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January 31, 2024

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 2022-2023 and Summer 2023 Cost of Gas, *DOE Request for Additional Time and Proposed Procedural Schedule to be filed February 6, 2024.*

Dear Chairman Goldner:

On behalf of the New Hampshire Department of Energy (“DOE” or “Department”), I am writing to inform the Commission that the DOE anticipates a procedural schedule that will avoid surprises and provide for a late March or early April hearing in this docket. The DOE has been planning to propose a new schedule since the Chairman raised the issue during a related hearing in Docket No. DG 23-076 on January 17, 2023.

The pending procedural schedule includes a supplemental technical statement from the DOE, rebuttal by Liberty, and a technical session among the parties, all in advance of hearing. The pending schedule also accommodates the DOE Consultant Mark Thompson availability. In the opinion of the DOE, because the decoupling year 4 (and 3) RDAF component in Liberty’s current RDAF is contingent, additional time for an orderly process will neither harm the Company nor the ratepayers. *See Order No. 26,940 (Jan. 31, 2024).*

The DOE received the Commission’s *Procedural Order Re: Supplemental Technical Statement* (January 31, 2024) earlier today. For the above reasons, the DOE respectfully states that the February 2, 2024 deadline established therein would cause undue hardship. *See NH Admin Rule Puc 202.04.* It is my understanding that any analysis provided in the next 48 hours, by the close of business on February 2, 2024, would be incomplete and require supplementation. Moreover, the position of other parties, including the utility, would be unknown. Such a circumstance would be likely to make any expedited hearing unnecessarily complex.

The DOE is in the process of confirming dates internally for proposed procedural schedules in pending Liberty RDAF Dockets DG 22-045 and DG 23-076. The DOE proposes to obtain other parties’ input in the next few days, and to file proposed procedural schedules for both dockets no later than Tuesday, February 6, 2024 at the close of business. The DOE is mindful of and grateful for the Commission’s sustained attention to RDAF dockets and seeks a final opportunity to present a complete record for review. The DOE’s February 6, 2024 filing will address the requirements of Puc

202.04 in more detail. The DOE was unaware that the Commission considered its December 4, 2023 *Procedural Order* as creating a DOE filing deadline of February 2, 2024. See *Procedural Order Re: Supplemental Technical Statement* (Jan 31, 2024) (referencing Dec 4 Order); *Procedural Order Re: Request to Postpone Hearing and for Other Relief* (Dec. 4, 2023).

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

Respectfully Submitted,

/s/ *Mary E. Schwarzer*

Mary.E. Schwarzer
Staff Attorney/Hearings Examiner

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