

STATE OF NEW HAMPSHIRE

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**PUBLIC UTILITIES COMMISSION**  
21 S. Fruit St., Suite 10  
Concord, N.H. 03301-2429

August 6, 2021

Re: DG 21-036, Liberty Utilities (EnergyNorth Natural Gas) d/b/a Liberty Utilities  
Petition for Approval of a Renewable Natural Gas Supply and Transportation Agreement  
Procedural Schedule

To the Parties:

On July 12, 2021, the Commission held a duly noticed prehearing conference in the above-referenced matter. Appearances were entered by Liberty Utilities (EnergyNorth Natural Gas) d/b/a Liberty Utilities (Liberty), the Office of the Consumer Advocate (OCA), and the Department of Energy (Energy). The Commission granted the petition to intervene filed by Conservation Law Foundation (CLF) and took the petition to intervene filed by Jonathan Chaffee under advisement.

Following the prehearing conference, Liberty, the OCA, Energy, CLF, and Mr. Chaffee, who was treated as a party for purposes of the technical session, met in a technical session and agreed upon the following schedule, which Liberty submitted to the Commission by letter dated July 15, 2021:

|   |                                   |
|---|-----------------------------------|
| Data Requests (DRs) to Liberty Set # 1 Served | July 23, 2021                     |
| Liberty Responses to DRs Set #1 Due           | August 6, 2021                    |
| Technical Session #2 <sup>1</sup>             | August 13, 2021, at 10:00 a.m.    |
| DRs to Liberty Set #2 Served                  | August 27, 2021                   |
| Liberty Responses to DRs Set #2 Due           | September 10, 2021                |
| Technical Session #3                          | September 14, 2021, at 10:00 a.m. |
| DRs to Liberty Set #3 Served                  | September 29, 2021                |
| Liberty Responses to DRs Set #3 Due           | October 13, 2021                  |
| OCA/Energy/Intervenor Testimony Filed         | November 12, 2021                 |
| DRs on OCA/Energy/Intervenor Testimony Served | November 19, 2021                 |
| OCA/Energy/Intervenor Responses to DRs Due    | December 7, 2021                  |
| Technical Session #4                          | December 10, 2021, at 10:00 a.m.  |
| Liberty Rebuttal Testimony Due                | December 17, 2021                 |
| Technical Session #5                          | January 5, 2022, at 10:00 a.m.    |
| DRs to Liberty Set #4 Served                  | January 14, 2022:                 |
| Liberty Responses to DRs Set #4 Due           | January 26, 2022                  |
| Technical Session/Settlement Conference       | February 1, 2022, at 10:00 a.m.   |

<sup>1</sup> Any technical session held in a Commission proceeding may potentially involve settlement discussions, which will be restricted to participation by parties only and must be treated as confidential and not disclosed, consistent with N.H. Admin. R., Puc 203.20(a).

The Commission has scheduled the hearing for two days during the week of February 15, 2022.

Hearing

February 16 and 17, 2022, at 9:00 a.m.

Additional conferences or hearings may be scheduled as necessary. Liberty also stated that, as discussed during the July 12, 2021 prehearing conference, it would supplement its response to DR OCA 1-7 by August 1, 2021 and provide an appropriately redacted version of Confidential Attachment OCA 1-7.

It has been determined that the above schedule is in the public interest and, therefore, it has been approved.

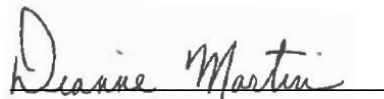
On July 8, 2021, Mr. Chaffee, through counsel, filed a petition to intervene, contending that he had a sufficient interest in this docket, because he was a Liberty customer living in West Lebanon, New Hampshire and had participated as an intervenor in Docket No. DG 16-852. During the July 12, 2021 prehearing conference, Liberty objected to Mr. Chaffee's petition to intervene, stating that Mr. Chaffee was not a Liberty gas customer and arguing that the matters decided in this docket would not affect his direct interests. Transcript of July 12, 2021 Prehearing Conference at 6-7, 12-14.

Liberty represented that, in this proceeding, it was not seeking a gas franchise in Lebanon. *Id.* at 8-9. However, Liberty conceded that, if it did file a petition requesting the Commission's approval to serve part of Lebanon, Mr. Chaffee would have an interest in the matter. *Id.* at 9. Mr. Chaffee's counsel acknowledged Liberty's representation that Liberty was not requesting a gas franchise within any part of Lebanon in this docket. *Id.* at 16-17.

Energy took no position on Mr. Chaffee's intervention request, but noted that Mr. Chaffee did not live within the area of the "geographically targeted franchise" that Liberty may be seeking in the future. *Id.* at 7-8. The OCA supported Mr. Chaffee's petition to intervene. *Id.* at 11.

Based on a review of Mr. Chaffee's petition to intervene and the transcript of the July 12, 2021 prehearing conference, Mr. Chaffee's petition to intervene is denied. As discussed at the prehearing conference, if Liberty does seek a franchise in Lebanon, a separate proceeding with the requisite notice will be opened to address that issue and related intervention requests can occur at that time. In light of that, the standard for intervention in RSA 541-A:32 has not been met regarding this proceeding. *See* N.H. Admin. R., Puc 203.17.

Sincerely,

  
Dianne Martin  
Chairwoman

cc: Service List (Electronically)  
Docket File

## Service List - Docket Related

Docket# : 21-036

Printed: 8/6/2021

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