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December 28, 2023

Michael Sheehan, Esq.  
Director, Legal Services  
Liberty Utilities (Granite State Electric) Corp.  
116 North Main Street  
Concord, NH 03301

**SENT ELECTRONICALLY**

Re: DE 23-039, Liberty Utilities (Granite State Electric) Corp. d/b/a Liberty; Request for Change in Distribution Rates; Department of Energy’s Objection to Liberty’s Data Requests - Set 2

Dear Attorney Sheehan:

This letter constitutes the Department of Energy’s Objection to Liberty’s Data Requests, Set 2 issued December 20, 2023 in the above-captioned docket. DOE’s general objection is that many of these requests unreasonably seek legal research, legal advice, information that requires DOE’s witnesses to speculate, and/or information that Liberty has or can readily obtain.

The specific objections are detailed below:

- 2-1 - Requests legal research that Liberty can perform on its own.
- 2-2 - Requests legal research that Liberty can perform on its own.
- 2-3 - Requires speculation and seeks to unfairly shift Liberty’s burden of proof.
- 2-10.b - Requires witness to draw conclusions from other DOE witnesses, whose testimonies speak for themselves.
- 2-11.b - Requires speculation concerning the goals of the Commission and Settling Parties.
- 2-12.b&c - Requests legal research that Liberty can perform on its own.
- 2-13 - Requires speculation as to motives of British Columbia Utilities Commission.
- 2-16.a - Requires witness to interpret another DOE witness’ testimony, which speaks for itself.

- 2-16.b - Requests information that Liberty already possesses.
- 2-19 - Requests Mr. Crowley to comment on other DOE witnesses' testimony, which is beyond the scope of the Mr. Crowley's testimony and role.
- 2-20.d - Requests Mr. Crowley to comment on other DOE witnesses' testimony, which is beyond the scope of Mr. Crowley's testimony and role.
- 2-21.a - Requires analysis that the witness has not performed, and which Liberty can do itself.
- 2-27 - Requests legal research that Liberty can perform on its own.
- 2-37 - Request is duplicative; repeats request 2-36.
- 2-38 - Request is outside the scope of the witness' testimony because it seeks comments on proposals that were not embodied in the witness' recommendation.
- 2-39.d - Requests legal research that Liberty can perform on its own.
- 2-41 - Requests a conclusion that is beyond the scope of the witness' testimony.
- 2-45 - Requests legal research that Liberty can perform on its own.
- 2-57 - Request is not consistent with the witnesses' testimony and seeks information that Liberty already possesses.
- 2-67 - Requests confirmation of a proposal DOE has not made.
- 2-71 - Requests information that is not mentioned in DOE testimony and which Liberty likely already possesses.
- 2-72 - Requests information that is not mentioned in DOE testimony and which Liberty likely already possesses.
- 2-76.e&f - Request requires DOE to speculate about what might prompt action by Public Utilities Commission, and thus will not lead to useful evidence.
- 2-86 - Requests legal research that Liberty can perform on its own, and requests documents that Liberty already possesses concerning itself and its affiliate EnergyNorth Natural Gas.
- 2-89.c - Requests legal research that Liberty can perform on its own, and requests information that Liberty likely already possesses concerning its affiliated companies.
- 2-92 - Request assumes facts not in evidence and requests information that Liberty can

provide.

- 2-96 - Requests legal advice.
- 2-103 - Requests a legal conclusion that the Commission will likely answer in this case.
- 2-104 - Requests legal research that Liberty can perform.
- 2-105.d- Requests legal research that Liberty can perform.
- 2-107.c- Requests a legal opinion.
- 2-107.d&e Requests legal research that Liberty can perform.
- 2-109 - Requests information that would be protected by attorney/client privilege.
- 2-111 - Requests legal research that Liberty can perform.
- 2-112 - Requests interpretation of Commission Order 26,376, which speaks for itself.
- 2-114 - Requests legal research that Liberty can perform.
- 2-122 - Request is overly broad and burdensome in that it seeks analysis of all utility costs.
- 2-125 - Request requires speculation about future circumstances at the time expenses will be incurred.
- 2-128.d- Request requires speculation about future circumstances at the time expenses will be incurred.
- 2-128.e- Request is overly broad and burdensome in that it seeks analysis of all utility costs.
- 2-129 - Request requires interpretation of Dr. Zhu's testimony, which speaks for itself.
- 2-130.a&b Requests legal research that Liberty can perform.
- 2-130.c&d Request requires interpretation of Dr. Zhu's testimony, which speaks for itself.

Thank you for your attention to this matter.

Sincerely,

*/s/ Paul B. Dexter*  
Paul B. Dexter  
Senior Hearings Examiner

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