

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DE 24-051

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

**Petition for Approval of Retail Rate Adjustments
and Property Tax Adjustment**

COMMENCEMENT OF ADJUDICATIVE PROCEEDING AND NOTICE OF HEARING

On March 27, 2024, Liberty Utilities (Granite State Electric) Corp. d/b/a Liberty (Liberty or the Company) filed a petition requesting that the Commission approve proposed adjustments to the Company's retail rates effective May 1, 2024. Liberty calculated that, if the proposed retail rate adjustments are approved, the monthly bill for a typical residential customer using 650 kilowatt hours (kWh) per month would increase \$2.98 or 2.20 percent, compared to current monthly bills.¹

In support of its petition, Liberty filed the following: the combined direct testimony and related attachments of Liberty Utilities Service Corp. (LUSC) employees Robert Garcia, Manager of Rates and Regulatory Affairs, and Adam R.M. Yusuf, Analyst I for Rates and Regulatory Affairs (Garcia-Yusuf Testimony); and the direct testimony and related attachments of LUSC Manager of Energy Market Operations, Christopher M.D. Green (Green Testimony). All docket filings, other than any information subject to confidential treatment, are available on the Commission's website at www.puc.nh.gov/regulatory/Docketbk/2024/24-051.html.

I. BACKGROUND AND PROCEDURAL HISTORY

Liberty submits an annual filing to reconcile certain "pass-through" costs and revenues that arise from its provision of service to customers through adjustments to

¹ See Testimony of Robert Garcia and Adam R.M. Yusuf, Attachment 6, at Bates page 59.

its Stranded Cost Charge and its Transmission Charge, components of its retail rates. Petition, ¶¶ 1-3; Garcia-Yusuf Testimony at Bates pages 29-30. The Company proposed a decrease of \$0.00006 per kWh in its total Stranded Cost Charge, which is comprised of: (1) a uniform charge per kWh that Liberty collects from all customers reflecting contract termination charges assessed by the New England Power Company (NEP); and (2) a Stranded Cost Adjustment Factor specific to each rate class that reconciles the over- or -under-collection of Stranded Cost Charge revenues, with interest, from May 1, 2023 to April 30, 2024. Garcia-Yusuf Testimony at Bates pages 30-32.

Liberty proposed an increase in the total Transmission Charge of \$0.00530 per kWh. *Id.* at 30. Through the Company's Transmission Charge, Liberty recovers transmission-related expenses billed by Independent System Operator-New England (ISO-NE) and NEP. *Id.* at 33. The Transmission Charge also includes a Regional Greenhouse Gas Initiative auction proceeds refund and a reconciliation of the Company's municipal property tax expenses through its Property Tax Adjustment Mechanism charge, which the Commission approved in Order No. 26,619 (April 28, 2022). *Id.* at 29, 33. The proposed Transmission Charge increase is primarily due to increases in ISO-NE and NEP rates. Green Testimony at Bates page 12.

In its March 27, 2024 cover letter, Liberty requested that the Commission waive New Hampshire Code of Administrative Rules, Puc 1603.05(a)(1), which requires a utility proposing revisions to less than 50 percent of an existing tariff to file the entire page on which a revision occurs, because proposed tariff pages filed now in this docket may not be accurate given tariff changes proposed in another docket. Liberty stated that a waiver pursuant to Puc 201.05 would not disrupt the orderly and efficient resolution of the matters before the Commission and would serve the public interest,

because the Company could satisfy the purpose of Puc 1603.05(a)(1) by filing clean and redlined tariff pages after the Commission's orders in this and the other docket are issued.

II. ISSUES PRESENTED

The filing presents, *inter alia*, the following issues: whether Liberty appropriately calculated the various rates and adjustment factors; whether Liberty appropriately calculated the unrecovered municipal property taxes paid and the proposed adjustments to customer charges; and whether Liberty's proposed adjustments to its retail rates are consistent with the principles contained in RSA chapter 374-F and will result in just and reasonable rates, as required by RSA 374:2, and RSA 378:5 and :7. Accordingly, an adjudicative proceeding will be convened to address these issues.

The Commission will be conducting any hearings scheduled in this matter in person. The Commission will consider requests to conduct hearings using a hybrid format to permit remote participation by a specific individual only if the Commission has determined that a sufficient reason has been provided for why that individual would be unable to attend in person. Any party requesting that a specific individual be permitted to participate remotely should file a written request with the Commission's Clerk's Office no later than **ten (10) days** prior to the hearing date. If the Commission determines that one or more individuals will be permitted to appear remotely, then individuals in the Commission's hearing room, including the Commissioners, will be broadcast on a web-enabled platform.

Based upon the foregoing, it is hereby

ORDERED, that Liberty's request to waive the requirements of Puc 1603.05(a)(1) is GRANTED, pursuant to Puc 201.05; and it is

FURTHER ORDERED, that an adjudicative proceeding be commenced for the purpose of reviewing and resolving the foregoing issues pursuant to RSA chapter 541-A, RSA chapter 374-F, RSA 374:2, RSA 378:5 and :7, and the Commission's procedural rules; and it is

FURTHER ORDERED, that the Commission will hold a hearing in this matter at its offices located at 21 S. Fruit St., Suite 10, Concord, New Hampshire, on April 23, 2024, at 1:00 p.m. Three hours shall be allotted for this hearing; and it is

FURTHER ORDERED, that the New Hampshire Department of Energy shall file its position regarding Liberty's petition, including the reasons for this position, on or before April 16, 2024; and it is

FURTHER ORDERED, that any entity or individual may petition to intervene and seek to be admitted as a party in this proceeding. Each party has the right to have an attorney represent the party at the party's own expense; and it is

FURTHER ORDERED, that, consistent with N.H. Admin. R., Puc 203.17 and Puc 203.02, any entity or individual seeking to intervene in the proceeding shall file with the Commission a petition to intervene with copies sent to Liberty and any other parties on the service list, on or before April 12, 2024. The petition shall state the facts demonstrating how the petitioner's rights, duties, privileges, immunities, or other substantial interests may be affected by the proceeding, consistent with N.H. Admin. R., Puc 203.17; and it is

FURTHER ORDERED, that any party objecting to a petition to intervene make said objection on or before April 22, 2024; and it is

FURTHER ORDERED, that parties shall file any proposed exhibits, written testimony, motions, or other documents intended to become part of the record in this proceeding with the Commission. Pursuant to the secretarial letter issued on March

17, 2020, which is posted on the Commission's website at


<https://www.puc.nh.gov/Regulatory/Secretarial%20Letters/20200317-SecLtr-Temp-Changes-in-Filing-Requirements.pdf>, all Commission rules requiring the filing of paper copies are suspended until further notice. Parties may elect to submit any filing in electronic form unless otherwise ordered by the Commission. Filings will be considered filed as of the time the electronic copy is received by the Commission; and it is

FURTHER ORDERED, that routine procedural inquiries may be made by contacting the Commission's Clerk's Office at (603) 271-2431 or ClerksOffice@puc.nh.gov. All requests to the Commission should be made in a written pleading filed with the Commission. Unless otherwise authorized by law, *ex parte* communications are prohibited; and it is

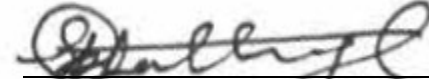
FURTHER ORDERED, that pursuant to N.H. Admin. R., Puc 203.12, Liberty shall notify all entities and individuals desiring to be heard at this hearing by publishing a copy of this order of notice on its website no later than two business days after the date of issue, such publication to be documented by affidavit filed with the Commission on or before April 9, 2024. In addition, the Clerk shall publish this order of notice on the Commission's website no later than two business days after the date of issue; and it is

FURTHER ORDERED, that any hearings in this matter shall be conducted in accordance with the attached hearing guidelines.


So ordered, this second day of April, 2024.



Daniel C. Goldner
Chairman



Pradip K. Chattopadhyay
Commissioner



Carleton B. Simpson
Commissioner

Individuals needing assistance or auxiliary communication aids due to sensory impairment or other disability should contact the NHPUC, 21 S. Fruit St., Suite 10, Concord, New Hampshire 03301-2429; 603-271-2431; TDD Access: Relay N.H. 1-800-735-2964. Notification of the need for assistance should be made one week prior to the scheduled event.

Service List - Docket Related

Docket#: 24-051

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