

**THE STATE OF NEW HAMPSHIRE**

**BEFORE THE**

**PUBLIC UTILITIES COMMISSION**

**DE 11-105**

**UNITIL ENERGY SYSTEMS, INC.**

**MOTION TO AMEND PETITION**

NOW COMES Unutil Energy Systems, Inc. (“UES” or “the Company”), by and through its undersigned attorney, and respectfully petitions the New Hampshire Public Utilities Commission (“the Commission”) pursuant to N.H. Code Admin. Rules Puc 203.10, for authority to amend its original petition in this docket. In support of this Motion, UES states as follows:

1. On May 13, 2011, UES filed its “Petition for Declaratory Ruling and Approval of Adjustments to Certain Account Balances.” In its Petition, UES sought: 1) a declaratory ruling, pursuant to N.H. Code Admin. Rules Puc 207.01 and RSA 365:29 [Orders for Reparation], as to the time period to be used for calculating the Company’s reparation to a customer, the Riverwoods at Exeter (“Riverwoods”), for overcollected charges for electric service; and 2) once the correct reparation time period and amount are determined, approval to adjust the account balances in the Company’s External Delivery Charge (“EDC”), Stranded Cost Charge (“SCC”), System Benefits Charge (“SBC”) and Non-G1 Default Service Charge, in order to correct for this same over-collection.
2. On August 29, 2011, the Company and Riverwoods entered into a settlement agreement whereby the Company paid to Riverwoods the sum of \$1,459,721, in

addition to the amount of \$611,699 which had previously been refunded, for a total refund of \$2,071,420 (\$1,801,504 plus interest charges of \$269,916). The additional amount has been refunded to the customer, as indicated in the letter submitted to the Commission by UES on August 31, 2011. In addition, the litigation that was pending between the parties has been terminated.

3. UES no longer seeks a ruling by the Commission as to the time period to be used for calculating the refund due to Riverwoods. The Company does, however, seek to pursue its petition for approval to adjust certain account balances to correct for the under-collection from its customers.
4. An "Amended Petition for Approval of Adjustments to Certain Account Balances" is attached to this Motion. UES submits that allowing the Petition to be amended as proffered will "encourage the just resolution of the proceeding and will not cause undue delay," and will not broaden the scope of the proceeding.

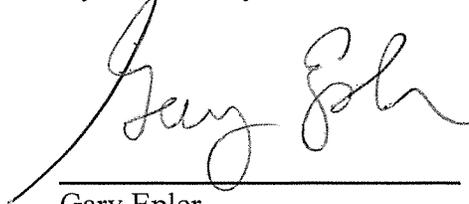
WHEREFORE, UES respectfully requests that the Commission:

1. Grant this motion and allow the Company to amend its Petition;
2. Grant such further relief as may be just and appropriate.

Respectfully submitted

UNITIL ENERGY SYSTEMS, INC.

By its Attorney:

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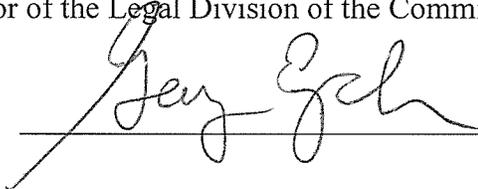
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Dated: September 30, 2011

Certificate of Service

I hereby certify that on this 30<sup>th</sup> day of September, 2011, I caused a copy of the within Motion to be hand-delivered and/or sent via electronic mail to the Office of Consumer Advocate and the Director of the Legal Division of the Commission Staff.



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