

**STATE OF NEW HAMPSHIRE  
PUBLIC UTILITIES COMMISSION**

**DG 22-028**

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

**Request for Step Adjustment**

**Procedural Order Re: Pending Motions**

On July 6, 2022, the New Hampshire Department of Energy (DOE) filed a motion to extend the July 5, 2022 deadline for filing an audit report in this docket, to which Liberty did not object. On the same date, Liberty Utilities (EnergyNorth Natural Gas) Corp. d/b/a Liberty (Liberty) filed a motion for an out-of-state witness to appear remotely at the July 12, 2022 hearing on Liberty's petition for step adjustment. The DOE filed a letter in support of Liberty's request.

When it filed its request for a second step adjustment on April 8, 2022, Liberty asked the Commission to approve the requested rates by July 26, 2022, so that they could take effect on August 1, 2022. *See Direct Testimony of Catherine A. McNamara, Erica L. Menard, Robert A. Mostone, and Bradford R. Marx, April 8, 2022, at Bates Page 37.* On June 3, 2022, the Commission issued a notice commencing an adjudicative proceeding and scheduling a hearing on July 12, 2022. In its June 3, 2022 notice, the Commission noted that the underlying settlement agreement required the second step adjustment to be subject to audit, and that the issues to be decided in this proceeding included whether Liberty appropriately calculated the proposed revenue requirement required to recover the costs of eligible capital projects. The Commission stated that, for the hearing to proceed as scheduled, it required the costs proposed for recovery to be audited, with an audit report to be filed by July 5, 2022.

In its motion, the DOE requested the Commission to extend the July 5 audit report deadline to August 1, 2022. The DOE asserted that the DOE Audit Division began working on the audit, but that it will be unable to complete the audit by July 5, given its current workload, staffing, and the priority of other matters. The DOE maintained that the Commission could issue a decision stating that its findings were subject to adjustment or reconciliation based on the outcome of the final audit report, so that an extension of the audit deadline would not cause undue delay or adversely affect the rights of any party.

The DOE's motion to extend the deadline is GRANTED, in that the deadline for filing a final audit report is now August 1, 2022. The July 12, 2022 hearing, therefore, is rescheduled to Tuesday, August 16, 2022, at 9:00 a.m., so that the Commission can review the results of the audit before the hearing. Three hours shall be allotted for the August 16 hearing, which shall be conducted in accordance with the hearing guidelines issued on June 3, 2022. The hearing will also address the issue of what effective date should apply to any new rates resulting from the proposed step adjustment.

Liberty requested that one of its witnesses, Paul Normand, who is located in Pennsylvania, be permitted to participate remotely at the hearing. Liberty stated in its motion that the DOE informed it on July 5, 2022 that it intended to explore issues related to Liberty's depreciation report at the July 12 hearing, so that the testimony of Mr. Normand, who prepared the depreciation report, would be required. It asserted that requiring Mr. Normand to appear in person at the hearing, especially on short notice, would result in a substantial expense.

Now that the hearing in this matter has been rescheduled to August 16, 2022, Mr. Normand will no longer be required to appear at the hearing on short notice but requiring his in-person attendance at the hearing will nevertheless require Liberty to incur an additional expense. Accordingly, the Commission has GRANTED Liberty's request that a

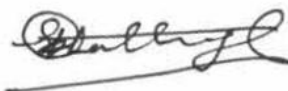
hybrid hearing format to be used for the August 16 hearing to accommodate Mr. Normand only. Any other parties or witnesses wishing to appear remotely at the August 16 hearing are required to file a separate request.

So ordered, this eighth day of July, 2022.



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Daniel C. Goldner  
Chairman



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Pradip K. Chattopadhyay  
Commissioner



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Carleton B. Simpson  
Commissioner

## Service List - Docket Related

Docket# : 22-028

Printed: 7/8/2022

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