

THE STATE OF NEW HAMPSHIRE  
PUBLIC UTILITIES COMMISSION

DOCKET NO. DG 18-094

NORTHERN UTILITIES, INC.

Petition for Authority to Operate in the Town of Epping

**TOWN OF EPPING'S ASSENT TO LIBERTY UTILITIES (ENERGYNORTH  
NATURAL GAS) CORP.'S RENEWED PETITION TO INTERVENE AND  
REQUEST NOT TO ISSUE AN ORDER UNTIL THE COMMISSION REVIEWS  
LIBERTY'S PETITION**

NOW COMES the Town of Epping ("the Town" or "Epping"), New Hampshire, by and through its attorneys, Donahue, Tucker & Ciandella, PLLC, and submits the Town's assent to Liberty Utilities (EnergyNorth Natural Gas) Corp.'s Motion to Intervene and Request Not to Issue and Order until the Commission Reviews Liberty's Petition ("Liberty's Motion"). In support, thereof, the Town states as follows:

1. On June 4, 2018, Northern Utilities, Inc. ("NU") filed a petition with the Public Utilities Commission ("the Commission") for authority to provide natural gas services to the Town pursuant to RSA 374:22.
2. On July 20, 2018, Liberty filed a Motion to Intervene.
3. On July 24, 2018, the Commission denied Liberty's Motion to Intervene, but noted that Liberty's status "may change."
4. Thereafter, the Town issued a Request for Proposals related to the distribution of natural gas service within the Town, to which Liberty and NU responded.
5. After reviewing NU and Liberty's proposals, the Town, through its Board of Selectmen, selected Liberty as the proposal that the Town sought to support and submitted pre-filed testimony in this docket to that effect.

6. On December 24, 2018, Liberty filed a Petition for Expansion of Franchise to the Town of Epping and waiver of the Tariff Filing Requirements Pursuant to Puc 1603.02 (a) with this Commission.

7. Contemporaneous with the filing of Liberty's Petition, Liberty filed Liberty's Motion in this docket.

8. The Town supports Liberty's Motion to Intervene in this docket as the issuance of a franchise rights to NU may impair Liberty's ability to acquire franchise rights in accordance with the proposal reviewed and supported by the Town following the Town's RFP process.

9. The Town further supports Liberty's request that this Commission not issue a decision until such time as the Commission has reviewed Liberty's Petition in Docket DG 18-194.

10. Alternatively, the Town would suggest that this Commission consolidate this docket (Docket No. DG 18-094) with DG 18-194, which would allow this Commission to consider NU and Liberty's respective petitions contemporaneously, which would promote the orderly and efficient resolution of the matter of gas distribution franchises in the Town of Epping.

WHEREFORE, the Town of Epping respectfully requests that the Public Utilities Commission:

- A. Grant Liberty's Motion to Intervene;
- B. Grant Liberty's request that the Commission not issue a decision in this docket until the Commission reviews Liberty's Petition in Docket DG 18-194;
- C. In the alternative, consolidate Docket DG 18-094 with DG 18-194; and

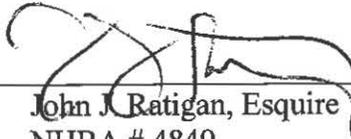
D. Grant such other relief as the Commission deems just and necessary.

Dated this 31st day of December 2018.

Respectfully submitted,  
TOWN OF EPPING

By its attorneys:  
DONAHUE, TUCKER & CIANDELLA, PLLC

By: \_\_\_\_\_



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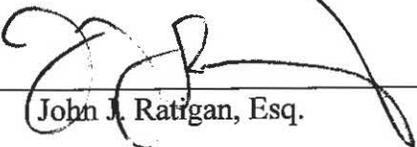
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#### CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Pleading has this 31<sup>st</sup> day of December, 2018 been sent via e-mail only to all parties reflected on the Service List in this matter.

  
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John J. Ratigan, Esq.