

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DG 23-034

**LIBERTY UTILITIES (ENERGYNORTH NATURAL GAS) CORP. d/b/a LIBERTY-KEENE
DIVISION**

Summer 2023 Cost of Gas

Procedural Order Re: Request for Waiver from Puc 1603.05

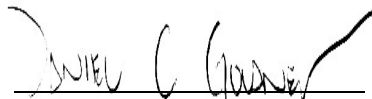
On March 20, 2023, Liberty Utilities (EnergyNorth Natural Gas) Corp. d/b/a Liberty-Keene Division (Liberty Keene) submitted a Summer 2023 Cost of Gas (COG) filing outlining its proposed COG rates for the summer period (May 1, 2023 through October 31, 2023). In its cover letter, Liberty Keene requested that the Commission waive New Hampshire Code of Administrative Rules, Puc 1603.05(a)(1), which requires that “[a] utility that proposes to revise an existing tariff shall submit ... [t]he entire page on which any revision occurs.” Liberty Keene argues that a waiver is appropriate because Liberty Keene is going to submit a tariff compliance filing in another docket with an effective date of April 1, 2023 that will affect the same pages as the filing in this docket, and thus any proposed tariff page filed now will be outdated by the time the Commission issues an order on the summer 2023 COG filing. As an alternative, Liberty Keene proposed filing illustrative tariff pages prior to the hearing that will demonstrate the proposed changes in rates as of that time.

Under Puc 201.05(a), the “[C]ommission shall waive the provisions of any of its rules, except where precluded by statute, upon request by an interested party . . . if the [C]ommission finds that: (1) The waiver serves the public interest; and (2) The waiver will not disrupt the orderly and efficient resolution of matters before the [C]ommission.” “In determining the public interest, the [C]ommission shall waive a rule if: (1) Compliance with

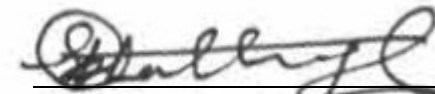
the rule would be onerous or inapplicable given the circumstances of the affected person;
or (2) The purpose of the rule would be satisfied by an alternative method proposed.” Puc
201.05(b).

The Commission finds that waiver of 1603.05 is appropriate in this case for the reasons Liberty Keene outlined in its cover letter and that Liberty Keene’s proposed alternative would satisfy the purpose of the rule. Accordingly, Liberty Keene’s request is GRANTED.

So ordered, this twenty-third day of March, 2023.



Daniel C. Goldner
Chairman



Pradip K. Chattopadhyay
Commissioner

Service List - Docket Related

Docket#: 23-034

Printed: 3/23/2023

Email Addresses

ClerksOffice@puc.nh.gov
Energy-Litigation@energy.nh.gov
deborah.gilbertson@libertyutilities.com
maureen.karpf@libertyutilities.com
James.King@libertyutilities.com
Erica.Menard@libertyutilities.com
ocalitigation@oca.nh.gov
michael.sheehan@libertyutilities.com
karen.sinville@libertyutilities.com
Joshua.Tilbury@libertyutilities.com