

**From:** Marilyn Learner [<mailto:mzlearner@gmail.com>]  
**Sent:** Wednesday, August 05, 2015 1:12 PM  
**To:** Deno, Sandy  
**Subject:** Comment to NHPUC re Docket 14-380

Fracking is the asbestos of our time! I will no longer accept the things I cannot change; I will work to change the things I cannot accept.

Debra Howland,  
Executive Director and Secretary  
New Hampshire Public Utilities Commission  
21 South Fruit St, Suite 10  
Concord, NH 03301  
Re: Docket DG 14-380  
Petition for Approval of Long-Term Firm Transportation Agreement

I am submitting an additional comment to respectfully request that this commission widen their decision making process beyond the scope defined in the statement below, posted on the PUC website relative to their purview in approving or denying the precedent agreement contract sought by Liberty Utilities and Kinder Morgan.

*The purpose of the Commission's review in Docket DG 14-380 is to determine whether the terms of the Precedent Agreement are prudent, just, and reasonable, from the perspective of balancing Liberty's shareholders' interests with its customers' interests.*

The parameters described in that statement precede deregulation, when utilities were PUBLIC and vertical. In today's deregulated market, and given Kinder Morgan's status as a private, profit-generating pipeline company, the public deserves and requires a much broader, protective overview.

I understand the commercial/industrial clamoring for more gas and the state's need to appease that appetite. That said, there are other options to bring in additional gas. Liberty Utilities has summarily rejected these: they have not been explored, or they have been dismissed as "too expensive" or denied as "not possible." That is understandable from the corporate conglomerate point of view. I would hope that the PUC is not lulled into blithely accepting Liberty Utilities' claims about various alternative plans. Other options should be objectively and aggressively explored and analyzed. The PUBLIC is most definitely impacted by this precedent agreement and its ramifications and the negative ancillary costs to the public, NH's long term energy portfolio diversity, and NH's potential lopsided dependence on a profit seeking supplier should be part of the calculus.

The self-serving dots can be connected without much digging, in fact the connection and application for a precedent agreement between Liberty Utilities, APUC and KM is similar to the connection between Berkshire Gas, United Illuminating Company, and KM. This relationship is part of an investigation by the Massachusetts Attorney General.

Additionally, the timing of this filing, Dec. 31, 2014, and consequently this hearing, well before there is an assured supply of gas, raises questions. In their RR data dump on July 25, KM states,

*Tennessee has executed precedent agreements for approximately 500,000 dekatherms per day ("Dth/d") of long-term firm transportation capacity on the Market Path Component of the proposed NED Project1 with The Berkshire Gas Company, Columbia Gas of Massachusetts,*

*Connecticut Natural Gas Corporation, Liberty Utilities Corporation (EnergyNorth Natural Gas, Incorporated), National Grid, Southern Connecticut Gas Corporation, City of Westfield Gas and Electric Light Department, and other shippers.*

The choice of the verb "executes" suggests precedent agreements have already been approved. Here they use a potential precedent agreement approval to justify the "need" component for pipeline approval. This is circular gaming, just like the owner/investor relationship of the lone NH LDC (owned by a partner invested in building NED ) claiming pipeline constriction WITH NO OTHER POSSIBLE REMEDIAL OPTIONS THAN NED!

I sincerely hope that our Public Utilities Commission looks far beyond the narrow focus described in the statement regarding shareholder and rate payer rates. Not doing so is at best "ethical indifference." NH needs and deserves better than that.

Thank you the opportunity to be heard.

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