

STATE OF NEW HAMPSHIRE  
BEFORE THE  
PUBLIC UTILITIES COMMISSION

RE: ENERGNORTH NATURAL GAS, INC. D/B/A LIBERTY UTILITIES

DOCKET NO. DG 13-\_\_\_

Verified Petition for Correction of Tariff

NOW COMES EnergyNorth Natural Gas, Inc. d/b/a Liberty Utilities (“Liberty Utilities” or the “Company”) and petitions the New Hampshire Public Utilities Commission (the “Commission”) to allow for the correction of a clerical error in the Company’s tariff. In support hereof, the Company states as follows:

1. On June 12, 2009, upon conclusion of its rate case docketed as DG 08-009, the Company submitted to the Commission a compliance tariff, NHPUC No.6 - Gas, Tariff for Gas Service. That version of the tariff inadvertently omitted a phrase from Section 10.6 on “Balancing” that was contained in NHPUC No.5 - Gas, Tariff for Gas Service (effective as of November 1, 2008). Specifically, Section 10.6.1 in NHPUC No.5., stated:

Peak Season: For receipts less than the ATV but greater than or equal to 95% of the ATV, the Supplier shall be charged 1.1 times the Daily Index for the difference. For receipts less than 95% of the ATV, the Supplier shall be charged 1.1 times the Daily Index for the first 5% difference, and the Supplier shall be charged two (2) times the Daily Index for the remaining difference. For receipts greater than the ATV, the Supplier shall be charged 0.8 times the Daily Index for the difference.

In comparison, Section 10.6.1 of NHPUC No.6 stated that:

Peak Season: For receipts less than the ATV but greater than or equal to 95% of the ATV, the Supplier shall be charged 1.1 times the Daily Index for the difference. For receipts less than 95% of the ATV, the Supplier shall be charged 1.1 times the Daily Index for the first 5% difference. For receipts

greater than the ATV, the Supplier shall be charged 0.8 times the Daily Index for the difference.

The difference is that the 2009 tariff omitted the underlined language below:

Peak Season: For receipts less than the ATV but greater than or equal to 95% of the ATV, the Supplier shall be charged 1.1 times the Daily Index for the difference. For receipts less than 95% of the ATV, the Supplier shall be charged 1.1 times the Daily Index for the first 5% difference, and the Supplier shall be charged two (2) times the Daily Index for the remaining difference. For receipts greater than the ATV, the Supplier shall be charged 0.8 times the Daily Index for the difference.

2. The Company discovered this error recently when it was reviewing the tariff against the Company's current practices. The Company understands that the omission of the language from Section 10.6.1 in 2009 was clerical in nature. The Company has reviewed the entire tariff and has not identified any other omissions or errors based on the 2009 compliance filing. The omission has since been repeated in NHPUC No.7 - Gas, Tariff for Gas Service, which was filed with the Commission on July 3, 2012. The Company now seeks to correct that error.

3. Under Section 10.6 of the Company's tariff, gas suppliers are obligated to nominate and deliver an Adjusted Target Volume ("ATV"), as determined in Section 10.3.2 of the tariff, to the Designated Receipt Points on every Gas Day for each Aggregation Pool. The purpose of Section 10.6 is to create disincentives for suppliers to nominate or deliver anything other than the ATV. Suppliers that do not comply with these requirements are assessed a charge. The language omitted from Section 10.6.1 ("and the Supplier shall be charged two (2) times the Daily Index for the remaining difference") reflects the charge for the under-nomination or delivery of gas.

4. Since July 3, 2012, when Liberty Utilities began its ownership of EnergyNorth, there have been six instances where suppliers have not nominated or delivered the ATV, thereby

invoking the provision in Section 10.6.1. This language is critical in order to maintain proper incentives for suppliers to supply the correct amount of gas which ultimately affects the Company's ability to balance its system. The restoration of this language will not result in any harm to customers, as this charge is assessed against suppliers only.

5. Staff and the Office of Consumer Advocate assent to the relief requested herein.

6. For the foregoing reasons, the Company requests that the Commission grant an Order Nisi approving this Verified Petition.

WHEREFORE, Liberty Utilities respectfully requests that the Commission:

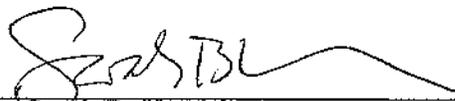
- A. Issue an Order Nisi Approving the revision of Section 10.6.1 of NHPUC No.7 - Gas, Tariff for Gas Service to include the phrase "and the Supplier shall be charged two (2) times the Daily Index for the remaining difference"; and
- B. Such other relief as is just and equitable.

Respectfully submitted,

ENERGYNORTH NATURAL GAS, INC. D/B/A  
LIBERTY UTILITIES

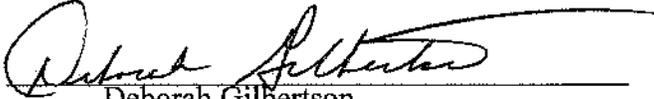
By its Attorney,

Date: June 26, 2013

By:   
\_\_\_\_\_  
Sarah B. Knowlton  
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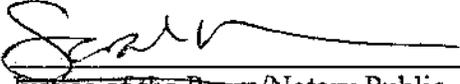
I, Deborah Gilbertson, Gas Scheduler-Customer Choice, Liberty Energy Utilities (New Hampshire) Corp., being first duly sworn, hereby depose and say that I have read the foregoing Verified Petition, and the facts alleged therein are true to the best of my knowledge and belief.

Date: June 26, 2013

  
Deborah Gilbertson

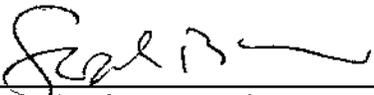
STATE OF NEW HAMPSHIRE  
COUNTY OF ROCKINGHAM

Sworn to and subscribed before me this 26 day of June 2013.

  
Justice of the Peace/Notary Public  
My Commission Expires: **SARAH B. KNOWLTON, Notary Public**  
**My Commission Expires May 11, 2016**

Certificate of Service

I hereby certify that on June 26, 2013, a copy of this Verified Petition has been forwarded to Susan Chamberlin, Esq., Consumer Advocate.

  
Sarah B. Knowlton