

THE STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION

Docket No. DG 18-xxx

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

**Petition for Expansion of Franchise to the Town of Epping
and for Waiver of Puc 1603.02(a)**

Liberty Utilities (EnergyNorth Natural Gas) Corp. d/b/a Liberty Utilities (the “Company” or “Liberty”) through counsel, respectfully petitions the New Hampshire Public Utilities Commission to grant Liberty the franchise to serve in the Towns of Epping pursuant to RSA 374:22 and 26. The Company also seeks a waiver of Puc 1603.02(a) to the extent it requires filing of the Company’s tariff as part of this franchise request.

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

1. Liberty is the largest gas distribution utility in New Hampshire, serving over 90,000 customers across the state. By this petition, Liberty asks for approval to expand its franchise areas to the Town of Epping.
2. As described in the prefiled direct testimony of William J. Clark and Mark E. Saltsman, the Company seeks the franchise to serve throughout Epping, where Liberty proposes to bring natural gas distribution service to the commercial corridors of Epping and West Epping, to town buildings and schools, and to many residential customers. The locations of the proposed distribution system are depicted in Attachment WJC/MES-4 to the Clark-Saltsman testimony.

3. The Company would use internal crews and contractors to construct the distribution system, all in accordance with applicable federal and state standards, including 49 C.F.R. Part 192 and the Puc 500 rules.
4. The Company has in place operations for customer service, sales and marketing, gas procurement, energy efficiency, regulatory and finance, all of which would support service to customers in Epping.
5. The Company proposes to serve Epping customers under the existing terms and conditions of its tariff. Customers would be charged the same cost of gas rates as existing customers.
6. Most customers would not incur costs for the Company to construct line extensions because projected calculations show that the distribution revenue will satisfy the tariff's six- and eight-year payback periods for commercial and residential customers either under regular or managed expansion program (MEP) rates, respectively.
7. Liberty's filing meets the "public good" standard of RSA 374:26 for many reasons, including proof of the following:
 - a. Liberty has demonstrated through its New Hampshire natural gas operations that it has the required financial, engineering, and managerial capability to operate in Epping;
 - b. Liberty plans to provide service to the adjacent town of Raymond, and Liberty plans to construct the Granite Bridge Pipeline through Epping and the Granite Bridge LNG facility in Epping;
 - c. Results of a discounted cash flow analysis, using conservative revenue projections and reasonable cost estimates, indicate that the

proposed expansion will benefit existing customers through lower rates;

- d. The proposed expansion is expected to serve a significant number of commercial customers in both Epping and West Epping that are currently using propane and likely to realize substantial energy savings from converting to natural gas;
 - e. After a robust RFP process, the Epping Select Board selected Liberty as its preferred utility to provide gas service, and other local politicians also support the expansion of gas service in the area; and
 - f. Expansion into Epping will not adversely affect Liberty's existing gas supply resources.
8. Liberty thus seeks approval of this request for the franchise to serve Epping.

Request for Waiver of Puc 1603.02(a).

9. Puc 1603.02(a) requires that, “[a]t the time of proposing an initial franchise, a utility shall propose a tariff and file the tariff with the commission.” Liberty is requesting that the same terms and conditions of service for existing Liberty customers apply to any new customers in Epping. The Company's tariff is available on the Company's website ([here](#)) and on the Commission's website ([here](#)).
10. Due to the tariff's size and the fact that it has already been approved for service to Liberty customers, the Company respectfully requests a waiver of this filing requirement. Granting such a waiver meets the requirements of Puc 201.05 because it is in the public interest to conserve resources by not providing a copy of the entire tariff

when there would be extremely limited changes to it (merely the addition of the Epping's name), it is available electronically, and it would be onerous to provide the copies.

11. Granting this waiver will also not disrupt the orderly or efficient resolution of this matter before the Commission, as the parties can rely on the existing electronic tariff to provide any needed information.

WHEREFORE, Liberty respectfully requests that the Commission:

- A. Grant the Company the franchise to serve within the Town of Epping;
- B. Grant the Company's request for a waiver of Puc 1603.02(a) and;
- C. Grant such other relief as is just and reasonable and consistent with the public interest.

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

By its Attorney,



Date: December 24, 2018

By: _____

Michael J. Sheehan, Esq. #6590
116 North Main Street
Concord, NH 03301
Telephone (603) 724-2135
michael.sheehan@libertyutilites.com

Certificate of Service

I hereby certify that on December 24, 2018, a copy of this Petition has been delivered to the Office of the Consumer Advocate.



Michael J. Sheehan