

STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION

Docket No. DG 17-048

LIBERTY UTILITIES (ENERGYNORTH NATURAL GAS) CORP.
D/B/A LIBERTY UTILITIES

Distribution Service Rate Case

Motion for Waiver of Puc 1203.02(d), Customer Notice

Liberty Utilities (EnergyNorth Natural Gas) Corp. d/b/a Liberty Utilities (“EnergyNorth” or the “Company”), through counsel, respectfully moves the New Hampshire Public Utilities Commission pursuant to Puc 201.05 for a waiver of Puc 1203.02(d) so the Company may provide the required customer notice for both EnergyNorth and its Keene Division later than 30 days from the date of the rate case filing.

In support of this motion, the Company states as follows:

1. Puc 1203.02(c) states:

All utilities that file an application with the commission for a general rate change shall send to each of its customers a clear and concise statement of the rate schedules applied for and indicate which schedules are applicable to that customer.

Puc 1203.02(d) requires the above notice to be “distributed no later than 30 calendar days from the date of filing.”

2. EnergyNorth filed its rate case on April 28, 2017. The rule thus requires the Company to provide notice “of the rate schedules applied for” within 30 days, or by May 28.
3. The Company will be providing a newsletter in its May bills to inform customers of the Company’s rate case filing, but that notice does not contain the precise rate increase

requested because the newsletter had to be prepared well in advance of the filing and prior to the availability of the final information.

4. An insert with the Company's June bills for both EnergyNorth and its Keene Division customers will provide a clear and concise statement of the bill impacts resulting from the Company's proposed rates, but these notices will fall outside the 30-day period. Thus, the Company is seeking a waiver of the 30-day requirement specified in 1203.02(d). In the interim, the Company will make information about the rate case filing available on its website.
5. Puc 201.05 states that the Commission shall waive the provisions of any of its rules when the waiver serves the public interest and will not disrupt the orderly and efficient resolution of matters before the Commission. In determining whether a waiver will serve the public interest, the Commission examines whether compliance with the rule would be onerous or inapplicable given the circumstances, or the purpose of the rule would be satisfied by another method.
6. Waiver of the 30-day time limit of Puc 1203.02(d) will serve the public interest because customers will receive prompt notice of the rate case filing in May, and will receive additional specific notice, including bill impacts, in June. The purpose of the rule will be satisfied well before the commencement of the procedural schedule in the permanent case. Moreover, in view of the unavailability of final information until just prior to the filing, it was not possible to comply with the 30-day requirement specified in Puc 1203.02(d).
7. The Commission granted a similar waiver request in Liberty Utilities (Granite State Electric) Corp.'s recent rate case filing. *See* Transcript of June 17, 2016, hearing in Docket No. DE 16-383, at 6.

WHEREFORE, EnergyNorth respectfully asks the Commission to:

- A. Grant this motion and waive Puc 1203.02(d) so that the Company may provide details of the rate request in notices mailed after 30 days; and
- B. Grant such other relief as is just and equitable.

Respectfully submitted,

LIBERTY UTILITIES (ENERGYNORTH NATURAL GAS) CORP. D/B/A LIBERTY UTILITIES

By its Attorney,



Date: April 28, 2017

By: _____
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Certificate of Service

I hereby certify that on April 28, 2017, a copy of this Motion has been forwarded to the service list in this docket.



Michael J. Sheehan