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DEPARTMENT OF ENERGY  
21 S. Fruit St., Suite 10  
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January 9, 2024

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

Re: DE 23-081, Liberty Utilities (Granite State Electric) Corp. d/b/a Liberty Request for Approval of Revenue Decoupling Adjustment for July 2022 through June 2023; Department of Energy's January 9, 2024, Revised Proposed Procedural Schedule

Dear Chairman Goldner:

On September 25, 2023, the Commission issued a Commencement of Adjudicative Proceeding and Notice of Prehearing Conference and Hearing Order in the above-captioned docket. The Order set a hearing date of November 8, 2023. The November 8, 2023, was postponed by the Commission following a November 1, 2023, request from the Department of Energy ("DOE" or "Department"). On November 22, 2023, the Commission issued a procedural order approving a revised proposed assented-to procedural schedule submitted by the parties on November 21, 2023, and scheduled a one day hearing for February 1, 2024. As part of the November 22, 2023, procedural order, the Commission further suspended the proposed tariff in this docket until March 1, 2024.

On December 22, 2023, the Department filed a letter requesting to suspend the procedural schedule in this docket until complete data responses were received from Liberty Utilities (Granite State Electric) Corp. d/b/a Liberty ("Liberty" or "the Company"). The Commission issued a procedural order on December 27, 2023, requiring Liberty to file a response on the status of the discovery requests by January 2, 2024. On January 2, 2024, Liberty filed a letter indicating that all data responses in this docket had been provided by the Company as of December 22, 2023. The responses provided on December 22, 2023, however, were not provided until after-hours on that date, and due to the weekend and the state holiday on December 25, 2023, the Department notes that these responses should be considered as filed on December 26, 2023. Additionally, key DOE staff members were on leave the week of December 25, 2023, and therefore did not see these data responses until January 2, 2024. On January 4, 2024, the Commission issued a procedural order denying the Department's December 22, 2023, request to postpone the procedural schedule, due to Liberty's January 2, 2024, status update stating that all discovery responses had been provided, and stating that the February 1, 2024, hearing would go forward as scheduled.

Under the current procedural schedule as approved by the Commission on November 22, 2023, Technical Statements from the DOE and the Office of the Consumer Advocate (“OCA”) are due on January 10, 2024. Exhibits, Exhibit Lists, and Witness Lists are also due on January 10, 2024.

Due to the delayed receipt of discovery responses, which were due on Tuesday, December 19, 2023, and were received on Wednesday, December 20, 2023, and after hours on Friday, December 22, 2023, the DOE proposes the below revised procedural schedule which extends the deadline for DOE and OCA technical statements as well as exhibits and exhibit and witness lists to Wednesday, January 17, 2024. This extension would be closely consistent with the length of the time between the due date for Liberty’s data responses and when all responses were filed (which, as noted above, December 26, 2023, should be considered the date on which all responses were filed). The extension would still provide the Commission with technical statements as well as exhibits and exhibit and witness lists eleven business days before the hearing scheduled for Thursday, February 1, 2024. Finally, the extension would promote the orderly and efficient conduct of the proceeding by allowing the DOE more time to develop a thorough technical statement that incorporates the information received from Liberty’s data responses for the Commission’s consideration prior to the February 1, 2024, hearing.

The DOE submits the below revised proposed procedural schedule, which amends the original due date for the DOE and OCA technical statements and exhibits and exhibit and witness lists. The proposed schedule maintains the February 1, 2024, hearing date as scheduled.

The Parties in this matter are Liberty, the OCA, and the DOE (hereinafter referred to as “the Parties”). The DOE reached out to the other Parties with the below proposed schedule before filing. Liberty assents to the below proposed schedule. As of the time of filing, the DOE has not received a response from the OCA.

The DOE’s revised proposed procedural schedule is as follows:

<u>Event</u>	<u>Date</u>
DOE & OCA Technical Statements Due	Wednesday, January 17, 2024
Exhibits, Exhibit & Witness Lists Due	Wednesday, January 17, 2024
Hearing (One Day)	Thursday, February 1, 2024, at 9:00 a.m.

Consistent with the Commission’s current practices, this letter is being filed only in electronic form.

Sincerely,

*/s/ Alexandra K. Ladwig*

Alexandra K. Ladwig  
Staff Attorney/Hearings Examiner  
Department of Energy

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