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SUMMARY OF DOCKET BY HEARINGS EXAMINER SPEIDEL 4

STATEMENT BY HEARINGS EXAMINER SPEIDEL 5
(*Re: Exhibits, Confidential Information,
and Witnesses*)

WITNESS PANEL: **CHRISTOPHER M. D. GREEN**
 ROBERT GARCIA
 ADAM R.M. YUSUF

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E X H I B I T S

EXHIBIT NO.	D E S C R I P T I O N	PAGE NO.
9	Testimony of Christopher Green, with Attachments, and Testimony of Robert Garcia and Adam R.M. Yusuf, with Attachments {CONFIDENTIAL & PROPRIETARY}	<i>premarked</i>
10	Testimony of Christopher Green, with Attachments, and Testimony of Robert Garcia and Adam R.M. Yusuf, with Attachments <i>[REDACTED - For PUBLIC Use]</i>	<i>premarked</i>

P R O C E E D I N G

1
2 HEARINGS EXAMINER SPEIDEL: Good
3 morning. We are on the record.

4 I am Alexander Speidel. I'm an
5 Attorney/Senior Advisor here at the New
6 Hampshire Public Utilities Commission. And I'm
7 serving today as Hearings Examiner of this
8 proceeding, which is for Docket Number DE 24-061,
9 the Liberty Utilities (Granite State Electric)
10 Corp., doing business as Liberty, Default Service
11 solicitations hearing.

12 Before we take simple appearances, at
13 which I'd like to ask the parties as to whether
14 they have any objections to the proposed exhibits
15 that were presented by the Company.

16 I would like to mention that we have as
17 our court reporter Mr. Steve Patnaude, who has
18 served for many years here at the Commission, and
19 will be truly missed.

20 Furthermore, we are well aware that the
21 Company wishes to have a decisional order
22 rendered by the Commission by the 27th of
23 December. And, in light of this, I will be
24 filing my Hearing Examiners Report at the

1 conclusion of this proceeding tomorrow, the 24th
2 of December.

3 All right. Without further ado then, I
4 would like to mention that the Company proposes
5 two exhibits: It's confidential filing,
6 unredacted, made on December 19th, as
7 confidential Hearing "Exhibit 9", and it's
8 redacted public version of the same filing as
9 Hearing "Exhibit 10".

10 I would ask that, if confidential
11 material is discussed at today's hearing, that it
12 be noticed for the benefit of the court reporter.

13 The Company also wishes to present
14 witnesses today. I believe that Mr. Christopher
15 Green, of Liberty, will be appearing remotely.
16 The Company did make a request to have remote
17 participation for this witness, and the
18 Commission was waiting for some last-minute
19 filings, given that this is Christmas and
20 Hanukkah Week, but none were made. So, if there
21 are no objections, I will, as presiding officer,
22 grant the Motion for Remote Participation for
23 Mr. Green. And, then, in person, we have Mr.
24 Robert Garcia and Mr. Yusuf of Liberty.

1 All right. So, now, I will take
2 appearances, beginning with the Company.

3 MR. SHEEHAN: Good morning, Mr.
4 Speidel. Mike Sheehan, for Liberty Utilities
5 (Granite State Electric) Corp.

6 HEARINGS EXAMINER SPEIDEL: Thank you.
7 The Office of the Consumer Advocate?

8 MR. KREIS: Good morning. I'm Donald
9 Kreis, the Consumer Advocate.

10 No objections to either of the
11 exhibits. And good morning to everybody,
12 especially Mr. Patnaude.

13 HEARINGS EXAMINER SPEIDEL: Thank you.
14 And the Department of Energy?

15 MR. YOUNG: Good morning. Matt Young,
16 on behalf of the Department of Energy. With me
17 today is Steve Eckberg, who is an electric
18 analyst in the Regulatory Division.

19 We likewise have no objections to the
20 exhibits, or the -- I think the Motions for
21 Remote Participation.

22 HEARINGS EXAMINER SPEIDEL: Thank you.

23 Are there any other persons in the
24 hearing room today that wish to be acknowledged

1 or to make a statement?

2 *[No indication given.]*

3 HEARINGS EXAMINER SPEIDEL: All right.
4 Hearing none.

5 What I'll do is, we'll proceed with the
6 swearing in of the witnesses. I'll begin with
7 Mr. Green remotely, and then the two in-person
8 witnesses. We'll have Company direct, followed
9 by DOE and OCA cross, then I will have some
10 Hearing Examiner's questions, followed by Company
11 redirect.

12 I think we should be able to make this
13 a relatively abbreviated hearing, if all goes
14 well.

15 So, Mr. Green, do you see me on the
16 screen over there?

17 MR. GREEN: Yes, sir.

18 HEARINGS EXAMINER SPEIDEL: Would you
19 mind raising your right hand please.

20 *(Whereupon **CHRISTOPHER M. D. GREEN** was*
21 *duly sworn by Hearings Examiner*
22 *Speidel.)*

23 WITNESS GREEN: I do.

24 HEARINGS EXAMINER SPEIDEL: Could you

[WITNESS PANEL: Green|Garcia|Yusuf]

1 repeat your "I do" please?

2 WITNESS GREEN: I do.

3 HEARINGS EXAMINER SPEIDEL: Thank you.

4 It cut off.

5 Gentlemen, would you please respond "I
6 do" one at a time.

7 *(Whereupon **ROBERT GARCIA** and
8 **ADAM R.M. YUSUF** were duly sworn by
9 Hearings Examiner Speidel.)*

10 WITNESS GARCIA: I do.

11 WITNESS YUSUF: I do.

12 HEARINGS EXAMINER SPEIDEL: Thank you.

13 The Company now may begin the direct examination
14 of the witnesses.

15 MR. SHEEHAN: Thank you.

16 We'll start by adopting the testimony
17 of Mr. Green.

18 **CHRISTOPHER M. D. GREEN, SWORN**

19 **ROBERT GARCIA, SWORN**

20 **ADAM R.M. YUSUF, SWORN**

21 **DIRECT EXAMINATION**

22 BY MR. SHEEHAN:

23 Q Mr. Green, please introduce yourself, and state
24 your name [title?] with Liberty?

[WITNESS PANEL: Green|Garcia|Yusuf]

1 A (Green) My name is Christopher Green. My title
2 is Manager of Energy Market Operations, based in
3 the Central Region. My primary focus is on the
4 New Hampshire Default Service solicitations.

5 Q And, Mr. Green, did you draft the testimony
6 that's been marked as confidential "Exhibit 9"
7 and redacted --

8 A (Green) Yes, sir.

9 Q -- and, I'm sorry, the redacted "Exhibit 10",
10 beginning at Bates 001?

11 A (Green) That is correct. Yes.

12 Q Excuse me. And I understand there is a
13 correction you would like to make to the
14 testimony related to the reference to the
15 "NYMEX", is that correct?

16 A (Green) Yes, sir. Anywhere in my testimony, I
17 believe it's only in one spot of the direct that
18 mentions "NYMEX electricity futures", it's
19 actually an Amerex forecast, as NYMEX went stale,
20 and it wasn't caught in the indicative bidding
21 stage -- until the indicative bidding stage.

22 Q So, the NYMEX service is no longer, as of I think
23 we heard August, and this other service, can you
24 spell that, the --

[WITNESS PANEL: Green|Garcia|Yusuf]

1 A (Green) You want me to spell it?

2 Q Yes.

3 A (Green) It's A-m-e-r-e-x.

4 Q And is it --

5 A (Green) I believe it's "Amerex Energy Services",
6 yes.

7 Q Did the Company treat the Amerex futures as a
8 replacement for NYMEX?

9 A (Green) We did, yes.

10 Q And are the numbers in the filing, that say
11 "NYMEX", are they actually Amerex numbers?

12 A (Green) That's correct.

13 Q So, is it fair to say the correction is simply a
14 name change from the incorrect "NYMEX" to the
15 correct "Amerex"?

16 A (Green) That is correct. Yes.

17 Q I did a word search, Mr. Green, and it appears
18 once in your testimony, but it does appear a few
19 times in the schedules. So, those should be
20 changed as well, is that correct?

21 A (Green) Okay. That's correct.

22 Q Thank you. Other than that correction, do you
23 have any other changes or corrections to your
24 testimony as filed?

[WITNESS PANEL: Green|Garcia|Yusuf]

1 A (Green) No, sir, I don't.

2 Q And do you adopt your written testimony as your
3 sworn testimony here this morning?

4 A (Green), Yes, sir. I do.

5 Q And, very briefly, following recent Commission
6 orders, you -- your office, has acquired supply
7 for half of the Small Customer Group, is that
8 correct?

9 A (Green) The upcoming?

10 Q Yes.

11 A (Green) Yes. That's correct.

12 Q And the other half of the Small Customer Group,
13 and all of the Large Customer Group, is going to
14 be self-supplied through your office, is that
15 correct?

16 A (Green) That is correct. Yes.

17 Q And, although those amounts have changed, meaning
18 50 percent or some other number, the Company has,
19 in the past, done both self-supply and a
20 contract, as is the case in this proceeding?

21 A (Green) That is correct.

22 Q Were there any surprises or notable events
23 leading up to the contract that we're asking for
24 approval in this proceeding?

[WITNESS PANEL: Green|Garcia|Yusuf]

1 A (Green) There were no surprises. This
2 solicitation was a lot like all of the other ones
3 up until this point.

4 Q And I believe you said the participation was a
5 bit better than the last few?

6 A (Green) It was in line with the last few. And it
7 was better than I thought it would be, yes.

8 Q Okay. Thank you. And the other issue that has
9 drawn attention is the effect of community
10 aggregation and the decrease in the number of the
11 customers that the Company is serving with
12 default service. Could you give us an update on
13 that at a high level?

14 A (Green) Sure. At a high level, we're really
15 focused on one town, Salem, which we don't
16 believe will have any -- I don't think it's going
17 to have a bearing on the next, this solicitation,
18 but on the future ones it could. We're
19 monitoring a handful of others that have either
20 shown interest or are in various stages. But we
21 really have an eye on Salem.

22 Q And that's because Salem is roughly half of our
23 remaining default service customers?

24 A (Green) Yes. It's a large amount.

[WITNESS PANEL: Green|Garcia|Yusuf]

1 Q Or even more. Okay. Thank you, sir.

2 Turning to the gentlemen in the room.

3 Mr. Garcia, could you please introduce yourself?

4 A (Garcia) Good morning. My name is Robert Garcia.
5 I'm Manager of Rates and Regulatory Affairs for
6 Liberty.

7 Q And, Mr. Garcia, there is testimony in both
8 exhibits, beginning at Bates 062, I believe, that
9 bears your name, along with Mr. Yusuf. Did you,
10 along with Mr. Yusuf, prepare the testimony that
11 appears in Exhibit 9 and 10?

12 A (Garcia) Yes, we did.

13 Q And, Mr. Garcia, do you have any changes you'd
14 like to point out to the Hearings Officer?

15 A (Garcia) Yes. Similar to Mr. Green, Bates
16 Page 070 of our testimony, at Line 11, there's a
17 reference to Mr. Green's testimony and the use of
18 "NYMEX". That, too, should be corrected to
19 "Amerex".

20 Q And with that change, do you adopt your written
21 testimony as your sworn testimony this morning?

22 A (Garcia) I do.

23 Q Mr. Yusuf, please introduce yourself?

24 A (Yusuf) I'm Adam Yusuf. I'm an Analyst for

[WITNESS PANEL: Green|Garcia|Yusuf]

1 Liberty. And I helped prepare the testimony, and
2 accept the change that Mr. Garcia just alluded
3 to.

4 Q And do you adopt your written testimony, as it
5 appears in Exhibits 9 and 10, as your sworn
6 testimony?

7 A (Yusuf) I do.

8 Q Mr. Yusuf, could you point us to where in the
9 filing the rates that we are seeking approval of
10 appear?

11 A (Yusuf) Yes. So, in the testimony, we alluded to
12 on Bates 067, as well as on Bates 072, 073 -- and
13 073 within the testimony. And the model, on
14 Bates 077, that is the Large Customer Group, and
15 that can be seen on Line 17, for each month for
16 the Large Group. And, then, on Small, it is on
17 Line 21 of Bates 078.

18 Q So, going back to what's in the testimony, you
19 started with Bates 072, is that correct?

20 A (Yusuf) I'm just getting back there.

21 Q I'm sorry, 67?

22 A (Yusuf) Sixty-seven, yes. That was the table,
23 which the Commission had kindly requested last
24 filing. And you can see on the first -- on

[WITNESS PANEL: Green|Garcia|Yusuf]

1 Table 1, the total rate proposed is the "0.08416"
2 for the Small Customer Group.

3 Q And that's the rate that will remain in effect
4 for the six-month period?

5 A (Yusuf) Correct. Yes.

6 Q And Tables 2 and 3?

7 A (Yusuf) Tables 2 and 3 are similar to -- well,
8 Table 2 is similar to Table 1, in regards to a
9 weighted average for the Large Group. So, that's
10 more for reference. Table 3 would be the Large
11 Group's individual monthly rate comparison for
12 last year, in Docket 23-044. So, it's just
13 giving a comparison to the last rates that were
14 filed for those corresponding months.

15 Q But to make sure we are clear in what rates we're
16 seeking approval of, for the Small Customer
17 Group, it's that number in Table 1, "0.08416"?

18 A (Yusuf) Correct. Yes.

19 Q And, for the three months -- or, the six -- three
20 months, now -- what rates are we asking for the
21 Large Customer Group by month? Those vary by
22 month, is that correct?

23 A (Yusuf) Correct. Yes. So, for February of 2025,
24 we're seeking "0.090" --

[WITNESS PANEL: Green|Garcia|Yusuf]

1 *[Court reporter interruption, asking*
2 *for a repeat of the number.]*

3 WITNESS YUSUF: Oh, yes. Sorry.

4 BY MR. SHEEHAN:

5 Q Mr. Yusuf, you don't have to go through the
6 numbers. Is it the rates in Schedule 3 -- in
7 Table 3?

8 A (Yusuf) Table 3, yes. And that will hold for the
9 year of 2025.

10 Q And you started to read the first one of
11 "0.09090"?

12 A (Yusuf) Correct.

13 Q And they continue left-to-right on that row?

14 A (Yusuf) Exactly.

15 Q Okay. And can you point where in the filing
16 where the bill impacts for residential customers
17 are located?

18 A (Yusuf) So, Bates 079 is a month-to-month
19 comparison for January -- the rates in effect for
20 January 1st versus February 1st. And that's
21 showing a decrease of "\$16.64", compared from
22 January to February, with the new rate for
23 default service.

24 Q So, that's comparing the rate that will be in

[WITNESS PANEL: Green|Garcia|Yusuf]

1 effect January 31, to the new rate that will be
2 in effect February 1?

3 A (Yusuf) Exactly.

4 Q Okay.

5 A (Yusuf) And, then, on Bates 080, in Schedule 4,
6 that's showing a year-to-year comparison of the
7 rates that would be in effect on February 1st,
8 2024, versus February 1st, 2025. And you have a
9 total bill impact, as well as just the Energy
10 Service rates isolated on Lines 13 and 14,
11 showing a decrease of \$8.72 for the Default
12 Service rates that are in effect for the upcoming
13 versus the ones that went into effect on
14 February 1st, 2024.

15 Q And that \$8.00 is a monthly figure?

16 A (Yusuf) Correct.

17 Q Mr. Yusuf or Mr. Garcia, whoever can answer, is
18 the work that you performed in this filing sort
19 of the norm? You know, was there anything
20 unusual about the calculations, the presentation,
21 aside from the tariff issue, I'll get to that in
22 a minute? Other than that, is there anything
23 different in this filing, as compared to prior
24 Default Service filings?

[WITNESS PANEL: Green|Garcia|Yusuf]

1 A (Garcia) No.

2 Q Okay. And, Mr. Garcia, there is tariff language
3 attached to the testimony. Could you please
4 explain the purpose of it and the context for it?

5 A (Garcia) Yes. We -- the previous order in this
6 docket, that was entered in, I don't know, was it
7 October? We had interpreted that as requiring
8 Liberty to present its proposal for addressing
9 the cost recovery issue that our technical
10 statement had identified, and the hearing had
11 pretty fully discussed on that topic as a part of
12 this filing. However, it's not for resolution in
13 this upcoming order to approve the default supply
14 rates. Rather, it's to be held for the
15 proceeding that was identified to be held in
16 March.

17 Q So, for purposes of this filing, that is
18 informational only?

19 A (Garcia) It is informational only. And we hope
20 it sparks some conversation prior to the hearings
21 in March with the parties, --

22 Q Okay.

23 A (Garcia) -- DOE and OCA, and we talk about it
24 further.

[WITNESS PANEL: Green|Garcia|Yusuf]

1 MR. SHEEHAN: Thank you. Those are all
2 the questions I have.

3 HEARINGS EXAMINER SPEIDEL: Thank you,
4 Attorney Sheehan.

5 Attorney Young, would the Department of
6 Energy like to engage in some cross-examination?

7 MR. YOUNG: Yes, it would.

8 HEARINGS EXAMINER SPEIDEL: Please go
9 ahead.

10 MR. YOUNG: Thank you.

11 So, my first few questions I think are
12 for Mr. Green.

13 **CROSS-EXAMINATION**

14 BY MR. YOUNG:

15 Q And, first, I want to ask about, it's on --
16 specifically on Bates Page 007 of your testimony,
17 Line 7 through 8, you discuss how several
18 bidders, excuse me, participated in the
19 indicative round, but not the final round, and
20 then "failed to provide the underlying cause that
21 deterred them."

22 So, I think I just want to ask, when
23 you say that they "failed to provide the
24 underlying cause", is that something they

[WITNESS PANEL: Green|Garcia|Yusuf]

1 typically do or that they're usually required to
2 do? Or, do you mean that they just did not
3 provide that reasoning?

4 A (Green) I reached out to just kind of pick their
5 brains on why they're electing, whether it's
6 community power aggregation or supplier load
7 profile. Just so I can kind of get some feedback
8 and give it -- provide it to you folks. Neither
9 of the people I reached out to provided their
10 reason for not bidding in the final round. So,
11 that's kind of where I was with that line.

12 Q Okay. And, then, the winner of the Small
13 Customer Group tranche is a "Macquarie Energy,
14 LLC", and my apology if I am mispronouncing that
15 name. That supplier sort of jumped out to the
16 Department. Is that somebody that the Company
17 has contracted with before?

18 A (Green) Yes, I believe so. Sorry, did I
19 interrupt somebody?

20 Q No.

21 A (Green) Okay. Yes. We have contracted with them
22 before, I believe. It's been a long time. But,
23 similar to other -- all the other suppliers, they
24 met the credit evaluation provided by our Middle

[WITNESS PANEL: Green|Garcia|Yusuf]

1 Office and Treasury folks, and they were able to
2 post the collateral, and they operate in ISO-New
3 England. So, --

4 Q Okay. Thank you. Since you mentioned, actually,
5 my next question was in regards to that
6 collateral. Down on Bates Page 055, about
7 halfway down the page, and I'll just pause for a
8 minute so everybody can scroll and go through
9 pages. There is a section called "Delivery of
10 Collateral", and there's some confidential
11 numbers in there, which I will not mention. But
12 the language there does say that "Within five
13 days...the Seller shall provide a Letter of
14 Credit."

15 And I just wanted to ask, I guess,
16 where we stand in that five-day mark? Has that
17 letter been provided? Is it still pending?

18 A (Green) It is, as I haven't gotten notification
19 that it's been provided. But they asked -- they
20 requested the delivery instructions shortly after
21 they were accepted, they accepted the bid, and I
22 believe that it's on the way. I haven't been
23 notified by my Treasury Department that it's been
24 received yet. But I'm going to reach out this

[WITNESS PANEL: Green|Garcia|Yusuf]

1 morning.

2 Q Okay. And, then, next I'm going to turn to
3 the -- I believe it was "Amerex" power forward
4 prices that were discussed in your direct
5 questioning.

6 Is that a subscription service that the
7 Company pays for?

8 A (Green) I'm sure it's part of a subscription
9 service. So, we have a subscription to Platts,
10 which is where we basically get all of our
11 futures and forwards. And, when NYMEX went
12 stale, Amerex was the one that jumped out as the
13 one I wanted to utilize for this proceeding.

14 Q Okay. And does the Company know if those
15 figures, its subscription service, I guess,
16 allows for those figures to be disclosed?

17 A (Green) I don't believe it does. But I'd have to
18 check and follow up on that.

19 Q So, I'm referring to -- I guess these would be
20 the figures that are in the testimony then, the
21 forward prices in the filing?

22 A (Green) I think it would have to be confidential.

23 Q Okay.

24 A (Green) But that's something I would have to

[WITNESS PANEL: Green|Garcia|Yusuf]

1 check with, to make sure.

2 MR. YOUNG: Just a moment.

3 **CONTINUED BY THE WITNESS:**

4 A (Green) I believe it would have to have the same
5 confidentiality as the NYMEX forwards. So, if I
6 missed flagging one of those, I apologize.

7 BY MR. YOUNG:

8 Q So, my next set of questions really is referring
9 to I believe it's Bates Page 011, the RPS
10 numbers. There are amounts stated here that the
11 Company expects to spend to meet the RPS
12 obligations. And, first, I want to ask, are
13 these amounts based, in part, on the current
14 Class III requirement of 8 percent?

15 A (Green) Yes. I have not lowered that obligation
16 yet.

17 Q And is the Company aware that the Department has
18 initiated a proceeding to review that Class III
19 requirement?

20 A (Green) Yes, sir. I believe that they're making
21 sure that they can't go lower than 0.5 percent.
22 I was on that call last week.

23 Q Great. Next few questions, I believe, are for
24 Mr. Garcia and Yusuf.

[WITNESS PANEL: Green|Garcia|Yusuf]

1 On Bates Page 073, we have various
2 time-of-use tariff rates. Could you tell us how
3 many customer accounts are on -- the Company has
4 for each of these rates?

5 A (Garcia) I believe for, and this is off the top
6 of my head, for D-11/D-12, I think it's 150, give
7 or take, of D-11 customers?

8 A (Yusuf) Yes. Give or take, it's between like 150
9 and 160.

10 A (Garcia) And, on EV-L and M, I think we're just
11 getting a couple in the queue, I thought?

12 A (Yusuf) Yes. None at the moment, but two
13 upcoming.

14 A (Garcia) Yes.

15 Q Okay. The Company did mention in its direct that
16 the changes proposed are for the March
17 proceeding, which the Department does concur
18 with. So, thank you for that clarification.

19 One specific question I got regarding
20 those is, on Bates Page 081, I believe it is, the
21 tariff refers to cost collections related to
22 hedging contracts or activities.

23 Has the Company already engaged in
24 hedging contract -- or, contracts and activities?

[WITNESS PANEL: Green|Garcia|Yusuf]

1 A (Garcia) No, sir. As indicated in the testimony,
2 that language, that one sentence in the first
3 paragraph of Section 45, in the "Terms and
4 Conditions" of our tariff, was actually
5 originally proposed in the -- as a part of our
6 tech statement back in?

7 A (Yusuf) October.

8 A (Garcia) October. Thank you.

9 And, so, what we did for the March
10 filing was to include that language, along with
11 the language we would propose to address future
12 cost recovery issues associated with customer
13 migration and the movement of the procurement
14 process to more direct self-supply.

15 That first sentence regarding "hedging"
16 was thrown in there in anticipation that that
17 proceeding might have resulted in the Company
18 being directed to incur hedging costs. And I
19 think that is an open issue with respect to the
20 March hearing. So, we carried it forward.

21 Q Okay. Great. And, finally, I believe we touched
22 briefly on the Town of Salem, and their potential
23 move to community aggregation.

24 So, I guess I wanted to ask, and this

[WITNESS PANEL: Green|Garcia|Yusuf]

1 may require some speculation, I suppose, but --
2 and this is for Mr. Green, or any of the other
3 witnesses, I guess. If Salem does go active with
4 community aggregation, what impact might that
5 have on the next solicitation?

6 A (Garcia) I would defer that to Mr. Green.

7 A (Green) Yes. Purely speculative, I would imagine
8 that it would probably have an adverse effect on
9 participation, as the load block would become
10 pretty small.

11 Q Right. Okay. So, I guess there's a chance that
12 this could be the last successful solicitation, I
13 guess, prior to Salem?

14 A (Green) Yes, sir. I think I could agree that it
15 could potential be the last successful RFP.

16 MR. YOUNG: Okay. I do believe those
17 are all my questions. Thank you.

18 HEARINGS EXAMINER SPEIDEL: Thank you,
19 Attorney Young.

20 Attorney Kreis, on behalf of the Office
21 of the Consumer Advocate?

22 MR. KREIS: Thank you, Mr. Hearings
23 Officer.

24 Maybe I'll just pick right up where

[WITNESS PANEL: Green|Garcia|Yusuf]

1 Mr. Young left off.

2 BY MR. KREIS:

3 Q Mr. Green just testified that, in light of
4 community power aggregation, and migration
5 thereto, this RFP that we're talking about today
6 is "potentially the last successful RFP".

7 Mr. Green, could you say what the
8 Company will do, in the event that this actually
9 is the last successful RFP, and the next one is
10 not successful?

11 A (Green) You know, I haven't really thought too
12 much into it. I would imagine that it would have
13 to be a bunch of us stakeholders and the PUC
14 coming together and kind of having a direction,
15 as far as if they want us to self-supply
16 everything, or change that obligation to where
17 we're not requesting self-supply of the Small
18 Customer Group at that point.

19 Q You testified, during your direct examination,
20 the responses to this RFP were "better than you
21 thought they would be." Why is that? Or, why
22 did you think they would be worse than they
23 actually were, I guess is what I really want to
24 know?

{DE 24-061} {12-23-24}

[WITNESS PANEL: Green|Garcia|Yusuf]

1 A (Green) Oh, I guess I'm just always a "glass half
2 empty" kind of guy. I just, until I see bidders
3 coming in, I always expect it to be a failed RFP.

4 Q You mentioned that, because NYMEX is no longer
5 issuing futures prices, you switched over to
6 Amerex. And you said that you "chose Amerex
7 "because it's the one that jumped out."

8 One of the other utilities in this
9 state is using a different service, OTC. So, I'm
10 curious about why you like Amerex better than
11 other available sources of forward pricing?

12 A (Green) Sure. It was a familiarity thing for me.
13 I was more familiar with Amerex. And it came
14 with our Platts subscription as one of the
15 options. I don't believe I saw OTC as part of
16 that.

17 MR. KREIS: I want to ask a couple of
18 questions about indicative bids versus actual
19 bids. And, Mr. Presiding Officer, I don't know
20 whether my questions are going to relate to
21 information that the Company thinks should be
22 confidential. So, I just want to flag that as
23 "potentially confidential". I'm not sure that it
24 will be, but I just wanted to flag that.

[WITNESS PANEL: Green|Garcia|Yusuf]

1 HEARINGS EXAMINER SPEIDEL: And I guess
2 it would be good to mark the time at 9:32 is when
3 a segment may begin that's confidential.

4 BY MR. KREIS:

5 Q Mr. Green, it's true, is it not, that not all of
6 the companies that submitted indicative bids then
7 went on to submit actual bids, true?

8 A (Green) That's correct. I believe one of them
9 chose to not provide a final bid.

10 Q Do you have any idea why that was?

11 A (Green) No. I reached out, and they did not
12 provide a response as to why they chose to bid in
13 the first round, and not in the final round.

14 Q I'm sort of curious about the nature of these
15 conversations, because you mentioned earlier
16 similar conversations. And I'm wondering how
17 that actually goes? Is it a matter of you
18 asking, and them saying something like
19 "Mr. Green, I respectfully decline to answer that
20 question"? Or, like, how does the conversation
21 actually go?

22 A (Green) It's me just inquiring about information,
23 as far as why they elected not to provide a bid.
24 And that's really all it is. And I rarely get a

[WITNESS PANEL: Green|Garcia|Yusuf]

1 response. And, when I do, it's "It didn't fit
2 into our load profile" or "there's too much
3 uncertainty with community power aggregation."

4 Q So, you rarely get a response. Meaning, you ask
5 the question, and all you hear in response,
6 presumably on the phone, is silence? Or, do they
7 actually say "Mr. Green, I do not want" -- "I
8 choose not to answer that question"?

9 A (Green) Whenever it's a phone call, it is not
10 that. They usually say that "It's a load
11 constraint." And I think that's just their
12 generic backdrop as far as a reason.

13 Q And do you -- I guess what I'm inferring is that,
14 when you get that kind of an answer, and maybe I
15 shouldn't have assumed it was a phone call, you
16 are just as likely, I suppose, to be emailing
17 these counterparties that you interact with. But
18 I think what you mean, or what I'm taking away
19 from what you just said, is that that is the
20 equivalent of a nonanswer, when they talk about
21 "load constraints" or whatever? That's just
22 their polite way of saying "Sorry, Mr. Green, we
23 don't want to tell you"?

24 A (Green) That's how I take some of them, yes.

[WITNESS PANEL: Green|Garcia|Yusuf]

1 Q One of the criticisms that I've heard about the
2 method that our utilities are using to create
3 prices for Default Energy Service based on
4 futures prices, to reflect the fact that
5 utilities are now procuring some of their Default
6 Energy Service power from the spot market, is
7 that the process doesn't include enough load
8 weighting to reflect the fact that Small
9 Customers, in particular, don't simply consume a
10 uniform amount of energy on a 24/7 basis.

11 Can you comment on that? Is there a
12 problem? Would there be a better way of
13 load-weighting these estimates, so that they
14 actually are more predictive of actual prices?

15 A (Green) I believe we do a bit of load-weighting,
16 as far as our forecasts that we utilize has that
17 load-weighted in it.

18 Q So, when you say you do "a bit of
19 load-weighting", what does that mean exactly?

20 A (Green) So, the forecasts that we provide should
21 inherently have some load-weighted in it.

22 Q Do we know how much load-weighting it includes?

23 A (Green) No, I don't.

24 Q I happened to be watching the thermometer as I

[WITNESS PANEL: Green|Garcia|Yusuf]

1 drove to work this morning. And I currently
2 happen to be watching the Real-Time energy prices
3 and the Day-Ahead energy prices for ISO-New
4 England on my computer. And I notice two things,
5 and I think the Commission can take
6 administrative notice of both of these things.

7 One, it's an unusually cold morning
8 here in New Hampshire. I drove down from Grafton
9 County, down Interstate 89, and, at one point,
10 the temperature, at least according to my car,
11 was 5 below zero. And I've noticed that, right
12 now, the Real-Time price here in New Hampshire,
13 at the locational marginal price that is, is
14 slightly more than \$140 a megawatt-hour. And the
15 Day-Ahead price for this same hour tomorrow is
16 \$177.61 for New Hampshire.

17 So, my question for Mr. Green is, does
18 that give you any anxiety about the accuracy of
19 the prices that you have forecast for the winter
20 part of the upcoming period?

21 A (Green) No. I believe that, over the last four
22 or five months, we've seen that the spikes that
23 you're referring to are kind of weighted out.
24 And I think what we're looking at now, for the

[WITNESS PANEL: Green|Garcia|Yusuf]

1 last five months, is around \$55 a megawatt-hour
2 for that tranche that we're self-supplying.

3 So, I think that, as we get into those
4 shoulder months, I believe that the weight will
5 come back down a little bit.

6 Q If we were to see cold of this nature for an
7 extended period, and presumably, therefore,
8 prices of this nature, that would result in
9 under-recoveries, would it not?

10 A (Green) Sure.

11 Q And, in the event of such under-recoveries, what
12 would the Company do? How would the Company
13 recover the under-recoveries?

14 A (Green) I believe that would be part of the
15 reconciliation process.

16 Q Meaning, recovered from Default Energy Service
17 customers?

18 A (Green) As it currently sits, that's correct.
19 Yes.

20 MR. KREIS: Okay. I think those are
21 all my questions. In fact, I know they are.

22 HEARINGS EXAMINER SPEIDEL: Thank you,
23 Attorney Kreis.

24 What I would like to do is, I'd like to

[WITNESS PANEL: Green|Garcia|Yusuf]

1 start with some housekeeping. I notice, when
2 opening both the confidential Hearing Exhibit 9
3 and the redacted public Hearing Exhibit 10, and
4 also the material for Mr. Green's testimony that
5 was filed on Friday, his own testimony, it was a
6 separate *pdf* at that time, it hadn't been
7 consolidated into the hearing exhibit, when I
8 opened the *pdf*, some meta data, in the form of
9 bubble comments, popped out regarding Mr. Green's
10 work product. And I think he was addressing it
11 to other colleagues. So, the Company may want to
12 look into that, and refile with a clean copy.

13 I would encourage everyone, all the
14 practitioners at the Commission, to be careful
15 about *pdfs* nowadays. They're starting to carry
16 more meta data, and often don't completely remove
17 comments as you go along with the newest versions
18 of Adobe. So, I just wanted to offer that.

19 BY HEARINGS EXAMINER SPEIDEL:

20 Q The next thing I wanted to ask Mr. Green, or
21 Mr. Yusuf, or Mr. Garcia about, depending on who
22 would be the appropriate party to respond, I
23 heard Attorney Kreis's line of inquiry regarding
24 load weighting. And I was refreshing my own

[WITNESS PANEL: Green|Garcia|Yusuf]

1 memory with the June order that established the
2 modified procurement process initially, it was
3 later approved in October.

4 But, in terms of queuing up the proxy
5 prices, this would be Order 27,027, in this
6 docket, from June 27th of 2024. And the
7 Commission had the following ruling at the bottom
8 of Page 9: "Therefore, the Company shall file,
9 no later than August the 7th, a proposal for the
10 Company's upcoming Default Service period that
11 would include the following components:" And it
12 goes on, under part (2), to say "a modification
13 wherein the proxy price for these market-based
14 procurement tranches for the Small Customer Group
15 would be an average of (a) the four-year rolling
16 weighted average of ISO-New England market prices
17 in the New Hampshire load zone, and (b) the NYMEX
18 futures prices for the upcoming six-month energy
19 service period."

20 So, that "weighted average", this is
21 directed to the Company, does that "weighted
22 average" refer to "load weighting", in the
23 Company's --

24 A (Green) What was the last part? Sorry.

[WITNESS PANEL: Green|Garcia|Yusuf]

1 Q Is it referring to "load weighting", when the
2 Commission ordered the Company to introduce this,
3 and the Company presumably integrated this into
4 this filing, "a modification wherein the proxy
5 price for these market-based procurement tranches
6 for the Small Customer Group would be an average
7 of (a) the four-year rolling weighted average of
8 ISO-New England market prices in the New
9 Hampshire load zone, and (b) the NYMEX futures
10 prices for the upcoming six-month energy service
11 period"?

12 So, the part (a) component, does that
13 refer to "load weighting" for the historical
14 ISO-New England market prices?

15 A (Green) That -- no, that would not have a load
16 weighting in it. It would have a on-peak
17 weighting in it.

18 Q "On-peak", could you describe what that means?

19 A (Green) So, we get an on- and an off-peak
20 forward, and then we try to weight it to how many
21 hours in that month are considered on- or
22 off-peak.

23 Q Okay.

24 A (Green) It will give us a more accurate

[WITNESS PANEL: Green|Garcia|Yusuf]

1 representation of the future price.

2 Q So, there's essentially a blending of on- and
3 off-peak prices, according to a weighting
4 calculation. And is that done according to
5 industry standards?

6 A (Green) Yes.

7 Q Is there guideposts?

8 A (Green) That's correct.

9 Q And what would those be?

10 A (Green) Sorry, I'm not quite hearing you.

11 Q What would the rule of thumb be for the
12 application of on- and off-peak price-weighting
13 for the purposes of developing this average? Can
14 it be summarized relatively simply, or not
15 really?

16 A (Green) I don't know that it's a simple
17 summarization, but, in Exhibit I think it's 8 --
18 or, Schedule 8, you see a monthly on-peak factor,
19 for February, it's calculated at "47.6". So,
20 it's basically all of the hours in February that
21 are considered "on-peak".

22 Q Okay. Thank you. So, moving on to another
23 topic, I notice that there was some discussion,
24 and this may be for Mr. Garcia, there was some

[WITNESS PANEL: Green|Garcia|Yusuf]

1 discussion in the October filing, and now here,
2 in this December filing, related to the idea of
3 "hedging". And this would be for the March
4 proceeding that the Commission intends to queue
5 up in the new year.

6 What would the Company be hedging
7 for? If, according to its ESCRAF, I hope I
8 have that acronym correct, Attorney Sheehan, the
9 ERAF [ESAF?] and the ESCRAF reconciliation items,
10 if those are going to be covering under- and
11 over-collections for Default Service, what would
12 the Company be hedging against, regarding risks
13 to customers, through its hedging program?

14 A (Garcia) My understanding today is that the --
15 for the Small Customer Group, we are, in essence,
16 hedging by using the RFP process through a fixed
17 price full-requirements contract, and the other
18 half is unhedged with direct procurement.

19 The March hearings, it's my
20 understanding, are going to revisit all of that.
21 And there was a report that Liberty was directed
22 to prepare, I think it was submitted in January,
23 regarding potential hedging strategies, that I
24 don't -- I'm not sure if the Commission wants to

[WITNESS PANEL: Green|Garcia|Yusuf]

1 revisit that.

2 So, to the extent we hedge through
3 different means, the language is just saying that
4 those costs are recoverable.

5 Q So, the question would be, for the Commission's
6 consideration, is it redundant to have a hedging
7 strategy, if you're seeking to integrate under-
8 and over-recoveries into the distribution
9 charges?

10 Because I think, for Unitil and
11 Eversource, the proposals that are starting to
12 emerge on the table, to one degree or another,
13 relate to that.

14 So, my question is, is there a risk
15 that would be hedged, other than the pricing
16 risk, that is already potentially going to be
17 accommodated, at the request of the Company,
18 through the reconciliation charges on
19 distribution rates?

20 A (Garcia) No, I think we're talking about two
21 different things. Because what that sentence is
22 saying is, basically, that hedging costs, if
23 incurred, are recoverable, and therefore could be
24 trued up, along with other expenses.

[WITNESS PANEL: Green|Garcia|Yusuf]

1 Q So, is it fair to say that it's a placeholder for
2 whatever remedy is provided by the Commission in
3 March?

4 A (Garcia) Remedy to?

5 Q The Company's concerns regarding maybe pricing
6 risks, and how to handle them going forward?

7 A (Garcia) It's related to, but I don't know if
8 it's a direct remedy to.

9 Again, sequentially, there was
10 discussion earlier this year of a separate
11 hedging strategy to go along with the direct
12 procurement. The language that was introduced in
13 our tech statement back in August was just to
14 provide for recovery of that, because it did not
15 seem to be expressly provided as a recoverable
16 cost.

17 Q So, it is for illustrative purposes only, and the
18 Company does not intend to integrate that program
19 now. It would be after a March consideration?

20 A (Garcia) Well, right. We haven't been directed
21 to pursue hedging separately from what we're
22 doing today, which, again, it's basically using
23 the RFP to hedge 50 percent, and the other half
24 we're going naked on. There's no coverage on the

[WITNESS PANEL: Green|Garcia|Yusuf]

1 50 percent directly procured from the market.

2 Q Thank you. So, this is for the panel in general.
3 I would note that there was some discussion about
4 Salem moving to community aggregation, and that
5 may be, maybe a strong word, but the death knell
6 for the RFP process, just for lack of bidder
7 interest.

8 Are there any other towns in the mix?
9 I understand Pelham was moving towards community
10 aggregation. And there's a lot of Upper Valley
11 communities, in the old CVPS service territory.
12 I know Hanover, of course, that's the big one,
13 and Lebanon, I believe, is another big one.

14 But are there any communities in the
15 Upper Valley, or in the pocket territory, I think
16 Pelham would be the one other than Salem,
17 honestly, in the southern New Hampshire, that
18 have transferred to community aggregation, or
19 will do so in this forthcoming six-month period?

20 A (Yusuf) So, we haven't seen anything filed yet,
21 in terms of like Salem going. The other big
22 dominoes that would be left, after Salem goes,
23 we're looking at maybe Alstead, and maybe Canaan,
24 would be the two other bigger territories. But

[WITNESS PANEL: Green|Garcia|Yusuf]

1 there's no -- any inclination of them even
2 considering it that we're made aware of.

3 So, those would be the last two bigger
4 communities of our service territories, after
5 Salem has gone.

6 Q I was going to ask about Alstead. You don't
7 serve Springfield or Bath, at both ends of your
8 service territory?

9 A (Yusuf) We service Bath. Springfield, as far as
10 we're aware -- I'm not -- yes, we don't do
11 Springfield.

12 Q It's a sparsely populated area around there.
13 And, so, I think you're right, Alstead is the
14 only big town left. So, it's Hanover/Lebanon,
15 and then, to a certain extent, Pelham/Salem. And
16 the rest of the Upper Valley towns are not in the
17 mix. Would that be about 25 percent of your
18 load? Fifteen (15) percent of your load?

19 A (Yusuf) What would? Are you saying --

20 Q The remaining towns that have not moved towards
21 community aggregation. What percentage of your
22 load would be represented by those towns that
23 aren't moving in that direction?

24 A (Yusuf) And not including Salem?

[WITNESS PANEL: Green|Garcia|Yusuf]

1 Q Yeah.

2 A (Yusuf) Yeah.

3 Q Yes.

4 A (Yusuf) Roughly 15 percent, after, if Salem goes,
5 that would be what would be left of the total.

6 Q Okay. That's good to know. Thank you very much.
7 Fifteen (15) percent. So, 15 percent of the load
8 would remain, after Salem's migration?

9 A (Yusuf) Yes.

10 Q And, so, the question is, for the Company, that
11 seems to be an inflection point, because, as I
12 recall, this journey began in the days of Mr.
13 Warshaw, and the failed RFP back in 2022. The
14 pricing outcomes were terrible back then. The
15 war had broken out, and there was the panic in
16 the gas markets, and the Western European gas
17 markets, and there was a lot of concern and a lot
18 of high prices.

19 And all these months later, I recall
20 last time there was a line of questioning from
21 the Bench to Mr. Doll, and the question was "Is
22 the Company interested in going beyond
23 50 percent, because the share that could be
24 covered by an RFP is getting smaller and smaller

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[WITNESS PANEL: Green|Garcia|Yusuf]

1 as actual load is getting smaller and smaller?"

2 And the answer from Mr. Doll, as I recall, was

3 "We would rather pause at 50 percent."

4 Is this another inflection point, given

5 the potential migration of Salem, wherein it

6 would be everything, or 75 percent load? What

7 are the Company's thoughts on such an approach?

8 A (Green) It's certainly something that needs to
9 continue to be evaluated. When Salem, if Salem
10 was to leave, I think that it would -- we may
11 need to transition back to a full RFP, to just
12 try to get bidder participation. With the
13 fail -- fallback that, if we were to have another
14 failed RFP, that we should self-supply that small
15 amount in its entirety.

16 And it may be something that, as we get
17 closer, we may need to implement a severely
18 out-of-the-money call option, or something along
19 those hedging lines that were previously
20 discussed.

21 Q When does the Company have that viewpoint, in
22 light of these projected six-month prices that
23 the market-based procurement option has
24 developed?

[WITNESS PANEL: Green|Garcia|Yusuf]

1 Does the Company prefer, as a matter of
2 philosophy, to remain with an RFP process if at
3 all possible? Or, does the Company believe that
4 these prices are largely notional? What is the
5 Company view on that?

6 A (Green) You know, I don't think the Company
7 really has a position on that. I think that we
8 will do whatever we're told or directed. With
9 the caveat that we can make pretty much anything
10 work.

11 Just the unknown of Salem leaving, and
12 what that actually leaves us, is kind of
13 something we're evaluating currently, and don't
14 have a large position as to how we would handle
15 that for the June RFP.

16 Q So, to circle back to Salem, have they gone
17 through a town meeting, they have voted on it,
18 and they voted "yes"? Is that where we're at?

19 A (Green) I don't believe that they have had their
20 town meeting yet. I could be mistaken.

21 Robert or Adam, have you heard anything
22 about that?

23 A (Garcia) Yes. I don't believe --

24 A (Green) The last thing I heard is they had not

[WITNESS PANEL: Green|Garcia|Yusuf]

1 had their town meeting yet.

2 A (Garcia) Yes, I don't believe so. I know they
3 selected a consulting firm, Colonial, to work
4 with them. But I don't believe they have gone
5 through all the steps.

6 Q So, they haven't had their March meeting, which
7 would be presumably March of '25. Perhaps
8 there's been a recommendation rendered by the --
9 essentially, the structure seems to be that you
10 have a cell of community folks, you know, six or
11 seven, and they form a committee, and then they
12 render a recommendation to the select board, and
13 then the select board recommends it for town
14 meeting, and then they vote.

15 So, we're a little ways away from Salem
16 flipping at this point?

17 A (Garcia) Yes. And I think that's what was
18 indicated earlier, is that we don't believe it's
19 going to impact this solicitation, or this
20 procurement cycle, which runs through the end of
21 July. But it could very well affect the
22 following six-month cycle, which would go August
23 through January of '26.

24 Q Okay. That's all very helpful. So, having a

[WITNESS PANEL: Green|Garcia|Yusuf]

1 look at the question of the "NYMEX futures", and
2 I will put those in quotation marks, because two
3 companies have now come back to us saying that
4 "the NYMEX futures are defunct as of August",
5 which is interesting to hear, because we had
6 heard mixed messages about whether they were an
7 ongoing concern or not, and "we're going to go
8 with commercial services."

9 So, for the Company's commercial
10 service, how do they generate these prices? Is
11 it an actual curve market, where you have folks
12 placing bids on offer prices? Or, is it sort of
13 a computer-generated thing, like with Monte Carlo
14 simulations, where they're trying to use the data
15 that they have on hand to create an educated
16 guess for the prices?

17 Because NYMEX, my understanding was,
18 and Mr. Doll told us this, too, it was a thinly
19 traded market for New England, but there were
20 market participants trying to do some price
21 discovery activity in it.

22 So, are these prices generated as part
23 of price discovery by actual market participants
24 or is just a simulation? Mr. Green, do you

[WITNESS PANEL: Green|Garcia|Yusuf]

1 happen to know that?

2 A (Green) I don't know that off the top of my head.
3 My estimation is that it's a little bit of both.
4 They have a market simulation, and then they kind
5 of get the feel for the market from participants,
6 as far as bidding, and what kind of bids they're
7 seeing out there for those types of products.

8 Q Is there a sort of --

9 A (Green) So, I think it's probably a little bit of
10 both.

11 Q Oh, thank you. Sorry about the interruption.
12 But is there a rough equivalent of, say, like an
13 over-the-counter market for these contracts for
14 ISO-New England pricing, where folks are
15 essentially doing bilateral deals and coming up
16 with offer and bid prices, is that fair? Or is
17 that maybe beyond really what's happening?

18 A (Green) That's probably fair.

19 HEARINGS EXAMINER SPEIDEL: Okay.
20 That's very helpful. Thank you. Just give me a
21 moment please.

22 MR. SHEEHAN: Mr. Speidel, if I may
23 interject? While you were talking Salem, I went
24 online and found a "Salem Energy Committee" had a

[WITNESS PANEL: Green|Garcia|Yusuf]

1 meeting in September, and are reviewing and
2 thinking about a 2025 Town Meeting presentation.

3 So, it seems like it's at that stage.

4 HEARINGS EXAMINER SPEIDEL: Thank you,
5 Attorney Sheehan. Yes. It usually -- yes,
6 that's, in my own town, it happened that way,
7 where I think there was roughly a six-month time
8 lag between the formulation of the recommendation
9 by the Committee, and then the Select Board
10 approved it for a presentation on the Town
11 Meeting. That's pretty typical.

12 BY HEARINGS EXAMINER SPEIDEL:

13 Q Has the Company had any experience, because we
14 heard from Eversource that there's a bit of a
15 lag, or, actually, not a lot of certainty
16 surrounding the changeover for an approved
17 community aggregation town to actually shift its
18 load to the community aggregator. So, we've
19 heard that they may only get roughly 60 days
20 notice, and you're never told in advance as to
21 what load will shift.

22 Has the Company had more success in
23 maybe planning for its changeovers?

24 A (Garcia) We are working with Colonial to get

[WITNESS PANEL: Green|Garcia|Yusuf]

1 ahold of that information in a timely fashion.

2 Q Okay.

3 A (Garcia) So, for example, my previous statement
4 regarding the "aggregation program not impacting
5 this upcoming procurement cycle" is from
6 Colonial.

7 HEARINGS EXAMINER SPEIDEL: Okay. I
8 don't believe I have any further questions.

9 Attorney Sheehan, do you have any
10 redirect?

11 **REDIRECT EXAMINATION**

12 BY MR. SHEEHAN:

13 Q The only question I was going to ask is, there
14 was some discussion of Pelham. And I looked
15 online again and saw that Pelham had its plan
16 approved in mid '24. Do you know if Pelham has
17 switched to aggregation or not?

18 A (Yusuf) I am not 100 percent sure.

19 Q Okay.

20 A (Yusuf) But, if I had to guess, a speculative
21 guess, I believe it did --

22 *[Court reporter interruption.]*

23 **CONTINUED BY THE WITNESS:**

24 A (Yusuf) I believe they did switch, but I'm not --

[WITNESS PANEL: Green|Garcia|Yusuf]

1 it's me theorizing.

2 HEARINGS EXAMINER SPEIDEL: But would
3 it be possible, I wouldn't couch this as a
4 "record request", could the Company look into
5 that, and maybe this week file a quick letter to
6 that effect, explaining what happened in Pelham?

7 MR. SHEEHAN: Certainly.

8 HEARINGS EXAMINER SPEIDEL: I'd
9 appreciate that, Attorney Sheehan.

10 Any further redirect?

11 MR. SHEEHAN: No, sir. Thank you.

12 HEARINGS EXAMINER SPEIDEL: Excellent.
13 Thank you.

14 What I would like to do is, in that
15 case, I believe there have been no objections to
16 the entering of Hearing Exhibits 9 and 10 into
17 the record. And, so, I will strike
18 identification on those and enter them into the
19 record.

20 I'd like to give some scope for closing
21 statements. Is there anything else that we need
22 to ask these witnesses before they're excused?

23 *[Atty. Young indicating in the*
24 *negative.]*

[WITNESS PANEL: Green|Garcia|Yusuf]

1 HEARINGS EXAMINER SPEIDEL: Hearing
2 none. You may remain at your seats virtually or
3 in person. Thank you very much for your very
4 helpful testimony. You're excused.

5 And I will now offer an opportunity for
6 closing statements, beginning with the Department
7 of Energy.

8 MR. YOUNG: Thank you.

9 Regarding the Petition before us today,
10 the Department would first like to express our
11 appreciation to the Company and the OCA for their
12 willingness to participate in a technical session
13 on Friday.

14 The Department has reviewed Liberty's
15 filing, and we do believe the Company conducted
16 the wholesale power supply solicitation and
17 selected the winning bids in compliance with
18 historical precedent and recent Commission
19 orders.

20 The Department does also believe the
21 Company's calculation of rates, including the
22 inclusion of the forward-looking prices, appear
23 to be sound. As a result, we do believe the
24 resulting rates are just and reasonable. I would

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1 note the Department is also encouraged by these
2 pricing forecasts included in the filing, and we
3 do look forward to monitoring the situation over
4 the coming period.

5 As such, we do urge the Commission to
6 make the findings requested by the Company, for
7 rates effective on February 1st.

8 And, finally, I think, on behalf of the
9 Department, and to employees sitting here, I
10 think we would also like to thank Steve Patnaude
11 for his work for the Commission. I always
12 appreciate his levity in the hearing room. And
13 we hope he has a pleasant retirement.

14 HEARINGS EXAMINER SPEIDEL: Thank you,
15 Attorney Young. Attorney Kreis.

16 MR. KREIS: Thank you.

17 I concur with the recommendations of
18 the Department. It certainly appears to me that
19 our friends at Liberty Utilities have done a fine
20 job of executing the procurement plan that the
21 Commission expected it to execute.

22 And they have likewise done a fine job
23 of meeting with us and the Department to talk
24 about the results of the latest procurement, and

1 then to explain and defend it here in the hearing
2 room.

3 And, so, I think the record is more
4 than adequate to demonstrate that the resulting
5 rates are just and reasonable. And, therefore, I
6 recommend that the Commission approve them.

7 Certainly, the Office of the Consumer
8 Advocate thanks everybody in the room. Just two
9 final observations.

10 One, as somebody who has been around a
11 while, and who has some ties to the Upper Valley,
12 I just have to remind the Hearings Officer that,
13 when we sent the Connecticut Valley Electric
14 Company scrambling back over the Connecticut River
15 to the other jurisdiction where they really
16 belonged, it was really Eversource who took over
17 their service territory. So, CVEC really had
18 nothing to do with Liberty, because the CVEC
19 service territory is centered around Claremont,
20 and Hanover and Lebanon had always been in the
21 territory of Liberty or its predecessor.

22 But the more important thing I wanted
23 to say is that I don't think anybody here in this
24 room has been around longer than me, except Steve

1 Patnaude. And I just want to express my
2 deep-seated, enthusiastic, and personal
3 appreciation for his many, many decades of good
4 work. I mean, he was an experienced, friendly
5 old hand the day I first walked into the New
6 Hampshire PUC in 1999, and since then he has been
7 consistently pleasant, accurate, efficient, and
8 dedicated to the work of the Commission, and
9 everybody who practices before the Commission.

10 Practicing here has been palpably
11 easier, and more fun, because of his good work.
12 And I appreciate everything about Steve Patnaude,
13 from the tips of his typing fingers, all the way
14 down to the loud socks that he has worn every
15 single time he has been in this hearing room,
16 including the ones he has on today.

17 So, I salute him, and, as did
18 Mr. Young, I wish him a great and healthy
19 retirement.

20 MR. PATNAUDE: Thank you.

21 HEARINGS EXAMINER SPEIDEL: Thank you,
22 Attorney Kreis. And apologies about confusing
23 the service territories.

24 Does the Company remember what was the

1 predecessor company of Liberty up in that area?

2 MR. SHEEHAN: It's been Granite State
3 Electric for a number of years. And that entity
4 has really stayed the same, with different
5 owners. It's always been Granite State Electric.

6 I think way back there was a "Grafton
7 County Electric", or something, that preceded the
8 Granite State umbrella.

9 HEARINGS EXAMINER SPEIDEL: So, thank
10 you for the clarification. Much appreciated,
11 Attorney Kreis. Since, I must confess, I tend to
12 stay on the eastern side of the state of New
13 Hampshire. So, it's always good to learn more
14 about the western side.

15 Attorney Sheehan, any closing remarks
16 for the Company?

17 MR. SHEEHAN: Briefly.

18 Obviously, we appreciate the support of
19 the DOE and the OCA on our request. We ask the
20 Commission to approve them.

21 And I, too, was going to say words
22 thanking Steve, but Mr. Kreis said it much better
23 than I ever could. So, with only two additions.

24 One, only Steve would bring chocolates

1 to his own retirement party, sitting on the desk
2 in front of me.

3 And, second, it must be very hard to be
4 typing words about yourself into the record. And
5 thank you for doing that, Steve.

6 I have nothing further.

7 HEARINGS EXAMINER SPEIDEL: Well, duly
8 noted. It truly is the end of an era. I have
9 greatly enjoyed working with Steve over the
10 years. We've gone through some adventures
11 together. Travel even, as, you know, we've been
12 around the state, and we have had a lot hearings.
13 And he was always a professional, and very
14 helpful, in terms of teaching folks that come in
15 the ropes.

16 So, it's a sad day, but a happy day,
17 because I think that Steve really deserves his
18 retirement, and some time to reflect and have
19 fun.

20 But his departure really is a milepost
21 in the history of the Commission. And I would
22 just offer that we all, on the Staff side of the
23 old Commission, and in the new Commission, we
24 definitely extend our thanks and appreciation to

1 Mr. Patnaude for his wonderful help.

2 And I thank you all for your time. The
3 Examiner Report will be filed tomorrow, and the
4 order by the end of the week, as requested by the
5 Company.

6 Thank you. This hearing is adjourned.

7 **(Whereupon the hearing was adjourned**
8 **at 10:06 a.m.)**

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