

STATE OF NEW HAMPSHIRE  
BEFORE THE  
PUBLIC UTILITIES COMMISSION

National Grid USA, et al.

Docket DG 11-040

**LIBERTY UTILITIES' MOTION FOR WAIVER OF CERTAIN FILING  
REQUIREMENTS**

Granite State Electric Company and EnergyNorth Natural Gas, Inc. both d/b/a Liberty Utilities ("Liberty Utilities" or the "Companies"), pursuant to Puc 201.05, respectfully request that the Commission grant the Companies a waiver of certain filing requirements with regard to ongoing compliance filings in the above-captioned docket. In support hereof, Liberty Utilities states as follows:

1. The Settlement Agreement in DG 11-040, which was approved by Order No. 25,370, contains a number of ongoing reporting requirements whereby Liberty Utilities provides monthly and quarterly transition status reports to the Commission. Under Section V(C)(1) of the Settlement Agreement, the Companies must submit monthly and quarterly reports to Staff describing the status of transition activities and related costs. Similarly, under Section V(C)(2) of the Settlement Agreement, National Grid and the Companies must provide a monthly written status report to Staff with certain information about transition services.

2. The Companies submit that the filing of these reports in accordance with the Commission's procedural rules would be onerous, given the number of reports that must be made. As a result, the Companies seek a waiver of certain provisions of Puc 203.02. Specifically, Puc 203.02(a)(1) requires that a party filing a document in an adjudicative proceeding file an original and six copies of that document with the Commission, and Puc

203.02(a)(3) and (5) require the service of such documents on the service list. In this case, because the reports are required by the Settlement Agreement in DG 11-040, they are filed in an adjudicative proceeding.

3. If the waiver is granted, the Companies propose to file one hard copy of each filing required by Section V(C)(1) and (2) of the Settlement Agreement with the Commission as well as make electronic service of the filing on the Commission and the Office of Consumer Advocate. While the Companies would not make electronic service of these filings on the service list in DG 11-040, it is the Companies' understanding that the Commission would continue to post these filings to the docketbook in DG 11-040 and thus they would be available to the parties and the public for review on the Commission's website.

4. Puc 201.05(a) provides that the Commission may waive its rules where such a waiver serves the public interest and will not disrupt the orderly and efficient resolution of matters before the Commission. The rule further provides that in determining the public interest, the Commission 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.

5. In this case, providing seven copies of each filing would be onerous given the number of filings that are required to be made and their ongoing nature. The purpose of Puc 203.02 is to give notice to parties of filings in a docket, and this purpose would be satisfied by the posting of the filings to the Commission's docketbook. There would be no disruption to the orderly conduct of the proceeding given that it is essentially complete with the approval of the sale of the Companies and the filings that would be the subject of the waiver do not require a response by any party given that they are compliance in nature.

6. The Staff and the Office of Consumer Advocate do not oppose the requested relief.

National Grid assents to the waiver request contained in this motion.

WHEREFORE, Liberty Utilities respectfully requests that the Commission:

- A. Grant this Motion for Waiver of Certain Filing Requirements; and
  - B. Grant such other and further relief as the Commission deems necessary
- and just.

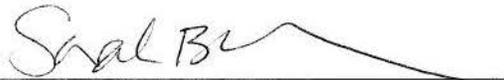
Respectfully submitted,

GRANITE STATE ELECTRIC COMPANY  
ENERGYNORTH NATURAL GAS, INC.  
BOTH D/B/A LIBERTY UTILITIES

By its Attorney,

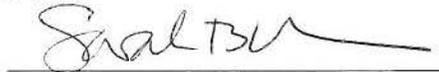
Date: November 16, 2012

By:

  
\_\_\_\_\_  
Sarah B. Knowlton  
Assistant General Counsel  
Liberty Energy Utilities (New Hampshire) Corp.  
11 Northeastern Boulevard  
Salem, NH 03079  
Telephone (603) 328-2794  
sarah.knowlton@libertyutilites.com

Certificate of Service

I hereby certify that on November 16, 2012, a copy of this Motion has been forwarded to the parties on the service list in DG 11-040.

  
\_\_\_\_\_  
Sarah B. Knowlton