

COMMISSIONER
Jared S. Chicoine

DEPUTY COMMISSIONER
Christopher J. Ellms, Jr.



TDD Access: Relay NH
1-800-735-2964

Tel. (603) 271-3670

Website:
www.energy.nh.gov

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

September 29, 2023

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

Re: DG 23-076 Liberty Utilities (EnergyNorth Natural Gas) Corp. d/b/a Liberty Utilities; Winter 2023-2024 and Summer 2024 Cost of Gas; DOE's Request to Modify Procedural Order

Dear Chairman Goldner:

For the reasons explained below, the New Hampshire Department of Energy (DOE or the Department) asks the Commission to extend the deadline for the Department's statement of position in this docket by one day and to approve a new date for a technical session in this docket. The other parties assent to the relief requested.

On September 19, 2023, the Public Utilities Commission (Commission) ordered the New Hampshire Department of Energy (DOE or Department) to file a statement of position and analysis on or before October 12, 2023. *See Commencement of Adjudicative Proceeding and Notice of Hearing* (Sept 19, 2023). This date was one day after the parties' second technical session, scheduled for October 11, 2023, pursuant to the procedural schedule Liberty and the Department agreed to in Docket No. DG 23-027 and presented by Liberty in its initial filing in this expedited docket.

The October 11, 2023 technical session date is no longer possible because on September 12, 2023 the Commission *sua sponte* rescheduled a water company's hearing to October 11, 2023. *See Dkt. No. DW 23-20 Hampstead Areas Water Company Inc. Request for Step II Adjustment*. Undersigned counsel is also counsel in the water docket. Accordingly, the parties in this gas docket have agreed upon a new technical session date of October 12, 2023 between 2 p.m. and 4:30 p.m., subject to the Commission's approval of this change in the proposed procedural schedule.

The Department also asks the Commission to extend the Department's October 12 2023 position statement deadline to October 13, 2023. The October 13, 2023 deadline will allow the Department to benefit from the October 12 technical session and thus to better inform the Commission.

The Department's request for an additional day to file its position statement and a new technical session date is consistent with the New Hampshire Code of Administrative Rules Puc 202.04 because the changes will not delay the proceeding and denying the request would likely cause "undue hardship or inconvenience" because the technical session is likely necessary to fully inform the Department's position. *See Puc 202.04*. In addition, by and through counsel, Liberty Utilities (EnergyNorth Natural Gas) Corp. d/b/a Liberty Utilities (Michael Shaheen) and the Office of the

Consumer Advocate (Don Kreis) assent to the October 13, 2023 deadline for the Department's statement of position and to rescheduling the technical session from October 11, 2023 to October 12, 2023. *See id.*

Based on the foregoing, the Department respectfully requests that the Commission grant the relief requested: i.e., extending the Department's deadline to October 13, 2023 and moving the October 11, 2023 technical session to October 12, 2023 from 2 pm to 4:30 p.m.

Consistent with the Commission's current practices, this letter is being filed only in electronic form. Thank you for your assistance in this matter.

Sincerely,

/s/ Mary E. Schwarzer

Mary E. Schwarzer, Esq.
Hearings Examiner

cc: Service List (Electronically)