

STATE OF NEW HAMPSHIRE  
PUBLIC UTILITIES COMMISSION

Docket No. DE 17-189

LIBERTY UTILITIES (GRANITE STATE ELECTRIC) CORP.  
d/b/a LIBERTY

**Petition to Approve Battery Storage Pilot Program**

**Assented-to Motion to Continue October 4, 2022, Hearing**

Liberty Utilities (Granite State Electric) Corp., through counsel, respectfully moves the Commission to continue the October 4, 2022, hearing because the Company does not intend to seek approval to proceed with Phase 2 at this time, and because the current schedule calling for a “final hearing on Phase 1” results from a misunderstanding of the chronology of the necessary events to occur before any such hearing, and thus the October 4 date is not workable. The necessary analysis and report on Phase 1 from the consultant, Guidehouse, will not be available until well after October 4 and the other parties to this docket need time to review the final report in advance of a hearing on Phase 1 and a determination of whether to proceed with Phase 2.

Liberty thus proposes the final hearing on Phase 1, if necessary, to occur in January 2023, and a hearing on whether to proceed with Phase 2 in March 2023.

In support of this motion, Liberty represents as follows:

1. In Order No. 26,588 (Feb. 25, 2022), the Commission scheduled a hearing for October 4, 2022, on Phase 1 of the battery storage pilot and to determine whether Liberty may proceed with Phase 2:

Commission approval of a potential second phase of the Pilot Program is contingent upon a demonstration by the company of net positive benefits resulting of Phase One at a public hearing. The Commission hereby schedules such a hearing to occur on October 4, 2022, at 9:00 a.m. In addition to any interim review, Liberty is expected to address the final benefit-cost analysis and customer experience during Phase One of this Pilot Program at that hearing.

Order No. 26,588 at 4.

2. An interim hearing had been scheduled for March 2022 but was continued because the necessary information was not yet available from the consultant, Guidehouse.
3. The Commission issued a subsequent procedural order on August 22, 2022, in which the Commission stated that, “upon review of Liberty’s responses to the information requests received on April 4, 2022, an interim hearing prior to the October 4, 2022, hearing is not necessary at this time.” The Commission stated that the October 4 hearing would be the “final hearing on Phase One” the goal of which “will be to evaluate Phase One performance and determine whether the pilot program should continue with a second phase, and if so, under what conditions.”
4. For the reasons that follow, the parties will not be ready for a “final hearing on Phase One” by October 4.
5. Liberty and the Department of Energy had agreed in late 2021 that Guidehouse would make available to the DOE a summary of its key findings 45 days after Phase 1 of the pilot program is complete. Since Phase 1 ended on August 31, 2022, that summary is expected to be provided by October 15, 2022.<sup>1</sup> Guidehouse will deliver its full report on Phase 1 within 45 days thereafter, making it available in late November 2022:

We will deliver the interim evaluation re-port within 90 days following the end of the 18-month Phase 1 period. In order to minimize delays in

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<sup>1</sup> See Order No. 26,364 at 3 (June 15, 2020) (“In the event that the first 100 batteries are not installed, operational, and available for dispatch by July 1, 2020, Phase 1 will be extended through August 31, 2022”).

proceeding with Phase 2, we will submit a letter to Staff within 45 days following the end of Phase 1 which specifically addresses the four criteria necessary for Liberty to proceed to Phase 2. Staff may use that letter as a basis for informing the decision of whether or not to proceed with Phase 2.

November 6, 2020, letter from Guidehouse to DOE, attached.

6. Although Liberty and the DOE had agreed to this schedule, there appears to have been subsequent confusion, both internally among the parties and in communications to the Commission.
7. This schedule allows Guidehouse time to collect and analyze the data through the summer 2022 peak period and present the data and analysis to the parties (and the Commission) in a form that the parties may use in determining their respective positions as to the viability of Phase 2. Guidehouse has indicated that it cannot accelerate the delivery of either of the work products to which it has committed.
8. In addition, the Company has not yet decided whether to seek approval of Phase 2 of the pilot program. Liberty first needs to review and analyze the information to be prepared by Guidehouse, including the final report. Liberty will then collaborate with the other parties to determine whether the conditions exist that would warrant the Company to proceed with Phase 2, meaning that the parties will also need access to the final report.
9. Delaying a hearing on Phase 1 until January 2023 and a hearing on whether to approve Phase 2 until March 2023 will allow all the parties time to review and discuss the final Guidehouse report prior to the Phase 1 hearing and work on the many details necessary to review whether to approve Phase 2. The extra time allows the possibility for the parties to make a joint recommendation regarding Phase 2.
10. The current hearing date of October 4 is thus premature for a review of Phase 1 and consideration of whether to proceed with Phase 2. Liberty thus respectfully asks that

the Commission continue the October 4 hearing until January 2023 and/or March 2023 as described above.

11. The Company has provided a draft of this motion to all parties. The parties who responded all assent to the relief sought: the Department of Energy, the Office of the Consumer Advocate, Conservation Law Foundation, and the City of Lebanon.
12. No parties objected.

WHEREFORE, Liberty respectfully asks that the Commission:

- a. Continue the October 4, 2022, hearing;
- b. Schedule a hearing in January 2023 if the Commission wishes to separately review Phase 1;
- c. Schedule a hearing in March 2023 to consider whether to proceed with Phase 2; and
- d. Grant any further relief deemed just and reasonable.

Respectfully submitted,

Liberty Utilities (Granite State Electric) Corp., d/b/a  
Liberty  
By its Attorney,



Date: September 22, 2022

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Certificate of Service

I hereby certify that on September 22, 2022, a copy of this motion has been electronically forwarded to the service list in this docket.

A handwritten signature in cursive script, appearing to read "M. Sheehan".

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Michael J. Sheehan