4.0 through applicable charges for distribution service, external delivery charge, stranded cost charge, storm recovery adjustment charge, system benefits charge, and any and all related adjustment factors. This cap is applicable to under recoveries only; over recoveries shall be credited in full. To the extent that the application of the RDA cap results in a RDA that is less than that calculated in accordance with Section 5.0, the difference shall be deferred and included in the RDAC Reconciliation for recovery in the subsequent Adjustment Period. Carrying costs shall be calculated on the average monthly balance using the Prime rate.

9.0 Information to be Filed with the Commission

Information pertaining to the RDAC will be filed annually on June 1 with the Commission consistent with the filing requirements of all costs and revenue information included in the Tariff. Such information shall include:

1. Calculation of monthly revenue variances for each Customer Class.

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2. Determination of Revenue Decoupling Adjustment for the upcoming Adjustment Period.
3. Allocation of Revenue Decoupling Adjustment to each Customer Class.
4. Calculation of the Revenue Decoupling Adjustment Factors for each Customer Class, to be utilized in the upcoming Adjustment Period. If distribution rates change during the Measurement Period, the monthly revenue per customer for the remaining months of the Measurement Period will be revised and filed with the Commission.

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