

**STATE OF NEW HAMPSHIRE  
PUBLIC UTILITIES COMMISSION**

**DE 23-039**

**LIBERTY UTILITIES (GRANITE STATE ELECTRIC) CORP. d/b/a LIBERTY**

**Request for Change in Distribution Rates**

**Prehearing Order**

A prehearing conference in this matter was held on June 15, 2023. Liberty Utilities (Granite State Electric) Corp. d/b/a Liberty (Liberty), the New Hampshire Department of Energy (DOE), the Office of the Consumer Advocate, Clean Energy New Hampshire (CENH), the Community Power Coalition of New Hampshire (CPCNH), and the Trustees of Dartmouth College (Dartmouth) appeared. The matters raised at the prehearing conference included addressing pending interventions and a schedule for remaining interventions, a disclosure from the Chairman, newspaper publication of the Commission's Commencement of Adjudicative Proceeding, pending motions for confidential treatment, the preliminary positions of the parties on Liberty's petition, a procedural schedule for the remainder of the proceeding, and how the parties will keep the Commission informed of the progress of the case during the discovery portion this adjudication. This order addresses matters raised.

**Interventions**

At the prehearing conference no objections or comments on any pending motions to intervene were raised. The Chairman disclosed that a first-degree family member is a student at Dartmouth; no parties or potential intervenors took a position related this disclosure. The Commission granted the intervention petitions of CENH, CPCNH, and Dartmouth pursuant to Puc 203.17 and RSA 541A:32, II, upon finding that intervention

would be in the interests of justice and would not impair the orderly and prompt conduct of the proceeding.

Consistent with the directives in Order No. 26,849 (June 15, 2023) (transferring issues related to Liberty's existing Battery Storage Pilot Program into this docket), the Conservation Law Foundation (CLF) filed a timely petition to intervene on June 21, 2023. No objections to this filing were received. Pursuant to Puc 203.17 and RSA 541A:32, II, the Commission finds that CLF's intervention would be in the interests of justice and would not impair the orderly and prompt conduct of the proceeding. CLF's petition for intervention is therefore GRANTED.

On June 22, 2023, Walmart Inc. also filed a late petition to intervene. Through a letter, Liberty indicated that it does not object. Pursuant to Puc 203.17 and RSA 541-A:32, II, the Commission finds that Walmart Inc.'s intervention would be in the interests of justice and would not impair the orderly and prompt conduct of the proceeding. Walmart Inc.'s petition for intervention is therefore GRANTED.

#### Publication of the Commission's Commencement of Adjudicative Proceeding

As raised at the prehearing conference by the Commission, newspaper publication of the Commission's Commencement of Adjudicative Proceeding was not completed by the deadline contained in the Commencement of Adjudicative Proceeding because the newspapers Liberty selected have longer lead times than anticipated by the Commission. Liberty requested the Commission deem its publication to be timely. No parties wished to be heard on this issue at the prehearing conference. Because newspaper publication is one of several notification methods, including website publication and bill inserts, and Liberty selected newspapers specifically targeted at impacted communities opposed to a statewide newspaper; as well as the extended intervention deadline, the Commission deems Liberty's newspaper publication to have been timely made.

### Motions for Confidential Treatment

As raised at the prehearing conference by the Commission, Liberty filed motions for confidential treatment on June 5 and 14, 2023. These motions relate to compensation information, proprietary models, and cybersecurity information. No parties wished to be heard on these motions at the prehearing conference. The Commission hereby establishes a deadline on July 18, 2023, for any filings related to these motions for confidential treatment.

### Preliminary Positions of the Parties

Liberty provided an executive summary of its requests in this matter. Each party was then afforded an opportunity to state preliminary positions for the record.

### Procedural Schedule and Discovery Issues

Finally, the Commission and the parties discussed a procedural schedule and discovery matters, including how the Commission can stay informed of the progress of the proceeding during the discovery phase and arrange an adequate hearing schedule.


Consistent with Order No. 26,849, the Commission reiterated that it would not approve a procedural schedule until after timely interventions were addressed. The DOE committed to circulate its draft proposed procedural schedule to the Commission and the service list, which it did on June 21, 2023.

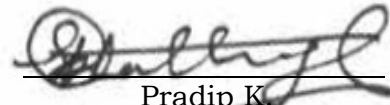
The Commission sets a deadline of July 12, 2023, for the parties to submit an updated proposed procedural schedule to include input from the intervenors approved in this prehearing order. In addition to intervenor input, the Commission recommends the parties consider the timing of Liberty's rate change requests, which propose rate years beginning July 1 of each year in 2023, 2024, and 2025 respectively. The Commission suggests that the parties consider agreeing to extend the current suspension date of May 5, 2024 to June 30, 2024. The Commission requires at least 90 days for hearings and

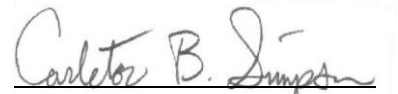
closing the record in time to have at least 45 days to draft its final order on Liberty's permanent rate requests.

Finally, with respect to the discovery period and the Commission's interest in staying informed of both the progress of the proceeding and of the topics being examined in this matter, the Commission requires that all data requests served pursuant to Puc 203.09(b) be filed with the Commission through the full docket service list and placed in the docket record as they are served. This requirement relates only to data requests served, and is not a requirement for responses or objections to such data requests be filed outside of the existing discovery process, consistent with Puc 203.09(e).

So ordered, this thirtieth day of June, 2023.

  
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Daniel C. Goldner  
Chairman

  
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Pradip K.  
Chattopadhyay  
Commissioner

  
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# Service List - Docket Related

Docket#: 23-039

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