

STATE OF NEW HAMPSHIRE

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PUBLIC UTILITIES COMMISSION  
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ORIGINAL	
N.H.P.U.C. Case No.	DG-14-380
Exhibit No.	2
Witness	
DO NOT REMOVE FROM FILE	

February 20, 2015

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

**RE: DG 14-380 Liberty Utilities (EnergyNorth Natural Gas) Corp. d/b/a Liberty Utilities  
Staff Response to Record Request #2**

Dear Ms. Howland:

Please accept for filing in the above-reference proceeding N.H. Public Utilities Commission Staff's (Staff) response to Hearings Examiner's Record Request #2. Based on the information provided by Pipe Line Awareness Network of the Northeast, Inc. (PLAN) in its petition to intervene and in response to Record Request #1, Staff does not object to PLAN's intervention. Staff recommends that PLAN's intervention be limited to advocacy on behalf of PLAN members who are customers of Liberty (*i.e.*, ratepayer members) and that PLAN be required to coordinate its discovery and testimony on behalf residential ratepayer members with the Office of the Consumer Advocate (OCA), which has intervened on behalf of residential customers.

Staff objects to PLAN's intervention on behalf of members who own land along the route of the proposed pipeline and who are not Liberty customers (*i.e.*, landowner members). PLAN's landowner members possess no "rights, duties, privileges, immunities or other substantial interests [that] may be affected by the proceeding." RSA 541-A:32, I (b). In this proceeding, the Commission will assess and determine the prudence of the proposed contract, including the possible future rate impacts to customers. PLAN's landowner members are not customers, and their participation in this proceeding is not "in the interests of justice and would ... impair the orderly and prompt conduct of the proceedings. RSA 541-A:32, II.

The Federal Energy Regulatory Commission (FERC) will assess and determine the impact of the Tennessee Gas Pipeline Northeast Energy Direct (TGP-NED) project on private property. The venue for PLAN's landowner members is FERC, which opened Pre-filing docket number, PF 14-22, a precursor to the FERC Certificate of Public Convenience and Necessity proceeding for the TGP-NED. During those FERC proceedings, the pipeline must provide a full

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array of documentation for public review as well as a complete stakeholder review process. Through FERC's website, [www.ferc.gov](http://www.ferc.gov), the public may submit comments, as well as to "subscribe" to the docket's document trail. As of February 18, 2015, docket PF 14-22 had received nearly 1,000 submissions of comments. On January 14, 2015, an entity called N.H. Pipeline Awareness filed comments at FERC in PF 14-22.

RSA 541-A:32, III, authorizes the Commission to impose conditions on an intervenor's participation, including limiting the intervention to designated issues and requiring intervenors to combine their participation. Staff recommends that the Commission grant PLAN's petition to intervene on the condition that PLAN's participation is limited to representation of its ratepayer members. Staff also recommends that the Commission require PLAN to coordinate its discovery and testimony on behalf of residential ratepayer members with the OCA.

Please contact me with any questions. Thank you for your assistance.

Sincerely,



Rorie E. Patterson  
Staff Attorney  
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[rorie.patterson@puc.nh.gov](mailto:rorie.patterson@puc.nh.gov)

cc: Service List

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**SERVICE LIST - EMAIL ADDRESSES - DOCKET RELATED**

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**Pursuant to N.H. Admin Rule Puc 203.11 (a) (1): Serve an electronic copy on each person identified on the service list.**

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Docket #: 14-380-1      Printed: February 20, 2015

**FILING INSTRUCTIONS:**

**a) Pursuant to N.H. Admin Rule Puc 203.02 (a), with the exception of Discovery, file 7 copies, as well as an electronic copy, of all documents including cover letter with:**

DEBRA A HOWLAND  
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**b) Serve an electronic copy with each person identified on the Commission's service list and with the Office of Consumer Advocate.**

**c) Serve a written copy on each person on the service list not able to receive electronic mail.**