

**THE STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DG 15-362

**LIBERTY UTILITIES (ENERGYNORTH NATURAL GAS) CORP.
d/b/a LIBERTY UTILITIES**

Petition for Franchise Approval in Pelham and Windham

SUPPLEMENTAL ORDER OF NOTICE

On August 31, 2015, Liberty Utilities (EnergyNorth Natural Gas) Corp. d/b/a Liberty Utilities, of Londonderry, New Hampshire (Liberty), a public utility distributing natural gas to approximately 90,000 customers in south-central New Hampshire and in the city of Berlin, and propane-air to approximately 1,250 customers in the city of Keene, filed a petition to provide gas utility service, as defined by RSA 362:2 and 362:4-b, in Pelham and Windham with the New Hampshire Public Utilities Commission (Commission). The petition and subsequent docket filings, other than any information for which confidential treatment is requested of or granted by the Commission, are posted to the Commission's website at <http://www.puc.nh.gov/Regulatory/Docketbk/2015/15-362.html>.

The Commission issued an Order of Notice regarding this petition on September 21, 2015, scheduling a prehearing conference on October 28, 2015. The Town of Pelham filed a timely petition for intervention on October 23, 2015, which the Commission approved pursuant to RSA 541-A:32, I in Order No. 25,864 (February 4, 2016). On November 6, 2015, Northern Utilities, Inc. (Northern), a gas utility headquartered in Hampton, New Hampshire, and providing service to communities in the seacoast region of southeastern New Hampshire, submitted a late-filed petition to intervene, to which Liberty objected. The Commission denied Northern's late-

filed motion to intervene in Order No. 25,864, but the Commission must determine whether Northern possesses a gas utility franchise in the Town of Pelham, as such a franchise is indicated in Northern's Tariff. *See* Northern Tariff, NHPUC No. 11-Gas, Original Revised Page 1. Should it be established that such a franchise exists, the status of such a franchise must also be determined.

Therefore, the Commission makes Northern a mandatory party to a supplemental prehearing conference (PHC), at which Northern and Liberty will present the Commission with information regarding the current status of the Northern franchise (if any) in the Town of Pelham. Each party has the right to have an attorney represent the party at the party's own expense.

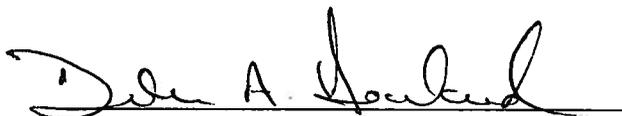
Based upon the foregoing, it is hereby

ORDERED, that a supplemental Prehearing Conference, pursuant to N.H. Code Admin. Rules Puc 203.15, be held before the Commission located at 21 S. Fruit St., Suite 10, Concord, New Hampshire on February 17, 2016 at 10:00 a.m., at which Northern shall be a mandatory party, and at which Northern, Liberty, and other interested parties will provide a statement of position with regard to the question of Northern's franchise rights (if any), in the Town of Pelham; and it is

FURTHER ORDERED, that pursuant to N.H. Code Admin. Rules Puc 203.12, Liberty shall notify all persons desiring to be heard at this hearing by publishing a copy of this Order of Notice no later than February 11, 2016, in a newspaper with general circulation in those portions of the state in which operations are conducted, publication to be documented by affidavit filed with the Commission on or before February 15, 2016.

By order of the Public Utilities Commission of New Hampshire this fourth day of

February, 2016.

A handwritten signature in black ink, appearing to read "Debra A. Howland", written over a horizontal line.

Debra A. Howland
Executive Director

Individuals needing assistance or auxiliary communication aids due to sensory impairment or other disability should contact the Americans with Disabilities Act Coordinator, NHPUC, 21 S. Fruit St., Suite 10, Concord, New Hampshire 03301-2429; 603-271-2431; TDD Access: Relay N.H. 1-800-735-2964. Notification of the need for assistance should be made one week prior to the scheduled event.

SERVICE LIST - EMAIL ADDRESSES - DOCKET RELATED

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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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
EXEC DIRECTOR
NHPUC
21 S. FRUIT ST, SUITE 10
CONCORD NH 03301-2429
- 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.