

THE STATE OF NEW HAMPSHIRE
BEFORE THE
PUBLIC UTILITIES COMMISSION

Unitil Energy Systems, Inc.

Docket No. DE 21-030

ASSENTED-TO MOTION TO ACCEPT LATE-FILED SETTLEMENT

Unitil Energy Systems Inc. (“UES” or the “Company”) hereby moves the New Hampshire Public Utilities Commission (“Commission”) pursuant to N.H. Code Admin. R. Puc 203.07 and Puc 203.20(f) to accept the late-filed Settlement Agreement that accompanies this motion and waive the requirements of Puc 203.20(e). The Department of Energy, the Office of the Consumer Advocate, the Department of Environmental Service, Clean Energy New Hampshire, and ChargePoint, Inc., all signatory parties to the Settlement Agreement, assent to the relief requested in this motion.¹ In support of this motion, UES states as follows:

1. On April 2, 2021, UES filed its petition for a rate increase pursuant to N.H. Admin Rules Puc 1600 et seq. On May 4, 2021, the Commission approved a procedural schedule for the proceeding by secretarial letter. That procedural schedule called for the commencement of a hearing on merits in this proceeding on February 7, 2022. On January 21, 2022, the Commission issued a procedural order that made minor adjustments to the hearing dates and set the merits hearing for February 7, 8, 11, 14, and 15, 2022.

¹ Conservation Law Foundation is not a signatory to the Settlement Agreement but has indicated that it intends to submit a letter supporting those portions of the Settlement Agreement in which it has an interest.

2. On January 25, 2022, UES, along with all other parties, filed a motion with the Commission noting that the parties had engaged in discussions for the purpose of reaching a settlement in this matter. Further, the motion stated that the discussions had been productive, that the parties had reached a comprehensive agreement in principle, and that they were in the process of memorializing the settlement. At that time, the parties requested that the Commission cancel the hearings scheduled for February 7, 8, and 11 and retain the February 14 and 15 hearing days. On January 26, 2022, the Commission issued a procedural order granting the requested change to the schedule.

3. On February 8, 2022, UES filed an assented-to motion with the Commission noting that the parties were continuing to work to finalize the language of the settlement but the process was taking longer than anticipated. Accordingly, UES requested that the Commission cancel the hearing date scheduled for February 14 and retain the hearing date of February 15. On February 8, 2022, the Commission issued a procedural order granting the requested change to the schedule.

4. The parties continued to collaborate and work diligently to finalize the terms of a comprehensive Settlement Agreement, which accompanies this motion. Pursuant to Puc 203.20(e), settlement agreements are to be filed no less than 5 days prior to a hearing, except as provided in 203.20(f). In accordance with the revised schedule, the Settlement Agreement was due to be filed by February 8, 2022.²

5. Puc 203.20 (f) allows the Commission to accept a late-filed settlement agreement if that agreement promotes the orderly and efficient conduct of the proceeding and will not impair the rights of any party to the proceeding.

²² “When the period of time prescribed or allowed is less than 6 days, intermediate Saturdays, Sundays and legal holidays shall be excluded in the computation of time.” Puc 202.03(c).

6. UES moves that the Commission accept the late-filed Settlement Agreement pursuant to Puc 203.20(f) and waive the requirement of Puc 203.20(e). The Settlement Agreement is comprehensive and represents a full, negotiated resolution of all issues between the parties in this Docket. It is the product of many weeks of hard work by a diverse group of parties representing different interests, including those of the State of New Hampshire, the Company's ratepayers, and environmental stakeholders, and it will represent a full, negotiated resolution of all the issues between the parties. Therefore, a late-filed settlement agreement will allow for an orderly and efficient hearing, to the benefit of all the parties and the Commission, and will not impair the rights of any party to the proceeding.

8. As noted above, the Department of Energy, the Office of Consumer Advocate, the Department of Environmental Services, Conservation Law Foundation, Clean Energy New Hampshire, and ChargePoint, Inc., all signatory parties to the Settlement Agreement, assent to the relief requested in this motion.

WHEREFORE, the Company requests that the Commission grant this Assented-to Motion to Accept Late-Filed Settlement.

UNITIL ENERGY SYSTEMS, INC.



By: _____

Dated: February 11, 2022

Patrick H. Taylor, Esq.
Chief Regulatory Counsel

CERTIFICATE OF SERVICE

I hereby certify that, on the date written below, I caused the attached to be served pursuant to N.H. Code Admin. Rule Puc 203.11.

A handwritten signature in black ink, appearing to read "Patrick Taylor", written over a horizontal line.

Patrick Taylor

February 11, 2022