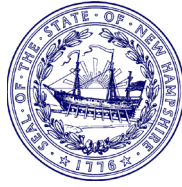


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DEPARTMENT OF ENERGY
21 S. Fruit St., Suite 10
Concord, N.H. 03301-2429

September 18, 2023

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

Re: DE 20-170 Electric Distribution Utilities Electric Vehicle Time of Use Rates; DE 22-035 Request for Step Adjustment; DE 23-006 Request for Storm Recovery Adjustment Factor Refund; and DE 23-039 Request for Change in Distribution Rates – DOE Response to Tariff compliance Report

Dear Chairman Goldner:

On September 1, 2023, Liberty Utilities (Granite State Electric) Corp. d/b/a Liberty (Liberty or the Company) filed a Tariff Compliance Report outlining outstanding tariff issues in Docket Nos. DE 20-170, DE 22-035, and DE 23-006, which included a recommendation as to how the Commission should review all pending compliance tariffs. On September 8, 2023, Public Utilities Commission (Commission) issued a procedural order requesting that any party, including the New Hampshire Department of Energy (Department), that would like to respond to Liberty's report, submit a response no later than September 18, 2023.

The Department did not verify whether Liberty has listed all of the Rate EV-L and EV-M tariff filings still needing approval. The Department has not verified the accuracy of the rates contained in these tariff filings because as indicated in our July 20, 2023 record request response, Liberty confirmed that no customers were affected by these errors.

While seemingly comprehensive, the Department is concerned that at least two (2) pending tariffs are not included on the list provided by Liberty in the cover letter to the September 1, 2023 filing. Specifically, the July 14, 2023, tariff filings in Docket No. DE 23-039, and the August 1, 2023 filings in Docket No. DE 22-035. Please note that the Department has concerns with both of these tariffs as filed for all customers, not just those paying rates under Rates EV-L and EV-M, as indicated in our previous letters.

Additionally, the Department notes that in the Company's April 11, 2023 *Technical Session Summary*, it indicates that in calculating the time of use rates, the Company incorrectly included the customer charge revenues in the total distribution

revenues that were allocated within the time of use rates. The Company further explained that the customer charges should have been excluded from that allocation and that the Company will file compliance tariff pages in the above dockets that make this correction. This appears to be a different explanation than the narrative filed in the September 1, 2023 *Tariff Compliance Report* which describes a different error concerning Rate G-1. The Department has not verified the accuracy of the rates and believes both errors require further explanation and documentation.

The Department respectfully requests that the Commission address the questions the Department raised concerning the Company's July 14, 2023 tariff filing in DE 23-039 and the August 1, 2023 filings in DE 22-035, as well as review the EV-L and EV-M tariffs for those dockets. The Department further requests that the Commission require the Company to submit the documentation necessary to review the two errors described herein.

Sincerely,

A handwritten signature in cursive script that reads "Matthew C. Young".

Matthew C. Young
Hearings Examiner/Staff Attorney

cc: Docket Service Lists

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