

STATE OF NEW HAMPSHIRE

COMMISSIONER
Jared S. Chicoine

DEPUTY COMMISSIONER
Christopher J. Ellms, Jr.



DEPARTMENT OF ENERGY
21 S. Fruit St., Suite 10
Concord, N.H. 03301-2429

TDD Access: Relay NH
1-800-735-2964

Tel. (603) 271-3670

FAX No. 271-1526

Website:
www.energy.nh.gov

July 18, 2022

Via Electronic Mail Only

Chair Daniel Goldner
New Hampshire Public Utilities Commission
21 South Fruit Street, Suite 10
Concord, New Hampshire, 03301

Re: Docket No. DG 06-107 National Grid and Keyspan Corporation, Approval of Indirect Acquisition, and DE 21-073 Liberty Utilities (Granite State Electric) Corp. d/b/a Liberty Utilities, 2020 Annual Storm Fund Report, *DOE Summary of Issues and Notice of Late Exhibits, Pursuant to Chairman's Recent Request in Dkt. No. 21-130*

Dear Chairman Goldner:

On behalf of the Department of Energy (DOE), and pursuant to the Chairman's request at the July 13, 2022 hearing in Liberty Utilities (Granite State Electric) Corp. d/b/a Liberty Utilities (Liberty or the Company)'s mid-season cost of gas adjustment in Docket No. DG 21-130, DOE is providing a brief summary of the matters at issue and notice that exhibits will be filed late in this docket.

In this docket, Liberty proposes that the word "concurrent" should be interpreted in a manner other than the standard dictionary meaning of that word. DOE asserts that the standard dictionary definition of "concurrent", i.e., "operating or occurring at the same time" is controlling. *See* DOE Report and Recommendation (June 16, 2022) filed in Dkt. No. DE 21-073. Further, DOE asserts that inattention prior to 2019 by (then) PUC Staff cannot alter the plain meaning of the word "concurrent" as used in the controlling Settlement Agreement(s). DOE also asserts that Liberty should modify its treatment of transportation equipment depreciation charges in the burden rate to comply with FERC requirements and make adjustments to the 2019 and 2020 Annual Storm Fund Reports (ASFRs) accordingly. Depreciation rates applicable to the storm dockets should be charged thereto, as was done prior to approximately 2018.

This summary is being filed solely in electronic form. DOE anticipates that DOE's exhibits --including but not limited to Liberty's data responses, filed Friday July 15, 2022 -- will be filed with on Tuesday, July 19, 2022. DOE notes that in addition to two hearings last week, the undersigned counsel also participated in extended settlement discussions in Dkt. No. DG 17-152 (a Liberty LCIRP docket) at the end of the week.

Sincerely,

/s/ *Mary E. Schwarzer*

Mary E. Schwarzer
Staff Attorney/Hearings Examiner

Cc: Service List

