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January 2, 2024

***Via Electronic Mail Only***

Daniel Goldner, Chair  
New Hampshire Public Utilities Commission  
21 South Fruit Street, Suite 10  
Concord, New Hampshire 03301-2429

**Re: DG 23-076 Liberty Utilities (EnergyNorth Natural Gas) Corp. d/b/a Liberty  
Winter 2023-2024 and Summer 2024 Cost of Gas and LDAC Filing**

Dear Chairman Goldner:

By a procedural order of December 27, 2023, the Commission asked the Company to provide an update of the status of discovery in the above docket.

On behalf of Liberty Utilities (EnergyNorth Natural Gas) Corp. d/b/a Liberty, I write to inform the Commission that there is no discovery specifically related to this docket (DG 23-076) that remains outstanding. However, some discovery in Docket No, DG 22-045, which the Company acknowledges may have an impact on this docket, does remain outstanding. The Company will make every effort to complete the outstanding items by January 10, 2024.

By way of an explanation, note that the outstanding items fall outside the scope of discovery as contemplated in the Puc 200 rules. "Data requests shall identify with specificity the information or materials sought." Puc 203.09(c). The outstanding items in DG 22-045 do not consist of "information or materials" in Liberty's possession. Rather, the outstanding items consist of DOE requests that the Company perform new analyses of the data, analyses that the Company has not performed before (and analyses that DOE or its consultants could perform themselves on the raw data previously provided to DOE). Parties are not required to conduct such new analyses as part of discovery and Liberty could have objected to those requests as outside the scope of discovery.

However, Liberty is willing to provide DOE with their requested analyses. Indeed, Liberty has already provided other novel analyses of the data at DOE's request in this and other dockets related to decoupling reconciliations, and, as stated above, Liberty will

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endeavor to complete the remaining analyses that the parties have discussed by January 10.

Liberty respectfully asks the Commission to understand that it has been difficult to predict the time necessary to complete these new tasks because the work has never previously been performed, and the analysis yet to be completed may be delayed by issues that are not yet known, again because the analysis has never been performed.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Sheehan", written in a cursive style.

Michael J. Sheehan

cc: Service List