

THE STATE OF NEW HAMPSHIRE

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January 31, 2008

Debra A. Howland
Executive Director and Secretary
New Hampshire Public Utilities Commission
21 South Fruit Street, Suite 10
Concord, NH 03301-2429



Re: DG 06-105, EnergyNorth Natural Gas, Inc. d/b/a KeySpan Energy Delivery New
England
Integrated Resources Plan
Administrative Notice of Certain Materials and Proposed Briefing Schedule

Dear Ms. Howland:

At the January 9, 2008 hearing, the Commission stated, in response to a request by the Company, that for purposes of this docket the Commission would take administrative notice of the entire record in Docket No. DG 04-133. In addition, at the end of the hearing the Company was permitted to introduce four exhibits, though the Company waived its right to cross examine the Staff's witness with respect to them: the NARUC Primer on Integrated Resource Planning, a slide presentation from Liberty Consulting Group in DG 04-133, the final order in DG 04-133 and Northern Utilities, Inc.'s Integrated Forecast and System Gas Supply Resource Plan filed with the Commission on June 30, 2006 in Docket No. DG 06-098. Based on the Chairman's ruling during the hearing, see transcript at 161-162, Staff understands that the entirety of those four exhibits are exhibits in the proceeding, notwithstanding that the Company filed portions of three of them with its letter filed on January 23, 2008.

At the beginning of the hearing, Staff proposed that the Commission take administrative notice of materials mentioned or referred to in testimony, not specifically offered as an exhibit at hearing. The Commission requested that Staff file a letter identifying these items. The list is as follows:

Exhibit 14--*Granite State Electric Co.*, 74 NH PUC, Order No. 19,546 (1989)

Exhibit 15--*Public Service Company of New Hampshire*, Order No. 24,695 (2006)

Exhibit 16--*EnergyNorth Natural Gas, Inc. d/b/a KeySpan Energy Delivery New England*, Order No. 24,323 in DG 03-160 (2004)

Exhibit 17--Docket No. DG 06-032: Settlement Agreement and Order No. 24,636 (2006)

Exhibit 18--Docket No. DR 95-189: Stipulation and Agreement [Order No. 22,116 (1996) is already an exhibit]

Exhibit 19--Docket No. DR 98-134:

Letter from Northern Utilities, Inc. to Commission filed on June 10, 1998

Secretarial letter dated October 12, 1998

EnergyNorth Natural Gas, Inc. Integrated Resources Plan filed on November 30, 1998

Secretarial letter dated June 8, 2000.

The Company does not object to these exhibits, except that the Company does not agree that administrative notice should be taken of part of Exhibit 19, namely, the EnergyNorth Natural Gas, Inc. Integrated Resources Plan filed by the Company with the Commission on November 30, 1998.

Under N.H. Code Admin. Rules Puc 203.27(a)(2), the Commission shall take administrative notice of the relevant portion of the record of other proceedings before the Commission. Staff witness George McCluskey mentioned the Company's 1998 Integrated Resources Plan in his direct testimony, see page 11, and one of the Company's witnesses, Leo Sylvestrini, referred to Docket No. DR 98-134 in his redirect examination, see pages 127-128. Staff expects to discuss in its brief the Commission's past integrated resources planning policies and Docket No. DR 98-134 is an important part of that discussion. In Staff's view, the Company's 1998 Integrated Resources Plan provides valuable context for understanding the result of that docket. Staff believes that the Commission has every right to consider its past integrated resources planning policies in deciding the issues in the current docket. In addition, the Company's 1998 Integrated Resources Plan confirms Mr. McCluskey's direct testimony on page 11.

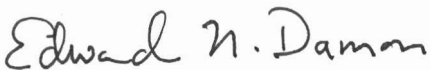
The Company is concerned that the Staff be precluded from making new arguments in its brief that are not based on testimony or exhibits submitted at the hearing. Staff does not intend to make such new arguments, but if an exhibit supports or undercuts a position taken by Staff or the Company, Staff believes that the exhibit should be included in the record of this docket. Staff suggests that the Commission rule on this issue in time to accommodate the briefing schedule proposed below.

The Commission also requested a proposed briefing schedule, with initial brief(s) to be filed by Staff (and OCA) and a subsequent brief to be filed by the Company. Should Staff (and OCA) desire to file a reply brief, it will file a motion with the Commission after the Company's brief is filed, and if such motion is granted and the brief is filed, the Company will have the

opportunity to file the final brief. Staff's proposed briefing schedule for the first two rounds is:

Staff (and OCA) brief due February 22
Company brief due March 14.

Sincerely,

A handwritten signature in black ink that reads "Edward N. Damon". The signature is written in a cursive style with a light blue background behind it.

Edward N. Damon
Staff Attorney

cc Service List