

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DE 23-037

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, 2023, Liberty Utilities (Granite State Electric) Corp. d/b/a Liberty (Liberty or the Company) filed a petition for approval of retail rate adjustments and for approval of its adjusted Property Tax Adjustment Mechanism (PTAM) charge. Liberty calculated that the net impact of the rate changes for a residential customer using 650 kilowatt hours (kWh) per month would be a monthly bill decrease of \$1.68, a 0.75 percent decrease from current average monthly bills. The decrease is due primarily to decreases in Liberty's transmission costs.

In support of its petition, Liberty prefiled the direct testimony and schedules of John D. Warshaw, as well as the direct testimony and schedules of Heather Tebbetts, personnel at the Company's service company affiliate, Liberty Utilities Service Company. The petition 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 www.puc.nh.gov/regulatory/Docketbk/2023/23-037.html.

I. BACKGROUND AND PROCEDURAL HISTORY

In its petition, Liberty stated that its annual retail rate filing adjusts rates to reconcile a number of "pass through" costs and revenues. Specifically, Liberty seeks changes to the following inputs to its retail rate: (1) a decrease of \$0.00129 per kWh to the Transmission Charge, resulting in a Transmission Charge rate of \$0.03032 per

kWh; (2) a decrease of \$0.00238 per kWh to the Transmission Service Cost Adjustment Charge, resulting in a proposed credit to customers of \$0.00139 per kWh; (3) a net increase of \$0.00021 per kWh to the charges associated with the Stranded Cost Charge and Stranded Cost Adjustment Factor, resulting in a proposed credit to customers of \$0.00031 per kWh; and (4) an increase of \$0.00097 per kWh to the customer credit associated with the Regional Greenhouse Gas Initiative (RGGI) Auction Proceeds Refund, resulting in a proposed credit to customers of \$0.00488 per kWh. Direct Testimony of Heather Tebbetts (Tebbetts Testimony) at Bates Page 28.

In Order No. 26,619 (April 28, 2022), issued in Docket No. DE 22-018, the Commission approved Liberty's new PTAM component of the Transmission Charge pursuant to RSA 72:8-e. Liberty proposed an adjusted PTAM charge of \$0.00056 per kWh. Tebbetts Testimony at Bates Page 35. Liberty requested that the Commission approve its petition by April 24, 2023, to allow time for rates to be implemented in the Company's billing system for effect on May 1, 2023. *See id.* at Bates Page 36.

In its March 27, 2023 letter, Liberty also requested the Commission to 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 the Commission's review of Liberty's other pending tariff compliance matters. Liberty maintained 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, in that the purpose of Puc 1603.05(a)(1) would be satisfied through an alternative method, namely that Liberty would file clean and redlined tariff revisions following the Commission's order in this docket and the resolution of the pending tariff matters.

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 the calculations result in just and reasonable rates, as required by RSA 374:2, RSA 378:5, and RSA 378:7. 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 fifteen (15) 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 374:2, RSA 378:5, and RSA 378:7, 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 19, 2023, at 1:30 p.m. Three hours shall be allotted for this hearing; 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 7, 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 April 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. 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

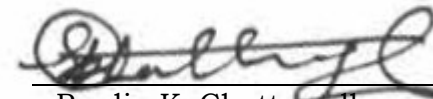
FURTHER ORDERED, that pursuant to N.H. Admin. R., Puc 203.12, Liberty shall notify all entities and individuals desiring to be heard at this hearing by publishing a copy of this order of notice on its website no later than two business days after the date of issue, such publication to be documented by affidavit filed with the Commission on or before April 7, 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 twenty-ninth day of March, 2023.



Daniel C. Goldner
Chairman



Pradip K. Chattopadhyay
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#: 23-037

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