

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

UNITIL ENERGY SYSTEMS, INC.

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DOCKET NO. DE 23-063

**MOTION FOR WAIVER AND/OR DETERMINATION OF SUBSTANTIAL
COMPLIANCE WITH NOTICE REQUIREMENTS**

Unitil Energy Systems, Inc. (“Unitil”) requests that the New Hampshire Public Utilities Commission (the “Commission”) waive its publication deadline and/or find that the Company has substantially complied with the terms of the Commission’s Commencement of Adjudicative Proceeding and Notice of Hearing (“Notice”) issued on July 24, 2023 in this proceeding. As detailed below, Unitil has substantially complied with the Notice’s requirements and provided ample notification of the August 17, 2023 pre-hearing conference, and there has been no prejudice to any party or participant in the docket. In support of this motion, Unitil states as follows:

1. On July 24, 2023, the Commission issued the Notice and set a pre-hearing conference in this matter for August 17, 2023. The Notice required that Unitil publish a copy of the Notice on its website within two business days of its issuance, i.e., by Wednesday, July 26, 2023. The undersigned counsel was traveling with limited computer access when the Notice was issued and was unable to review the Notice until late on Wednesday, July 26th. As a result, the Notice was not published on the Company’s website until Thursday, July 27, 2023 at approximately 8:15 a.m. That publication is confirmed by the affidavit of Dan Main, which has been filed concurrently with this Motion. By this Motion, and for the reasons below, Unitil requests that the Commission waive the requirement regarding publication by July 26th and/or that it conclude that Unitil has

substantially complied with the requirements of the Notice and provided ample notice of the hearing in this matter.

2. Representatives from Liberty Utilities Corp., Public Service Company of New Hampshire, the Department of Energy, and the Office of the Consumer Advocate were all included on the Commission's distribution of the Notice on July 24th. Accordingly, the parties to the docket have been afforded ample and adequate notice of the proceeding and the pending pre-hearing conference and have not experienced any prejudice as a result of the delayed publication on Unitil's website.

3. With respect to the general public, the Notice has been published on the Commission's public website since the time of its issuance and has thus been widely available to any interested persons. Additionally, the Notice was published on Unitil's website on July 27th, which was one day after the Commission's deadline, and twenty-one days prior to the scheduled hearing in this matter and prior to the passing of any substantive deadlines in the proceeding. Accordingly, adequate notification has been made and there is no indication that the delayed publication has resulted, or will result, in any prejudice to the public.

WHEREFORE, for the reasons stated above, the Company respectfully requests that the Commission waive the requirement for publication by July 26th, and/or that it find that the Company has substantially complied with the Notice and afforded the public and other interested persons ample notice of the August 17th, 2023 pre-hearing conference in this matter.

Respectfully submitted

UNITIL ENERGY SYSTEMS, INC.

By its Attorney:



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Dated: July 27, 2023

CERTIFICATE OF SERVICE

I hereby certify that on July 27, 2023, a copy of the foregoing was electronically served upon the Service List in this proceeding.



Patrick H. Taylor