

**THE STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

Docket No. DE 23-039

**LIBERTY UTILITIES (GRANITE STATE ELECTRIC) CORP. d/b/a LIBERTY
Request for Change in Distribution Rates**

**CONSERVATION LAW FOUNDATION
PETITION TO INTERVENE**

Conservation Law Foundation (“CLF”) hereby petitions to intervene in the above-captioned proceeding pursuant to the New Hampshire Public Utilities Commission’s (“Commission”) May 26, 2023 Order of Notice establishing this docket, its June 15, 2023 Order extending the deadline for the filing of petitions to intervene, and in accordance with N.H. Admin. Rules, Puc 203.17, and RSA 541-A:32. In this docket, Liberty Utilities (Granite State Electric) Corp. d/b/a Liberty (“Liberty”) petitions for the Commission to fix, determine, and prescribe an increase in permanent rates. Liberty also proposes a Phase 2 Battery Storage Pilot Program. In support of its petition to intervene, CLF avers as follows:

1. CLF is a non-profit organization dedicated to protecting New England’s environment for the benefit of all people. CLF uses the law, science, and markets to create solutions that build healthy communities, sustain a vibrant economy, and preserve natural resources, including resources affected by the generation, transmission, and distribution of electric power. Consistent with its mission to promote thriving, resilient communities, CLF advances sound clean energy policies that strengthen New England’s—and New Hampshire’s—economic vitality. CLF has approximately 5,430 members in New England, including over 740 members in New Hampshire.

2. In this docket, the Commission will consider Liberty's request for a permanent increase in rates, as well as a number of other Liberty proposals, including performance-based ratemaking, time-of-use ("TOU") rates, and a Phase 2 Battery Storage Pilot Program. CLF's participation in Docket No. DE 23-039 will uniquely aid in the Commission's consideration of Liberty's proposals. CLF has extensive expertise in several of the subjects at issue in this proceeding. With respect to battery storage, CLF participated in and joined the settlement agreement concerning Liberty's Phase 1 Battery Storage Pilot, which preceded the Phase 2 proposal under consideration in this docket, in Docket No. DE 17-189, and participated in the Commission's general investigation into battery storage issues in IR 20-166. Regarding TOU rates, CLF participated in Docket Nos. DE 19-033, DE 20-170, and DE 21-030, which considered and/or approved TOU rates. More generally, CLF participated in the Commission's grid modernization investigation proceeding, which considered several issues relevant to this docket, in Docket No. IR 15-296, and intervened in Unitil's most recent rate case, Docket No. DE 21-030.

3. CLF has also intervened in numerous other dockets before the Commission over the past two decades, including the following Docket Nos.: DE 01-057; DE 07-064; DE 08-103; DE 08-145; DE 09-033; DE 10-160; DE 10-188; DE 10-261; DE 11-215; DE 11-250; DE 13-108; DE 13-275; DE 14-120; DE 14-238; IR 15-124; DE 16-241; DE 16-576; DE 16-693; DE 16-817; DE 17-124; DG 17-152; DG 17-198; DE 19-104; IR 20-004; DG 21-036; DE 21-078; IR 22-042; IR 22-053; DG 22-064; and IR 22-076.

4. CLF and its New Hampshire members have a direct and substantial interest in the outcome of this proceeding. The approval of Liberty's Phase 2 Battery Storage Proposal would provide significant new information to CLF members who are interested in battery storage, and

particularly, bring-your-own-device programs. Moreover, Liberty's TOU rate proposals will have a significant impact on CLF's members that are Liberty customers. For instance, CLF's members who support using either battery storage or TOU rates as demand response programs that can reduce our reliance on costly and more polluting peak generation units will be substantially affected by the outcome of this proceeding.

5. As a result of CLF's special expertise and experience, CLF respectfully submits that its intervention as a party in this proceeding is likely to elucidate important issues and facilitate an expeditious and just resolution of this proceeding. CLF's participation will neither delay nor disrupt this proceeding. Further, the interests of CLF and its members are not adequately represented by any other party.

WHEREFORE, CLF respectfully requests that it be granted full intervenor status in this proceeding.

Respectfully submitted,

CONSERVATION LAW FOUNDATION

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