

**STATE OF NEW HAMPSHIRE  
PUBLIC UTILITIES COMMISSION**

**DE 23-003**

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

**Proposed Purchase of Receivables Program**

**COMMENCEMENT OF ADJUDICATIVE PROCEEDING  
AND NOTICE OF PREHEARING CONFERENCE**

On January 10, 2023, Liberty Utilities (Granite State Electric) Corp. d/b/a Liberty (Liberty) filed a proposal for a purchase of receivables (POR) program pursuant to RSA ch. 53-E and N.H. Admin. R., Puc ch. 2200. In support of its proposal, Liberty filed the direct testimony of Erica L. Menard and associated schedules. The initial filing and subsequent docket filings, other than any information for which confidential treatment is requested of or granted by the Commission, are available on the Commission's website at <https://www.puc.nh.gov/Regulatory/Docketbk/2023/23-003.html>

**I. BACKGROUND AND PROCEDURAL HISTORY**

RSA 53-E authorizes municipalities to aggregate retail electric customers within their boundaries for the purpose of entering agreements with energy suppliers for the supply of electric power and related services. RSA 53-E:3. The statute requires each electric distribution utility in New Hampshire to propose a POR program to facilitate community power programs. RSA 53-E:9, II. Under a POR program, each utility purchases the accounts receivable owed by customers in community power programs for electricity supply and related services less a discount percentage rate (DPR). The DPR must equal the utility's actual uncollectible rate, adjusted to recover capitalized and operating costs specific to the implementation and operation of the POR program,

including working capital. *Id.* In addition, the DPR must include a pro rata share of the cost of administering collection efforts such that the utility's participation in the POR program shall not require the utility or non-participating consumers to assume any costs arising from its use. *Id.*

Pursuant to RSA 53-E:7, X, the Commission initiated a rulemaking procedure in January 2022 to promulgate rules to implement RSA 53-E in Docket No. DRM 21-142. On October 7, 2022, the Commission filed final rules implementing the provisions of RSA 53-E to be effective October 12, 2022. *See* Puc ch. 2200. Among other things, the rules required each utility to propose a POR program for review and approval by the Commission within 90 days. *See* Puc 2205.16(e). Consistent with that requirement, Liberty has submitted a proposal for a POR program, including its DPR calculation, the mechanics of the proposed POR program, and the proposed timeline for implementing a POR program. *See* Testimony of Erica L. Menard.

## **II. ISSUES PRESENTED**

The filing presents, *inter alia*, the following issue: whether Liberty's proposed POR program is consistent with the requirements of RSA 53-E and Puc ch. 2200. Accordingly, an adjudicative proceeding will be convened to address this issue.

The Commission will be conducting the prehearing conference and 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 fifteen (15) days prior to the prehearing conference or 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 an adjudicative proceeding be commenced for the purpose of reviewing and resolving the foregoing issue pursuant to RSA chapter 541-A, RSA 53-E, Puc ch. 2200, and the Commission's procedural rules; and it is

**FURTHER ORDERED**, that the Commission will hold a prehearing conference to cover Liberty's POR program proposal, as well as prehearing conferences addressing the other electric distribution utilities' POR proposals in Docket Nos. DE 23-002 and DE 23-004 (these prehearing conferences will be held sequentially based on docket number) pursuant to N.H. Admin. R., Puc 203.15, at its offices located at 21 S. Fruit St., Suite 10, Concord, New Hampshire, on March 21, 2023, at 1:00 p.m., at which all parties should be prepared to address any of the issues set forth in N.H. Admin. R., Puc 203.15; and it is

**FURTHER ORDERED**, that during the prehearing conference, the Commission will consider the matters listed in Puc 203.15(c) and (d), including the establishment of a procedural schedule governing the remainder of the proceeding. Parties and potential parties are encouraged to facilitate the development of a procedural schedule by conferring prior to the prehearing conference, so that the presiding officer can address any matters on which there is disagreement during the prehearing conference. Any procedural schedule, however, will not be approved until after the prehearing conference and after consulting the Commission's calendar; and it is

**FURTHER ORDERED**, that, immediately following the prehearing conference, Liberty shall make appropriate personnel available for the parties to hold a technical session to review the filing; 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 March 10, 2023. 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 March 17, 2023; and it is

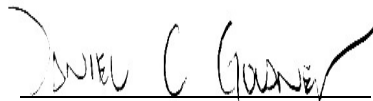
**FURTHER ORDERED**, that parties shall file any proposed exhibits, written testimony, motions, or other documents intended to become part of the record in this proceeding with the Commission. Pursuant to the secretarial letter issued on March 17, 2020, which is posted on the Commission's website at <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

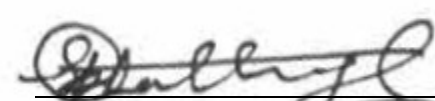
**FURTHER ORDERED**, that routine procedural inquiries may be made by contacting the Commission's Clerk's Office at (603) 271-2431 or [ClerksOffice@puc.nh.gov](mailto:ClerksOffice@puc.nh.gov). All requests to the Commission should be made in a written pleading filed with the Commission. Unless otherwise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

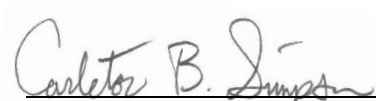
**FURTHER ORDERED**, that pursuant to N.H. Admin. R., Puc 203.12, Liberty shall notify all entities and individuals desiring to be heard at this hearing by publishing a copy of this order of notice on its website no later than two business days after the date of issue, such publication to be documented by affidavit filed with the Commission on or before February 17, 2023. 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 February, 2023.

  
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#: 23-003

Printed: 2/2/2023

Email Addresses

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