

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DE 23-002

UNITIL ENERGY SYSTEMS, INC.

Proposed Purchase of Receivables Program

Procedural Order Re: Motion for Extension of Time

On December 22, 2023, the Hearing Examiner in this docket issued a Report and Recommendation on Unitil Energy System's (UES) proposed purchase of receivables program. Pursuant to the Commission's September 1, 2023 procedural order, the parties have until January 2, 2024 to file initial comments on the Hearing Examiner's report. On December 26, 2023, UES filed a motion to extend this deadline to January 12, 2024. In its motion, UES argues that this extension is appropriate because key personnel will be taking time off over the holidays and will thus be unable to properly review, evaluate, and develop comments by the January 2 deadline. UES further represents that this extension will not improperly delay the proceeding because there is no deadline for the Commission to issue an order on UES's proposal and the Commission will benefit from more fully developed comments. In addition, UES requests that the Commission issue an expedited order on the motion given the immediacy of the deadline. In its motion, UES stated that while it attempted to contact the other parties to gain their consent, it had not heard back by the time it filed its motion. The NRG Retail Companies¹ subsequently filed a letter joining UES's request. No other party has filed a response to UES's motion.

¹ The NRG Retail Companies include: Direct Energy Services, LLC, Direct Energy Business, LLC d/b/a NRG Business, NRG Business Marketing, LLC f/k/a Direct Energy Business Marketing, LLC, Reliant Energy Northeast LLC, and XOOM Energy New Hampshire, LLC.

In order to grant UES's motion, the Commission must address two separate issues: (1) whether it should waive the ten-day objection period under New Hampshire Code of Administrative Rules, Puc 203.07(e) to provide an expedited ruling prior to the January 2 deadline; and (2) whether UES's request meets the standards for extensions of time. As explained below, the Commission waives Puc 203.07(e) and GRANTS UES's motion.

The Commission will first consider whether to waive the ten-day objection period. Pursuant to Puc 201.05(a), the Commission shall waive any provision of its rules if: (1) the waiver serves the public interest; and (2) the waiver will not disrupt the orderly and efficient resolution of matters before the Commission. A waiver is in the public interest if, among other reasons, compliance with the rule would be onerous or inapplicable given the circumstances of the affected person. Puc 201.05(b)(1). The Commission finds that a waiver is appropriate. First, the Commission determines that waiver is in the public interest because compliance with the rule would require the Commission to wait to act on UES's motion until after the deadline had passed. Second, the Commission determines that a waiver will not disrupt the orderly and efficient resolution of matters before the Commission.

The Commission next considers the substance of UES's motion to extend the deadline. Under Puc 202.04(c), the Commission shall grant an extension if: (1) the party making the request has demonstrated that circumstances would cause undue hardship or inconvenience unless the request is granted; and (2) the extension would not unduly delay the proceeding or adversely affect the rights of any party. The Commission finds an extension is appropriate. First, the Commission determine that enforcing the deadline would create an undue burden on UES because key personnel have taken vacation during the winter holidays and are thus unavailable to prepare responses to the Report and Recommendation. Second, the Commission finds that the extension will not disrupt the

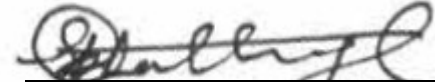
resolution of this matter because there is no deadline for issuing an order on UES's proposal and it would be valuable for the Commission to receive properly-prepared responses to the Report and Recommendation.

In light of the foregoing, exceptions to or comments on the Report and Recommendation may be filed by January 12, 2024. In addition, in order for any further replies to be considered, a notice of intent must be filed by January 17, 2024, and replies must be filed by January 26, 2024.


So ordered, this twenty-ninth day of December, 2023.



Daniel C. Goldner
Chairman



Pradip K. Chattopadhyay
Commissioner



Carleton B. Simpson
Commissioner

Service List - Docket Related

Docket#: 23-002

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