

STATE OF NEW HAMPSHIRE

COMMISSIONER
Jared S. Chicoine

DEPUTY COMMISSIONER
Christopher J. Ellms, Jr.



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

Tel. (603) 271-3670

Website:
www.energy.nh.gov

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

December 29, 2022

Daniel C. Goldner, Chairman
Public Utilities Commission
21 S. Fruit Street
Concord, NH 03301-2429

Re: DG 22-045 Liberty Utilities (EnergyNorth Natural Gas) Corp. d/b/a/
Liberty Winter 2022-23 and Summer 2023 Cost of Gas, *DOE Position
on Liberty's December Monthly Gas Report for Cost of Gas Rates Proposed to be
Effective January 1, 2023.*

Dear Chairman Goldner:

The Department of Energy (DOE) files this letter to explain the DOE's position on a December 29, 2022 filing, which Liberty Utilities (EnergyNorth Natural Gas) Corp. d/b/a Liberty ("Liberty" or "the Company") referenced as "Winter 2022-2023 Cost of Gas—January 2023 Monthly Cost of Gas Adjustment," and which DOE understands to be the Company's *December Monthly Cost of Gas Adjustment for Rates Proposed to be Effective January 1, 2023.*"

DOE acknowledges that so long as the proposed rates are consistent with Order No. 26,715 (October 31, 2022) *as modified by* Order No. 26,737 (November 30, 2022) and illustrate no more than the Company's exercise of the authority granted to it by the Commission in Order No. 26,715 to increase rates as much as 25% or lower rates without restriction, the proposed rates shall be effective January 1, 2023, subject to reconciliation in the winter 2023-24 cost of gas docket. In addition, so long as authority for any other change depicted in the tariff pages is referenced in the footer, said tariff pages may reflect other changes.

In the opinion of DOE, the citations in the footers of Liberty EnergyNorth's December 29, 2022 filing are incomplete. The reference to Order No. 26,715 ought to include a sequential reference to "Order No. 26,737 (November 30, 2022)" inasmuch as Order No. 26,737 modified several significant aspects of Order No. 26,715.¹

¹ In Order No. 26,737, the Commission accepted Liberty's unusual *post-hearing* correction of energy efficiency charges Liberty incorrectly calculated in its October 7, 2022 filing and accepted Liberty's clarification regarding high winter use and low winter use cost of gas per therm rates. Prior to the Commission's November 30, 2022 ruling, the DOE also recommended that the Commission accept Liberty's corrected LDAC figures and Liberty's clarified commercial and industrial rates.

To the extent that the December 29, 2022 filing provides updated tariff pages, consistent with a cost of gas per therm adjustment described in the Company's December 22, 2022 filing, (to be effective January 1, 2023) the tariff pages appear accurate. For example, to address a projected under collection for the Winter 2022-23 period of \$4.7 million, tariff pages increase non-heating and heating residential rates from \$1.2551 per therm to \$1.3292 per therm². Compare Liberty's December 22, 2022 cover letter with the Eighteenth Revised Page 87 filed December 29, 2022.

In addition, the December 29, 2022 tariff pages accurately show the LDAC rate proposed to be in effect as of January 1, 2023, as revised by an increase in the energy efficiency charge, pursuant to *NiSi* Order No. 26,745 (December 14, 2022) in Docket No. DE 22-081. *See, e.g.*, Eighteenth Revised Page 87 (showing residential LDAC rate increased from \$0.1086 to \$0.1113, effective January 1, 2023).

Consistent with the Commission's current policy, this letter is being filed solely in electronic format. Thank you for your attention to this matter.

Respectfully Submitted,

/s/ Mary E. Schwarzer

Mary.E. Schwarzer
Staff Attorney/Hearings Examiner
Department of Energy

Cc: Docket (electronic service)
Enclosures

² In concluding the December 29, 2022 tariff pages are accurate, DOE assumes the "high winter use" rates referenced in the Company's December 22, 2022 cover letter correspond to Commercial/Industrial rates G-41 through G-43 in the tariff pages filed December 29, and that the "low winter use rates" referenced in the December 22 cover letter correspond to the Commercial/Industrial rates G-51 through G-54 in the tariff pages filed December 29. Liberty's original filing mixed-up those categories, and later clarified them. *See* Liberty's November 15, 2022 cover letter (Liberty identifies mix-up). DOE has no independent verification regarding whether G-51 through G-54 are "low winter use" rates.

ClerksOffice@puc.nh.gov
Adam.Hall@libertyutilities.com
amanda.o.noonan@energy.nh.gov
Craig.Holden@libertyutilities.com
deborah.gilbertson@libertyutilities.com
donald.m.kreis@oca.nh.gov
Energy-Litigation@energy.nh.gov
Erica.Menard@libertyutilities.com
Faisal.DeenArif@energy.nh.gov
James.King@libertyutilities.com
Joshua.Tilbury@libertyutilities.com
karen.j.moran@energy.nh.gov
karen.sinville@libertyutilities.com
mary.e.schwarzer@energy.nh.gov
maureen.karpf@libertyutilities.com
Melissa.Samenfeld@libertyutilities.com
michael.sheehan@libertyutilities.com
ocalitigation@oca.nh.gov
Sean.M.Courtois@energy.nh.gov
thomas.c.frantz@energy.nh.gov

FAISAL DEEN ARIF
DEPARTMENT OF ENERGY
21 SOUTH FRUIT ST STE 10
CONCORD NH 03301
faisal.deenarif@energy.nh.gov

JAMES KING
LIBERTY UTILITIES (GRANITE STATE
ELECTRIC) CORP D/B/A LIBERTY
james.king@libertyutilities.com

KAREN SINVILLE
LIBERTY UTILITIES
karen.sinville@libertyutilities.com

SEAN COURTIOS
DEPARTMENT OF ENERGY
sean.m.courtois@energy.nh.gov

DONALD M KREIS
OFFICE OF CONSUMER ADVOCATE
21 SOUTH FRUIT ST STE 18
CONCORD NH 03301
donald.m.kreis@oca.nh.gov

JOSHUA TILBURY
LIBERTY UTILITIES
joshua.tilbury@libertyutilities.com

DEPARTMENT OF ENERGY
DEPARTMENT OF ENERGY
21 SOUTH FRUIT ST STE 10
CONCORD NH 03301
energy-litigation@energy.nh.gov

ERICA MENARD
LIBERTY UTILITIES (GRANITE STATE
ELECTRIC) CORP D/B/A LIBERTY
erica.menard@libertyutilities.com

THOMAS C FRANTZ
DEPARTMENT OF ENERGY
21 SOUTH FRUIT ST STE 10
CONCORD NH 03301
thomas.c.frantz@energy.nh.gov

KAREN J MORAN
DEPARTMENT OF ENERGY
21 SOUTH FRUIT ST STE 10
CONCORD NH 03301
karen.j.moran@energy.nh.gov

DEBORAH GILBERTSON
LIBERTY UTILITIES
deborah.gilbertson@libertyutilities.com

OCA LITIGATION
OCA LITIGATION
21 SOUTH FRUIT ST STE 18
CONCORD NH 03301
ocalitigation@oca.nh.gov

ADAM HALL
LIBERTY UTILITIES (GRANITE STATE
ELECTRIC) CORP D/B/A LIBERTY
adam.hall@libertyutilities.com

MELISSA SAMENFELD
LIBERTY UTILITIES
116 NORTH MAIN ST
CONCORD NH 03301
melissa.samenfeld@libertyutilities.com

CRAIG HOLDEN
LIBERTY UTILITIES (GRANITE STATE
ELECTRIC) CORP D/B/A LIBERTY
craig.holden@libertyutilities.com

MARY E SCHWARZER
DEPARTMENT OF ENERGY
21 SOUTH FRUIT ST STE 10
CONCORD NH 03301
mary.e.schwarzer@energy.nh.gov

MAUREEN KARPf
LIBERTY UTILITIES
15 BUTTRICK RD
LONDONDERRY NH 03053
maureen.karpf@libertyutilities.com

MICHAEL SHEEHAN
LIBERTY UTILITIES
15 BUTTRICK RD
LONDONDERRY NH 03053
michael.sheehan@libertyutilities.com