

STATE OF NEW HAMPSHIRE
BEFORE THE
PUBLIC UTILITIES COMMISSION

RE: LIBERTY UTILITIES (GRANITE STATE ELECTRIC) CORP. D/B/A LIBERTY
UTILITIES

DOCKET NO. DE 14-211

OBJECTION TO PETITION FOR INTERVENTION

Liberty Utilities (Granite State Electric) Corp. d/b/a Liberty Utilities (“Granite State” or the “Company”), in accordance with Puc 203.07 and RSA 541-A, hereby objects to the petition to intervene filed by Freedom Logistics, LLC in the above-captioned docket. In support of this objection, the Company states as follows:

1. On August 1, 2014, Granite State filed a Petition for Alternate Plan for Procurement of Energy Service Requirements for all Customer Groups. In that Petition, the Company seeks authority to serve its Energy Service customers by purchasing energy in the ISO-NE hourly Real-Time market in the event it does not receive a sufficient response to any Request for Proposal issued to supply Energy Service to its customers.

2. Freedom Logistics, LLC has petitioned to intervene in this proceeding alleging “Liberty’s proposal in this proceeding, as currently constructed, is very similar to the products purchased directly by FEL’s clients from ISO-NE, and accordingly, could have an adverse impact on competitive electricity markets unless modified.” Petition for Intervention at ¶6. The Commission should deny FEL’s requested intervention because FEL has failed to satisfy the legal standard for intervention.

3. RSA 541-A:32 provides that a petition to intervene shall be granted where “(b) [t]he petition states facts demonstrating that the petitioner's rights, duties, privileges, immunities or other substantial interests may be affected by the proceeding or that the petitioner qualifies as an intervenor under any provision of law and (c) The presiding officer determines that the interests of justice and the orderly and prompt conduct of the proceedings would not be impaired by allowing the intervention.”

4. In this case, FEL has not met its burden of proof under RSA 541-A:32. FEL seeks intervention on the basis that competitive electric markets will be adversely affected if the Company’s proposal is approved. FEL does not explain how competitive markets – let alone FEL’s own interests - would be adversely affected by the proposal and relies entirely on this conclusory statement.

5. Based on the Company’s understanding of FEL’s business, FEL assists its customers in making purchases of electricity and related products from the ISO-NE Real-Time market. In contrast, the Company is proposing to forecast retail Energy Service rates using a proprietary methodology that takes into account a variety of factors, such as forward market prices. The Company would then purchase electricity and related products from the ISO-NE Real-Time market to meet the demands of its Energy Service customers, subsequently reconciling the forecasted rate to the actual costs of purchased power incurred by the Company. The Company would not be charging its Energy Service customers hourly prices as FEL does. Thus, the Company’s proposal is not similar to FEL’s products as FEL alleges. The fact that the Company would be purchasing in the competitive market instead of having a successful RFP bidder purchasing in the competitive market does not affect FEL’s rights, duties, privileges, immunities or other substantial interests. Under FEL’s argument, any purchaser in the

competitive marketplace would be affected by the Company's proposal, which is not the case. What the Company has proposed is simply a fallback methodology for procuring Energy Service in the event an insufficient bidder response is received to its Energy Service solicitations rather than any type of fundamental change to its standard Energy Service procurement processes going forward.

6. Further, FEL has not demonstrated that the interests of justice and the orderly and prompt conduct of the proceedings would not be impaired by allowing its intervention. FEL has not provided any supporting facts for its argument, relying only on conjecture. The Commission should not allow an intervention request that is so facially deficient; to do so will adversely impact the conduct of the proceeding by allowing a party that has no clearly affected interest to participate. That is particularly concerning where the Company seeks expedited consideration of its proposal given the real possibility there may be insufficient bidders in the September 2014 Energy Service RFP solicitation.

7. For these reasons, the Company requests that the Commission deny FEL's petition to intervene.

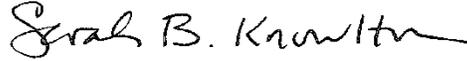
WHEREFORE, Granite State respectfully requests that the Commission:

- A. Deny FEL's Petition for Intervention; and
- B. Grant such other relief as is just and equitable.

Respectfully submitted,

LIBERTY UTILITIES (GRANITE STATE ELECTRIC)
CORP. D/B/A LIBERTY UTILITIES

By its Attorney,



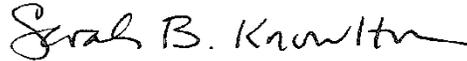
Date: August 20, 2014

By: _____

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Certificate of Service

I hereby certify that on August 20, 2014, a copy of this Objection to Petition to Intervene has been forwarded to the service list in this docket.



Sarah B. Knowlton