

STATE OF NEW HAMPSHIRE
BEFORE THE PUBLIC UTILITIES COMMISSION

DE 21-089

Eversource Energy

Petition for Recovery of Storm Expenses

**DEPARTMENT OF ENERGY'S MOTION TO ENLARGE TIME TO INVESTIGATE PUBLIC
SERVICE COMPANY OF NEW HAMPSHIRE d/b/a EVERSOURCE ENERGY'S
PETITION FOR RECOVERY OF STORM EXPENSES
THROUGH JULY 15, 2022**

NOW COMES the New Hampshire Department of Energy (DOE) and in response to the Public Utility Commission (Commission)'s *Procedural Order re Deadline for Final Report* (May 26, 2022) (Commission's Third Procedural Order), seeks additional time through July 15, 2022, in which to investigate Public Service Company of New Hampshire d/b/a Eversource Energy (Eversource or the Company)'s *Petition for Recovery of Storm Expenses* in the instant docket.

In support of this motion, Energy states as follows:

I. Background

1. By Procedural Order dated January 14, 2022 (Second Procedural Order) the Commission directed the DOE to complete its investigation and issue its final report, as well as notify the Commission whether further process and/or a hearing will be required by Thursday, May 19, 2022. *See* Commission's Third Procedural Order .
2. On May 26, 2022, the Commission issued its Third Procedural Order, noting, *inter alia*, that the DOE had not met the May 19 deadline, and that the Commission was unable to make a determination regarding Eversource's request to recover storm expenses without the DOE's audit report and recommendation, and citing RSA 12-P:2.
3. Undersigned counsel apologies for the delay in filing and the resulting inconvenience to the Commission. Due to an unanticipated press of other business, for both the analyst and for undersigned counsel, the DOE was unable to complete the investigation and analysis and file a report by May 19.

II. DOE Seeks an Enlargement of Time Through July 15, 2022.

4. DOE contacted Eversource's counsel on May 19, before the deadline expired, to propose an enlargement of time through July 15, 2022. Eversource, by and through counsel Jessica Chiavera, does not object to the DOE's request for relief.

5. If DOE's review and investigation of Eversource's *Petition* in this docket is completed sooner than anticipated, DOE's final report will be filed promptly thereafter. At that time, the DOE will also indicate whether DOE believes further process or a hearing will be required.

6. In sum, Energy seeks additional time in which to complete its review and investigation of Eversource's pending *Petition for Recovery of Storm Expenses* through July 15, 2022.

7. In the opinion of DOE, if the Commission were to deny this request for additional time to review and investigate, DOE would be caused undue hardship. The DOE Regulatory Support Division and the Legal Division would be caused "undue hardship" and "inconvenience" as those terms are used in the Commission's administrative rules, were they required to expedite review and investigation of the Company's *Petition for Recovery of Storm Expenses* on a more accelerated timeline. See N.H. Code of Administrative Rules Puc 202.04. Granting the request will not unduly delay the proceeding or adversely affect the rights of any party, as Eversource does not object and the proposed delay is relatively short, under the circumstances, and given the press of other higher profile matters.

III. Dockets DE 21-089 and 22-031 should not be consolidated

8. In addition, DOE and Eversource agree that in this instance, it would not be appropriate to consolidate this docket with Docket DE 22-031, Eversource's *Petition for Recovery of Storm Expenses* during the 2021 period. The audit and analysis are significantly further along in the present docket. In contrast, the audit and analysis are highly unlikely to be complete on or before July 15, 2022 in Docket 22-031. The parties raise this concern because the Commission proactively consolidated the Until Dockets DE 21-033 (Unitil's Annual Major Storm Cost Reserve Fund Report 2020) and DE 22-008 (Unitil's Annual Major Storm Cost Reserve Fund Report 2021). Such a consolidation would be challenging to accommodate in this docket.

IV. Waiver of the requirement that DOE request additional time on or before May 19 is appropriate

9. The Commission should grant the waiver of Puc 202.04, to the extent that it requires DOE to seek an enlargement of time before the designated period expires. Waiver is in the public interest because, for the reasons explained above, compliance was onerous due to the press of other business and is now impossible. Further, waiver will not disrupt the orderly and efficient resolution of matters before the commission because the matter is not ripe for review and granting an enlargement of time will permit the DOE to present a thoughtful and careful analysis. *See* Puc 201.05.

WHEREFORE, Energy respectfully requests that the Commission:

- A. GRANT DOE's request to enlarge the time for its review and investigation of Eversource's *Petition for Recovery of Storm Expenses* through July 15, 2022, noting that Eversource does not object;
- B. GRANT DOE and Eversource's request that this docket not be consolidated with Docket No. 22-031; and
- C. GRANT such other and further relief as is equitable and just.

Respectfully submitted,

Date: May 27, 2022

/s Mary E. Schwarzer

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Certificate of Service

I hereby certify that on May 27, 2022, a copy of this objection has been electronically forwarded to the service list.

Mary E. Schwarzer
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