



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

Docket No. DG 18-XXX

Liberty Utilities (EnergyNorth Natural Gas) Corp. d/b/a Liberty Utilities
Approval of Renewable Natural Gas Supply and Transportation Contract

TESTIMONY

OF

DAVID COX

September 6, 2018

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1 **Q. Please state your name, position, and business address.**

2 A. My name is David Cox and my title is Director of Operations and General Counsel. My
3 business address is 1017 L Street, #513, Sacramento, CA.

4 **Q. By whom are you employed?**

5 A. I am employed by the Coalition for Renewable Natural Gas.

6 **Q. On whose behalf are you testifying today?**

7 A. I am testifying on behalf of Liberty Utilities (EnergyNorth Natural Gas) Corp. d/b/a
8 Liberty Utilities (“Liberty Utilities” or “Liberty”).

9 **Q. Mr. Cox, please state your educational background and professional experience.**

10 A. I am an attorney specializing in renewable natural gas laws and policies. I am licensed in
11 Texas, Oklahoma, and California. I graduated law school with a Juris Doctorate from the
12 University of the Pacific’s McGeorge School of Law in Sacramento, California. I
13 received a Bachelor of Arts in Political Science from Westmont College in Santa
14 Barbara, California. In my capacity as General Counsel to the Coalition for Renewable
15 Natural Gas (“RNG Coalition”) I represent in excess of 140 companies and organizations
16 throughout the value chain of renewable natural gas production.

17 **Q. Have you previously testified before the New Hampshire Public Utilities**
18 **Commission?**

19 A. No. However, I have testified before other regulatory agencies including U.S. EPA
20 (regarding the Renewable Fuel Standard), California’s Air Resources Board (regarding

1 the Low Carbon Fuel Standard), Oregon's Department of Environmental Quality
2 (regarding the Clean Fuels Program), North Carolina's Utilities Commission (regarding
3 Piedmont Natural Gas' petition for a tariff on Alternative Gas), California's Public
4 Utilities Commission (regarding implementation of pipeline injection rules), and
5 California Energy Commission (regarding the state's Renewable Portfolio Standard).

6 **Q. What is the purpose of your testimony?**

7 A. My testimony regards the continued development of Renewable Natural Gas ("RNG")
8 projects and their integration into natural gas pipelines as well as State and Federal
9 policies regarding RNG.

10 **Q. Please state your experience with this topic.**

11 A. I work daily with RNG developers, gas utilities, gas marketers, equipment providers,
12 organized labor, financiers, and other industry stakeholders to help them understand how
13 law and policy impacts their particular project. My role includes promoting best
14 practices within the renewable natural gas industry and helping companies understand
15 what makes a successful RNG project. I draft and negotiate RNG contracts, consult with
16 project financiers, and frequently meet with members of Congress, the U.S. Senate, and
17 the various states' Legislatures and Regulatory Agencies to provide general education
18 about renewable natural gas. I am the RNG industry's primary representative to the U.S.
19 EPA on RNG's role as a cellulosic biofuel under the Clean Air Act's Renewable Fuel
20 Standard regulation. I am a frequent speaker and panelist at industry conferences and
21 events on the topic of RNG. At the RNG industry's annual conference I co-deliver the
22 State of the Industry address.

1 **Q. Are you aware of projects within the United States that have come online recently or**
2 **in development?**

3 A. I am intimately aware of the majority of RNG projects in the United States. There are
4 currently 67 RNG projects online, 25 RNG projects under construction, and another 25
5 RNG projects that have reached substantial development milestones. In 2017, we
6 celebrated ribbon cuttings at seven newly online RNG facilities, including David City
7 (Aria Energy), Oklahoma City (Aria Energy), Melissa (Morrow Renewables), Pine Hill
8 (Morrow Renewables), Woodland Meadows (Ameresco), Lawrence (Enerdyne), and
9 Valley View (Roeslein).

10 **Q. Does the Coalition for Renewable Natural Gas compile a database of projects and**
11 **can you please provide if available?**

12 A. Yes, the RNG Coalition maintains the definitive list of RNG projects on the homepage of
13 our website at www.RNGCoalition.com. Please see Attachment DC-1 for a list of
14 projects.

15 **Q. Has the RNG Coalition worked on public policy regarding RNG?**

16 A. Yes, we have.

17 **Q. Can you please provide some examples of this advocacy?**

18 A. The RNG Coalition maintains four director level staff members in Washington, D.C., one
19 in Oregon, and two in California. I work out of our office in Texas and fly to various
20 states, as needed. My most recent advocacy trips include the EPA in Michigan, the State

1 Senate in Louisiana, the White House Office of Management and Budget, and House and
2 Senate in Washington, D.C.

3 **Q. Does the Coalition support LDCs allowing interconnections with RNG facilities?**

4 A. Yes, LDCs have accepted RNG through interconnections since 1982. Please refer to
5 Attachment DC-1 for a list and status of such facilities. The industry has extensive
6 experience processing biogas resources to pipeline quality RNG. LDC adoption is a key
7 component of RNG growth.

8 **Q. Have you reviewed Liberty Utilities' Facility Design Specification as provided in**
9 **Exhibit D of Attachment WJC/MES-1?**

10 A. Yes.

11 **Q. Is it your opinion that the technology proposed, or similar technology, will be**
12 **capable of producing RNG that will be pipeline quality?**

13 A. Yes. The technology selected is provided by experienced and reputable vendors, DMT
14 and Air Sciences. The process skids are common to RNG facilities that have successfully
15 transmitted RNG into the pipeline meeting pipeline quality specifications such as those
16 required by Liberty Utilities.

17 **Q. Do you believe the Liberty – RUDARPA. Inc., RNG project is in the public good?**

18 A. Yes. I believe this project will provide considerable environmental and economic benefit
19 and is in the public's good interest.

1 **Q. Does this complete your testimony?**

2 A. Yes, it does.

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