

**STATE OF NEW HAMPSHIRE  
PUBLIC UTILITIES COMMISSION**

**DG 20-105**

**LIBERTY UTILITIES (ENERGYNORTH NATURAL GAS) CORP. d/b/a LIBERTY**

**Request for Change in Rates**

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**DG 21-130**

**LIBERTY UTILITIES (ENERGYNORTH NATURAL GAS) CORP. d/b/a LIBERTY**

**Winter 2021/2022 Cost of Gas and Summer 2022 Cost of Gas**

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**DG 21-132**

**LIBERTY UTILITIES (ENERGYNORTH NATURAL GAS) CORP.  
d/b/a LIBERTY – KEENE DIVISION**

**Winter 2021/2022 Cost of Gas**

**Order on Motion to Enlarge Time and Transfer Issue**

**O R D E R N O. 26,765**

**January 25, 2023**

Pursuant to a directive issued during a prehearing conference in the above-captioned dockets on July 12, 2022, and memorialized in Order No. 26,663 (August 4, 2022), Liberty Utilities (EnergyNorth Natural Gas) Corp. d/b/a Liberty (Liberty), the Department of Energy (DOE), and the Office of the Consumer Advocate (OCA) were requested to propose procedural changes for Liberty's future Local Distribution Adjustment Charge (LDAC) and Cost of Gas (GOG) proceedings. These proposals would address potential changes to the effective date of rate changes, separating the LDAC and COG proceedings into individual dockets each year, and tariff changes that would be

necessary to implement such structural and procedural updates. These proposals were due no later than December 31, 2022.

On December 28, 2022, the DOE filed a letter requesting an extension to this deadline, and for this issue to be transferred to another docket, Docket No. IR 22-053. In support of this request, the DOE stated that staffing issues and the press of other matters necessitate the deadline extension, and that the IR docket would be a more appropriate forum as it allows another similarly situated gas distribution utility the opportunity to provide insight and perspective. The DOE stated that Liberty and the OCA joined in its request.

The Commission appreciates the parties' suggestion that investigation of this issue is warranted, and that another similarly situated gas distribution utility may seek similar changes and provide insight and perspective. However, we also note that the Commission's directive was founded in the parties' experience with Liberty's combined COG/LDAC proceedings over several years, and that a determination that a new process would be beneficial has already been made. In order to give that determination its intended effect, a proposal must be forthcoming in short order if it is to be implemented in time for Liberty's 2023 COG and LDAC filings. Therefore, although the parties are still encouraged to explore these issues collaboratively in the context of existing investigations, the request to transfer the issue to Docket No. IR 22-053 is denied.

The Commission, however, does not see any compelling reason for such a forward-looking proposal to be filed in any of the above captioned dockets, which relate to a 2020 rate case and 2021 COG and LDAC adjustments. We therefore address the request for deadline extension by extending deadline and simplifying the filing requirement. In lieu of structuring this as a joint proposal filing requirement, the

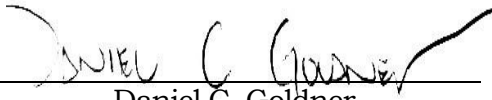
Commission directs Liberty to file the previously requested proposals<sup>1</sup> in the form of a new petition no later than March 10, 2023. This petition shall include a brief statement of positions of the DOE and OCA, to the extent they are known. This filing will be assigned a new docket with the expectation that a whatever process results from the petition will be able to be implemented for Liberty's 2023 COG and LDAC filings.

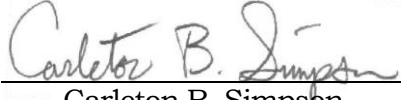
**Based upon the foregoing, it is hereby**

**ORDERED**, that the Department of Energy's December 28, 2022 request for deadline extension is GRANTED as discussed herein, with a new filing deadline established for Liberty on March 10, 2023; and it is

**FURTHER ORDERED**, that the Department of Energy's December 28, 2022 request for transfer of issue is DENIED.

By order of the Public Utilities Commission of New Hampshire this twenty-fifth day of January 2023.

  
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Daniel C. Goldner  
Chairman

  
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Carleton B. Simpson  
Commissioner

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<sup>1</sup> See Order No. 26,663 at 4, "...[t]he first proposal would keep the annual LDAC and COG adjustments together, including a proposed hearing time. The second proposal would put the LDAC and COG adjustments on separate tracks, including whatever tariff amendments would be necessary"

## Service List - Docket Related

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## Service List - Docket Related

Docket#: 5-5

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## Service List - Docket Related

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