

STATE OF NEW HAMPSHIRE  
PUBLIC UTILITIES COMMISSION

June 18, 2020 - 10:10 a.m.  
[Remote hearing conducted via Webex]

RE: DG 20-049  
LIBERTY UTILITIES (ENERGYNORTH NATURAL  
GAS) CORP., D/B/A LIBERTY UTILITIES:  
2020 CAST IRON/BARE STEEL REPLACEMENT  
PROGRAM RESULTS  
(Hearing on the Merits)

PRESENT: Chairwoman Martin, Presiding  
Commissioner Kathryn M. Bailey  
Commissioner Michael S. Giaimo  
  
Jody Carmody, Clerk  
Eric Wind, PUC Remote Hearing Host

APPEARANCES: Reptg. Liberty Utilities  
(EnergyNorth Natural Gas) Corp. d/b/a Liberty  
Utilities:  
Michael J. Sheehan, Esq.  
  
Rptg. Office of Consumer Advocate:  
Christa Shute, Esquire  
  
Reptg. PUC Staff:  
Lynn Fabrizio, Esq.

Court Reporter: Susan J. Robidas, NH LCR No. 44

## I N D E X

WITNESSES: CATHERINE A. McNAMARA  
BRIAN R. FROST  
ROBERT A. MOSTONE

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## E X H I B I T S

## EXHIBIT NO.

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- |   |  |           |
|---|--|-----------|
| 1 | Joint testimony of Robert Mostone and Brian Frost with attachments, and Direct testimony of McNamara with attachments. | Premarked |
| 2 | Direct testimony of Randall Knepper with attachments   | Premarked |
| 3 | Attachment 9 to Direct testimony of Randall Knepper (Final Audit Report)   | Premarked |
| 4 | Testimony of Stephen Frink in Docket DG 19-054.  | Premarked |
| 5 | Staff Recommendation in Docket DG 19-054.  | Premarked |
| 6 | Excerpt of Transcript from 6/6/19 hearing in Docket DG 19-054.   | Premarked |

## P R O C E E D I N G S

CHAIRWOMAN MARTIN: Good morning, everyone. Nice to see some of you again. We're here this morning in Docket DG 20-049, which is Liberty Utilities 2020 Cast Iron/Bare Steel, CIBS, Replacement Program Result. I first need to make some findings because we're doing this remotely.

As Chairwoman of the Public Utilities Commission, I find that, due to the state of emergency declared by the Governor as a result of the COVID-19 pandemic, and in accordance with the Governor's Emergency Order No. 12 pursuant to Executive Order 2020-04, this public body is authorized to meet electronically. Please note that there is no physical location to observe and listen contemporaneously to this hearing which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, I am confirming that we are utilizing Webex for this electronic hearing. All members of the Commission have the ability to communicate contemporaneously

1 during this hearing through this platform,  
2 and the public has access to  
3 contemporaneously listen and, if necessary,  
4 participate. We previously gave notice to  
5 the public of the necessary information for  
6 accessing the hearing in the Order of Notice.  
7 If anybody has a problem during this hearing,  
8 please call (603) 271-2431. In the event the  
9 public is unable to access the hearing, the  
10 hearing will be adjourned and rescheduled.

11 Okay. And I know Mr. Wind went  
12 through most of the ground rules at this  
13 point. So just a reminder: Make sure you  
14 mute yourself if you're not talking; put your  
15 hand up to be recognized unless you're making  
16 an objection; speak slowly, it really does  
17 help. And if you need a recess, please let  
18 me know.

19 We'll start with roll call  
20 attendance of the Commission and then take  
21 appearances. When each commissioner states  
22 their presence, please also state where you  
23 are located. And if anyone is with you,  
24 please identify them.

1                   My name is Dianne Martin. I'm the  
2                   Chairwoman of the Public Utilities  
3                   Commission, and I am in my home in Deerfield  
4                   alone.

5                   Commissioner Bailey.

6                   COMMISSIONER BAILEY: I am  
7                   Commissioner Kathryn Bailey. I'm in my home  
8                   in Sutton, New Hampshire, and I'm alone.

9                   CHAIRWOMAN MARTIN: Commissioner  
10                  Giaimo.

11                  COMMISSIONER GIAIMO: Good morning.  
12                  Mike Giaimo. I am in Concord, New Hampshire  
13                  at the PUC offices in an office by myself.

14                  CHAIRWOMAN MARTIN: Thank you. All  
15                  right. Let's take appearances, starting with  
16                  Mr. Sheehan.

17                  MR. SHEEHAN: Good morning. Mike  
18                  Sheehan. I represent in this matter Liberty  
19                  Utilities (EnergyNorth Natural Gas Corp.)

20                  CHAIRWOMAN MARTIN: Thank you. Ms.  
21                  Shute.

22                  MS. SHUTE: Good morning. My  
23                  name's Christa Shute, staff attorney from the  
24                  Office of the Consumer Advocate on behalf of

1 residential ratepayers. I am in my home in  
2 Concord, New Hampshire. Currently my niece  
3 is in the room with me.

4 CHAIRWOMAN MARTIN: Okay. And can  
5 you identify her?

6 MS. SHUTE: Katie Diehl.

7 MS. FABRIZIO: Good morning,  
8 Commissioners. Lynn Fabrizio, staff attorney  
9 for the Commission, on behalf of Staff. And  
10 with me today are Randy Knepper, who will be  
11 a witness in today's proceeding. Steve Frink  
12 and Anthony Leone are on the wings if  
13 questions arise for them. Thank you.

14 CHAIRWOMAN MARTIN: All right.  
15 Thank you. For exhibits we have Exhibits 1  
16 through 6 premarked for identification. Are  
17 there any other preliminary things we need to  
18 address before we swear in the witnesses?

19 MR. SHEEHAN: Just to be clear,  
20 there are no confidential matters in this  
21 docket, in this hearing, which is helpful.  
22 Otherwise we are ready to proceed.

23 CHAIRWOMAN MARTIN: Okay.  
24 Excellent. Thank you for confirming that.

1 All right. Ms. Robidas, would you  
2 swear in the witnesses.

3 (WHEREUPON, CATHERINE A. McNAMARA, BRIAN  
4 R. FROST, ROBERT A. MOSTONE RANDALL S.  
5 KNEPPER were duly sworn and cautioned  
6 by the Court Reporter.)

7 CATHERINE A. McNAMARA, SWORN

8 BRIAN F. FROST, SWORN

9 ROBERT A. MOSTONE, SWORN

10 RANDALL S. KNEPPER, SWORN

11 CHAIRWOMAN MARTIN: All right. Are  
12 we proceeding with this as a panel, with  
13 Staff and the Company doing cross or -- I  
14 mean doing direct first?

15 MR. SHEEHAN: We had a brief  
16 conversation with Staff, and the preference  
17 would be to have -- to conduct it sort of  
18 like a regular in-person hearing, with the  
19 Company witnesses testifying, cross,  
20 Commissioner questions, and then when they're  
21 done Mr. Knepper will testify. I think that  
22 was okay with Staff as well.

23 MS. FABRIZIO: Yes.

24 CHAIRWOMAN MARTIN: Okay. All



1 right. Then Mr. Sheehan, you can proceed.

2 MR. SHEEHAN: Thank you.

3 DIRECT EXAMINATION

4 BY MR. SHEEHAN:

5 Q. I'll start with Ms. McNamara. Ms. McNamara,  
6 can you please identify yourself and your  
7 position with the Company and your  
8 involvement in this proceeding?

9 A. (McNamara) Yes. My name is Catherine  
10 McNamara. I am a rates analyst in the Rates  
11 and Regulatory Affairs Department, and I  
12 prepared testimony in the calculation of the  
13 revenue requirement we're asking for today.

14 Q. And Ms. McNamara, your testimony appears in  
15 the original filing the Company made, which  
16 has been marked as Exhibit 1, beginning at  
17 Bates Page 31; is that correct?

18 A. (McNamara) Correct.

19 Q. And do you have any changes to that testimony  
20 that you'd like to put on the record today?

21 A. (McNamara) I do not.

22 Q. And if I were to ask you the same questions  
23 that are in writing orally today, would your  
24 answers be the same?

1 A. (McNamara) Yes.

2 Q. And do you adopt that as your sworn testimony  
3 here this morning?

4 A. (McNamara) I do.

5 Q. Just a couple preliminary questions for you,  
6 Ms. McNamara.

7 What your testimony provides is, as you  
8 said, the calculation of the revenue  
9 requirement that the Company is seeking  
10 approval of this morning; is that correct?

11 A. (McNamara) Yes.

12 Q. Can you just tell us at a high level what was  
13 the total cost that you started with to  
14 calculate the revenue requirement -- that is,  
15 the total CIBS cost for which we're seeking  
16 recovery?

17 A. (McNamara) The incremental investment in CIBS  
18 was \$14,885,261.

19 Q. And where within the Company did that number  
20 come from to land on your desk?

21 A. (McNamara) Information provided by Brian  
22 Frost and Robert Mostone.

23 Q. And then you performed the necessary  
24 calculations to turn that investment into a

1 written requirement; is that correct?

2 A. Correct.

3 Q. And what is the annual revenue requirement  
4 that we are seeking approval of today?

5 A. (McNamara) The annual revenue requirement is  
6 \$6,161,925, which is an incremental revenue  
7 requirement of approximately 1.6 million.

8 Q. And 1.6 is the addition to the CIBS revenue  
9 requirement that's being addressed today; is  
10 that right?

11 A. (McNamara) Correct.

12 Q. And have you calculated a bill impact of that  
13 1.6 incremental increase, what the bill  
14 impact would be for a typical residential  
15 customer?

16 A. (McNamara) I have. A typical residential  
17 customer using approximately 809 therms per  
18 year would be \$7.03, or a .60 percent  
19 increase.

20 Q. Seven dollars per what time frame?

21 A. (McNamara) Year.

22 Q. Okay. Have the -- has the Company's filing  
23 been audited by Commission's audit division?

24 A. (McNamara) Yes, it has.

1 Q. And has the audit division completed its work  
2 and issued a final audit report?

3 A. (McNamara) Yes, they issued a final audit  
4 report, and there were no findings in that  
5 audit report.

6 Q. And is it your understanding that that final  
7 audit report is what's been marked as  
8 Exhibit 3 in this matter?

9 A. (McNamara) Yes.

10 Q. And as you said, there were no findings, if  
11 you will, in that audit report; is that  
12 correct?

13 A. (McNamara) Correct.

14 Q. Thank you.

15 Mr. Frost, turning to you. Please  
16 introduce yourself, your position at the  
17 Company and your general involvement in this  
18 docket.

19 A. (Frost) Good morning. My name is Brian R.  
20 Frost. I am an Engineer III for Liberty  
21 Utilities. I developed the CIBS program, led  
22 design and led the team that compiled the  
23 results for the CIBS year-end filing.

24 Q. Brian, there's often some comments every year

1           about the massive spreadsheet that sort of  
2           forms the core of the CIBS filing. Is that  
3           mostly your work?

4    A.   (Frost) Yes, it is my work.

5    Q.   Okay. You filed -- in the original filing  
6           your testimony, along with Mr. Mostone,  
7           appears in Exhibit 1, beginning at Bates  
8           Page 1; is that correct?

9    A.   (Frost) Correct.

10   Q.   And for the portions of that testimony, do  
11          you have any corrections to identify this  
12          morning?

13   A.   (Frost) No, I do not.

14   Q.   And if I were to ask you the questions in the  
15          written testimony, would your oral answers be  
16          the same today?

17   A.   (Frost) They would be the same.

18   Q.   And do you adopt that as your sworn testimony  
19          today?

20   A.   (Frost) I do.

21   Q.   Mr. Mostone, same questions for you. Please  
22          introduce yourself, your position with the  
23          Liberty and your involvement with this  
24          filing.

1 A. (Mostone) Good morning. My name is Robert A.  
2 Mostone. I'm the director of Gas Operations  
3 at Liberty Utilities Service Corp. of New  
4 Hampshire, and my direct filing is with Brian  
5 Frost's in the joint direct testimony.

6 Q. Are there any changes to the portions of the  
7 testimony for which you are responsible that  
8 we identified as Exhibit 1?

9 A. (Mostone) No, sir.

10 Q. And do you adopt the written testimony as  
11 your sworn testimony here this morning?

12 A. (Mostone) Yes, sir.

13 Q. Mr. Frost, since you filed your original  
14 testimony, Staff, Mr. Knepper, has filed  
15 testimony. Have you had a chance to review  
16 Mr. Knepper's testimony?

17 A. (Frost) I did review Mr. Knepper's testimony.

18 Q. And Mr. Mostone, I think you may need to turn  
19 your mic off.

20 Mr. Frost, Mr. Knepper's testimony, as  
21 he often presents in CIBS cases --

22 CHAIRWOMAN MARTIN: Never mind. It  
23 went away. He just went on mute.

24 BY MR. SHEEHAN:

1 Q. Mr. Frost, did you read Mr. Knepper's  
2 testimony?

3 A. (Frost) I did.

4 Q. And is it correct to say that generally Mr.  
5 Knepper's testimony was an overview of the  
6 CIBS program from his perspective, pointing  
7 out certain aspects of the program as it  
8 developed during the last construction  
9 season?

10 A. (Frost) Yes. It includes notes of the  
11 program developments since last construction  
12 season.

13 Q. And his testimony also contains two basic  
14 recommendations at the end regarding future  
15 reporting requirements and a recommended  
16 deadline for completion of the CIBS program.  
17 Did you read that?

18 A. (Frost) I did read that.

19 Q. Regarding the deadline, Mr. Knepper  
20 recommends that the Commission require the  
21 Company to complete removal of remaining CIBS  
22 by 2024.

23 Can you tell me approximately how many  
24 more miles of CIBS are remaining? And this

1 is the CIBS that is, I believe it's less than  
2 10-inch diameter is the category. How much  
3 of that is remaining in our system,  
4 approximately?

5 A. (Frost) Last week I ran some reports in the  
6 Company's mapping program. There are  
7 56.63 miles of cast iron and bare steel mains  
8 left on the maps; 4.3 miles of that is  
9 10-inch nominal diameter and larger. And the  
10 Company does often maintain there's a small  
11 plus or minus due to mapping backlog as  
12 projects get mapped.

13 Q. And of those 50 or so miles remaining, is it  
14 fair to say that most of those miles are in  
15 the downtown areas of the cities in the  
16 Company's service territory?

17 A. (Frost) Yes. That mileage is predominantly  
18 located within the downtown core urban areas  
19 of Concord, Manchester and Nashua, New  
20 Hampshire.

21 Q. Given that fact, are there issues with a firm  
22 deadline of 2024 to complete removal of those  
23 miles of CIBS?

24 A. (Frost) I would think that establishing a



1       firm deadline would present challenges. It  
2       could also present challenges that might not  
3       be in the best interest of the ratepayers.  
4       For example, the City of Nashua recently took  
5       out a large bond to repave every street  
6       within the city over a number of years. The  
7       Company tries to coordinate projects because  
8       coordinating projects with cities and other  
9       utilities typically results in lower project  
10      costs.

11           Additionally, the City of Manchester is  
12      finalizing a consent agreement to do a  
13      municipal sewer separation on the east side  
14      of the Merrimack River. This will cause  
15      replacement of many sewers and pipes that  
16      Liberty had maybe in conflict. The Company  
17      would have concerns that replacing pipes,  
18      only to have them be in the way of the sewer  
19      construction a year or two after they're  
20      installed, could be troublesome. Staff in  
21      the past has recommended that the Company  
22      phase work so that this type of conflict and  
23      replacement of facilities that are less than  
24      five years old, are not beyond their normal

1           life, does not occur because that's wasteful.

2       Q.     So a follow-up on, for example, Manchester.

3           The work that they will have to do for their

4           sewer separation is over a number of five to

5           ten years; is that correct?

6       A.     (Frost) Yes. The city has given us very

7           high-level projections that they want to

8           stretch it out over a period of ten years.

9       Q.     And am I correct in summarizing the issue you

10           raise is if you replaced CIBS this year on a

11           street that is going to be torn up in four or

12           five years for that project, you would end up

13           replacing the pipe twice?

14       A.     (Frost) It's not a given that the pipe would

15           be replaced twice. However, during sewer

16           construction, typically the trench width for

17           sewer construction is large, and the depth is

18           larger than gas construction. So therefore,

19           oftentimes gas piping is in the way and needs

20           to be relocated before sewer construction to

21           prevent the integrity of the gas piping from

22           being compromised.

23       Q.     So you're saying you may not have to remove

24           it. You may simply have to move it, which is

1           also a costly endeavor; is that correct?

2       A.   (Frost) In this type of construction, Liberty  
3           typically does not move live gas pipes. What  
4           we would do is we would be replacing it.  
5           Again, because to prevent customer outages,  
6           we would install a new pipe, tie over all  
7           customers to the new pipe and then cut dead  
8           the old pipe, similar to CIBS work.

9       Q.   And as for the factor you described in  
10          Nashua, the reason a city-wide paving project  
11          impacts you, impacts the Company, is working  
12          with that paving project will allow us to  
13          share paving costs with the city; is that  
14          fair?

15      A.   (Frost) Correct. When coordinating with  
16          cities, we can typically share paving costs.  
17          The city get a volume discount on paving much  
18          better than what Liberty gets. Also, we can  
19          typically restore the trenches with a binder  
20          mix of asphalt, which is a rougher, less  
21          refined asphalt mix that is slightly less  
22          expensive.

23      Q.   In addition to these two high-level concerns  
24          regarding a firm deadline, are there also

1 issues of the quantity of work that needs to  
2 be done within the inner cities that arise if  
3 you were trying to force what may be too fast  
4 a schedule on their replacement?

5 A. (Frost) The Company has concerns that they  
6 would like to explore the quantity. If the  
7 Company was to replace a large quantity of  
8 pipe per year in a single city, it could  
9 result in having traffic detours upon traffic  
10 detours due to many streets in the same area  
11 having construction at the same time. One  
12 item to note is that of the remaining mileage  
13 that I discussed earlier, we have 6.7 miles  
14 in the city of Concord in that list; in the  
15 city of Manchester there's 31.8 miles; and in  
16 Nashua, approximately 17.2. And those are  
17 all rounded numbers. Therefore, there isn't  
18 a balanced number for construction to be  
19 phased in. The Company can't say, per se, do  
20 five miles per city per year and then end the  
21 program at an even rate. At some point the  
22 pipe in Concord and in Nashua is going to be  
23 replaced, and construction will only be able  
24 to occur in the city of Manchester. And the

1           Company hasn't fully explored the effects of  
2           that.

3       Q.    Do the cities have ultimate veto authority as  
4           to whether you can perform a particular  
5           construction project at a particular location  
6           in a particular year?

7       A.    (Frost) I would not characterize it as "veto  
8           authority." However, they're responsible for  
9           approving the Company's detour and traffic  
10          plans. I think the issue that could arise  
11          would be that the Company would not be able  
12          to complete satisfactory detour and traffic  
13          plans if we had too many crews in such a  
14          small area.

15      Q.    Is there a recent example in Nashua of the  
16           city taking action that caused the Company to  
17           not do a project it had planned to do?

18      A.    (Frost) Correct. This year we've had to  
19           shift work on Main Street in Nashua.  
20           Recently, with the current events, the city  
21           of Nashua and the Company came to an  
22           agreement to stop a cast iron replacement  
23           project on Main Street so that the city could  
24           install barriers for outdoor dining to help

1           the community and the restaurants in that  
2           area.

3       Q.    This is both for you, Mr. Frost, and Mr.  
4           Mostone. Is the Company nonetheless still  
5           committed to removing all leak-prone pipe as  
6           soon as is practically and economically  
7           feasible.

8       A.    (Mostone) That is correct. The Company is  
9           looking to remove the pipe as quickly as  
10          possible.

11      Q.    And Mr. Mostone, as the director of gas  
12           operations, at a high level can you repeat  
13           what I think are the well-accepted benefits  
14           of removing these leak-prone pipe in our  
15           system?

16      A.    (Mostone) The benefits of removing the pipe,  
17           first of all, is the safety of the public.  
18           Getting leak-prone pipe out of the system,  
19           the integrity of the system will be much  
20           tighter. And with the months of digging up  
21           areas, it definitely will mitigate, be less  
22           involved. As far as the system, it will be a  
23           tighter system for the overall system.

24      Q.    Is it fair to say that leak-prone pipes are a

1 common source of the leaks that the Company  
2 has to address on either a true or kind of  
3 emergency basis during the course of the  
4 year?

5 A. (Frost) Yes. During the winter months  
6 especially, the leak-prone pipe has potential  
7 for leakage with ground movement, and we are  
8 constantly monitoring that through our survey  
9 program. And we are doing much more repairs  
10 on Grade 1 emergencies during the winter  
11 months.

12 CHAIRWOMAN MARTIN: Mr. Sheehan,  
13 you're on mute.

14 MR. SHEEHAN: I'm sorry.

15 BY MR. SHEEHAN:

16 Q. Mr. Frost, last question. Your testimony  
17 documents the work done in the last program  
18 year. It in great detail describes every  
19 project, how many feet, how much it cost,  
20 whether it was over or under budget, et  
21 cetera, et cetera, and comes to the total  
22 numbers that you conveyed to Ms. McNamara.  
23 Is it your opinion that those costs incurred  
24 by the Company last year were prudently

1           incurred and were a prudent exercise as this  
2           program requires?

3    A.   (Frost) Yes, I believe they were prudent  
4           costs that increased pipeline safety.

5    Q.   Thank you.

6                   MR. SHEEHAN: I have no further  
7           questions for these two witnesses.

8                   CHAIRWOMAN MARTIN: All right.  
9           Thank you.

10                   Ms. Shute.

11                   MS. SHUTE: I do not have any  
12           cross. Thank you.

13                   CHAIRWOMAN MARTIN: All right. Ms.  
14           Fabrizio.

15                   MS. FABRIZIO: Thank you, Madam  
16           Chair.

17                   CROSS-EXAMINATION

18   BY MS. FABRIZIO:

19   Q.   I would like to start with a few questions  
20           for Ms. McNamara for purposes of  
21           clarification of just a number of points in  
22           her testimony.

23                   Ms. McNamara, have there been any  
24           changes in how you calculated the fiscal year



1           2020 CIBS revenue requirement in comparison  
2           to how you calculated the fiscal year 2019  
3           revenue requirement?

4    A.    (McNamara) No.

5    Q.    Thank you. And are the only inputs that  
6           changed the amount of rate base -- sorry.  
7           Are the only inputs that changed the amount  
8           of rate base and the property tax rate?

9    A.    (McNamara) Well, the annual spending changes.  
10           I'm not sure if I fully understand that  
11           question. But incremental spending our  
12           investment is updated, which is part of the  
13           rate base. And there's a rate base  
14           calculation and a property tax rate. Does  
15           that answer what you're looking for?

16   Q.    Yes. Thank you. And how did you determine  
17           the rate base amount to use in your revenue  
18           requirement calculation? Could you just walk  
19           us through that?

20   A.    (McNamara) So are you referring to the  
21           year-end rate base of 40 million or the  
22           14 million?

23   Q.    The 14 million.

24   A.    (McNamara) So that information was provided

1 by Mr. Frost, and we used it based on his FY  
2 2020 actual costs that were on the gigantic  
3 spreadsheet that people referred to. And  
4 when it came to carryover costs, we only  
5 included 5 percent, which was the limit that  
6 was previously allowed.

7 Q. Thank you. And how do you calculate the  
8 property tax rate? And does the fiscal year  
9 2020 rate compare -- how does it compare to  
10 2019?

11 A. (McNamara) So we're using the property tax  
12 rate from 2019 is 2.71 percent, and in 2018  
13 it was 2-1/2 percent. And the information we  
14 pulled for plant in service and depreciation  
15 come from the annual report, Page 9 I believe  
16 it is.

17 Q. Okay. Thank you. And how much of fiscal  
18 year 2020 CIBS revenue requirement is to  
19 recover CIBS spending in calendar year 2019?

20 A. (McNamara) Could you repeat that question?  
21 Sorry.

22 Q. We talked about the CIBS fiscal year. How  
23 much of the 2020 CIBS fiscal year revenue  
24 requirement is to recover specifically CIBS

1 spending in calendar year 2019?

2 A. (McNamara) I don't have that specific  
3 breakdown. But generally speaking, we need  
4 to end construction on the gas company  
5 usually sometime in the winter. And any of  
6 the costs that flow through March of the next  
7 year are typically for construction that  
8 happened in 2019.

9 Q. Thank you. That's helpful.

10 Does Liberty intend to file a full rate  
11 case using calendar year 2019 as a test year,  
12 to your knowledge?

13 A. (McNamara) That's my understanding.

14 Q. And how will CIBS spending in calendar year  
15 2019, and included in calculating the fiscal  
16 year CIBS 2020 revenue requirement, be  
17 reflected in the full rate filing?

18 A. (McNamara) So assuming that this increase  
19 that we're requesting goes through, none of  
20 the spending would be included in our  
21 calculation for the test year for the rate  
22 case that we would file this year because we  
23 would have already recovered it. So we would  
24 remove it from the calculation in the rate

1 case.

2 Q. All right. Thank you. I think that's all I  
3 have for Ms. McNamara. So I will turn to Mr.  
4 Mostone and Mr. Frost, and I'll leave it up  
5 to both of you to decide who responds just in  
6 case I'm not clear on who has the  
7 responsibility.

8 So in your testimony at Bates Page 9 and  
9 at Lines 1 through 6 -- so it's your joint  
10 testimony -- you state that the Company  
11 reduced scope on a number of projects late in  
12 the year when it became apparent that  
13 construction crews would not be able to  
14 finish the entire CIBS plan.

15 How many projects -- how many planned  
16 projects were not started and how many  
17 projects had their scope reduced in the  
18 course of the CIBS year?

19 A. (Frost) There were ten projects that were  
20 reduced; seven of those were reduction-only,  
21 and three projects were not completed.

22 Q. And were they not completed due to time in  
23 winter?

24 A. (Frost) Correct. They were not completed to

1           time. It takes some time to spool down a  
2           construction project, get all the new pipe  
3           tied back into the existing gas system and  
4           have all customers hooked up to the completed  
5           work. So we had to make a decision where the  
6           break point was.

7       Q.    Okay. Thank you. And how many of the  
8           planned projects were never started?

9       A.    (Frost) As I stated, three.

10      Q.    Oh, I thought I heard three were completed.  
11           So three were not started, and three were not  
12           completed?

13      A.    (Frost) No. I stated there were ten projects  
14           that either contained scope reductions or  
15           were not started.

16      Q.    Oh, okay.

17      A.    Seven projects had scope reductions and three  
18           were not started.

19      Q.    Thank you. That was my misunderstanding.

20           And could you explain what led to an  
21           actual per foot cost of \$384 compared to an  
22           estimated cost of \$299 for CIBS year 2019?

23      A.    (Frost) I think we described during the  
24           testimony there are some factors that the

1           Company -- it's hard to quantify at the  
2           estimating phase. The cities and towns often  
3           place, at the time of construction and during  
4           construction, place special requirements upon  
5           the Company, such as work stoppages due to  
6           traffic. That was described as permit hour  
7           restrictions. The Company sometimes  
8           encounters asbestos-containing materials in  
9           the ground. That's typically found in Nashua  
10          and Hudson. We also had a little bit of  
11          asbestos encountered in Concord because the  
12          historical steam system that we've been  
13          working around in this past year is coated  
14          with asbestos. And those types of things  
15          occurred.

16   Q.    Okay. Thank you. That's helpful.

17               And when some of those barriers to  
18          continuing work occurred as you've just  
19          listed, had the Company been aware of  
20          potential problems that might have led to  
21          some of those issues at the time it was  
22          planning the projects?

23   A.    (Frost) We've discussed in prior hearings  
24          that the Company tends not to quantify those

1       scope items because of the safety hazard of  
2       taking out cast iron and bare steel pipe.  
3       You know, it's a recognized -- those pipe  
4       materials are recognized as a safety risk in  
5       a gas distribution system, and it's  
6       recognized that they need to be taken out of  
7       the ground. Therefore the Company -- since  
8       the project is destined to move forward, the  
9       Company did not think it was prudent to spend  
10      additional quantifying funds to do such  
11      things as environmental studies where we  
12      would, say, dig test holes all over the city  
13      during work because we're going to encounter  
14      these materials no matter which way.

15    Q.    Okay. On that note, does the Company tend to  
16           do any preliminary footwork, say, talking  
17           with targeted town officials, or officials in  
18           targeted towns, I should say, to learn about  
19           such issues beforehand -- for example, the  
20           sewer projects that might end up interrupting  
21           a CIBS replacement or might end up  
22           facilitating a CIBS replacement -- or asking  
23           the town officials about environmental issues  
24           during the Company's planning process? Is

1           there any outreach such as that?

2       A.     (Frost) Yes. The Company liaises with towns  
3           on a weekly and bi-weekly basis. We also do  
4           a level of research, a records research.  
5           That's a generally accepted engineering  
6           practice for environmental contamination.  
7           However, as I explained, we don't do field  
8           research which involves test pitting. The  
9           records research often indicates, you know,  
10          possible contamination. And the Company does  
11          try to incorporate the results of records  
12          research into its project estimating.  
13          However, typically, records are good on say a  
14          street level or a neighborhood level versus a  
15          foot-by-foot level of installed pipeline.

16       Q.     And your weekly or bi-weekly meetings with  
17           town officials, is that specifically for  
18           projects that are underway?

19       A.     (Frost) During the year the types of topics  
20           discussed tend to vary with the construction  
21           season. During the winter months when  
22           there's snow, we'll typically discuss  
23           forward-looking plans. During the summer  
24           months of the actual construction plan, we



1 typically discuss ongoing projects.

2 Q. So no outreach is made in the planning stage  
3 just to coordinate with the towns. That's  
4 what I take from your discussion.

5 A. (Frost) Outreach is made during the planning  
6 stage. That's the forward-looking part.  
7 Often the towns tend to hold back permit  
8 restrictions until they have received a  
9 traffic plan just before construction. The  
10 Company does try to predict, based on past  
11 history, traffic impacts. However, the  
12 cities and towns tend to hold back final  
13 traffic decisions until the weeks before  
14 construction.

15 Q. Okay. Thank you.

16 What process does the Company have in  
17 place to oversee project construction and  
18 oversight of spending?

19 A. (Mostone) As far as oversight, as inspectors  
20 out on jobs typically, you know, we keep it  
21 under the one-to-four ratio. And they  
22 monitor each job and location on a daily  
23 basis.

24 Q. Okay. Thanks.

1           And is there a view of costs as they  
2           develop as well at the same time?

3       A.   (Mostone) Yes, we have a -- we are monitoring  
4           costs and reviewing each one if something  
5           pops up. We estimate the cost of each job  
6           prior to, and then we also have a -- we  
7           monitor the cost as the job is being done.  
8           If there's any add-ons or anything else that  
9           happens as the project is, they have to have  
10          it signed off by the inspector and the  
11          supervisor out in the field to have any  
12          add-ons or overages.

13       Q.   So is that your role?

14       A.   (Mostone) It's not necessarily my role. It's  
15          necessarily the supervisor's role. They have  
16          to get approval from the supervisor. If  
17          there's something in question, then the  
18          construction manager gets involved with it  
19          and there will be a discussion with him. And  
20          if it's to go up, then it would go to me on  
21          that piece of it if it escalates higher.  
22          Most of it gets resolved with the supervisor,  
23          and then there's someone there that --  
24          (connectivity issue). You know, there's

1 things in the ground that could happen that  
2 they find that's going on. And you want the  
3 main to go in one direction and you have to  
4 offset something particular as an example,  
5 and the costs would be a little bit higher.

6 Q. Thank you. That's helpful.

7 In prior CIBS proceedings, we've heard  
8 that the Company testified that it intended  
9 to complete its CIBS replacement by year-end  
10 2024. We know that has changed. So now what  
11 does the Company project for an expected  
12 completion date?

13 A. (Mostone) The Company is projecting to extend  
14 it. I don't have the exact date in mind yet.  
15 We're still looking into putting a team  
16 together to actually look at what we have  
17 left and projecting out how it's going to  
18 work, as far as the city and towns and  
19 working with everybody here. As Brian stated  
20 earlier, the cities, a lot of it being  
21 replacements, Manchester, Nashua and Concord  
22 are going to be a heavy traffic area. So we  
23 have to work closely with them on making  
24 sure. Of course we want to work with the

1 cities and towns as they're doing their own  
2 construction, which keeps the costs down. So  
3 we'll be looking at that also at the same  
4 time.

5 So as far as the date, exact year, I  
6 don't have that yet right now, but we are  
7 looking at it.

8 Q. And does the indefinite date at this point,  
9 does that impact safety concerns?

10 A. (Mostone) Yes, it does. At Liberty we are  
11 concerned with that. We do want to get the  
12 pipe out as quickly as possible. But we also  
13 want to do it in a safe manner so we don't  
14 cause any other issues with the cities and  
15 towns or the public. So yes, we are -- we  
16 try to get them out as quick as possible.

17 Q. Okay. Thank you. I think I'll address this  
18 to both Mr. Frost and Mr. Mostone. What are  
19 your reactions to the CIBS reporting  
20 requirements that Mr. Knepper has recommended  
21 in his testimony?

22 A. (Frost) I believe that some of the CIBS  
23 reporting that Mr. Knepper's recommended is  
24 acceptable. I think that both parties could

1 work together on the due dates of the  
2 reports. The spreadsheet referenced as  
3 Attachment A in this docket, the large  
4 spreadsheet, I believe that that has gotten a  
5 little too large. It often contains many  
6 numbers that don't provide a lot of value.  
7 The Company's spent a lot of time developing  
8 all those numbers, and it seems that all  
9 parties sometimes get frustrated with the  
10 quantity of numbers and trying to pick out  
11 the numbers that matter, getting them lost in  
12 the thousands of other numbers on that  
13 spreadsheet. I think one night I was working  
14 on it, and I calculated there was -- I did a  
15 calculation of how many cells were in the  
16 spreadsheet that I was checking, and it was  
17 in the thousands.

18 Q. And is the information that's included in  
19 that massive spreadsheet, is that information  
20 the Company retains for its own records,  
21 generally speaking?

22 A. (Frost) Yes, the Company does maintain the  
23 results of that spreadsheet within its  
24 computer system. The Company also maintains

1 archives of the spreadsheet. However, at its  
2 base, the numbers that really matter to the  
3 Company are the total number of services  
4 completed, the total cost of the projects and  
5 where the projects occurred and the total  
6 amount of main replaced and an estimate  
7 versus actual. Some of the other stuff about  
8 how much was paid in degradation fees, how  
9 much direct costs versus estimated, loaded  
10 costs versus estimated, the number of  
11 services by construction method, some of  
12 those totals seem to be more superfluous than  
13 of value.

14 Q. Thank you.

15 Turning to Mr. Mostone, your testimony  
16 references variances that you characterize as  
17 "slightly elevated" as well as "successfully  
18 managed." At what level would a cost  
19 variance rise above the level of more than  
20 "slightly elevated" in your mind?

21 A. (Mostone) Sorry. I'm on mute.

22 So, slightly above cost levels, are we  
23 pertaining to the construction when we're  
24 putting something in the ground and the cost

1           has increased because of that? So I want to  
2           just understand the question better.

3    Q.    Sure. I'm referring to the Company's  
4           references to "slightly elevated" cost  
5           variances on project costing as included in  
6           the record. Just generally speaking. Maybe  
7           I could rephrase and ask a different  
8           question.

9                   What would you consider a less than  
10           successfully managed project in terms of  
11           costing?

12   A.   (Mostone) Okay. I guess the cost, the  
13           increase in costs, you're talking like  
14           percentages I would imagine. So anything  
15           over about 10 percent higher would be kind of  
16           general. We don't want to see anything  
17           higher than that. You know, we do have  
18           overages that something can be around  
19           20 percent. And those are generally -- you  
20           know, we review those and try to get our  
21           estimates better when we're working on  
22           projects. But as things come up and they  
23           arise, that's where the increases come from.

24   Q.    And have you had a number of over fairly high

1 cost overruns this past year?

2 A. (Mostone) We had some in 2019, 2020, and  
3 we've made adjustments to that. A lot of  
4 it's been, again, what we find in the ground  
5 and what we have to do for that. There's all  
6 different scenarios that do happen that keeps  
7 the cost up. Some of it's working with the  
8 cities and towns to -- you know, for the --  
9 you know, what's going on with their projects  
10 and trying to work with them. You know, we  
11 got, for instance, in Manchester, we got to  
12 backfill each night when we have some  
13 something open. We just can't plate it and  
14 leave it. We have to dig out each day, which  
15 costs time. In certain jobs that we can't do  
16 that, that the city doesn't allow it, we have  
17 to -- it takes time for the digging, which  
18 adds cost to the projects.

19 Q. Okay. Thank you. I think that completes my  
20 questions for Messrs. Frost and Mr. Mostone.

21 CHAIRWOMAN MARTIN: All right.

22 Thank you.

23 Commissioner Bailey.

24 COMMISSIONER BAILEY: Thank you.



1 INTERROGATORIES BY COMMISSIONERS:

2 BY COMMISSIONER BAILEY:

3 Q. Just a few more questions, Mr. Mostone, on  
4 the cost overrun question. You say, "A lot  
5 has to do with what we find in the ground."  
6 But in the testimony it says in Hudson you  
7 expected asbestos. So why wouldn't you  
8 assume that every pipe in Hudson has asbestos  
9 and estimate as if it did and then come in  
10 under budget rather than over budget?

11 A. (Mostone) We have a general knowledge of an  
12 area in Hudson, especially where we have  
13 asbestos, and we look at the mappings and  
14 see. If we do have something where we know  
15 there's known asbestos, we do try to take  
16 that into consideration. But there's times  
17 where we don't know how much and, you know,  
18 where exactly it is. So it's very difficult  
19 to just estimate the whole length of a  
20 project at a time and how much you're going  
21 to deal with. Depth of main, depth of the  
22 asbestos is always in consideration. So it  
23 is a rough estimate. And then the  
24 environmental changes towards how we have to

1           extract it is also a consideration when  
2           you're in the area.

3    Q.    Do you assume that all the pipe in Hudson has  
4           asbestos?

5    A.    (Mostone) We assume it does. But we have a  
6           map that shows if we've done some  
7           construction in the area in the past and we  
8           haven't encountered it. If we do think that  
9           there's an area that doesn't show that it had  
10          it, then we go in there. And when we start  
11          digging in the main, you may start in the  
12          first 100, 200 feet you don't see anything,  
13          and then all of a sudden we pull it out and  
14          we have to get it mitigated at that time. So  
15          it does happen.

16   Q.    I think Mr. Frost has something to add.

17   A.    (Frost) Good morning, Commissioner. I think  
18          one of the challenges is that a lot of times  
19          the Company is working with spot reports  
20          regarding the asbestos. On a technical  
21          level, the asbestos was generally used as  
22          fill material in those areas. So we'll have  
23          spot environmental reports from environmental  
24          services and the Company records saying that

1 at house number 30 on this street asbestos  
2 was found, at house number 50 it wasn't  
3 found. And we have to make a lot of -- it's  
4 kind of reading tea leaves to quantify the  
5 amount of asbestos. In areas where nobody  
6 has dug in the past 50 to 60 years, records  
7 do not exist.

8 Q. But my question is why not assume the worst,  
9 the most expensive scenario in your  
10 estimating?

11 A. (Frost) Oh, understood. That I would think  
12 would present challenges, too. Sometimes  
13 it's better to control the construction  
14 process going upwards to a degree rather than  
15 give the impression that the project is  
16 supposed to cost a large amount at the  
17 outset. The Company tries to estimate a  
18 realistic number if no problems or only the  
19 anticipated problems are covered so that we  
20 can keep an eagle eye on the amount of extras  
21 that come up during the job.

22 Q. But as you said, you can't do anything about  
23 the extras that come up during the job. So I  
24 still don't understand. I think what you're

1       saying is that if you overestimate the job,  
2       the spending will creep up to that much even  
3       if it doesn't need to? Is that why you're  
4       reluctant to overestimate and come in under  
5       budget?

6     A.   (Frost) I wouldn't say the spending is going  
7       to creep up necessarily. But that is the  
8       slight concern, that I want to make sure that  
9       the jobs are -- you know, that the  
10      supervisors in the field, the expectation is  
11      that they need to meet the numbers based on a  
12      good-faith average estimate plus or minus  
13      10 percent. And it would need to be  
14      documented fully why the estimates were to go  
15      elsewhere, or the actuals were to go  
16      elsewhere.

17    Q.   But you're 30 percent over this year on your  
18       cost per foot.

19    A.   (Frost) Yes, it does indicate the need for  
20       work on estimating.

21    Q.   Okay. Can somebody tell me what's left, what  
22       streets are left in Concord? Because it  
23       seems like Concord's been torn up for the  
24       last five years, and I can't believe there's

1 anything left in Concord to do. But you said  
2 there's 6.7 miles remaining in Concord.

3 A. (Frost) Right now we are working on South  
4 State Street. North State Street has some  
5 left. The other -- there are some small  
6 pockets on the north end of the city in the  
7 neighborhood there north of Centre Street.  
8 And there's other pipes that's kind of -- I'd  
9 characterize it as "scattered streets." The  
10 majority of Concord is plastic pipe these  
11 days. Concord is, of the three large cities,  
12 is the best.

13 Q. When do you think that the 6.7 miles left in  
14 Concord will be complete?

15 A. (Frost) I would imagine, if the Company  
16 continues at its current rate and makes no  
17 changes, the Company could complete that in  
18 two to three years. It depends on where the  
19 Company wants to take the program and spread  
20 out the remaining construction that we talked  
21 about, phasing and working with each city.

22 Part of the mileage in Concord is on  
23 Main Street, which is larger than 10-inch,  
24 which Mr. Knepper's testimony indicated a

1           desire for Staff not to be within the  
2           replacement program.

3    Q.    A desire for what not to be in the  
4           replacement program?

5    A.    (Frost) Mr. Knepper noted a recommendation,  
6           and I'm finding the quote. Okay. On Bates  
7           Page 10 of Mr. Knepper's program, he noted  
8           the exception of mains equal to or greater  
9           than 10-inch nominal diameter not be included  
10          within the CIBS replacement program. On a  
11          technical basis, typically the larger  
12          diameter mains have a thicker wall thickness.  
13          And the Company has historically taken  
14          efforts to seal the joints between those  
15          pipes. The seal is kind of like gluing the  
16          pipes back together, so their leakage rate is  
17          a lot less than other cast iron mains. So I  
18          think that is the technical basis for that  
19          cut-off in diameter.

20   Q.    So you didn't replace the cast iron in Main  
21          Street, Concord, when it was ripped up  
22          several years ago?

23   A.    (Frost) No, we did not replace that cast  
24          iron. I'm not aware of the history behind

1           that because I was not working with the CIBS  
2           program at Liberty when the decision was  
3           made.

4    Q.    Okay. Tell me a little bit about Nashua and  
5           what you expect in five to ten years. I  
6           think Main Street -- well, not this year,  
7           obviously, because of the barriers that you  
8           mentioned. But when do you expect to get  
9           some progress in Nashua?

10   A.    (Frost) I would imagine in Nashua, a  
11           five-year timeline would be very achievable.

12                I think the challenges with establishing  
13           a hard and fast date, the Company can be  
14           substantially complete, maybe with a few  
15           stragglers. But a hard and fast, you know, a  
16           hundred percent, you know, might be  
17           challenging. Or maybe it wouldn't make  
18           sense, you know, as we discussed, that if the  
19           city was to say that we've got this last  
20           piece over here out, you know, one to two  
21           years. It might make sense to wait that one  
22           to two years to get the last streets and to  
23           work in an orderly manner.

24   Q.    And what about Manchester?

1     A.     (Frost) Manchester has the most cast iron and  
2           bare steel remaining. I can see that being  
3           challenging due to the amount of mileage that  
4           can be done per year and Manchester's sewer  
5           project. Off the top of my head, I'm having  
6           a hard time, you know, on the spot projecting  
7           that due to the amount of pipe.

8     Q.     Mr. Mostone, you acknowledge that there are  
9           some safety concerns. Can you give me an  
10          idea about --

11                   CHAIRWOMAN MARTIN: Excuse me,  
12           Commissioner Bailey. I'm sorry to interrupt.  
13           Commissioner Giaimo has his hand up.

14                   COMMISSIONER GIAIMO: I do. And  
15           just before we left Manchester, could I  
16           interject a quick hypothetical?

17                   CHAIRWOMAN MARTIN: Yes.

18   BY COMMISSIONER GIAIMO:

19   Q.     Okay. Mr. Frost, I thought I heard you say  
20           that the expectation is the town, the city of  
21           Manchester could take between five and ten  
22           years to finish its sewer project?

23   A.     (Frost) Yes. Correct.

24   Q.     Okay. And I think all of us understand and



1 appreciate why you would want to coordinate  
2 and prevent a redundancy of digging and  
3 re-digging. But where I'm struggling is if  
4 you wanted to do that, and there's a main on  
5 Street A in Manchester that's going to have a  
6 sewer project -- that needs to have a CIBS  
7 replacement, but it's expected that the city  
8 will make that one of its last priorities on  
9 its sewer project and says, okay, we'll get  
10 to that in nine years or ten years. Is that  
11 a situation where the Company is actually  
12 going to suggest that the CIBS replacement  
13 doesn't happen until 2029?

14 A. (Frost) I think in a case like that, the  
15 Company, you know, longstanding within the  
16 CIBS program, has completed risk assessments  
17 on its main where we try to identify mains  
18 that have a leakage history and replace those  
19 first. I think we'd make an evaluation of  
20 the leakage history of the main, and if for  
21 safety reasons it had to be replaced sooner,  
22 we would replace it sooner. If it was not  
23 presenting a safety hazard, we would defer  
24 it. And additionally, we often work with the

1 cities, where the city will also maybe adjust  
2 their schedule to match the condition of our  
3 facility.

4 Q. So the Company's comfortable that it's  
5 actually had detailed discussions with the  
6 cities of Manchester, Concord and Nashua,  
7 that it feels like it appreciates the  
8 expectations of the cities with their  
9 projects, so as to make them most efficient  
10 and effective with respect to CIBS as well?

11 A. (Frost) I believe we do a good job with the  
12 cities overall with trying to keep an open  
13 line of communication. Trying to juggle the  
14 total public interest is what it is, really.

15 COMMISSIONER GIAIMO: Okay. Thank  
16 you.

17 Commissioner Bailey, sorry to  
18 interrupt, but I thought it might be best for  
19 the flow of the hearing to tackle Manchester  
20 while we were talking about Manchester.  
21 Thank you.

22 COMMISSIONER BAILEY: No problem.  
23 Interrupt anytime. I just didn't see you.  
24 So thank you, Chairwoman Martin, for letting

1 me know.

2 BY COMMISSIONER BAILEY (CONT'D):

3 Q. So let's talk about the leak rate before I go  
4 back to the question for Mr. Mostone.

5 It looked like the leak rate in 2018 was  
6 higher than it has been in a long time. Can  
7 somebody explain why that is after all this  
8 replacement?

9 A. (Frost) The leak rate, we went through it in  
10 the last docket. There is some weather  
11 variability to leak rates. Typically in  
12 winters where there's a lot of freezing and  
13 thawing or extremely cold weather, the leak  
14 rate will go up on the cast iron main  
15 population. I'm not sure where that -- one  
16 of the observations that Staff made in their  
17 testimony in last year's docket was that the  
18 Company's leak rate testimony was  
19 statistically insignificant -- the Company  
20 thought that it was statistically  
21 significant. Staff did not. I'm not sure --

22 Q. Did the leak rate come down in 2019 when we  
23 didn't have such a cold winter?

24 A. (Mostone) As far as broken mains on the cast

1       iron leak-prone pipe, yes, it did overall.  
2       But as we are checking other areas during our  
3       leak survey program, we have a very low  
4       tolerance of, you know, percentage of gas,  
5       how our grading system is. And yes, we do  
6       have areas in Nashua, especially where we  
7       have picked up some leaks mostly on our  
8       dresser couplings that's on a coated steel  
9       system. And technically what's happening  
10      there is they leak during the winter months  
11      with the cold because of the rubber around  
12      the dresser couplings and the age of it, and  
13      we have to go back in and seal those. In the  
14      past, those leaks were considered Grade 3  
15      leaks; now they're considered Grade 2 leaks,  
16      and we're required to fix them within six  
17      months of year end. So you're actually  
18      seeing some of that going on, and that's why  
19      you're seeing the leak rate go up a little  
20      bit. But the system itself, the rating or  
21      the grading and amount of leaks especially  
22      during this winter has gone down  
23      significantly on the cast iron system of the  
24      leak-prone pipe.

1 Q. So did you say that the leaks that you found  
2 recently are not on the cast iron/bare steel  
3 pipes?

4 A. (Mostone) No. I don't have the numbers in  
5 front of me, but we've had -- the amount of  
6 Grade 1s that we had through this past year  
7 was less than previous years. And some of  
8 the leaks that we've had on our dresser  
9 couplings or what have you in the Nashua area  
10 in particular, that increased in the winter  
11 of 2019-2020 from winter of 2018-2019.

12 Q. So how concerned are you? Give me an  
13 assessment of the risk of not immediately  
14 replacing these pipes in Nashua?

15 A. (Mostone) So the repair there is, what we're  
16 doing -- this is on our coated seal system,  
17 60-pound system in general -- we encapsulate  
18 the dresser coupling and we cut it out. So  
19 it's almost like a permanent repair. It's  
20 something that we are looking at to alleviate  
21 within time. But, you know, the leak itself  
22 actually goes away when the frost comes out  
23 of the ground. It doesn't persist. A lot of  
24 times that's what happens. So we actually

1           have to pin the leak during the winter months  
2           and make sure we have it, and then the crews  
3           go out and do the repairs in the off -- you  
4           know, after the frost is out during the  
5           summer and we can get permits for them  
6           because they're graded low.

7       Q.    I heard you say that that was on the coated  
8           steel system. I'm interested in the risk,  
9           your risk assessment of the remaining cast  
10          iron/bare steel pipes in Nashua and  
11          Manchester and Concord and how long you think  
12          that they can exist as they are.

13      A.    (Mostone) So that's a tough question to  
14           answer, as far as how long. We constantly  
15           are monitoring the system and we're checking.  
16           As we dig, you know, we observe what the  
17           condition of the pipe is. If there's  
18           something that needs to be addressed right  
19           away, we immediately get engineering involved  
20           and recommend the main being replaced. As  
21           far as the piping itself goes, you know, we  
22           do a monitoring setup where we're out and  
23           monitoring the mains at times and making sure  
24           that there's no leaks and they're being

1 repaired right away as soon as we get them.  
2 But it's tough to say how, you know, how long  
3 the cast iron going to last in the ground  
4 that's already been in there a hundred years.  
5 So...

6 Q. I think Mr. Frost has something to add.

7 A. (Frost) Thank you, Commissioner Bailey. I  
8 can say, to provide more information to you,  
9 as the CIBS program has gone on over these  
10 years, the Company, working with Staff, does  
11 document every leak that is on cast iron  
12 pipe. We document it in our mapping system  
13 so that we can typically, with leaking pipes,  
14 replace them within one to two years if they  
15 show an active leak history that develops.

16 We've also seen as the program goes on  
17 that we're replacing more pipes that don't  
18 have a leak history even though they are cast  
19 iron or bare steel. During the early days of  
20 the program, maybe it could be characterized  
21 as more of a fire-type thing, where you're  
22 only replacing pipes that have a very bad  
23 leak history. The Company, you know,  
24 currently now is able to replace, as part of

1           their program, a lot of pipes that need to  
2           come out of the ground because they present a  
3           risk higher than plastic pipe. However, they  
4           don't have a documented leak history because  
5           the population with the documented leak  
6           history is smaller than the Company's total  
7           replacement effort. Does that help?

8    Q.    A little, but it leads me to my next  
9           question. So if you have a leak history on  
10          the remaining cast iron/bare steel pipes,  
11          what does that look like in Nashua, where I  
12          think you've had a couple of incidents this  
13          year? And I don't know if it has to do with  
14          these CIBS pipes or not. But seems like a  
15          couple times in Nashua over the past year  
16          there have been some leaks where people had  
17          to be evacuated.

18                 So what does the leak history look like  
19                 on the remaining CIBS pipes in the three  
20                 cities that we're talking about?

21    A.    (Frost) I mean it's hard to categorize what  
22           it looks like. I think the Company manages  
23           it. Yes, we've had leaks. Also during the  
24           winter, as Mr. Mostone mentioned, we're



1 driving around every day during the winter  
2 trying to find leaks, you know, the day they  
3 develop. We have a program where in the cast  
4 iron/bare steel areas we drive a  
5 leak-detection truck. It just goes on a  
6 continuous circuit driving through the city  
7 every couple of days. And I'm not familiar  
8 with the incidents you described. The  
9 only -- the part that I'm most familiar with  
10 is the total replacement amounts and then how  
11 much of that total replacement amount could  
12 be considered streets that had a strong  
13 history of prior leaks versus the total  
14 replacement amount. And I'm really happy  
15 about that, that the Company is able to get  
16 ahead versus just treading water, you know,  
17 trying to run around just putting out the  
18 fires. We're able to get ahead and modernize  
19 the infrastructure because our replacement  
20 rate is higher than the degradation of the  
21 facility.

22 Q. So are you saying, then, that the leak  
23 history on the remaining CIBS is not severe  
24 enough to cause you concern and that you'll

1           get to it in time before there's a real  
2           problem?

3       A.   (Frost) I believe that with continued  
4           monitoring and with quick action on pipes  
5           that show degradation and with establishing a  
6           realistic end date, you know, within I think  
7           the five- to ten-year mark that we discussed,  
8           with maybe an allowance to discuss, as Mr.  
9           Knepper brought up, the large-diameter cast  
10          iron and to discuss straggler streets that  
11          are shown not to present an immediate safety  
12          hazard, that the Company would be reliably  
13          managing this.

14       Q.   Okay. Just one more question. In your  
15           testimony you talked about you either --  
16           11.13 miles were either replaced or  
17           abandoned. So can you tell me what it means,  
18           "abandoned"? You just take it out of service  
19           and it's no longer necessary and you count  
20           that as part of the CIBS replacement program?

21       A.   (Frost) Yes. A perfect example was on Smyth  
22           Road in Manchester. There is a 60-pound gas  
23           main on Smyth Road that's coated steel that  
24           provides a feed into the city that was

1           installed I believe within the last 50 or 60  
2           years. There was also an approximately  
3           hundred-year-old cast iron pipe on Smyth  
4           Road. So what the Company did for the  
5           portion of that street where the pipes were  
6           running parallel was we abandoned the cast  
7           iron main and put the customers onto the  
8           steel main. The steel main was installed at  
9           a later date. So that would be an example of  
10          abandonment where the Company was able to get  
11          cast iron out of the ground without full  
12          expenditure of replacing the pipe.

13   Q.     Okay. Thank you.

14                   COMMISSIONER BAILEY: That's all I  
15           have, Madam Chair.

16                   CHAIRWOMAN MARTIN: All right.  
17           Commissioner Giaimo.

18                   COMMISSIONER GIAIMO: Good morning.  
19           I'm going to wait for people to nod their  
20           heads so that I know they're hearing me.  
21           Great. Thank you.

22   BY COMMISSIONER GIAIMO:

23   Q.     So Staff at one point last year suggested the  
24          discontinuance of the step adjustments for

1 the CIBS program, but also made a couple of  
2 observations. I want to know if the Company  
3 agrees with the observations. Specifically,  
4 in a recommendation they said public safety  
5 risks due to leaks and pipe failures have  
6 been substantially reduced, as evidenced by a  
7 significant decline in system leaks, and the  
8 regulatory burden and expenses will be  
9 reduced by eliminating the CIBS annual step  
10 adjustments. Are those statements true?  
11 Does the Company believe those statements to  
12 be true?

13 A. (Mostone) Yes, the Company believes those  
14 statements to be true.

15 Q. Okay. Thanks.

16 Mr. Frost, you said that you re-ran the  
17 numbers and there's approximately 56 miles  
18 left of CIBS. And then you said plus or  
19 minus, but then I don't think you said plus  
20 or minus what. I'm just wondering, what's  
21 your confidence in it actually being  
22 56 miles?

23 A. (Frost) Good morning, Commissioner Giaimo.  
24 The numbers I referenced were from an extract

1 of the Company's mapping system last week.  
2 The Company, you know, as construction is  
3 completed, it can take a few months for all  
4 records to be finished and then the finished  
5 maps to be completed in the electronic system  
6 I use. So that was kind of where I had said  
7 plus or minus.

8 The testimony in this case, it described  
9 mileage where the Company has -- when we  
10 started the CIBS program, we froze the amount  
11 of cast iron mileage and have been  
12 subtracting the year-end replacement on a  
13 fiscal basis. So that's why I noted that  
14 there might be slight differences in the  
15 reason that those occurred.

16 Q. Okay. That's fine. Mr. Frost, would you say  
17 it's fair to make this observation: That as  
18 the total miles of CIBS replacement has  
19 occurred, the costs have gone up as a  
20 function of various things, but one of those  
21 is that you've taken out the low-hanging  
22 fruit and that it's more and more difficult  
23 and more and more problematic the pipes that  
24 you have to deal with now? Is that fair? Is

1           that fair to say?

2       A.   (Frost) Yes.  Yes, one of the issues is in  
3           the early years of the cast iron program --  
4           in my career with the gas company, cast iron  
5           has been going on my whole career,  
6           replacement.  A lot of the smaller diameter  
7           pipes that cost less per foot to replace is  
8           more leak-prone.  So that pipe tended to rise  
9           to have a higher leak history at the outset  
10          of cast iron programs; therefore, correct,  
11          the low-hanging fruit population.

12      Q.   Okay.  That's helpful.  And is estimating  
13           these more challenging replacements more  
14           difficult as a result of the complexity of  
15           the projects?

16      A.   (Frost) I mean, there has been difficulty  
17           with estimating.  There's a lot of wild cards  
18           out there when some of the cities and towns  
19           won't give us final requirements until they  
20           officially issue a permit right before  
21           construction.  So a lot of times they'll give  
22           us general guidance, or the Company can  
23           make -- can use as historical data.  And I do  
24           use historical data with estimating.  There's

1       been wild cards with working amongst city  
2       projects, such as the Concord steam  
3       conversion. Not that we were working the  
4       project together; however, we had to  
5       juggle -- or the City of Concord had to  
6       juggle us with contractors doing the steam  
7       work concurrently on similar streets. That  
8       often happens in the other cities, too, where  
9       the municipality is juggling Liberty's  
10      construction with other parties' construction  
11      affecting us.

12    Q.   Thanks for that. So when I read the  
13       testimony, many things jumped out. But there  
14       were two that really jumped out at me as  
15       potential concerns, and one was the low  
16       estimate, the underestimating of projects,  
17       and the other was the inability to get  
18       certain things done early or at least on  
19       time. So I want to ask some questions to  
20       probe that a little more.

21               I'll start with were there seven -- how  
22       many projects were delayed? Seven were  
23       delayed due to weather, is that right, due to  
24       the winter season?

1 A. (Frost) Seven that had reduced project scope.

2 Q. And then was it three that were not -- no,  
3 three were not started at all. How many were  
4 delayed because winter, for lack of a better  
5 term, snuck up on you?

6 A. (Frost) Well, I think that population of ten.  
7 What happens on the Company side is that  
8 before we begin a project, we need to make  
9 sure that we have enough time left in the  
10 construction season to substantially complete  
11 it so that it's a prudent expenditure. We  
12 also need to make sure that the in-progress  
13 projects will reach a point where the gas  
14 system is safe for winter. I would think,  
15 looking in my testimony, the amount of  
16 mileage completed, I believe the Company  
17 substantially completed the mileage that it  
18 intended to. So that is one good part there  
19 that should be noted --

20 Q. So let me interrupt you there. I think --  
21 off top of my head, I'm not looking  
22 specifically at the page, but I think it  
23 was --

24 (Court Reporter interrupts.)



1 Q. I said I'm not looking specifically at it,  
2 but I believe that 12.6 miles of projects was  
3 proposed, but something like 11.1 was  
4 completed.

5 So Mr. Frost, in your mind, that's  
6 substantial completion? It's about  
7 88 percent of the total projects that were  
8 supposed to be in place were actually put in  
9 place.

10 A. (Frost) Thank you for calculating that that's  
11 the 88 percent figure. I was about to  
12 calculate that. While not ideal, I would  
13 describe that as successful. The Company has  
14 had prior years, where I've been involved  
15 with the program, where I think the amount of  
16 completion has been less. So I was satisfied  
17 to have approaching 90 percent completion. I  
18 take -- as alluded to, I'm less involved with  
19 the construction management side. However, I  
20 was pleased from a design side.

21 Q. Okay. So with respect to your planning, when  
22 you -- you like -- you want projects in place  
23 and completed by Thanksgiving, early  
24 November, mid-October, to ensure that it gets

1           done before the winter makes the construction  
2           season impossible? I'm just trying to get an  
3           understanding. What's your planning? What  
4           do you work back from?

5       A.   (Mostone) So that is the plan. We try to get  
6           as much as we can done by Thanksgiving. But  
7           as projects go on and we have delays here and  
8           there, they run into the December months.  
9           But our goal is to have everything out before  
10          Thanksgiving. We've had some overages on  
11          that that brings us into December. But a lot  
12          of it is because of late starts. It could be  
13          something with the cities or towns requesting  
14          us at a later date, trying to get everything  
15          done. The one thing we do not want to do is  
16          leave -- we try not to leave any cast iron  
17          that's already encroached on in the ground.  
18          So we push to try to get it out as quickly as  
19          we can. And it does run into the December  
20          month.

21       Q.   Right. And all the more reason you might --  
22           (connectivity issue)

23                   (Court Reporter interrupts.)

24                   CHAIRWOMAN MARTIN: Commissioner,

1           can you restate your question? Ms. Robidas  
2           is having trouble hearing.

3 BY COMMISSIONER GIAIMO:

4 Q.    Your prior answer explains why the Company  
5           would not start a project and defer it  
6           completely for a year because of compressed  
7           time frames; is that right?

8 A.    (Mostone) That's a possibility. We do look  
9           at that. So if we do have a project that's  
10          getting late in the year, we may work with  
11          the city and towns to find out what their  
12          protocols are, if they're paving, if they're  
13          doing things also. But we did that last  
14          year, where we saw some projects that were  
15          getting off way too late, and we didn't want  
16          to run into winter months because we don't  
17          know what to expect on weather. So yes, we  
18          will shut them down. With that being said,  
19          we also add projects during the year, too,  
20          and we look at other projects that may be  
21          smaller that we can get done instead. So we  
22          do look at all avenues at that point.

23 Q.    So thank you for that answer.

24                The CIBS program has been functioning

1           for Liberty for what, like 13 or 14 years  
2           now? Does that sounds right? Or 12, 13  
3           years now?

4    A.   (Mostone) I believe that's correct, yes.

5    Q.   And you said that the benchmark is being  
6           within 10 percent of budget. But what I  
7           thought I heard was, you know, you're at  
8           15 percent over this year and last year was  
9           13 percent. Is 10 percent a reasonable goal,  
10          or does the Company just need to do a better  
11          job of sharpening its pencil?

12   A.   (Frost) This is Brian here. I think the  
13          Company has demonstrated, you know, on an  
14          overall program basis, costs, you know,  
15          within that limit.

16                Another thing that has come up over the  
17          years and within this hearing is that the  
18          Company's estimating process tends to look at  
19          each project within the whole program, and it  
20          tends to look at a lot of history and average  
21          rules for each city. Typically when I  
22          estimate projects, I'll estimate each  
23          individual project, but I'll apply historical  
24          experience with environmental and permitting

1           restrictions to each of those projects rather  
2           than going into a deep dive and approaching  
3           each project as, say, a new day or whatnot.  
4           So I think the total program number indicates  
5           10 percent, you know, plus or minus as a  
6           goal.

7    Q.    I just want to make sure I understand.  The  
8           plus or minus is 10 percent; right?  The  
9           objective is to stay under 10 percent, or  
10          within 10 percent under or over budget and  
11          not to be more or less 10 percent; right?

12   A.    (Frost) I think in a program like this,  
13          10 percent would be hitting -- you know, plus  
14          or minus 10 percent would be good;  
15          15 percent, you know, indicates an issue if  
16          the overall program -- or it may start  
17          indicating an issue if it starts going  
18          towards 20.  That's more of an issue.

19   Q.    Okay.  I guess I'm not trying to be  
20          argumentative, but you've been forecasting  
21          this program for a dozen years.  And I guess  
22          I would think ideally the Company should be  
23          shooting for hitting the estimate on the  
24          nose, not plus or minus 5 percent from a

1           10 percent overage standpoint. So I'll pause  
2           there and let you comment on that if you'd  
3           like.

4    A.   (Frost) Thank you for the observation. Yeah,  
5           it's hard to respond. I can say that me, I  
6           take a lot of these, the observations from  
7           Staff and the Commissioners, and incorporate  
8           them into future program years. And I will  
9           take the observation that we need to look at  
10          estimating back to the team.

11   Q.   Thank you, Mr. Frost. I appreciate that.

12                   COMMISSIONER GIAIMO: Madam Chair,  
13           I appreciate the responses of the witnesses,  
14           and that's all the questions I have.

15                   CHAIRWOMAN MARTIN: All right.

16                   A lot of my questions have been  
17           answered, but I have a few left.

18   BY CHAIRWOMAN MARTIN:

19   Q.   I read in the testimony of Mr. Knepper that a  
20           number of the pipes in question are at the  
21           point of 100 percent wall loss and 24-hour  
22           leaking.

23                   Can you give me a sense of what portion  
24           of the remaining pipes are in that condition

1           and whether or not, as I heard earlier, part  
2           of the consideration for Liberty is whether  
3           it's economically feasible? And that goes  
4           into the timeline. But for those that are in  
5           that condition, are they on a different  
6           timeline regardless of where they're located?

7    A.   (Frost) Yes, those pipes are on a different  
8           timeline. I had noted that the Company  
9           evaluates its leaks continuously and strives  
10          to replace pipes that show an abnormal or a  
11          leak history as soon as possible. We  
12          wouldn't be deferring pipe with a leak  
13          history.

14                One other item of note regarding the  
15                samples that Mr. Knepper referenced. The  
16                Company often extracts those samples at  
17                locations where it has measurements to the  
18                old pipe. Often those locations are points  
19                where the Company in the past, you know,  
20                maybe in the prior year or two, had installed  
21                a temporary repair clamp. The temporary  
22                repair clamps are made to last, you know,  
23                probably up to 30 years to seal those leaks.  
24                So I think that should also be considered.

1           The Company does have leaks. However, some  
2           of these samples might be cut out from areas  
3           where the Company responded to those leaks  
4           and repaired it in a generally accepted  
5           manner in the industry.

6    Q.    Do you have a sense, though, of the  
7           percentage of the 56 miles that might be in  
8           that condition?

9    A.    (Frost) It's hard to -- I couldn't quantify a  
10          percentage because I guess I don't have X-ray  
11          vision to know what the pipe looks like. A  
12          lot of these pipes operate at low pressure,  
13          which means that when they're buried, if they  
14          were buried in an area where there was  
15          groundwater or there was sufficient ground  
16          pressure, that gaps wouldn't be actively  
17          leaking out of the pipe even if it had a hole  
18          in it.

19                The Company surveys all of these mains  
20                continuously during the winter. They also  
21                provide summer follow-up surveys to find the  
22                leaks when they occur and repair them. It  
23                would be impossible to give a mileage  
24                percentage of that.



1 (Court Reporter interrupts.)

2 Q. There was mention of a Keene replacement that  
3 didn't appear in the prior planning in the  
4 Knepper testimony as well. Can the Company  
5 respond to that and give an explanation?

6 A. (Frost) I'm extremely sorry. I didn't catch  
7 the question fully.

8 Q. No worries. There was mention of a Keene  
9 replacement that was not included in the  
10 prior planning in the Knepper testimony. And  
11 I was wondering if the Company could respond  
12 to that and explain.

13 A. (Frost) Would it be too much trouble to ask  
14 for a Bates page reference?

15 Q. Well, my notes say Bates 9, but that could be  
16 for the next question. Let's check that.

17 Mr. Knepper, do you have that and could  
18 confirm? That would help.

19 A. (Knepper) Yup, Bates Page 9.

20 Q. Okay.

21 A. (Knepper) I guess it beings on Bates Page 8  
22 if you're looking for it.

23 A. (Frost) Okay. Now I understand. Sorry. You  
24 meant Keene replacement. I had heard steam

1 replacement.

2 Q. Oh, sorry. No, Keene.

3 A. (Frost) We had a -- the state was doing a  
4 steam project in Concord. I'm very sorry.

5 Yes, we did include a single project in  
6 the Keene operating area because Keene's cast  
7 iron pipe was added into our risk model for  
8 fiscal year 2020, and the rates were  
9 consolidated under another case.

10 Q. Okay. Can you tell me the average number of  
11 miles done per year in this program for the  
12 three prior years?

13 A. (Frost) Okay. I'm looking at testimony as  
14 referenced before for fiscal year 2020. This  
15 year it was, I believe, 11.1 miles,  
16 approximately. There was another decimal  
17 point there. In fiscal year 2019, the CIBS  
18 program replaced -- I'm looking at a graph --  
19 just under 10 miles on this graph. In fiscal  
20 year 2018, it appears on the graph between 11  
21 and 12 miles.

22 Q. Okay. Thank you.

23 You mentioned that some of the work that  
24 would be delayed beyond the 2024 timeline was

1 related to a Nashua paving project. I can't  
2 remember if you gave this information about  
3 the specific timeline for that.

4 A. (Frost) I think I described that a good goal  
5 would be approximately five years. We also  
6 discussed about the difficulty of having a  
7 hundred percent. There may be stragglers.  
8 Typically the cities, all the major cities,  
9 will give us a look ahead. They'll give us a  
10 plan to coordinate construction that's out  
11 one to two years, and then as the  
12 construction season approaches, the cities'  
13 plan starts to get more certain to a hundred  
14 percent certainty. The City of Nashua has  
15 set forth a goal to repave the city, and they  
16 got authorization for bonding for that;  
17 however, they have not set forth an execution  
18 plan year by year on how they're going to do  
19 that. And the Company only gets data  
20 typically for one year and then maybe the  
21 follow-on year is uncertain.

22 Q. Okay. Thank you.

23 You made a comment about construction.

24 At some point construction in Nashua and

1           Concord will occur. I didn't follow you.  
2           Were you saying that those two cities would  
3           be doing it at the same time, or what was  
4           your meaning there?

5    A.   (Frost) Yes, the Company typically needs to  
6           spread out its construction work. We  
7           typically try to allocate construction  
8           equally among each city. It's not exactly  
9           equal, but we try to spread it out more or  
10          less. The amount of pipe remaining in both  
11          Concord and Nashua is a lot less than in the  
12          city of Manchester. Right now it appears  
13          that over 50 percent of the remaining pipe is  
14          in the city of Manchester, and Nashua has a  
15          higher percentage of pipe remaining than  
16          Concord. That's what I was trying to allude  
17          to, that if we continue construction, we  
18          would run out of CIBS pipe in Concord first  
19          and then in Nashua.

20   Q.   Okay. Thank you for that.

21                You mentioned that three projects had  
22                not started. Can you just give more  
23                explanation for that?

24   A.   (Frost) Okay. I'm looking at the spreadsheet

1           here, and I'd like to start in Nashua. There  
2           was a project on Concord Street in Nashua  
3           that I'm unfamiliar with that the Company was  
4           not able to get a permit. That was a state  
5           road. And New York -- New Hampshire DOT, I'm  
6           sorry, would not issue a permit because the  
7           expected construction schedule would go into  
8           the winter. On Lake Street there was --

9    Q.    Before you move on from that -- I apologize  
10          for interrupting. When did you ask for that  
11          permit?

12   A.    (Frost) I made the initial request for that  
13          permit during the winter, the prior winter.  
14          New Hampshire DOT did not resolve it. I made  
15          multiple follow-ups on a monthly and then  
16          bi-weekly basis.

17   Q.    Okay.

18   A.    (Frost) Ledge Street in Nashua, that is a  
19          sizable project that also involved -- was  
20          being coordinated with a regulator station  
21          installation. And the Company was not able  
22          to fully complete that, and it did not make  
23          sense to get into the gas system at that  
24          point. I'm not familiar with the one project

1 in Concord that was not begun.

2 Q. Mr. Mostone, are you familiar with that  
3 project?

4 A. (Mostone) The Ledge Street project? No, I'm  
5 not.

6 Q. No, the third project that was not started.

7 A. (Mostone) That was the Ledge Street project?

8 Q. I don't think so. Mr. Frost just mentioned  
9 the Lake Street project.

10 A. (Mostone) South Spring project, I'm not  
11 familiar with that, off top of my head.  
12 Don't know.

13 Q. Is that the project, Mr. Frost, the South  
14 Spring in Concord?

15 A. (Frost) Correct. South Spring Street,  
16 Concord.

17 Q. So you don't know why that wasn't started?

18 A. (Frost) No, I do not. I typically hand off  
19 the designed CIBS program to the Company's  
20 construction management department.

21 Q. Okay. You mention that you abandon pipes.  
22 Do you have to get agreements related to that  
23 before you can abandon them?

24 A. (Frost) We would request a road opening

1 permit to complete the work, to complete  
2 excavation to tie over the services. Is  
3 there a specific agreement that you're  
4 wondering about?

5 Q. No. Am I understanding correctly that you're  
6 leaving -- you're abandoning the pipeline in  
7 the roadway?

8 A. (Frost) Yeah, the pipe is left in the ground.

9 Q. I guess my question is do you have to get  
10 agreements from whomever you have been given  
11 access by, whether it be the municipality,  
12 landowner?

13 A. (Frost) Yes. Typically municipalities allow  
14 the pipes to be abandoned in place. At times  
15 New Hampshire DOT, if it's an especially  
16 large pipe, would require it to be filled  
17 with grout, which is similar to concrete. It  
18 is not concrete. But we would work with the  
19 owner of the right-of-way to figure that out.

20 Q. All right. Thank you.

21 CHAIRWOMAN MARTIN: I think all my  
22 other questions have been answered. So we  
23 can go back to Mr. Sheehan in follow-up.

24 MR. SHEEHAN: I do have some.

1           Thank you.

2                               REDIRECT EXAMINATION

3   BY MR. SHEEHAN:

4   Q.   On the last topic about the projects that  
5       were not started, is it common for the  
6       Company to plan for more projects than it  
7       completes in each CIBS year?

8   A.   Yes, it is common to do that. Also, to  
9       answer the question on that a little bit  
10      more, I don't know the exact reason why, but  
11      it could be because of the length of the  
12      project and crew availability up in that area  
13      at the time.

14   Q.   And is it also fair to say that having  
15      planned for more projects to be completed  
16      affords the Company some flexibility to  
17      adjust? As I think someone mentioned, if one  
18      project doesn't get a permit, then you can  
19      quickly move to another one that's already  
20      planned; is that correct?

21   A.   (Mostone) Yes, that's correct. We try to  
22      move over to try to get another project done  
23      if something's detained for whatever reason.  
24      The only issue that we do have with that is



1           the amount of fitters to open from inside to  
2           outside. If they're working on a project  
3           that they're thinking is going to happen,  
4           they start earlier than the main crews. So  
5           they're doing what we call "pre-piping" ahead  
6           of time on a similar project. So if we do  
7           move, we have to get them over, and that does  
8           slow projects down in that area because they  
9           haven't -- they may not have started the  
10          pre-piping process in that area.

11       Q.    So you're saying you can switch to a new  
12              project, but it's not an overnight task.  
13              There's a fair amount of pre-planning for  
14              such a change; is that correct?

15       A.    (Mostone) Yeah, that's correct. We try to  
16              prioritize with them and tell them, you know,  
17              where we're going to start. And they'll go  
18              up -- they actually start their projects in  
19              the middle of winter to get ahead of the main  
20              construction crews, you know, to try to  
21              get -- (connectivity issue)

22                      (Court Reporter interrupts.)

23       A.    (Mostone) We call them fitters. What they  
24              try to do is try to get ahead of the main

1 construction crew, so then the pipes inside  
2 the homes and outside -- we call that  
3 pre-piping so they can get ahead of the  
4 schedule. So when the main crews come in and  
5 start laying main and start services, it's  
6 all a quick tie-over to get them gas and  
7 running to complete the projects on a  
8 scheduled time. So when we do move, it does  
9 create a little bit of a havoc to get the  
10 crews moved that are over and coordinate with  
11 customers to get in to do this. That's part  
12 of their process. They have to coordinate  
13 and get in and schedule with customers for  
14 the piping inside.

15 Q. Different topic. Mr. Mostone, you mentioned  
16 the inspectors that you have on site, and you  
17 said you had a one-to-four ratio. Can you  
18 explain that in a little more detail?

19 A. (Mostone) So we're required to have a minimum  
20 of one-to-four ratio, meaning one inspector  
21 to four crews. We typically try to do better  
22 than that. We go down to, you know, it's  
23 either a one-to-three or even lower. You  
24 know, we typically like to get the

1           one-to-two. But at times, with vacations and  
2           other things going on, we can't always  
3           control that. So the minimum that we go to  
4           is the one-to-four.

5    Q.   And that means that an inspector would have  
6           two, three or four projects that they are  
7           working on in any given day; is that fair?

8    A.   (Mostone) That's correct.

9    Q.   And is it fair to say you will assign, or  
10          someone will assign that inspector to  
11          projects that are geographically close  
12          together?

13   A.   (Mostone) Correct.

14   Q.   And so this inspector's job is to touch base  
15          with each project, an hour each, a half-hour  
16          each, whatever is the appropriate way of  
17          keeping an eye on what's going on in the  
18          project.

19   A.   (Mostone) Yes. They try to see -- they go to  
20          each project on a daily basis. If we're  
21          doing a tie-over, they're required to be at  
22          the job to monitor any major things that  
23          could tie in to the existing main.

24   Q.   And I think it came up in the context that

1           this inspector would be the first person,  
2           decision maker, if you will, who would see a  
3           need for a change in what the plan was and  
4           start the process of either approving it him  
5           or herself or running it up the flagpole to  
6           get approval for whatever that change might  
7           be; is that correct?

8       A.    (Mostone) That's correct. We have to have a  
9           signed change order at the time if something  
10          is deviating from the original plan.

11       Q.   So that is a process that starts in real time  
12          when the need for the change arises. There's  
13          a company person there or a few minutes away  
14          that could start that review and approval  
15          process.

16       A.    (Mostone) Right.

17       Q.    There were several questions about the safety  
18          of the remaining pipe in the ground. Mr.  
19          Mostone, can you, at a quick level, explain  
20          what the three levels are in our system, what  
21          each of the three are, and what the Company's  
22          obligation is to respond to each of those?

23       A.    (Mostone) So are we talking leak grading?

24       Q.    Correct.

1     A.     So a Grade 3 leak is considered a  
2           non-hazardous leak. We have to monitor it.  
3           And it's not necessarily repaired within a  
4           time frame. Grade 2 leaks are monitored and  
5           also replaced within six months or by year's  
6           end. And Grade 1 is an emergency leak that's  
7           considered hazardous and needs to be repaired  
8           immediately.

9     Q.     And of course the Company finds these leaks  
10           through its surveys or through customer or  
11           civilian reports of the smell of gas; is that  
12           fair?

13    A.     (Mostone) That's correct.

14    Q.     And as for the pipe samples that come out of  
15           the ground with, as the phrase is, "a hundred  
16           percent wall thickness loss -- (connectivity  
17           issue)

18                   (Court Reporter interrupts.)

19    Q.     Bob, I think you need to mute yourself while  
20           I'm talking. I think the echo's coming from  
21           your end.

22                   So some pipes that have holes in them  
23           are not really leaking because the  
24           surrounding soil, mud, whatever, can actually

1           prevent them leaking, especially on the  
2           low-pressure pipes; is that fair?

3       A.     (Frost) Yes. This is Brian. That is a fair  
4           assessment, that we sometimes find pipes that  
5           have a hole in it during the course of  
6           construction. However, the Company has not  
7           found leaks going into the soil. We've also  
8           cut out pipe samples which have been  
9           previously repaired within a couple of years  
10          before they were cut out.

11       Q.    Of course we need to replace those pipes  
12            anyway. But I think I understand your  
13            testimony, Brian, to be it is the reported  
14            leak history that the Company relies on in  
15            prioritizing which pipes should come out  
16            first; correct?

17       A.    (Frost) Correct, it is the reported leak  
18            history.

19       Q.    And last, Brian, if you could open your  
20            spreadsheet, Attachment 2 to your testimony,  
21            which begins or appears at Bates 30, and  
22            scroll over horizontally to Column B, as in  
23            boy, and M, as in Michael, titled "Loaded  
24            Cost Variance Percentage." Let me know when

1           you're there.

2       A.     (Frost) I am in that column of the  
3           spreadsheet.

4       Q.     Can you tell me what you are trying to show,  
5           what it means, the phrase "loaded cost  
6           variance percentage"?

7       A.     (Frost) The loaded cost is the sum of the  
8           direct contractor cost on the job plus the  
9           Company's overhead burdens. This is trying  
10          to show the difference between the original  
11          estimate filed with Staff and the finished  
12          construction costs. That also includes an  
13          estimate of carryover costs.

14      Q.     We have not talked about carryover costs much  
15           today, which is fine. But if you could give  
16           us a brief description as we go through this.

17      A.     (Frost) Carryover costs are typically  
18           incurred for paving or degradation fees that  
19           are not completed in the year that the pipe  
20           is installed. Sometimes due to when  
21           construction finishes, it is too cold out to  
22           finish repaving the street, so those costs  
23           would be incurred in the following year.

24           Additionally, the City of Manchester

1 charges degradation fees on the total  
2 finished pavement patched. So Manchester  
3 degradation fees are not billed until the  
4 second year.

5 Q. So if we look at the columns on this page,  
6 the one I was pointing to, the ones to the  
7 left are those other costs you described.  
8 There's an estimated direct cost, BH; actual  
9 direct, BI and the variance there. And then  
10 there's the estimated loaded cost, BK;  
11 actual, BL; and variance is BM. So the BK,  
12 estimated loaded cost, is in effect your  
13 estimate before any construction begins; is  
14 that fair?

15 A. (Frost) You are correct.

16 Q. Now if we scroll down in those columns to  
17 line, looks like 48, 49 and 50, where it  
18 returns to a blue shaded area. Do you see  
19 that?

20 A. (Frost) I do.

21 Q. You have to scroll all the way to the left to  
22 find out what those blue shades are. And  
23 those are -- the bottom of the blue shaded  
24 said "Fiscal Year 2020 CIBS Program Totals";



1 is that right?

2 A. (Frost) It is the total for all areas.

3 Q. And I think the number Commissioner Bailey  
4 started with is where the variance between  
5 estimated and actual shows 15 percent and the  
6 average cost per foot shows the \$299 to \$384;  
7 is that right?

8 A. (Frost) It does.

9 Q. And so in this particular line, 15 percent is  
10 the variance between the estimated and the  
11 actual loaded costs for the program, the  
12 dollars that are at issue in this case.  
13 That's not fair. Strike that question.

14 Scroll down further, and the last two  
15 shaded blue lines are 76 and 79. One of them  
16 has a minus 17 percent and the lower one has  
17 8 percent. Can you tell us what those are?

18 A. (Frost) The minus 17 percent, that is the  
19 variance between what the Company incurred  
20 for actual carryover costs within the fiscal  
21 year 2020 program versus estimated at last  
22 year. And the 8 percent is the total cost  
23 variance of the program if you add up work  
24 completed this year and expected future

1           carryover costs plus the variance of  
2           carryover work completed this year.

3    Q.    So the minus 17 is an indication that the  
4           estimates for the carryover cost was higher  
5           than the actual; correct?

6    A.    (Frost) That is correct. The Company  
7           incurred less carryover cost than it  
8           anticipated. It was able to hold the line on  
9           that cost.

10   Q.    And so is it fair to say that the 8 percent  
11           variance is the overall financial picture of  
12           the project when you're looking at estimate  
13           versus actual?

14   A.    (Frost) On a total-wide program expenditure,  
15           8 percent is the variance.

16   Q.    And if we -- I'm not going to have you go  
17           through prior years. But is it fair to say  
18           that in recent years the variances have been  
19           less than that? You have had years of four  
20           or five or six or even minus four percent  
21           variances; do you recall that?

22   A.    (Frost) Yes, I recall that. The Company has  
23           been very successful in managing the overall  
24           program costs. I believe in prior years

1           Staff has noted the Company's success with  
2           managing the program on an overall basis.  
3           However, Staff has also asked for, at times,  
4           a microscopic basis. And on the microscopic  
5           level there is a fair amount of variance.

6    Q.   And by that do you mean that if you look at  
7           it project by project, some will be at  
8           budget, some will be significantly over, and  
9           some will be significantly under? Is that  
10          fair?

11   A.   (Frost) Yes, Mike, that is correct.  
12          Additionally, we talked a lot in these  
13          questions about how the variance is  
14          calculated in multiple different ways based  
15          on original estimate, based on incurred costs  
16          plus expected carryover costs, variances of  
17          carryover costs against expected carryover  
18          costs. Just many different types of variance  
19          calculations. However, the total program  
20          variance calculated in fiscal year 2020 is  
21          8 percent.

22   Q.   Thank you.

23                   MR. SHEEHAN: Those are all the  
24                   questions I have, Chairwoman.

1 CHAIRWOMAN MARTIN: All right.

2 Thank you.

3 Ms. Fabrizio, do you want to do  
4 your direct on Staff?

5 MS. FABRIZIO: Yes. Thank you,  
6 Madam Chair. I will introduce Randy Knepper  
7 as Staff's witness.

8 DIRECT EXAMINATION

9 BY MS. FABRIZIO:

10 Q. Mr. Knepper, could you please state your full  
11 name for the record. You are on mute, Randy.

12 A. (Knepper) I'm unmuting. I'm just not as  
13 quick as you, Lynn.

14 Yeah, I'm Randall Knepper. I'm the  
15 director of safety, and I'm in room -- I  
16 don't even know what room -- Room 32 at the  
17 Commission. And I'm by myself right now.

18 Q. Thank you. And what is your position at the  
19 Commission?

20 A. (Knepper) I'm the director of Safety and  
21 Security.

22 Q. And in that capacity, were you the lead  
23 analyst responsible for examining Liberty's  
24 CIBS program results this year?

1 A. (Knepper) By default, yes.

2 Q. And did you prepare testimony filed on behalf  
3 of Staff on June 12th, 2020, marked as  
4 Exhibit 2 in this docket?

5 A. (Knepper) Yes.

6 Q. And you attached Staff's audit report as part  
7 of your testimony in Exhibit 2, but that is  
8 also entered as Exhibit 3; is that correct?

9 A. (Knepper) Yes.

10 Q. And are there any corrections to your  
11 testimony that you would like to make at this  
12 time?

13 A. (Knepper) No.

14 Q. If I were to ask you the same questions that  
15 are included in your testimony, would the  
16 answers be the same today?

17 A. (Knepper) Yeah.

18 Q. Thank you.

19 CHAIRWOMAN MARTIN: Ms. Fabrizio,  
20 are you finished introducing the witness and  
21 laying the foundation?

22 MS. FABRIZIO: Yes.

23 CHAIRWOMAN MARTIN: Okay. I just  
24 want to check with Ms. Robidas.

1 Ms. Robidas, could you use a break?

2 COURT REPORTER: I'm good right  
3 now. Thank you.

4 CHAIRWOMAN MARTIN: You're okay  
5 right now?

6 COURT REPORTER: Yup.

7 CHAIRWOMAN MARTIN: Okay. Then  
8 let's proceed.

9 MS. FABRIZIO: Okay. Thank you.

10 BY MS. FABRIZIO:

11 Q. Mr. Knepper, we've heard a lot of numbers  
12 this morning. First of all, I'd like to ask  
13 you, how many years has Liberty CIBS program  
14 been in place?

15 A. (Knepper) So the Liberty CIBS program has  
16 been in place for 12 years. And of all the  
17 people here, the one person that's been here  
18 constant is me.

19 Q. Okay. And we've heard statements regarding  
20 project cost variances. We've heard a couple  
21 of numbers: Plus or minus 10, 15 percent,  
22 8 percent. In your review of the Company's  
23 spreadsheet attached to your testimony on  
24 Bates Page 20, what is the percentage

1 variance regarding low-cost planned projects  
2 that were completed without reduction in  
3 scope?

4 And maybe I can step back there. And if  
5 you could provide your understanding of the  
6 earlier discussion of variances and how you  
7 read the Company's results.

8 A. (Knepper) Lynn, I want to make sure I  
9 understand your question. Are you referring  
10 to my Bates Page 20 on my testimony?

11 Q. Yes. You attached the spreadsheet to your  
12 testimony, so that was easiest for me to  
13 refer to.

14 A. (Knepper) Okay. So my Bates Page 20, I  
15 believe, is a spreadsheet of just bare steel  
16 only. And that just lists -- that is not  
17 the -- it's not a financial thing. All it  
18 lists is of the samples that were brought in  
19 over the 12 year period, what the ages were,  
20 the history and the conditions of the bare  
21 steel that have been brought to us. Are you  
22 referring to a different one?

23 Q. Yes, I must be. I'm referring to the giant  
24 spreadsheet that we've been looking at --

1     A.     (Knepper) So the giant spreadsheet that I'm  
2           aware of is in Exhibit 1 of Liberty's  
3           testimony, and I believe it's Bates Page 30.  
4           And I have the benefit of having a large  
5           printout and I can read those column numbers  
6           and I can read those numbers. So, you know,  
7           for those who want to follow it, they're  
8           going to have to really zoom in on that Bates  
9           Page 30 because it's very small.

10    Q.     Okay.

11    A.     (Knepper) So now that I have the right page  
12           and the right reference, can you repeat your  
13           question for me?

14    Q.     Sure. We've heard statements from the  
15           Company today that the overall variance is  
16           plus or minus 10 percent on project cost.  
17           We've also heard a figure of 15 percent  
18           today. Based on your review of the  
19           spreadsheet that we're now all looking at,  
20           how would you assess the cost variance of the  
21           CIBS program?

22    A.     (Knepper) Well, I think it's difficult to  
23           kind of do the overall because when you -- if  
24           you look at the seven uncompleted projects,



1       they show up as negative variances; so that's  
2       going to reduce the overall amount. I  
3       believe that's also consistent with the audit  
4       findings, the final audit findings. I  
5       mentioned that in Section 2. And so when  
6       you're looking at those numbers on an overall  
7       basis, I find it's kind of difficult. If you  
8       look at even the carryover costs that are  
9       included, some of them are not totally  
10      included because they haven't gotten bills  
11      for degradation fees and things like that.  
12      And that's part of that 8 percent number they  
13      use.

14             So I tend to look at it on a  
15      project-by-project basis. I don't know if  
16      they call that a "microscopic" level, but I  
17      call it on a "individual" level. So those  
18      are the ones that I tend to look at to see,  
19      you know, for a given project, did you vary  
20      from what you thought you were going to do.

21             And I do agree with Staff's testimony --  
22      or the previous testimony. I think it is  
23      over 2,000 cells that we asked for. The  
24      reason we asked for 2,000 cells on this data

1 is because of all the things that you've  
2 heard today -- you know, I can't get started  
3 until later. And so then we want to know the  
4 actual start date and end date, and that  
5 becomes a column. That becomes a thing. We  
6 want to know how much are degradation fees,  
7 because when we initiated this program,  
8 degradation fees weren't even part of this,  
9 right; they weren't getting any degradation  
10 fees. When we initiated this program,  
11 carryover costs weren't a major portion of it  
12 because a majority of the projects were  
13 getting done in a single year; they've now  
14 become a major portion. So in the beginning  
15 we were probably not hitting sections where  
16 there was a lot of extra costs, such as ledge  
17 or asbestos. So all those things have kind  
18 of grown over the years, and the spreadsheet  
19 now has the data with it. And even then,  
20 they still cause a lot of questions.

21 So my assessment is, you know, it's not  
22 for me to -- you know, I look at their  
23 numbers, and they look at as an overall --  
24 15 percent is the number that I look at for

1           the overall cost, which I think they listed  
2           between the estimated loaded cost versus the  
3           actual loaded cost. That's kind of what the  
4           number is. If you look at it on a division  
5           basis, looks like the Nashua division was  
6           5 percent, and that had, you know, two  
7           projects within that were well over; you  
8           know, one was 151 percent one was  
9           146 percent. The Manchester was 15 percent.  
10          And I think in Concord it was 38 percent over  
11          in the Concord division. So those were the  
12          ones that I kind of focused on.

13        Q.     Okay. On Bates Page 7 of your testimony you  
14               refer to 27 percent. So what is that based  
15               on?

16        A.     (Knepper) Bear with me, Lynn. I'm flipping  
17               through pages.

18        Q.     I have it marked as Bates Page 7.

19        A.     (Knepper) Yes.

20        Q.     And it looks like Lines 15 through 17.

21        A.     (Knepper) Yeah. That's basically just  
22               sourcing it from their testimony, from Robert  
23               Mostone's and Brian Frost's testimony. And I  
24               reference it in my footnote where I got that,

1           Note 7.

2       Q.     Okay. Thank you.

3                     So you have recommended that the  
4       Commission require Liberty to set a target  
5       goal of end of year 2025 to complete its CIBS  
6       program -- that's at Bates Page 10 of your  
7       testimony, with an exception for mains equal  
8       to or greater than 10-inch nominal diameter  
9       and mains associated with the Keene system.  
10      Why have you chosen 2025 as a target?

11     A.     (Knepper) So in the past, Liberty, in many  
12      years, has said 2024. If you look at  
13      previous years' CIBS dockets, I think it's  
14      been at least three dockets that they've  
15      mentioned 2024 as the target. I don't think  
16      that's achievable by them anymore, but I do  
17      think 2025. So I can tell you how I get  
18      there and derive that number.

19                     So they have about 55 miles of cast iron  
20      and bare steel left in their system. I do  
21      not include Keene because Keene was never  
22      really part of the CIBS program from  
23      inception. It was never part of the  
24      conceptual thing, so I'm not including the

1       6.75 miles. If you were to include it, we'd  
2       need to see, you know, are you operating the  
3       system? Is it going to natural gas? We'd  
4       have to see a whole conversion plan  
5       associated with it to look at that.

6               So of that 55 miles that's left, there's  
7       about, I think -- I don't know if these  
8       numbers are consistent with what Brian said.  
9       But according to reports that they filed with  
10      us, there's about 1 mile that's 14- and  
11      16-inch, and there's about 3.7 miles that are  
12      10-inch and 12-inch. So it's a very small  
13      portion, between 4 and 5 miles. I kind of  
14      excluded that. That gets you down to about  
15      50. At the end of this year, they're  
16      probably going to get 7 to 8 miles done.  
17      That's my estimate based on what I see on  
18      crew activity in some of the discovery  
19      questions. So that reduces that down to  
20      about 42. Through municipal projects  
21      historically over this 12-year period,  
22      they've been replacing somewhere around  
23      2 miles on average. But I anticipate that  
24      going down a little bit. So if you were to

1 say 1.75 miles for the remaining 5 years,  
2 that gets another 7 to 8 miles. That's done  
3 outside of the CIBS, what you call the CIBS  
4 program. Remember, the CIBS program is for  
5 internally-driven projects, right. They're  
6 not for externally driven projects.  
7 Externally projects that are done by  
8 municipalities, the Company should be taking  
9 advantage of those and replacing them. This  
10 is as if the municipality was not going to do  
11 any work and the Company's initiating the  
12 program, or the replacement program on their  
13 own. And if you do that, you're down to  
14 about 35 miles. And you divide that by five  
15 years, right. We're talking about 2021,  
16 2022, 2023, 2024 and 2025. That's about  
17 7 miles a year. I think that's achievable.

18 Q. And does pushing the program back to 2025  
19 create a delay that poses a significant risk  
20 to public safety?

21 A. (Knepper) Well, I think a one-year delay from  
22 what we were kind of -- remember, this is a  
23 targeted end date. This isn't a hard and  
24 fast. I don't know where they label this

1 "hard and fast." But it's a targeted end  
2 date. And I don't think so. If you look at  
3 this large spreadsheet, you'll see  
4 there's pipes in there that have been in the  
5 ground, and they've been removed, since 1892.  
6 So those are 128 years they've been in the  
7 ground. At this point in time, I think an  
8 extra year is probably not going to increase  
9 it.

10 We do note that the leak rates are going  
11 down. I would expect them to go down as they  
12 replace more. And so I think we're getting  
13 to the end of the system, the end of the  
14 program. And I think they can start to  
15 replace -- you know, certainly if they want  
16 to do more, they can.

17 But I do think they need some sort of  
18 guidance because I don't think we want to  
19 continue this on for the next 10 years or 20  
20 years. This has been going on for quite a  
21 long time to get some of this aged,  
22 leak-prone pipe out.

23 Q. Thanks. And you refer to CIBS mains equal to  
24 or greater than 10 inches in diameter not

1           posing the same level of risk. What would be  
2           a reasonable target to replace those?

3       A.   (Knepper) I don't think it's a targeted date.  
4           I think it's going to be -- because there's  
5           very few streets that that's on. It's not  
6           scattered throughout. There's 12-inch here  
7           on Main Street in Concord. There's 10-inch  
8           on North State Street and South Street in  
9           Concord. There's a few places in Nashua near  
10          their plant that they have some 16-inch and  
11          14-inch. So you're looking at very, very  
12          specific streets and segments. So I think  
13          you can look at those on an individual basis  
14          of when it makes sense to replace them.  
15          Those are going to be very, very expensive  
16          projects to replace because you can't just  
17          easily replace 16-inch with plastic like they  
18          can do with a 4-inch or 8-inch or 6-inch.  
19          And, you know, those are ones that I would  
20          probably just monitor and not put an end date  
21          to.

22                 We specifically asked, like on the Main  
23                 Street program in Concord -- you know, Main  
24                 Street's been redone with brick pavers and



1 extended curbs to replace the gas main years  
2 ago at the time the construction was done.  
3 And at that time Liberty did not feel it was  
4 a priority.

5 Q. So you are not suggesting that 10-inch or  
6 greater mains should never been replaced,  
7 merely that they should not be -- they don't  
8 need to be part of the accelerated recovery  
9 CIBS program; is that right?

10 A. (Knepper) So the CIBS program's gone away,  
11 right. So the reason I kind of say 10-inch  
12 and above is because typically they'll leak  
13 at bell joints. And I would say the majority  
14 of those bell joints have already been  
15 attended to by Liberty. So now the only  
16 other thing is with cast iron, the other way  
17 to have the gas leak is when it breaks. So  
18 when that cast iron fractures or breaks, the  
19 gas can leak. But when you get to those size  
20 pipes of 10-inch, 12-, 14- and 16-inch,  
21 they're much thicker materials and so they  
22 tend not to break as much. And we've not  
23 recorded many gas main breaks on those. We  
24 look at that data that Liberty submits to us.

1           And because of those reasons we don't tend to  
2           see it.

3       Q.    Okay.  Thanks.  And you've also excluded the  
4           CIBS mains in Keene as part of your  
5           assessment of an optimal target end date.  
6           Why is that?

7       A.    (Knepper) Yeah, because I don't think Keene  
8           was really ever part of the program.  And  
9           when you look at the testimony that they  
10          have, I think it's -- let me get to the Bates  
11          page number.  Bear with me for a second.  It  
12          would be in Exhibit 1, Bates page -- trying  
13          to look at -- well, let's just look at Bates  
14          Page 50.  If you were to go and look at that  
15          in Exhibit 1, and you look at Line 11,  
16          Keene's not really in there when you look at  
17          the miles of cast iron replaced and you're  
18          trying to do this tracking.  So it doesn't  
19          make sense to even include it because it  
20          distorts all data and all the associated  
21          stuff.  I kind of think Keene's separate, on  
22          its own.

23       Q.    Okay.  Thank you.  You have recommended that  
24           the Commission require certain reporting

1 requirements from the Company regarding its  
2 CIBS activities. Could you briefly explain  
3 what you're looking for?

4 A. (Knepper) Yeah. So now that the CIBS program  
5 was terminated last year by the Commission as  
6 we alluded to, this large spreadsheet is  
7 probably the number one thing we get, as well  
8 as the spreadsheets that Ms. McNamara puts  
9 together that kind of gives you the financial  
10 impact. Those two things kind of tell us the  
11 most.

12 And so if you were to go to cold turkey  
13 and not get any of that information, and  
14 you're still spending, I don't know, upwards  
15 of \$20 million to year to \$25 million a year,  
16 I think it's reasonable to, instead of just  
17 taking that out and only replacing it with  
18 what we get for the E22, which is just a  
19 single line item for very little description,  
20 I think you either continue with this or you  
21 have a modified something in between. And so  
22 I made suggestions as to the Commission  
23 asking for a modified E22.

24 Q. Thanks. And the Company has indicated in

1           this proceeding some concern regarding the  
2           administrative burden of the reporting that  
3           Staff would like to see from the Company. Do  
4           you have similar concerns?

5       A.   (Knepper) I don't consider this detail of  
6           this type of spreadsheet an administrative  
7           burden. The things when I refer to  
8           administrative burdens are not having to file  
9           the marketing report, not having to do these  
10          cast iron/bare steel cutouts anymore, not  
11          having to give us a preliminary plan with all  
12          the GIS and all the layers and all the leak  
13          history associated with it, to then have a  
14          tech session, to then have a finalized plan,  
15          to then have a hearing like this and to have  
16          the order posted and testimony and discovery  
17          and -- those are the administrative burdens  
18          that I was referring to.

19       Q.   Okay. And your recommendation is that the  
20           Commission set a replacement target goal year  
21           end 2025. Do you believe there should be any  
22           incentives or penalties related to that  
23           target date?

24       A.   (Knepper) I don't know if there should be --

1           well, I'm not a big fan of incentives. I  
2           think -- I don't think they need to be  
3           incentivized any more. That's why we  
4           terminated the program. But penalties, it  
5           all depends upon if you -- if they're not  
6           doing things properly. And so I think if we  
7           continue to see the milages -- you just heard  
8           that the last three years was around 11 miles  
9           a year, and that's between municipal and  
10          self-initiated work. If we see those numbers  
11          stay constant or in and around that, I don't  
12          think we need any penalties, no.

13       Q.    Okay. Thank you. And do you generally  
14              support the Company's request here for  
15              recovery of the CIBS program cost for 2020?

16       A.    (Knepper) Yes.

17       Q.    Okay. Thank you.

18                       MS. FABRIZIO: I have no further  
19              questions for Mr. Knepper.

20                       CHAIRWOMAN MARTIN: Okay.

21                       Ms. Robidas, are you still okay to  
22              keep going?

23                       COURT REPORTER: Yes, thanks.

24                       CHAIRWOMAN MARTIN: Okay. Thank

1           you.

2                       Ms. Shute.

3                       MS. SHUTE: I don't have any cross.

4           Thank you.

5                       CHAIRWOMAN MARTIN: Okay. Mr.

6           Sheehan.

7                       MR. SHEEHAN: Thank you. I have a  
8           few questions.

9                       CROSS-EXAMINATION

10          BY MR. SHEEHAN:

11          Q.    First, Mr. Knepper, and you did say it in the  
12               middle of your testimony just now, but to  
13               make clear, the CIBS program and all of the  
14               components that comprise the CIBS program no  
15               longer exist as of the Commission order a  
16               year ago; is that correct?

17          A.    (Knepper) That's correct.

18          Q.    And that was a recommendation of Staff, not  
19               the Company, to terminate the CIBS program;  
20               correct?

21          A.    (Knepper) That's correct.

22          Q.    And in fact, the Company objected to it for a  
23               number of reasons, and the Commission  
24               ultimately decided to terminate the program.

1           My first series of questions regarding  
2           your proposed target date, you heard Mr.  
3           Frost and Mr. Mostone talk about the many  
4           factors that should be considered when  
5           setting a target date, such as the Manchester  
6           sewer project, the Nashua paving goals and  
7           the traffic concerns of trying to do too much  
8           work in a city. Do you disagree that any of  
9           those are factors that could impact the  
10          ability to meet any target date?

11        A.   (Knepper) I think they can, yes. The east  
12          side of Manchester sewer and water separation  
13          project has probably been discussed for, I  
14          don't know, 20 years. And it's going to be  
15          dependent upon federal funding. So as you  
16          well know, those kind of municipality  
17          projects get stretched out and delayed. And  
18          for a long period of time they were looking  
19          for different technologies so they wouldn't  
20          even do that type of work. So I do think if  
21          they actually go through, yeah, you should  
22          try to coordinate as much, and you should do  
23          as much planning, so that if you do move  
24          something, it will not be in the way later

1           and you wouldn't have to do duplicate  
2           replacements or movement. And that depends  
3           upon where they are. So I don't want to wait  
4           forever for this, quote, unquote, sewer  
5           separation project because that's been, I  
6           don't know, an ongoing project that I've been  
7           aware of since I started.

8           So the Nashua one. Each town always has  
9           cities and towns and paving priorities and  
10          things like that. And you should be doing  
11          that as well. To me, that's all kind of  
12          coordination that you guys do. I think  
13          you're doing it now. But I don't want it to  
14          be said that it was a final hard and fast.  
15          It was -- I think I used the word "targeted"  
16          I think is what I used. And that doesn't  
17          mean it's an absolute. And if you're hearing  
18          a straggler or two that you're talking about,  
19          I don't think Staff's going to object to  
20          those kind of things. It's just kind of what  
21          are you targeting, what are you trying to do  
22          and get a replacement rate I guess. So from  
23          what I heard was, from earlier testimony  
24          today, was five years. And it seems to kind



1 of coincide with the same number that I had  
2 put in my testimony.

3 Q. Do you have any specific information about  
4 the Manchester project of recent that says  
5 it's a go or a no-go, or is it just general  
6 knowledge that it's been in the works  
7 forever, and from your perspective, who knows  
8 when it will actually happens?

9 A. (Knepper) I think the latter, what you just  
10 said.

11 Q. So if the Company has information that it's  
12 more likely to proceed, it would be wise to  
13 at least wait some time to see in fact what  
14 the city is going to do and work around those  
15 plans, even if it were to push the finished  
16 date out beyond 2025 by a few years. Would  
17 that be wise?

18 A. (Knepper) I think that's wise. But again, I  
19 don't know if they are -- at what stage of  
20 completion are they at. Are they at the  
21 90 percent completion of drawing drawings and  
22 bidding it and that kind of stuff? I'm  
23 guessing they're probably at the trying to  
24 get federal money stage. But I don't know.

1 But I do think the Company should definitely  
2 factor that into consideration, yes.

3 Q. And would it have been wise for you to factor  
4 that in to determine where they were on that  
5 project before setting a 2025 target date?

6 A. (Knepper) Well, I don't have the specifics,  
7 so... I didn't have the specifics of the  
8 project when I wrote my testimony. So if  
9 there is specifics, yeah, I think you should  
10 definitely factor that in. If they tell you  
11 they're going to be working on this street  
12 this year and they're going to be working on  
13 this street the next year and what that is,  
14 definitely you should factor that in.

15 Q. And if they received whatever permissions or  
16 approvals they need to do the whole project  
17 and it's a ten-year project, would it be  
18 reasonable to make sure you're not putting in  
19 pipe today that's going to have to be moved  
20 on year seven?

21 A. (Knepper) I'd have to kind of look at the  
22 specifics before I answer that question. I  
23 don't know. I mean if you're talking about  
24 delaying all 40 years -- 40 miles, I'd say

1           no. Talking about what amount and where, I'd  
2           have to take that into consideration before I  
3           answer that question.

4    Q.   And do you disagree with the Company's  
5           testimony that the cities impose requirements  
6           sometimes apparently -- well, they impose  
7           requirements such as hours of the day or the  
8           like that makes projects more difficult to  
9           complete as timely as first anticipated?

10   A.   (Knepper) Yeah, we've noticed that when we're  
11          in the field doing inspections, that cities  
12          are imposing more and more costs on to these  
13          projects which is driving up those rates.

14   Q.   And so slowing things down; correct?

15   A.   (Knepper) I couldn't hear you, Mike.

16   Q.   And slowing things down.

17   A.   (Knepper) Yeah. If they say you can't  
18          start -- like in Nashua, I believe, they'll  
19          say things like you can't start until after  
20          the morning rush and then you've got to be  
21          done before the evening rush, which means you  
22          can't start normally at 7:00 a.m. I now  
23          start at 9:00 and I got to be finished by  
24          3:00. That reduces the amount of work hours

1           in a day, and that means you have to go back  
2           the same day and you can't get what you could  
3           get done if they didn't impose those kind of  
4           requirements.

5       Q.   And in that example, I think Mr. Mostone  
6           referenced it, the practice -- I think it's a  
7           requirement of the Company to fill the hole  
8           every day at the end of the work day. So if  
9           you have a nine to three window, you have to  
10          show up at nine, dig the hole, do the work  
11          and stop the work in time to fill the hole  
12          back up before three; is that correct?

13      A.   (Knepper) Right. I also think they know what  
14          streets those are going to be on. So you're  
15          working on Main Street. You would know that  
16          that would be imposed versus some other side  
17          street where there isn't much traffic.

18      Q.   Yeah. I mean, we all know it's coming. But  
19          it's just a factor that will increase as we  
20          do more and more of the final streets in  
21          downtown. Is that fair?

22      A.   (Knepper) Yup. I believe that's another  
23          reason why the costs are increasing. They're  
24          getting to the more arterial, more the heart

1 of the heart of the city, and the more  
2 costlier projects.

3 Q. Did you figure the delays associated with  
4 those kinds of things when you stated your  
5 2025 target?

6 A. (Knepper) I think that, yes, because I'd  
7 already reduced going from 10 miles a year to  
8 11 miles a year down to 7. So I think the  
9 answer is I think that's all -- if I were to  
10 factor that in, I would say that would be  
11 part of that consideration. I can't hear  
12 you.

13 Q. Thank you. I marked a few exhibits from last  
14 year, Staff's recommendations from earlier in  
15 the year that Mr. Frink wrote recommending  
16 termination of the program, Mr. Frink's  
17 testimony which had some of that same  
18 information, and an excerpt of testimony from  
19 last year's hearing. I don't need to go  
20 through those in detail, but they're there if  
21 any of us need to refer to them for the  
22 following few questions.

23 First, do you agree that administrative  
24 burden was one reason for Staff's

1 recommendation to terminate the CIBS program?

2 A. (Knepper) I believe that's what he mentioned  
3 on those, one of the reasons, yes.

4 Q. Yeah, I think you just recited a few minutes  
5 ago the components of that administrative  
6 burden; correct?

7 A. (Knepper) Yeah. It may not be word-for-word  
8 but --

9 Q. Understood.

10 A. (Knepper) -- but the gist.

11 Q. Last year there was a comparison to what  
12 happened with Northern Utilities a decade ago  
13 when their program was terminated. Do you  
14 recall that?

15 A. (Knepper) Yeah, that's part of -- I'd have to  
16 kind of -- I didn't really focus on that. So  
17 you'd have to point me to the page that  
18 you're referring to if you want me to  
19 comment.

20 Q. Sure. It is in --

21 A. (Knepper) Is it Exhibit 4 or 5?

22 Q. Yeah, Exhibit 4, Mr. Frink's testimony, Bates  
23 Page 10. Are you there?

24 A. (Knepper) Yeah, I'm getting a delay from you.

1 I don't know if you're getting a delay from  
2 me. But I'm there.

3 Q. Okay. Second line -- well, the first line  
4 described Northern's program in one sentence.  
5 Second sentence, the program went for ten  
6 years through 2020. Do you see that? Sorry.  
7 Through 2000.

8 A. (Knepper) Which line?

9 Q. The second full sentence, I'll just read it  
10 slowly. "Northern was allowed to recover  
11 bare steel replacement costs through annual  
12 step adjustments for ten years, with the last  
13 bare steel step adjustment occurring in  
14 2000." Do you see that?

15 A. (Knepper) I see that.

16 Q. And then the rest of that sentence, "After  
17 which Northern's bare steel replacement  
18 program continued until all bare steel was  
19 eliminated from its distribution system in  
20 2018." Correct?

21 A. (Knepper) I see that, yeah.

22 Q. So their accelerated recovery version of the  
23 program ended in the 2000, and they spent  
24 another 18 years removing the balance of

1           their bare steel; is that correct?

2       A.     (Knepper) That's correct.

3       Q.     Okay.

4       A.     (Knepper) And it wasn't really until there  
5           was a mandate by the Commission to say get it  
6           done by 2018 that they got it done by 2018.  
7           So if there wasn't any mandate, I would  
8           assume that it would have extended even  
9           further.

10      Q.     The other piece that I marked was an excerpt  
11           from testimony last year. I just cut a few  
12           pages. This is Exhibit 6. And the pages I  
13           excerpted begin at Bates 4, which is Page 95  
14           of that testimony. Let me know when you're  
15           there, please.

16      A.     (Knepper) I'm there.

17      Q.     The question at the top of the page is me,  
18           and then Mr. Frink gives an answer for a  
19           period. And then I ask another question  
20           summarizing what part of the current CIBS  
21           process would no longer happen, other than  
22           the yearly rate increases. And Mr. Frink  
23           starts to give an answer. If you scroll to  
24           Page 96, he defers to you. And then you



1           begin answering on Page 96 of the transcript,  
2           Bates 5. Do you see that?

3   A.   (Knepper) I do. Looks like Line 13.

4   Q.   Correct. And bear with me a second. At the  
5           end of Bates Page 96 and into 97 you describe  
6           the spreadsheet and all the data in it and  
7           the report. And you say, quote, "I view all  
8           of that as not having to be done." Do you  
9           see that?

10   A.   (Knepper) Yup.

11   Q.   And then you say, in effect, what you need  
12           for information going forward is, quote, "'We  
13           replaced nine miles,' close quote. They  
14           don't have to say, 'I replaced 550 feet on  
15           Blodget Street or whatever.'" And then later  
16           in that paragraph you have a sentence that  
17           begins with "And so." And everyone can see  
18           that.

19                But you're basically saying let the  
20           Company do it, and we don't need to be  
21           getting all the information and micromanaging  
22           that process. Is that a fair  
23           characterization?

24   A.   (Knepper) Yeah. But I think if you look at

1           the -- to me it says we're not of like minds,  
2           Mr. Frink and myself. He believes from a  
3           financial side of the equation he needs to  
4           have all that information.

5    Q.    But it's your testimony in this docket, Mr.  
6           Knepper, that's proposing the new information  
7           to be provided; correct?

8    A.    (Knepper) Opposing new information being  
9           provided?

10   Q.    Proposing.

11   A.    (Knepper) Yeah, I think it's reasonable to go  
12           from just saying we're going to spend \$25  
13           million over 11 miles to be able to give more  
14           detail to that, a description of it and where  
15           you're going to go and how many services and  
16           some basic information. Do I need to know  
17           the dates, the ages of things? Probably not.  
18           Do I need to have all the cost estimates and  
19           variances? Probably not. But I do think we  
20           need to have something more than in a single  
21           line. And I think that's what I was trying  
22           to express in my testimony. I don't know if  
23           I gave it justice or not, but that's what I  
24           was looking to do.

1 Q. Certainly without the program, the way the  
2 Company would recover CIBS cost is through a  
3 rate case where it would provide information  
4 like it does for all its other capital  
5 projects supporting the rate case. And of  
6 course it's for the Commission to decide  
7 whether that information is sufficient to  
8 establish the prudence of those costs. Is  
9 that fair?

10 A. (Knepper) Yeah. And I would expect if we  
11 don't get this on an annual basis for the  
12 amount of dollars, that'll probably be the  
13 first question you get during a rate case is,  
14 "Please provide similar information in these  
15 2,000 cells on a project-by-project basis."  
16 So I think we'll either get it upfront or  
17 we'll get it at the end at a rate case level.  
18 We'll probably get the detail that we need to  
19 be able to analyze the prudence.

20 Q. And it would be fair to say that -- well,  
21 strike that.

22 A. (Knepper) I lost you again, Mike. Sorry.

23 CHAIRWOMAN MARTIN: Mr. Sheehan, I  
24 think you're on mute.

1 MR. SHEEHAN: Yes, I'm sorry.

2 BY MR. SHEEHAN:

3 Q. I think my last question is, and I think you  
4 answered it, the Company is requesting a  
5 certain rate adjustment in this case as  
6 outlined in Ms. McNamara's testimony. And I  
7 think you said that Staff has no objection to  
8 that particular request. Is that fair?

9 A. (Knepper) That's fair.

10 Q. Thank you.

11 MR. SHEEHAN: I have no further  
12 questions.

13 CHAIRWOMAN MARTIN: All right.  
14 Thank you. Commissioner Bailey.

15 COMMISSIONER BAILEY: Thank you.

16 INTERROGATORIES BY COMMISSIONERS:

17 BY COMMISSIONER BAILEY:

18 Q. I'm really sorry, but I'm a little bit  
19 confused. So we have the spreadsheet that is  
20 in the Company's testimony. That's  
21 Attachment A. And we have a different  
22 spreadsheet in your testimony, Mr. Knepper.  
23 That's Attachment 7. And they're not exactly  
24 the same thing; right? Looks like it's --

1 A. (Knepper) Let me look at what Attachment 7  
2 is.

3 Q. Attachment 7 is what you -- I think it's a  
4 response to a data request that you  
5 recommended. That's the reporting  
6 information that we could require.

7 A. (Knepper) Yeah. So let me kind of go over  
8 that, if I can clarify that a little bit.

9 Q. Okay.

10 A. (Knepper) So in Attachment 6A, when we asked  
11 the Company what kind of information we would  
12 get for this year's program, I highlighted a  
13 single row. And it said basically --  
14 (connectivity issue)

15 (Court Reporter interrupts.)

16 A. (Knepper) Said \$9 million in capital expense,  
17 approximately. And that's it. And so that  
18 was just to kind of emphasize it. And then  
19 in 6B I listed the kind of information that  
20 we get from an E22 currently. And you can  
21 see it doesn't -- you know, it just talks  
22 about growth. It does say replacement. And  
23 it doesn't give a lot of detail. So what I'm  
24 trying to do in Attachment 7, when we asked

1           the data request, the discovery request to  
2           get more information on those E22s, Liberty  
3           then provided a spreadsheet on Bates Page  
4           106. And that starts to put a little bit  
5           more definition to those numbers. And that's  
6           what I was trying to say is that kind of  
7           detail would be helpful. But again, we would  
8           ask that the Commission order some sort of  
9           detailed report like that. Or they can just  
10          use the existing format that they have now,  
11          that's currently -- that they've been using  
12          for 12 years.

13       Q.    Sorry. I'm having trouble getting my mouse  
14           between screens and unmuting and looking at  
15           the information in your testimony.

16                So the information that they've been  
17           providing for years is the big, huge, giant  
18           spreadsheet that's in Attachment A in their  
19           testimony. So Attachment 7 is a subset of  
20           that.

21       A.    (Knepper) That's kind of what they propose  
22           for -- that's what they showed that's going  
23           on, activity that's going on right now.

24       Q.    Okay.

1     A.     (Knepper) So right now there's no CIBS  
2             program going on, because this hearing's  
3             talking about last year's CIBS program. You  
4             can see that's a lot less than the 2,000-cell  
5             spreadsheet, the 66 columns, call it 39 or  
6             whatever, associated with the 39 projects.  
7             This is a lot less. But it does give  
8             important information. It gives information  
9             about is it cast iron or is it bare steel.  
10            Gives you length. You know, gives you  
11            whether it's going to be abandoned and  
12            re-laid. And did give a cost estimate, and  
13            it told you kind of the scope of the work.  
14            So I think something like that is not  
15            burdensome to the Company to provide.

16    Q.     Okay.

17    A.     (Knepper) But I do think that the Company  
18             needs to be aware that if they don't keep  
19             this format that they have for this  
20             2,000-cell spreadsheet, they can expect the  
21             Staff, during a rate proceeding when they  
22             come in for rates, to say we want it on a  
23             segment-by-segment basis. And we're going to  
24             be looking for similar information because

1       Staff knows that they have the ability to  
2       extract that. And we also kind of think it  
3       does give a lot more of a telling story as to  
4       what did you plan, what did you do, when did  
5       you start, what did you accomplish, what were  
6       the reasons. And when you start putting that  
7       on there, the spreadsheet gets big.

8       Q.    So if they were -- if the Commission were to  
9       order them to provide you the information in  
10       Attachment 7 in your testimony, and then a  
11       rate case came up, would they still need to  
12       provide the big 2,000-cell spreadsheet  
13       information if they're going to have to do  
14       that anyway?

15       A.    (Knepper) Well, it's hard for me to -- I  
16       don't want to speak out of turn for Mr.  
17       Frink. But I would expect that would be a  
18       data request that they would ask for very  
19       early in the process.

20       Q.    So your point is they might as well continue  
21       to file that 2,000-cell spreadsheet on an  
22       annual basis because they're going to have to  
23       produce it anyway. And so is it your  
24       recommendation then that we require that



1           rather than what you have in Attachment 7?

2       A.     (Knepper) I think if the Commission orders  
3           and it's made known, then they know they're  
4           going to have to do it. And whether it's  
5           upfront or not -- right now they -- but there  
6           would just be no -- I guess it would help the  
7           Staff because it gives you an idea as to how  
8           many bare steel services are remaining, how  
9           much -- which projects get done. Answers all  
10          those questions like, you know, there's  
11          6 miles left in Concord and how much got done  
12          in Manchester and all those things to help in  
13          coordination with what you're talking about a  
14          city and sewer water project that the City of  
15          Manchester is considering and those kind of  
16          things.

17       Q.     Is it possible that if you had time, you and  
18           Mr. Frink had time with the Company to look  
19           at the gigantic spreadsheet, that you could  
20           maybe trim it down a little bit and get rid  
21           of some of the columns so that it wasn't  
22           quite as massive and that it would satisfy  
23           both the requirement for you to keep track of  
24           the progress with CIBS and also satisfy Mr.

1 Frink for the rate case?

2 A. (Knepper) I guess we could look at what kind  
3 of things -- I mean, I'm really looking at  
4 it, Commissioner Bailey, from an operational  
5 standpoint --

6 Q. Right.

7 A. -- and he's kind of looking at it from a  
8 financial aspect. And the two kind of  
9 intermingle. So I tend to look at stuff on a  
10 project-by-project basis. And so are you  
11 planning on replace 22-inch.

12 So in my opinion, that one spreadsheet  
13 is not a huge burden. It is a burden more  
14 than nothing. But I think we're eliminating  
15 having a hearing, having to cut out samples,  
16 analyze them, having to -- you know, prior to  
17 this spreadsheet, they gave us -- you know,  
18 Brian Frost would give us plans that showed  
19 GIS, you know, where it starts and stops, and  
20 all the leak history that goes with it.  
21 There's many, many, many, many more pages  
22 than just that one spreadsheet. So I think  
23 if we eliminate all that other stuff, and the  
24 only thing remaining is this, I would say

1           that that's -- it can't -- it shouldn't be  
2           that much of a burden for them.

3       Q.     And by "this," you mean the big spreadsheet?

4       A.     (Knepper) Yes.

5       Q.     Okay. So on the timing of when they should  
6           finish the CIBS project, I think that your  
7           basic position is they have 56 miles left.  
8           They've been doing about 11 miles a year. So  
9           they should be able to finish it in five  
10          years. Is that kind of where you got to --

11      A.     (Knepper) I think so. I think that the  
12          original 2024 date's getting extended to  
13          2025. So I think that it will. Now, whether  
14          it's down to the last foot and down to the  
15          absolute that I've gotten every single thing  
16          out, I don't think that's our concern. But  
17          our concern is without having a goal, it will  
18          get -- it will extend. And, you know, when  
19          I'm dealing with pipes that are well over --  
20          that were put in when horses were still on  
21          these streets, we need to remove those pipes.

22      Q.     I understand. I am a little sympathetic to  
23          the Company's argument about not having to  
24          move the pipes twice. And I think what you

1       said is work with the city, find out when  
2       they're going to do the sewer separation  
3       project in earnest. And to the extent that  
4       they can move them now and move them to a  
5       location where the sewer separation project  
6       won't be impacted, that would be the best  
7       thing. But if --

8       A.   (Knepper) I would expect them to do that.

9       Q.   But if the sewer separation project were  
10       happening, say completing in seven years from  
11       now, would you expect them to open the street  
12       up next year, replace five miles in Nashua  
13       [sic], and then I guess they would have to  
14       pay for all the paving, and then the city  
15       opens it up again in the next five years?

16       A.   (Knepper) If you told me that was an absolute  
17       it was going to be done in seven years and  
18       you're going to make that commitment, that's  
19       one thing. What I find is that this project  
20       has been lingering for decades, and the  
21       answer is I can't wait forever. And at some  
22       point in time we have to remove it.

23               Now, the other thing you need to take --  
24       to know is even the existing polyethylene

1 pipe that they have replaced, let's say six  
2 years ago, if that's in the way, that's going  
3 to get moved. So either way they're going to  
4 be moving pipe if it interferes with the  
5 project. So I look at it and say, well, I'd  
6 have to look at it in context of how much of  
7 their pipeline system is going to be affected  
8 by this sewer water -- or sewer interceptor  
9 project. So you'd probably have to look at  
10 it in those terms.

11 Q. Okay. And if they did look at it earnestly  
12 in those terms, you can't really bind them to  
13 five years then. But you can -- we could say  
14 the target is five years, but work with the  
15 City of Manchester and get it done within no  
16 later than ten years or something.

17 A. (Knepper) I find if the Commission doesn't  
18 mandate or put a target on it, it just goes  
19 on forever.

20 Q. Okay.

21 A. (Knepper) And I think, in my opinion, what  
22 you initially heard from Liberty this morning  
23 was they wouldn't give you a date, wouldn't  
24 get there, and you had to kind of get it out

1 of them town-by-town. And you kind of got  
2 out that they think they can do most of it in  
3 five years and that there's some stragglers.  
4 That's a lot different than at the beginning  
5 they just kind of said, well, we'll get to it  
6 on a practical basis when we can get to it.

7 So I think the strongest point is if the  
8 Commission is doing that, it sets a tone that  
9 this is important to remove this, and it  
10 gives a targeted date. It's not an absolute.  
11 And it doesn't say every footage. But if  
12 we're down to that, we're going to be down to  
13 less than 5 miles, 6 miles out of the --  
14 which is going to be less than probably  
15 2 percent of their system I think at that  
16 point in time, I'll be pretty satisfied.

17 Q. Okay. Great. Thank you very much.

18 COMMISSIONER BAILEY: That's all I  
19 have Madam Chair.

20 CHAIRWOMAN MARTIN: All right.  
21 Thank you, Commissioner Giaimo.

22 BY COMMISSIONER GIAIMO:

23 Q. I have just a couple quick clarifications.

24 So, good afternoon Mr. Knepper. I want

1           a clarification. So last year it was Staff's  
2           recommendation and your recommendation that  
3           the CIBS project should be immediately  
4           terminated.

5    A.    (Knepper) Yup.

6    Q.    And the Commission decided and ordered that  
7           it would be deferred one year; is that  
8           correct?

9    A.    (Knepper) Yup.

10   Q.    Okay. What I'd like -- sorry?

11   A.    (Knepper) The reason is because we gave  
12           advanced notice to the Company even before  
13           that, that we're winding down.

14   Q.    Okay. I understand.

15               What I thought I also heard you say is  
16           that you're supportive and that you will  
17           continually encourage the Company to work  
18           with the cities in coordinating and getting  
19           things done as quickly as possible. Is that  
20           right?

21   A.    (Knepper) Not only supportive, that would be  
22           my expectation.

23   Q.    Okay. And I want to touch finally on what  
24           Commissioner Bailey was suggesting. And I'm

1       wondering did you feel like there would be a  
2       meeting of the minds with respect to the  
3       reporting requirements, or are you so far  
4       apart with what you think the Company wants  
5       and what you need and what Mr. Frink may need  
6       that, you know, you can't resolve that and  
7       you would need the Commission to order that  
8       immediately?

9     A.   (Knepper) Well, you know, when we asked them  
10       for this year when there wasn't a cast  
11       iron/bare steel program, right -- they're  
12       replacing main as we speak right now -- what  
13       do you have for associated information, they  
14       started out with that one line. That's it?  
15       Well, that kind of told me that absent  
16       this -- and then we had -- then they kind of  
17       got down to a little bit more detail, and  
18       then finally the third discovery question we  
19       got to it. And so, you know, I was kind of  
20       afraid like we were going cold turkey, that  
21       we had a lot of data information coming in  
22       with a lot of dollars in expenditures  
23       associated with it, and then all of a sudden  
24       we're not getting anything. I didn't want --



1 I wanted to make sure that does not happen.

2 Q. I understand that, Mr. Knepper. But you also  
3 said that it's a question of do we need  
4 the -- we're going to get the information now  
5 or we're going to get it before a rate case.  
6 Eventually you're going to get the  
7 information.

8 A. (Knepper) Right.

9 Q. The Company understands --

10 A. (Knepper) From my standpoint --

11 Q. Sorry.

12 A. (Knepper) From my standpoint, I could live  
13 with what's in Attachment 7. But I'm also  
14 not speaking for Mr. Frink.

15 COMMISSIONER GIAIMO: Okay. And I  
16 don't know to the extent it's appropriate,  
17 but maybe Mr. Sheehan could maybe think about  
18 that and incorporate something to that effect  
19 in his closing.

20 Okay. Thank you. That's all the  
21 questions I have.

22 CHAIRWOMAN MARTIN: All right.

23 Thank you. I don't have any questions  
24 remaining. So back to you, Ms. Fabrizio.

1 I do have a request. I'd like to  
2 ask another question of the Company related  
3 to Mr. Sheehan's redirect. So after Ms.  
4 Fabrizio is done -- (connectivity issue).

5 CHAIRWOMAN MARTIN: Yeah, I lost  
6 you for a second there. After Ms. Fabrizio  
7 is done, I would like to ask one more  
8 question.

9 MS. FABRIZIO: Thank you, Madam  
10 Chair.

11 REDIRECT EXAMINATION

12 BY MS. FABRIZIO:

13 Q. Mr. Knepper, you are recommending that  
14 Liberty continue its replacement of its  
15 in-ground CIBS pipes; is that correct?

16 A. (Knepper) Yeah. I just want to make sure  
17 everybody's aware. When the program -- the  
18 CIBS program is over, I would like to replace  
19 leak-prone pipe, yes.

20 Q. Okay. And you are basically recommending  
21 that we simply not continue the accelerated  
22 recovery incentive that has been in place  
23 under the CIBS program; is that correct?

24 A. (Knepper) Yes, that's correct. And that's

1           what the Commission decided last year.

2       Q.    Okay.  Thank you.  I have no further  
3           questions.

4       BY CHAIRWOMAN MARTIN:

5       Q.    Okay.  My question is really related to the  
6           question about the sewer project.  And Mr.  
7           Sheehan said if the Company had information  
8           that the sewer project is likely to  
9           proceed -- I would like to ask that question  
10          to the Company.  If you have specific  
11          information that it is likely to proceed at a  
12          certain time frame, could you please provide  
13          that now.

14      A.    (Frost) Good afternoon.  Brian Frost here.  
15           The City of Manchester sent us a construction  
16           plan for the first major east side projects  
17           earlier this summer.  It involves creating a  
18           main drain roughly in the area of Salmon  
19           Street and North Street.  After that is  
20           complete, in the next one to two years they  
21           would move into neighborhoods.  They have  
22           made -- the city has made a formal request  
23           for us to start considering replacement and  
24           movement of our pipes next year in that area.

1 Q. Okay. Thank you. That's helpful.

2 CHAIRWOMAN MARTIN: Mr. Sheehan, do  
3 you have any follow-up based upon that  
4 question?

5 MR. SHEEHAN: I do not. Thank you.

6 CHAIRWOMAN MARTIN: Okay. Thank  
7 you.

8 All right. Let's see. I need to  
9 strike the I.D. on the exhibits. So without  
10 objection, I'll strike the I.D. on Exhibits 1  
11 through 6 and admit them as full exhibits.

12 Is there anything else that any of  
13 the parties thinks we need to do before we go  
14 to closing?

15 [No verbal response]

16 CHAIRWOMAN MARTIN: Okay. Seeing  
17 none, let's get closing statements, beginning  
18 with Ms. Shute.

19 MS. SHUTE: Thank you, Chairwoman  
20 Martin. The OCA supports the Staff's  
21 position. We feel that, given there's  
22 considerable remaining investment left to  
23 replace the remaining leak-prone pipe, the  
24 level of detailed reporting that's been

1 requested by the Staff seems reasonable and  
2 appropriate. And I have no other statements  
3 at this time. Thank you.

4 CHAIRWOMAN MARTIN: All right.  
5 Thank you.

6 Ms. Fabrizio.

7 MS. FABRIZIO: Thank you, Madam  
8 Chair. Staff recommends approval of the  
9 proposed increase in annual revenue  
10 requirement for fiscal year 2020 CIBS program  
11 costs based on the audit of fiscal year 2020  
12 CIBS costs and review of the Company's  
13 revenue requirement calculation. The CIBS  
14 replacement program is necessary to ensure  
15 public safety, a point that has been made  
16 repeatedly by both the Company and Staff  
17 throughout the existence of the program.  
18 Liberty has been targeting year end 2024 to  
19 complete the program but does not expect to  
20 meet that goal at this time. Staff  
21 recommends the Commission require Liberty to  
22 target year end 2025 to remove CIBS from its  
23 distribution system, with only a minor  
24 allowance for large-diameter CIBS piping,

1       which is generally less leak-prone and more  
2       costly to remove, and CIBS mains in Keene, as  
3       those mains are expected to be addressed  
4       through the Keene system conversion from  
5       propane air to natural gas. Because of the  
6       importance of the program, Staff recommends  
7       the Commission require Liberty to provide  
8       annual CIBS plans reporting for Staff review,  
9       as outlined by Mr. Knepper today, to be more  
10      limited than it was, as required under the  
11      settlement agreement program that has been  
12      terminated, but sufficient to enable Staff to  
13      track progress and for Staff to inform the  
14      Commission of any concerns regarding CIBS  
15      replacement planning. Thank you.

16                   CHAIRWOMAN MARTIN: All right.

17      Thank you.

18                   And Mr. Sheehan.

19                   MR. SHEEHAN: Thank you. First, we  
20      appreciate the support of Staff on the  
21      primary request in this proceeding, which is  
22      the rate adjustment. We spent a lot of time  
23      on a recommendation -- on Staff's  
24      recommendations that, going forward, part

1 of -- no longer CIBS program from the PUC,  
2 but the internal CIBS program, if you will.  
3 So, first, we do appreciate the audit  
4 division's review of the filing and Staff's  
5 support of that piece of it.

6 What I'd like to say briefly on the  
7 future part of this is that the Company is  
8 committed to replacing CIBS as soon as is  
9 practical and possible, with appropriate  
10 consideration to cost. You will recall that  
11 we objected to the termination of the  
12 program. Since Liberty took over this  
13 franchise, it took a couple years to ramp up  
14 the CIBS program. But in fact we did, going  
15 from, I don't know, 3 or 4 miles per year up  
16 to over 10 miles per year for a number of  
17 years. It was the annual -- in part, it was  
18 the annual rate adjustments that helped  
19 support those costs. I think we had  
20 30-something crews out in the field last  
21 year. We feared, in part, that the loss of  
22 the annual adjustment would send the wrong  
23 message internally, that it's not a priority  
24 of the Commission anymore. I can tell you

1       locally it's always been a priority, and we  
2       are always fighting internally for budget  
3       dollars to do what's best for our local  
4       company. So that's why we fought so hard.  
5       We believe in the program. We believe all  
6       the safety reasons for it as the number one  
7       reason. The emergent safety issues are  
8       largely gone. It's now putting out the last  
9       remaining smolders, if you will. The fire's  
10      been out, and now we just have a few embers  
11      remaining. And as Brian described, the  
12      remaining leak-prone pipe is not very leaky.

13               So the Commission decided  
14      otherwise. That's fine. We're continuing as  
15      we would have anyway. We will run into these  
16      problems that we talked about today. So  
17      we're simply saying that 2024 is not  
18      realistic. It's always been a target, but we  
19      also knew that as we got to the end we would  
20      run into the problems that we're running  
21      into, the asbestos, the downtown projects and  
22      the paving projects and the like. So we  
23      don't think the Commission needs to impose a  
24      target date. We are already targeted as soon



1 as possible. And Brian is doing the  
2 engineering to put a finer point on that as  
3 we get more details, for example, for the  
4 Manchester project. And I give the history  
5 to show that the Company has been committed  
6 to it, and we will remain committed to  
7 removing the CIBS.

8 As for the reporting, these  
9 projects are the only projects in the Company  
10 that receive this level of detail, and it's  
11 only because of the CIBS program that this  
12 evolved over the years. When we go to put  
13 CIBS pipe in rate cases in the future, we  
14 will present similar information that we  
15 always present in every rate case to support  
16 capital investment. It will not look like  
17 that big spreadsheet because we don't do that  
18 for any other project. And the Commission  
19 routinely approves capital expenditures on  
20 far less detail. To resolve the issue, as  
21 Commissioner Giaimo suggested, we will accept  
22 the recommended reporting that is in Mr.  
23 Knepper's testimony, which was the enhanced  
24 E22, if I have the name of that report

1 correct. I think even Mr. Frost testified  
2 today that he can live with that as a  
3 reporting requirement going forward.

4 So with that, we thank everyone for  
5 their work on this and ask the Commission to  
6 approve the rate adjustment.

7 One last, final thought. I'm  
8 sorry. Last year's order terminating the  
9 program suggested that the Company, and I'm  
10 going to quote here, that the next step of  
11 CIBS, whether it's CIBS or something else,  
12 should be discussed in a rate case. And the  
13 quote is this: "By terminating the existing  
14 CIBS program, we are not precluding an  
15 alternative proposal in Liberty's next rate  
16 case. We continue to believe it is important  
17 to replace the cast iron/bare steel  
18 infrastructure and will consider an  
19 alternative proposal from the parties during  
20 the anticipated rate case," close quote.  
21 That's Order 26, 2667.

22 So this whole conversation over  
23 reporting and deadlines and targets we think  
24 belongs in the rate case that we intend to

1 file this summer. And we will be making a  
2 proposal that will be in the neighborhood of  
3 a CIBS program. It won't be CIBS, but we're  
4 developing something that at least is  
5 somewhat analogous for the Commission's  
6 consideration. And we think that's where  
7 most of these conversations belong.

8 With that being said, as I said  
9 before, we'll accept the reporting  
10 requirements in Mr. Knepper's testimony. We  
11 ask the Commission not to set a target, and  
12 if one is to be developed, that that  
13 conversation go to the upcoming rate case.  
14 Thank you.

15 CHAIRWOMAN MARTIN: Okay. Thank  
16 you. And I just want to thank Ms. Robidas  
17 for being willing to continue.

18 With that, we will close the record  
19 and take the matter under advisement and get  
20 an order out as soon as we can. Thank you,  
21 everyone.

22 MR. SHEEHAN: Thank you.

23 MS. FABRIZIO: Thank you.

24 (Hearing concluded at 1:30 p.m.)

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**In Re:**

*DG 20-049 LIBERTY UTILITIES (ENERGYNORTH NATURAL GAS)  
2020 CAST IRON/BARE STEEL REPLACEMENT PROGRAM RESULTS*

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*HEARING ON THE MERITS*

*June 18, 2020*

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*SUSAN J. ROBIDAS, N.H. LCR  
30 James Pollock Drive  
Manchester, New Hampshire 03102  
(603) 540-2083  
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1 STATE OF NEW HAMPSHIRE  
2 PUBLIC UTILITIES COMMISSION  
3  
4 June 18, 2020 - 10:10 a.m.  
5 [Remote hearing conducted via Webex]  
6  
7 RE: DG 20-049  
8 LIBERTY UTILITIES (ENERGYNORTH NATURAL  
9 GAS) CORP., D/B/A LIBERTY UTILITIES:  
10 2020 CAST IRON/BARE STEEL REPLACEMENT  
11 PROGRAM RESULTS  
12 (Hearing on the Merits)  
13  
14 PRESENT: Chairwoman Martin, Presiding  
15 Commissioner Kathryn M. Bailey  
16 Commissioner Michael S. Giaimo  
17 Jody Carmody, Clerk  
18 Eric Wind, PUC Remote Hearing Host  
19  
20 APPEARANCES: Reptg. Liberty Utilities  
21 (EnergyNorth Natural Gas) Corp. d/b/a Liberty  
22 Utilities:  
23 Michael J. Sheehan, Esq.  
24 Rptg. Office of Consumer Advocate:  
Christa Shute, Esquire  
Reptg. PUC Staff:  
Lynn Fabrizio, Esq.  
Court Reporter: Susan J. Robidas, NH LCR No. 44  
{DG 20-049} [HEARING ON MERITS] {06-18-20}

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6 ROBERT A. MOSTONE  
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1 P R O C E E D I N G S  
2 CHAIRWOMAN MARTIN: Good morning,  
3 everyone. Nice to see some of you again.  
4 We're here this morning in Docket DG 20-049,  
5 which is Liberty Utilities 2020 Cast  
6 Iron/Bare Steel, CIBS, Replacement Program  
7 Result. I first need to make some findings  
8 because we're doing this remotely.  
9 As Chairwoman of the Public  
10 Utilities Commission, I find that, due to the  
11 state of emergency declared by the Governor  
12 as a result of the COVID-19 pandemic, and in  
13 accordance with the Governor's Emergency  
14 Order No. 12 pursuant to Executive Order  
15 2020-04, this public body is authorized to  
16 meet electronically. Please note that there  
17 is no physical location to observe and listen  
18 contemporaneously to this hearing which was  
19 authorized pursuant to the Governor's  
20 Emergency Order. However, in accordance with  
21 the Emergency Order, I am confirming that we  
22 are utilizing Webex for this electronic  
23 hearing. All members of the Commission have  
24 the ability to communicate contemporaneously  
{DG 20-049} [HEARING ON MERITS] {06-18-20}

Page 5	Page 7
<p>1 during this hearing through this platform, 2 and the public has access to 3 contemporaneously listen and, if necessary, 4 participate. We previously gave notice to 5 the public of the necessary information for 6 accessing the hearing in the Order of Notice. 7 If anybody has a problem during this hearing, 8 please call (603) 271-2431. In the event the 9 public is unable to access the hearing, the 10 hearing will be adjourned and rescheduled. 11 Okay. And I know Mr. Wind went 12 through most of the ground rules at this 13 point. So just a reminder: Make sure you 14 mute yourself if you're not talking; put your 15 hand up to be recognized unless you're making 16 an objection; speak slowly, it really does 17 help. And if you need a recess, please let 18 me know. 19 We'll start with roll call 20 attendance of the Commission and then take 21 appearances. When each commissioner states 22 their presence, please also state where you 23 are located. And if anyone is with you, 24 please identify them.</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>1 residential ratepayers. I am in my home in 2 Concord, New Hampshire. Currently my niece 3 is in the room with me. 4 CHAIRWOMAN MARTIN: Okay. And can 5 you identify her? 6 MS. SHUTE: Katie Diehl. 7 MS. FABRIZIO: Good morning, 8 Commissioners. Lynn Fabrizio, staff attorney 9 for the Commission, on behalf of Staff. And 10 with me today are Randy Knepper, who will be 11 a witness in today's proceeding. Steve Frink 12 and Anthony Leone are on the wings if 13 questions arise for them. Thank you. 14 CHAIRWOMAN MARTIN: All right. 15 Thank you. For exhibits we have Exhibits 1 16 through 6 premarked for identification. Are 17 there any other preliminary things we need to 18 address before we swear in the witnesses? 19 MR. SHEEHAN: Just to be clear, 20 there are no confidential matters in this 21 docket, in this hearing, which is helpful. 22 Otherwise we are ready to proceed. 23 CHAIRWOMAN MARTIN: Okay. 24 Excellent. Thank you for confirming that.</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>
Page 6	Page 8
<p>1 My name is Dianne Martin. I'm the 2 Chairwoman of the Public Utilities 3 Commission, and I am in my home in Deerfield 4 alone. 5 Commissioner Bailey. 6 COMMISSIONER BAILEY: I am 7 Commissioner Kathryn Bailey. I'm in my home 8 in Sutton, New Hampshire, and I'm alone. 9 CHAIRWOMAN MARTIN: Commissioner 10 Giaimo. 11 COMMISSIONER GIAIMO: Good morning. 12 Mike Giaimo. I am in Concord, New Hampshire 13 at the PUC offices in an office by myself. 14 CHAIRWOMAN MARTIN: Thank you. All 15 right. Let's take appearances, starting with 16 Mr. Sheehan. 17 MR. SHEEHAN: Good morning. Mike 18 Sheehan. I represent in this matter Liberty 19 Utilities (EnergyNorth Natural Gas Corp.) 20 CHAIRWOMAN MARTIN: Thank you. Ms. 21 Shute. 22 MS. SHUTE: Good morning. My 23 name's Christa Shute, staff attorney from the 24 Office of the Consumer Advocate on behalf of</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>1 All right. Ms. Robidas, would you 2 swear in the witnesses. 3 (WHEREUPON, CATHERINE A. McNAMARA, BRIAN 4 R. FROST, ROBERT A. MOSTONE RANDALL S. 5 KNEPPER were duly sworn and cautioned 6 by the Court Reporter.) 7 CATHERINE A. McNAMARA, SWORN 8 BRIAN F. FROST, SWORN 9 ROBERT A. MOSTONE, SWORN 10 RANDALL S. KNEPPER, SWORN 11 CHAIRWOMAN MARTIN: All right. Are 12 we proceeding with this as a panel, with 13 Staff and the Company doing cross or -- I 14 mean doing direct first? 15 MR. SHEEHAN: We had a brief 16 conversation with Staff, and the preference 17 would be to have -- to conduct it sort of 18 like a regular in-person hearing, with the 19 Company witnesses testifying, cross, 20 Commissioner questions, and then when they're 21 done Mr. Knepper will testify. I think that 22 was okay with Staff as well. 23 MS. FABRIZIO: Yes. 24 CHAIRWOMAN MARTIN: Okay. All</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>

<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 9</p> <p>1 right. Then Mr. Sheehan, you can proceed. 2 MR. SHEEHAN: Thank you. 3 DIRECT EXAMINATION 4 BY MR. SHEEHAN: 5 Q. I'll start with Ms. McNamara. Ms. McNamara, 6 can you please identify yourself and your 7 position with the Company and your 8 involvement in this proceeding? 9 A. (McNamara) Yes. My name is Catherine 10 McNamara. I am a rates analyst in the Rates 11 and Regulatory Affairs Department, and I 12 prepared testimony in the calculation of the 13 revenue requirement we're asking for today. 14 Q. And Ms. McNamara, your testimony appears in 15 the original filing the Company made, which 16 has been marked as Exhibit 1, beginning at 17 Bates Page 31; is that correct? 18 A. (McNamara) Correct. 19 Q. And do you have any changes to that testimony 20 that you'd like to put on the record today? 21 A. (McNamara) I do not. 22 Q. And if I were to ask you the same questions 23 that are in writing orally today, would your 24 answers be the same?</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 11</p> <p>1 written requirement; is that correct? 2 A. Correct. 3 Q. And what is the annual revenue requirement 4 that we are seeking approval of today? 5 A. (McNamara) The annual revenue requirement is 6 \$6,161,925, which is an incremental revenue 7 requirement of approximately 1.6 million. 8 Q. And 1.6 is the addition to the CIBS revenue 9 requirement that's being addressed today; is 10 that right? 11 A. (McNamara) Correct. 12 Q. And have you calculated a bill impact of that 13 1.6 incremental increase, what the bill 14 impact would be for a typical residential 15 customer? 16 A. (McNamara) I have. A typical residential 17 customer using approximately 809 therms per 18 year would be \$7.03, or a .60 percent 19 increase. 20 Q. Seven dollars per what time frame? 21 A. (McNamara) Year. 22 Q. Okay. Have the -- has the Company's filing 23 been audited by Commission's audit division? 24 A. (McNamara) Yes, it has.</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>
<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 10</p> <p>1 A. (McNamara) Yes. 2 Q. And do you adopt that as your sworn testimony 3 here this morning? 4 A. (McNamara) I do. 5 Q. Just a couple preliminary questions for you, 6 Ms. McNamara. 7 What your testimony provides is, as you 8 said, the calculation of the revenue 9 requirement that the Company is seeking 10 approval of this morning; is that correct? 11 A. (McNamara) Yes. 12 Q. Can you just tell us at a high level what was 13 the total cost that you started with to 14 calculate the revenue requirement -- that is, 15 the total CIBS cost for which we're seeking 16 recovery? 17 A. (McNamara) The incremental investment in CIBS 18 was \$14,885,261. 19 Q. And where within the Company did that number 20 come from to land on your desk? 21 A. (McNamara) Information provided by Brian 22 Frost and Robert Mostone. 23 Q. And then you performed the necessary 24 calculations to turn that investment into a</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 12</p> <p>1 Q. And has the audit division completed its work 2 and issued a final audit report? 3 A. (McNamara) Yes, they issued a final audit 4 report, and there were no findings in that 5 audit report. 6 Q. And is it your understanding that that final 7 audit report is what's been marked as 8 Exhibit 3 in this matter? 9 A. (McNamara) Yes. 10 Q. And as you said, there were no findings, if 11 you will, in that audit report; is that 12 correct? 13 A. (McNamara) Correct. 14 Q. Thank you. 15 Mr. Frost, turning to you. Please 16 introduce yourself, your position at the 17 Company and your general involvement in this 18 docket. 19 A. (Frost) Good morning. My name is Brian R. 20 Frost. I am an Engineer III for Liberty 21 Utilities. I developed the CIBS program, led 22 design and led the team that compiled the 23 results for the CIBS year-end filing. 24 Q. Brian, there's often some comments every year</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>

<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 13</p> <p>1 about the massive spreadsheet that sort of 2 forms the core of the CIBS filing. Is that 3 mostly your work? 4 A. (Frost) Yes, it is my work. 5 Q. Okay. You filed -- in the original filing 6 your testimony, along with Mr. Mostone, 7 appears in Exhibit 1, beginning at Bates 8 Page 1; is that correct? 9 A. (Frost) Correct. 10 Q. And for the portions of that testimony, do 11 you have any corrections to identify this 12 morning? 13 A. (Frost) No, I do not. 14 Q. And if I were to ask you the questions in the 15 written testimony, would your oral answers be 16 the same today? 17 A. (Frost) They would be the same. 18 Q. And do you adopt that as your sworn testimony 19 today? 20 A. (Frost) I do. 21 Q. Mr. Mostone, same questions for you. Please 22 introduce yourself, your position with the 23 Liberty and your involvement with this 24 filing.</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 15</p> <p>1 Q. Mr. Frost, did you read Mr. Knepper's 2 testimony? 3 A. (Frost) I did. 4 Q. And is it correct to say that generally Mr. 5 Knepper's testimony was an overview of the 6 CIBS program from his perspective, pointing 7 out certain aspects of the program as it 8 developed during the last construction 9 season? 10 A. (Frost) Yes. It includes notes of the 11 program developments since last construction 12 season. 13 Q. And his testimony also contains two basic 14 recommendations at the end regarding future 15 reporting requirements and a recommended 16 deadline for completion of the CIBS program. 17 Did you read that? 18 A. (Frost) I did read that. 19 Q. Regarding the deadline, Mr. Knepper 20 recommends that the Commission require the 21 Company to complete removal of remaining CIBS 22 by 2024. 23 Can you tell me approximately how many 24 more miles of CIBS are remaining? And this</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>
<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 14</p> <p>1 A. (Mostone) Good morning. My name is Robert A. 2 Mostone. I'm the director of Gas Operations 3 at Liberty Utilities Service Corp. of New 4 Hampshire, and my direct filing is with Brian 5 Frost's in the joint direct testimony. 6 Q. Are there any changes to the portions of the 7 testimony for which you are responsible that 8 we identified as Exhibit 1? 9 A. (Mostone) No, sir. 10 Q. And do you adopt the written testimony as 11 your sworn testimony here this morning? 12 A. (Mostone) Yes, sir. 13 Q. Mr. Frost, since you filed your original 14 testimony, Staff, Mr. Knepper, has filed 15 testimony. Have you had a chance to review 16 Mr. Knepper's testimony? 17 A. (Frost) I did review Mr. Knepper's testimony. 18 Q. And Mr. Mostone, I think you may need to turn 19 your mic off. 20 Mr. Frost, Mr. Knepper's testimony, as 21 he often presents in CIBS cases -- 22 CHAIRWOMAN MARTIN: Never mind. It 23 went away. He just went on mute. 24 BY MR. SHEEHAN:</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 16</p> <p>1 is the CIBS that is, I believe it's less than 2 10-inch diameter is the category. How much 3 of that is remaining in our system, 4 approximately? 5 A. (Frost) Last week I ran some reports in the 6 Company's mapping program. There are 7 56.63 miles of cast iron and bare steel mains 8 left on the maps; 4.3 miles of that is 9 10-inch nominal diameter and larger. And the 10 Company does often maintain there's a small 11 plus or minus due to mapping backlog as 12 projects get mapped. 13 Q. And of those 50 or so miles remaining, is it 14 fair to say that most of those miles are in 15 the downtown areas of the cities in the 16 Company's service territory? 17 A. (Frost) Yes. That mileage is predominantly 18 located within the downtown core urban areas 19 of Concord, Manchester and Nashua, New 20 Hampshire. 21 Q. Given that fact, are there issues with a firm 22 deadline of 2024 to complete removal of those 23 miles of CIBS? 24 A. (Frost) I would think that establishing a</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>

<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 17</p> <p>1 firm deadline would present challenges. It 2 could also present challenges that might not 3 be in the best interest of the ratepayers. 4 For example, the City of Nashua recently took 5 out a large bond to repave every street 6 within the city over a number of years. The 7 Company tries to coordinate projects because 8 coordinating projects with cities and other 9 utilities typically results in lower project 10 costs. 11 Additionally, the City of Manchester is 12 finalizing a consent agreement to do a 13 municipal sewer separation on the east side 14 of the Merrimack River. This will cause 15 replacement of many sewers and pipes that 16 Liberty had maybe in conflict. The Company 17 would have concerns that replacing pipes, 18 only to have them be in the way of the sewer 19 construction a year or two after they're 20 installed, could be troublesome. Staff in 21 the past has recommended that the Company 22 phase work so that this type of conflict and 23 replacement of facilities that are less than 24 five years old, are not beyond their normal</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 19</p> <p>1 also a costly endeavor; is that correct? 2 A. (Frost) In this type of construction, Liberty 3 typically does not move live gas pipes. What 4 we would do is we would be replacing it. 5 Again, because to prevent customer outages, 6 we would install a new pipe, tie over all 7 customers to the new pipe and then cut dead 8 the old pipe, similar to CIBS work. 9 Q. And as for the factor you described in 10 Nashua, the reason a city-wide paving project 11 impacts you, impacts the Company, is working 12 with that paving project will allow us to 13 share paving costs with the city; is that 14 fair? 15 A. (Frost) Correct. When coordinating with 16 cities, we can typically share paving costs. 17 The city get a volume discount on paving much 18 better than what Liberty gets. Also, we can 19 typically restore the trenches with a binder 20 mix of asphalt, which is a rougher, less 21 refined asphalt mix that is slightly less 22 expensive. 23 Q. In addition to these two high-level concerns 24 regarding a firm deadline, are there also</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>
<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 18</p> <p>1 life, does not occur because that's wasteful. 2 Q. So a follow-up on, for example, Manchester. 3 The work that they will have to do for their 4 sewer separation is over a number of five to 5 ten years; is that correct? 6 A. (Frost) Yes. The city has given us very 7 high-level projections that they want to 8 stretch it out over a period of ten years. 9 Q. And am I correct in summarizing the issue you 10 raise is if you replaced CIBS this year on a 11 street that is going to be torn up in four or 12 five years for that project, you would end up 13 replacing the pipe twice? 14 A. (Frost) It's not a given that the pipe would 15 be replaced twice. However, during sewer 16 construction, typically the trench width for 17 sewer construction is large, and the depth is 18 larger than gas construction. So therefore, 19 oftentimes gas piping is in the way and needs 20 to be relocated before sewer construction to 21 prevent the integrity of the gas piping from 22 being compromised. 23 Q. So you're saying you may not have to remove 24 it. You may simply have to move it, which is</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 20</p> <p>1 issues of the quantity of work that needs to 2 be done within the inner cities that arise if 3 you were trying to force what may be too fast 4 a schedule on their replacement? 5 A. (Frost) The Company has concerns that they 6 would like to explore the quantity. If the 7 Company was to replace a large quantity of 8 pipe per year in a single city, it could 9 result in having traffic detours upon traffic 10 detours due to many streets in the same area 11 having construction at the same time. One 12 item to note is that of the remaining mileage 13 that I discussed earlier, we have 6.7 miles 14 in the city of Concord in that list; in the 15 city of Manchester there's 31.8 miles; and in 16 Nashua, approximately 17.2. And those are 17 all rounded numbers. Therefore, there isn't 18 a balanced number for construction to be 19 phased in. The Company can't say, per se, do 20 five miles per city per year and then end the 21 program at an even rate. At some point the 22 pipe in Concord and in Nashua is going to be 23 replaced, and construction will only be able 24 to occur in the city of Manchester. And the</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>

[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 21	[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 23
<p>1 Company hasn't fully explored the effects of</p> <p>2 that.</p> <p>3 Q. Do the cities have ultimate veto authority as</p> <p>4 to whether you can perform a particular</p> <p>5 construction project at a particular location</p> <p>6 in a particular year?</p> <p>7 A. (Frost) I would not characterize it as "veto</p> <p>8 authority." However, they're responsible for</p> <p>9 approving the Company's detour and traffic</p> <p>10 plans. I think the issue that could arise</p> <p>11 would be that the Company would not be able</p> <p>12 to complete satisfactory detour and traffic</p> <p>13 plans if we had too many crews in such a</p> <p>14 small area.</p> <p>15 Q. Is there a recent example in Nashua of the</p> <p>16 city taking action that caused the Company to</p> <p>17 not do a project it had planned to do?</p> <p>18 A. (Frost) Correct. This year we've had to</p> <p>19 shift work on Main Street in Nashua.</p> <p>20 Recently, with the current events, the city</p> <p>21 of Nashua and the Company came to an</p> <p>22 agreement to stop a cast iron replacement</p> <p>23 project on Main Street so that the city could</p> <p>24 install barriers for outdoor dining to help</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>1 common source of the leaks that the Company</p> <p>2 has to address on either a true or kind of</p> <p>3 emergency basis during the course of the</p> <p>4 year?</p> <p>5 A. (Frost) Yes. During the winter months</p> <p>6 especially, the leak-prone pipe has potential</p> <p>7 for leakage with ground movement, and we are</p> <p>8 constantly monitoring that through our survey</p> <p>9 program. And we are doing much more repairs</p> <p>10 on Grade 1 emergencies during the winter</p> <p>11 months.</p> <p>12 CHAIRWOMAN MARTIN: Mr. Sheehan,</p> <p>13 you're on mute.</p> <p>14 MR. SHEEHAN: I'm sorry.</p> <p>15 BY MR. SHEEHAN:</p> <p>16 Q. Mr. Frost, last question. Your testimony</p> <p>17 documents the work done in the last program</p> <p>18 year. It in great detail describes every</p> <p>19 project, how many feet, how much it cost,</p> <p>20 whether it was over or under budget, et</p> <p>21 cetera, et cetera, and comes to the total</p> <p>22 numbers that you conveyed to Ms. McNamara.</p> <p>23 Is it your opinion that those costs incurred</p> <p>24 by the Company last year were prudently</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>
[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 22	[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 24
<p>1 the community and the restaurants in that</p> <p>2 area.</p> <p>3 Q. This is both for you, Mr. Frost, and Mr.</p> <p>4 Mostone. Is the Company nonetheless still</p> <p>5 committed to removing all leak-prone pipe as</p> <p>6 soon as is practically and economically</p> <p>7 feasible.</p> <p>8 A. (Mostone) That is correct. The Company is</p> <p>9 looking to remove the pipe as quickly as</p> <p>10 possible.</p> <p>11 Q. And Mr. Mostone, as the director of gas</p> <p>12 operations, at a high level can you repeat</p> <p>13 what I think are the well-accepted benefits</p> <p>14 of removing these leak-prone pipe in our</p> <p>15 system?</p> <p>16 A. (Mostone) The benefits of removing the pipe,</p> <p>17 first of all, is the safety of the public.</p> <p>18 Getting leak-prone pipe out of the system,</p> <p>19 the integrity of the system will be much</p> <p>20 tighter. And with the months of digging up</p> <p>21 areas, it definitely will mitigate, be less</p> <p>22 involved. As far as the system, it will be a</p> <p>23 tighter system for the overall system.</p> <p>24 Q. Is it fair to say that leak-prone pipes are a</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>1 incurred and were a prudent exercise as this</p> <p>2 program requires?</p> <p>3 A. (Frost) Yes, I believe they were prudent</p> <p>4 costs that increased pipeline safety.</p> <p>5 Q. Thank you.</p> <p>6 MR. SHEEHAN: I have no further</p> <p>7 questions for these two witnesses.</p> <p>8 CHAIRWOMAN MARTIN: All right.</p> <p>9 Thank you.</p> <p>10 Ms. Shute.</p> <p>11 MS. SHUTE: I do not have any</p> <p>12 cross. Thank you.</p> <p>13 CHAIRWOMAN MARTIN: All right. Ms.</p> <p>14 Fabrizio.</p> <p>15 MS. FABRIZIO: Thank you, Madam</p> <p>16 Chair.</p> <p>17 CROSS-EXAMINATION</p> <p>18 BY MS. FABRIZIO:</p> <p>19 Q. I would like to start with a few questions</p> <p>20 for Ms. McNamara for purposes of</p> <p>21 clarification of just a number of points in</p> <p>22 her testimony.</p> <p>23 Ms. McNamara, have there been any</p> <p>24 changes in how you calculated the fiscal year</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>

<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 25</p> <p>1 2020 CIBS revenue requirement in comparison 2 to how you calculated the fiscal year 2019 3 revenue requirement? 4 A. (McNamara) No. 5 Q. Thank you. And are the only inputs that 6 changed the amount of rate base -- sorry. 7 Are the only inputs that changed the amount 8 of rate base and the property tax rate? 9 A. (McNamara) Well, the annual spending changes. 10 I'm not sure if I fully understand that 11 question. But incremental spending our 12 investment is updated, which is part of the 13 rate base. And there's a rate base 14 calculation and a property tax rate. Does 15 that answer what you're looking for? 16 Q. Yes. Thank you. And how did you determine 17 the rate base amount to use in your revenue 18 requirement calculation? Could you just walk 19 us through that? 20 A. (McNamara) So are you referring to the 21 year-end rate base of 40 million or the 22 14 million? 23 Q. The 14 million. 24 A. (McNamara) So that information was provided</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 27</p> <p>1 spending in calendar year 2019? 2 A. (McNamara) I don't have that specific 3 breakdown. But generally speaking, we need 4 to end construction on the gas company 5 usually sometime in the winter. And any of 6 the costs that flow through March of the next 7 year are typically for construction that 8 happened in 2019. 9 Q. Thank you. That's helpful. 10 Does Liberty intend to file a full rate 11 case using calendar year 2019 as a test year, 12 to your knowledge? 13 A. (McNamara) That's my understanding. 14 Q. And how will CIBS spending in calendar year 15 2019, and included in calculating the fiscal 16 year CIBS 2020 revenue requirement, be 17 reflected in the full rate filing? 18 A. (McNamara) So assuming that this increase 19 that we're requesting goes through, none of 20 the spending would be included in our 21 calculation for the test year for the rate 22 case that we would file this year because we 23 would have already recovered it. So we would 24 remove it from the calculation in the rate</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>
<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 26</p> <p>1 by Mr. Frost, and we used it based on his FY 2 2020 actual costs that were on the gigantic 3 spreadsheet that people referred to. And 4 when it came to carryover costs, we only 5 included 5 percent, which was the limit that 6 was previously allowed. 7 Q. Thank you. And how do you calculate the 8 property tax rate? And does the fiscal year 9 2020 rate compare -- how does it compare to 10 2019? 11 A. (McNamara) So we're using the property tax 12 rate from 2019 is 2.71 percent, and in 2018 13 it was 2-1/2 percent. And the information we 14 pulled for plant in service and depreciation 15 come from the annual report, Page 9 I believe 16 it is. 17 Q. Okay. Thank you. And how much of fiscal 18 year 2020 CIBS revenue requirement is to 19 recover CIBS spending in calendar year 2019? 20 A. (McNamara) Could you repeat that question? 21 Sorry. 22 Q. We talked about the CIBS fiscal year. How 23 much of the 2020 CIBS fiscal year revenue 24 requirement is to recover specifically CIBS</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 28</p> <p>1 case. 2 Q. All right. Thank you. I think that's all I 3 have for Ms. McNamara. So I will turn to Mr. 4 Mostone and Mr. Frost, and I'll leave it up 5 to both of you to decide who responds just in 6 case I'm not clear on who has the 7 responsibility. 8 So in your testimony at Bates Page 9 and 9 at Lines 1 through 6 -- so it's your joint 10 testimony -- you state that the Company 11 reduced scope on a number of projects late in 12 the year when it became apparent that 13 construction crews would not be able to 14 finish the entire CIBS plan. 15 How many projects -- how many planned 16 projects were not started and how many 17 projects had their scope reduced in the 18 course of the CIBS year? 19 A. (Frost) There were ten projects that were 20 reduced; seven of those were reduction-only, 21 and three projects were not completed. 22 Q. And were they not completed due to time in 23 winter? 24 A. (Frost) Correct. They were not completed to</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>



<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 29</p> <p>1 time. It takes some time to spool down a 2 construction project, get all the new pipe 3 tied back into the existing gas system and 4 have all customers hooked up to the completed 5 work. So we had to make a decision where the 6 break point was. 7 Q. Okay. Thank you. And how many of the 8 planned projects were never started? 9 A. (Frost) As I stated, three. 10 Q. Oh, I thought I heard three were completed. 11 So three were not started, and three were not 12 completed? 13 A. (Frost) No. I stated there were ten projects 14 that either contained scope reductions or 15 were not started. 16 Q. Oh, okay. 17 A. Seven projects had scope reductions and three 18 were not started. 19 Q. Thank you. That was my misunderstanding. 20 And could you explain what led to an 21 actual per foot cost of \$384 compared to an 22 estimated cost of \$299 for CIBS year 2019? 23 A. (Frost) I think we described during the 24 testimony there are some factors that the</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 31</p> <p>1 scope items because of the safety hazard of 2 taking out cast iron and bare steel pipe. 3 You know, it's a recognized -- those pipe 4 materials are recognized as a safety risk in 5 a gas distribution system, and it's 6 recognized that they need to be taken out of 7 the ground. Therefore the Company -- since 8 the project is destined to move forward, the 9 Company did not think it was prudent to spend 10 additional quantifying funds to do such 11 things as environmental studies where we 12 would, say, dig test holes all over the city 13 during work because we're going to encounter 14 these materials no matter which way. 15 Q. Okay. On that note, does the Company tend to 16 do any preliminary footwork, say, talking 17 with targeted town officials, or officials in 18 targeted towns, I should say, to learn about 19 such issues beforehand -- for example, the 20 sewer projects that might end up interrupting 21 a CIBS replacement or might end up 22 facilitating a CIBS replacement -- or asking 23 the town officials about environmental issues 24 during the Company's planning process? Is</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>
<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 30</p> <p>1 Company -- it's hard to quantify at the 2 estimating phase. The cities and towns often 3 place, at the time of construction and during 4 construction, place special requirements upon 5 the Company, such as work stoppages due to 6 traffic. That was described as permit hour 7 restrictions. The Company sometimes 8 encounters asbestos-containing materials in 9 the ground. That's typically found in Nashua 10 and Hudson. We also had a little bit of 11 asbestos encountered in Concord because the 12 historical steam system that we've been 13 working around in this past year is coated 14 with asbestos. And those types of things 15 occurred. 16 Q. Okay. Thank you. That's helpful. 17 And when some of those barriers to 18 continuing work occurred as you've just 19 listed, had the Company been aware of 20 potential problems that might have led to 21 some of those issues at the time it was 22 planning the projects? 23 A. (Frost) We've discussed in prior hearings 24 that the Company tends not to quantify those</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 32</p> <p>1 there any outreach such as that? 2 A. (Frost) Yes. The Company liaises with towns 3 on a weekly and bi-weekly basis. We also do 4 a level of research, a records research. 5 That's a generally accepted engineering 6 practice for environmental contamination. 7 However, as I explained, we don't do field 8 research which involves test pitting. The 9 records research often indicates, you know, 10 possible contamination. And the Company does 11 try to incorporate the results of records 12 research into its project estimating. 13 However, typically, records are good on say a 14 street level or a neighborhood level versus a 15 foot-by-foot level of installed pipeline. 16 Q. And your weekly or bi-weekly meetings with 17 town officials, is that specifically for 18 projects that are underway? 19 A. (Frost) During the year the types of topics 20 discussed tend to vary with the construction 21 season. During the winter months when 22 there's snow, we'll typically discuss 23 forward-looking plans. During the summer 24 months of the actual construction plan, we</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>

<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 33</p> <p>1 typically discuss ongoing projects.</p> <p>2 Q. So no outreach is made in the planning stage</p> <p>3 just to coordinate with the towns. That's</p> <p>4 what I take from your discussion.</p> <p>5 A. (Frost) Outreach is made during the planning</p> <p>6 stage. That's the forward-looking part.</p> <p>7 Often the towns tend to hold back permit</p> <p>8 restrictions until they have received a</p> <p>9 traffic plan just before construction. The</p> <p>10 Company does try to predict, based on past</p> <p>11 history, traffic impacts. However, the</p> <p>12 cities and towns tend to hold back final</p> <p>13 traffic decisions until the weeks before</p> <p>14 construction.</p> <p>15 Q. Okay. Thank you.</p> <p>16 What process does the Company have in</p> <p>17 place to oversee project construction and</p> <p>18 oversight of spending?</p> <p>19 A. (Mostone) As far as oversight, as inspectors</p> <p>20 out on jobs typically, you know, we keep it</p> <p>21 under the one-to-four ratio. And they</p> <p>22 monitor each job and location on a daily</p> <p>23 basis.</p> <p>24 Q. Okay. Thanks.</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 35</p> <p>1 things in the ground that could happen that</p> <p>2 they find that's going on. And you want the</p> <p>3 main to go in one direction and you have to</p> <p>4 offset something particular as an example,</p> <p>5 and the costs would be a little bit higher.</p> <p>6 Q. Thank you. That's helpful.</p> <p>7 In prior CIBS proceedings, we've heard</p> <p>8 that the Company testified that it intended</p> <p>9 to complete its CIBS replacement by year-end</p> <p>10 2024. We know that has changed. So now what</p> <p>11 does the Company project for an expected</p> <p>12 completion date?</p> <p>13 A. (Mostone) The Company is projecting to extend</p> <p>14 it. I don't have the exact date in mind yet.</p> <p>15 We're still looking into putting a team</p> <p>16 together to actually look at what we have</p> <p>17 left and projecting out how it's going to</p> <p>18 work, as far as the city and towns and</p> <p>19 working with everybody here. As Brian stated</p> <p>20 earlier, the cities, a lot of it being</p> <p>21 replacements, Manchester, Nashua and Concord</p> <p>22 are going to be a heavy traffic area. So we</p> <p>23 have to work closely with them on making</p> <p>24 sure. Of course we want to work with the</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>
<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 34</p> <p>1 And is there a view of costs as they</p> <p>2 develop as well at the same time?</p> <p>3 A. (Mostone) Yes, we have a -- we are monitoring</p> <p>4 costs and reviewing each one if something</p> <p>5 pops up. We estimate the cost of each job</p> <p>6 prior to, and then we also have a -- we</p> <p>7 monitor the cost as the job is being done.</p> <p>8 If there's any add-ons or anything else that</p> <p>9 happens as the project is, they have to have</p> <p>10 it signed off by the inspector and the</p> <p>11 supervisor out in the field to have any</p> <p>12 add-ons or overages.</p> <p>13 Q. So is that your role?</p> <p>14 A. (Mostone) It's not necessarily my role. It's</p> <p>15 necessarily the supervisor's role. They have</p> <p>16 to get approval from the supervisor. If</p> <p>17 there's something in question, then the</p> <p>18 construction manager gets involved with it</p> <p>19 and there will be a discussion with him. And</p> <p>20 if it's to go up, then it would go to me on</p> <p>21 that piece of it if it escalates higher.</p> <p>22 Most of it gets resolved with the supervisor,</p> <p>23 and then there's someone there that --</p> <p>24 (connectivity issue). You know, there's</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 36</p> <p>1 cities and towns as they're doing their own</p> <p>2 construction, which keeps the costs down. So</p> <p>3 we'll be looking at that also at the same</p> <p>4 time.</p> <p>5 So as far as the date, exact year, I</p> <p>6 don't have that yet right now, but we are</p> <p>7 looking at it.</p> <p>8 Q. And does the indefinite date at this point,</p> <p>9 does that impact safety concerns?</p> <p>10 A. (Mostone) Yes, it does. At Liberty we are</p> <p>11 concerned with that. We do want to get the</p> <p>12 pipe out as quickly as possible. But we also</p> <p>13 want to do it in a safe manner so we don't</p> <p>14 cause any other issues with the cities and</p> <p>15 towns or the public. So yes, we are -- we</p> <p>16 try to get them out as quick as possible.</p> <p>17 Q. Okay. Thank you. I think I'll address this</p> <p>18 to both Mr. Frost and Mr. Mostone. What are</p> <p>19 your reactions to the CIBS reporting</p> <p>20 requirements that Mr. Knepper has recommended</p> <p>21 in his testimony?</p> <p>22 A. (Frost) I believe that some of the CIBS</p> <p>23 reporting that Mr. Knepper's recommended is</p> <p>24 acceptable. I think that both parties could</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>

<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 37</p> <p>1 work together on the due dates of the</p> <p>2 reports. The spreadsheet referenced as</p> <p>3 Attachment A in this docket, the large</p> <p>4 spreadsheet, I believe that that has gotten a</p> <p>5 little too large. It often contains many</p> <p>6 numbers that don't provide a lot of value.</p> <p>7 The Company's spent a lot of time developing</p> <p>8 all those numbers, and it seems that all</p> <p>9 parties sometimes get frustrated with the</p> <p>10 quantity of numbers and trying to pick out</p> <p>11 the numbers that matter, getting them lost in</p> <p>12 the thousands of other numbers on that</p> <p>13 spreadsheet. I think one night I was working</p> <p>14 on it, and I calculated there was -- I did a</p> <p>15 calculation of how many cells were in the</p> <p>16 spreadsheet that I was checking, and it was</p> <p>17 in the thousands.</p> <p>18 Q. And is the information that's included in</p> <p>19 that massive spreadsheet, is that information</p> <p>20 the Company retains for its own records,</p> <p>21 generally speaking?</p> <p>22 A. (Frost) Yes, the Company does maintain the</p> <p>23 results of that spreadsheet within its</p> <p>24 computer system. The Company also maintains</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 39</p> <p>1 has increased because of that? So I want to</p> <p>2 just understand the question better.</p> <p>3 Q. Sure. I'm referring to the Company's</p> <p>4 references to "slightly elevated" cost</p> <p>5 variances on project costing as included in</p> <p>6 the record. Just generally speaking. Maybe</p> <p>7 I could rephrase and ask a different</p> <p>8 question.</p> <p>9 What would you consider a less than</p> <p>10 successfully managed project in terms of</p> <p>11 costing?</p> <p>12 A. (Mostone) Okay. I guess the cost, the</p> <p>13 increase in costs, you're talking like</p> <p>14 percentages I would imagine. So anything</p> <p>15 over about 10 percent higher would be kind of</p> <p>16 general. We don't want to see anything</p> <p>17 higher than that. You know, we do have</p> <p>18 overages that something can be around</p> <p>19 20 percent. And those are generally -- you</p> <p>20 know, we review those and try to get our</p> <p>21 estimates better when we're working on</p> <p>22 projects. But as things come up and they</p> <p>23 arise, that's where the increases come from.</p> <p>24 Q. And have you had a number of over fairly high</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>
<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 38</p> <p>1 archives of the spreadsheet. However, at its</p> <p>2 base, the numbers that really matter to the</p> <p>3 Company are the total number of services</p> <p>4 completed, the total cost of the projects and</p> <p>5 where the projects occurred and the total</p> <p>6 amount of main replaced and an estimate</p> <p>7 versus actual. Some of the other stuff about</p> <p>8 how much was paid in degradation fees, how</p> <p>9 much direct costs versus estimated, loaded</p> <p>10 costs versus estimated, the number of</p> <p>11 services by construction method, some of</p> <p>12 those totals seem to be more superfluous than</p> <p>13 of value.</p> <p>14 Q. Thank you.</p> <p>15 Turning to Mr. Mostone, your testimony</p> <p>16 references variances that you characterize as</p> <p>17 "slightly elevated" as well as "successfully</p> <p>18 managed." At what level would a cost</p> <p>19 variance rise above the level of more than</p> <p>20 "slightly elevated" in your mind?</p> <p>21 A. (Mostone) Sorry. I'm on mute.</p> <p>22 So, slightly above cost levels, are we</p> <p>23 pertaining to the construction when we're</p> <p>24 putting something in the ground and the cost</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 40</p> <p>1 cost overruns this past year?</p> <p>2 A. (Mostone) We had some in 2019, 2020, and</p> <p>3 we've made adjustments to that. A lot of</p> <p>4 it's been, again, what we find in the ground</p> <p>5 and what we have to do for that. There's all</p> <p>6 different scenarios that do happen that keeps</p> <p>7 the cost up. Some of it's working with the</p> <p>8 cities and towns to -- you know, for the --</p> <p>9 you know, what's going on with their projects</p> <p>10 and trying to work with them. You know, we</p> <p>11 got, for instance, in Manchester, we got to</p> <p>12 backfill each night when we have some</p> <p>13 something open. We just can't plate it and</p> <p>14 leave it. We have to dig out each day, which</p> <p>15 costs time. In certain jobs that we can't do</p> <p>16 that, that the city doesn't allow it, we have</p> <p>17 to -- it takes time for the digging, which</p> <p>18 adds cost to the projects.</p> <p>19 Q. Okay. Thank you. I think that completes my</p> <p>20 questions for Messrs. Frost and Mr. Mostone.</p> <p>21 CHAIRWOMAN MARTIN: All right.</p> <p>22 Thank you.</p> <p>23 Commissioner Bailey.</p> <p>24 COMMISSIONER BAILEY: Thank you.</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>

<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 41</p> <p>1 INTERROGATORIES BY COMMISSIONERS: 2 BY COMMISSIONER BAILEY: 3 Q. Just a few more questions, Mr. Mostone, on 4 the cost overrun question. You say, "A lot 5 has to do with what we find in the ground." 6 But in the testimony it says in Hudson you 7 expected asbestos. So why wouldn't you 8 assume that every pipe in Hudson has asbestos 9 and estimate as if it did and then come in 10 under budget rather than over budget? 11 A. (Mostone) We have a general knowledge of an 12 area in Hudson, especially where we have 13 asbestos, and we look at the mappings and 14 see. If we do have something where we know 15 there's known asbestos, we do try to take 16 that into consideration. But there's times 17 where we don't know how much and, you know, 18 where exactly it is. So it's very difficult 19 to just estimate the whole length of a 20 project at a time and how much you're going 21 to deal with. Depth of main, depth of the 22 asbestos is always in consideration. So it 23 is a rough estimate. And then the 24 environmental changes towards how we have to</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 43</p> <p>1 at house number 30 on this street asbestos 2 was found, at house number 50 it wasn't 3 found. And we have to make a lot of -- it's 4 kind of reading tea leaves to quantify the 5 amount of asbestos. In areas where nobody 6 has dug in the past 50 to 60 years, records 7 do not exist. 8 Q. But my question is why not assume the worst, 9 the most expensive scenario in your 10 estimating? 11 A. (Frost) Oh, understood. That I would think 12 would present challenges, too. Sometimes 13 it's better to control the construction 14 process going upwards to a degree rather than 15 give the impression that the project is 16 supposed to cost a large amount at the 17 outset. The Company tries to estimate a 18 realistic number if no problems or only the 19 anticipated problems are covered so that we 20 can keep an eagle eye on the amount of extras 21 that come up during the job. 22 Q. But as you said, you can't do anything about 23 the extras that come up during the job. So I 24 still don't understand. I think what you're</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>
<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 42</p> <p>1 extract it is also a consideration when 2 you're in the area. 3 Q. Do you assume that all the pipe in Hudson has 4 asbestos? 5 A. (Mostone) We assume it does. But we have a 6 map that shows if we've done some 7 construction in the area in the past and we 8 haven't encountered it. If we do think that 9 there's an area that doesn't show that it had 10 it, then we go in there. And when we start 11 digging in the main, you may start in the 12 first 100, 200 feet you don't see anything, 13 and then all of a sudden we pull it out and 14 we have to get it mitigated at that time. So 15 it does happen. 16 Q. I think Mr. Frost has something to add. 17 A. (Frost) Good morning, Commissioner. I think 18 one of the challenges is that a lot of times 19 the Company is working with spot reports 20 regarding the asbestos. On a technical 21 level, the asbestos was generally used as 22 fill material in those areas. So we'll have 23 spot environmental reports from environmental 24 services and the Company records saying that</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 44</p> <p>1 saying is that if you overestimate the job, 2 the spending will creep up to that much even 3 if it doesn't need to? Is that why you're 4 reluctant to overestimate and come in under 5 budget? 6 A. (Frost) I wouldn't say the spending is going 7 to creep up necessarily. But that is the 8 slight concern, that I want to make sure that 9 the jobs are -- you know, that the 10 supervisors in the field, the expectation is 11 that they need to meet the numbers based on a 12 good-faith average estimate plus or minus 13 10 percent. And it would need to be 14 documented fully why the estimates were to go 15 elsewhere, or the actuals were to go 16 elsewhere. 17 Q. But you're 30 percent over this year on your 18 cost per foot. 19 A. (Frost) Yes, it does indicate the need for 20 work on estimating. 21 Q. Okay. Can somebody tell me what's left, what 22 streets are left in Concord? Because it 23 seems like Concord's been torn up for the 24 last five years, and I can't believe there's</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>

<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 45</p> <p>1 anything left in Concord to do. But you said 2 there's 6.7 miles remaining in Concord. 3 A. (Frost) Right now we are working on South 4 State Street. North State Street has some 5 left. The other -- there are some small 6 pockets on the north end of the city in the 7 neighborhood there north of Centre Street. 8 And there's other pipes that's kind of -- I'd 9 characterize it as "scattered streets." The 10 majority of Concord is plastic pipe these 11 days. Concord is, of the three large cities, 12 is the best. 13 Q. When do you think that the 6.7 miles left in 14 Concord will be complete? 15 A. (Frost) I would imagine, if the Company 16 continues at its current rate and makes no 17 changes, the Company could complete that in 18 two to three years. It depends on where the 19 Company wants to take the program and spread 20 out the remaining construction that we talked 21 about, phasing and working with each city. 22 Part of the mileage in Concord is on 23 Main Street, which is larger than 10-inch, 24 which Mr. Knepper's testimony indicated a</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 47</p> <p>1 that because I was not working with the CIBS 2 program at Liberty when the decision was 3 made. 4 Q. Okay. Tell me a little bit about Nashua and 5 what you expect in five to ten years. I 6 think Main Street -- well, not this year, 7 obviously, because of the barriers that you 8 mentioned. But when do you expect to get 9 some progress in Nashua? 10 A. (Frost) I would imagine in Nashua, a 11 five-year timeline would be very achievable. 12 I think the challenges with establishing 13 a hard and fast date, the Company can be 14 substantially complete, maybe with a few 15 stragglers. But a hard and fast, you know, a 16 hundred percent, you know, might be 17 challenging. Or maybe it wouldn't make 18 sense, you know, as we discussed, that if the 19 city was to say that we've got this last 20 piece over here out, you know, one to two 21 years. It might make sense to wait that one 22 to two years to get the last streets and to 23 work in an orderly manner. 24 Q. And what about Manchester?</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>
<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 46</p> <p>1 desire for Staff not to be within the 2 replacement program. 3 Q. A desire for what not to be in the 4 replacement program? 5 A. (Frost) Mr. Knepper noted a recommendation, 6 and I'm finding the quote. Okay. On Bates 7 Page 10 of Mr. Knepper's program, he noted 8 the exception of mains equal to or greater 9 than 10-inch nominal diameter not be included 10 within the CIBS replacement program. On a 11 technical basis, typically the larger 12 diameter mains have a thicker wall thickness. 13 And the Company has historically taken 14 efforts to seal the joints between those 15 pipes. The seal is kind of like gluing the 16 pipes back together, so their leakage rate is 17 a lot less than other cast iron mains. So I 18 think that is the technical basis for that 19 cut-off in diameter. 20 Q. So you didn't replace the cast iron in Main 21 Street, Concord, when it was ripped up 22 several years ago? 23 A. (Frost) No, we did not replace that cast 24 iron. I'm not aware of the history behind</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 48</p> <p>1 A. (Frost) Manchester has the most cast iron and 2 bare steel remaining. I can see that being 3 challenging due to the amount of mileage that 4 can be done per year and Manchester's sewer 5 project. Off the top of my head, I'm having 6 a hard time, you know, on the spot projecting 7 that due to the amount of pipe. 8 Q. Mr. Mostone, you acknowledge that there are 9 some safety concerns. Can you give me an 10 idea about -- 11 CHAIRWOMAN MARTIN: Excuse me, 12 Commissioner Bailey. I'm sorry to interrupt. 13 Commissioner Giaimo has his hand up. 14 COMMISSIONER GIAIMO: I do. And 15 just before we left Manchester, could I 16 interject a quick hypothetical? 17 CHAIRWOMAN MARTIN: Yes. 18 BY COMMISSIONER GIAIMO: 19 Q. Okay. Mr. Frost, I thought I heard you say 20 that the expectation is the town, the city of 21 Manchester could take between five and ten 22 years to finish its sewer project? 23 A. (Frost) Yes. Correct. 24 Q. Okay. And I think all of us understand and</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>

<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 49</p> <p>1 appreciate why you would want to coordinate 2 and prevent a redundancy of digging and 3 re-digging. But where I'm struggling is if 4 you wanted to do that, and there's a main on 5 Street A in Manchester that's going to have a 6 sewer project -- that needs to have a CIBS 7 replacement, but it's expected that the city 8 will make that one of its last priorities on 9 its sewer project and says, okay, we'll get 10 to that in nine years or ten years. Is that 11 a situation where the Company is actually 12 going to suggest that the CIBS replacement 13 doesn't happen until 2029?</p> <p>14 A. (Frost) I think in a case like that, the 15 Company, you know, longstanding within the 16 CIBS program, has completed risk assessments 17 on its main where we try to identify mains 18 that have a leakage history and replace those 19 first. I think we'd make an evaluation of 20 the leakage history of the main, and if for 21 safety reasons it had to be replaced sooner, 22 we would replace it sooner. If it was not 23 presenting a safety hazard, we would defer 24 it. And additionally, we often work with the</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 51</p> <p>1 me know.</p> <p>2 BY COMMISSIONER BAILEY (CONT'D):</p> <p>3 Q. So let's talk about the leak rate before I go 4 back to the question for Mr. Mostone.</p> <p>5 It looked like the leak rate in 2018 was 6 higher than it has been in a long time. Can 7 somebody explain why that is after all this 8 replacement?</p> <p>9 A. (Frost) The leak rate, we went through it in 10 the last docket. There is some weather 11 variability to leak rates. Typically in 12 winters where there's a lot of freezing and 13 thawing or extremely cold weather, the leak 14 rate will go up on the cast iron main 15 population. I'm not sure where that -- one 16 of the observations that Staff made in their 17 testimony in last year's docket was that the 18 Company's leak rate testimony was 19 statistically insignificant -- the Company 20 thought that it was statistically 21 significant. Staff did not. I'm not sure --</p> <p>22 Q. Did the leak rate come down in 2019 when we 23 didn't have such a cold winter?</p> <p>24 A. (Mostone) As far as broken mains on the cast</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>
<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 50</p> <p>1 cities, where the city will also maybe adjust 2 their schedule to match the condition of our 3 facility.</p> <p>4 Q. So the Company's comfortable that it's 5 actually had detailed discussions with the 6 cities of Manchester, Concord and Nashua, 7 that it feels like it appreciates the 8 expectations of the cities with their 9 projects, so as to make them most efficient 10 and effective with respect to CIBS as well?</p> <p>11 A. (Frost) I believe we do a good job with the 12 cities overall with trying to keep an open 13 line of communication. Trying to juggle the 14 total public interest is what it is, really.</p> <p>15 COMMISSIONER GIAIMO: Okay. Thank 16 you.</p> <p>17 Commissioner Bailey, sorry to 18 interrupt, but I thought it might be best for 19 the flow of the hearing to tackle Manchester 20 while we were talking about Manchester. 21 Thank you.</p> <p>22 COMMISSIONER BAILEY: No problem. 23 Interrupt anytime. I just didn't see you. 24 So thank you, Chairwoman Martin, for letting</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 52</p> <p>1 iron leak-prone pipe, yes, it did overall.</p> <p>2 But as we are checking other areas during our 3 leak survey program, we have a very low 4 tolerance of, you know, percentage of gas, 5 how our grading system is. And yes, we do 6 have areas in Nashua, especially where we 7 have picked up some leaks mostly on our 8 dresser couplings that's on a coated steel 9 system. And technically what's happening 10 there is they leak during the winter months 11 with the cold because of the rubber around 12 the dresser couplings and the age of it, and 13 we have to go back in and seal those. In the 14 past, those leaks were considered Grade 3 15 leaks; now they're considered Grade 2 leaks, 16 and we're required to fix them within six 17 months of year end. So you're actually 18 seeing some of that going on, and that's why 19 you're seeing the leak rate go up a little 20 bit. But the system itself, the rating or 21 the grading and amount of leaks especially 22 during this winter has gone down 23 significantly on the cast iron system of the 24 leak-prone pipe.</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>

<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 53</p> <p>1 Q. So did you say that the leaks that you found 2 recently are not on the cast iron/bare steel 3 pipes? 4 A. (Mostone) No. I don't have the numbers in 5 front of me, but we've had -- the amount of 6 Grade 1s that we had through this past year 7 was less than previous years. And some of 8 the leaks that we've had on our dresser 9 couplings or what have you in the Nashua area 10 in particular, that increased in the winter 11 of 2019-2020 from winter of 2018-2019. 12 Q. So how concerned are you? Give me an 13 assessment of the risk of not immediately 14 replacing these pipes in Nashua? 15 A. (Mostone) So the repair there is, what we're 16 doing -- this is on our coated seal system, 17 60-pound system in general -- we encapsulate 18 the dresser coupling and we cut it out. So 19 it's almost like a permanent repair. It's 20 something that we are looking at to alleviate 21 within time. But, you know, the leak itself 22 actually goes away when the frost comes out 23 of the ground. It doesn't persist. A lot of 24 times that's what happens. So we actually</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 55</p> <p>1 repaired right away as soon as we get them. 2 But it's tough to say how, you know, how long 3 the cast iron going to last in the ground 4 that's already been in there a hundred years. 5 So... 6 Q. I think Mr. Frost has something to add. 7 A. (Frost) Thank you, Commissioner Bailey. I 8 can say, to provide more information to you, 9 as the CIBS program has gone on over these 10 years, the Company, working with Staff, does 11 document every leak that is on cast iron 12 pipe. We document it in our mapping system 13 so that we can typically, with leaking pipes, 14 replace them within one to two years if they 15 show an active leak history that develops. 16 We've also seen as the program goes on 17 that we're replacing more pipes that don't 18 have a leak history even though they are cast 19 iron or bare steel. During the early days of 20 the program, maybe it could be characterized 21 as more of a fire-type thing, where you're 22 only replacing pipes that have a very bad 23 leak history. The Company, you know, 24 currently now is able to replace, as part of</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>
<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 54</p> <p>1 have to pin the leak during the winter months 2 and make sure we have it, and then the crews 3 go out and do the repairs in the off -- you 4 know, after the frost is out during the 5 summer and we can get permits for them 6 because they're graded low. 7 Q. I heard you say that that was on the coated 8 steel system. I'm interested in the risk, 9 your risk assessment of the remaining cast 10 iron/bare steel pipes in Nashua and 11 Manchester and Concord and how long you think 12 that they can exist as they are. 13 A. (Mostone) So that's a tough question to 14 answer, as far as how long. We constantly 15 are monitoring the system and we're checking. 16 As we dig, you know, we observe what the 17 condition of the pipe is. If there's 18 something that needs to be addressed right 19 away, we immediately get engineering involved 20 and recommend the main being replaced. As 21 far as the piping itself goes, you know, we 22 do a monitoring setup where we're out and 23 monitoring the mains at times and making sure 24 that there's no leaks and they're being</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 56</p> <p>1 their program, a lot of pipes that need to 2 come out of the ground because they present a 3 risk higher than plastic pipe. However, they 4 don't have a documented leak history because 5 the population with the documented leak 6 history is smaller than the Company's total 7 replacement effort. Does that help? 8 Q. A little, but it leads me to my next 9 question. So if you have a leak history on 10 the remaining cast iron/bare steel pipes, 11 what does that look like in Nashua, where I 12 think you've had a couple of incidents this 13 year? And I don't know if it has to do with 14 these CIBS pipes or not. But seems like a 15 couple times in Nashua over the past year 16 there have been some leaks where people had 17 to be evacuated. 18 So what does the leak history look like 19 on the remaining CIBS pipes in the three 20 cities that we're talking about? 21 A. (Frost) I mean it's hard to categorize what 22 it looks like. I think the Company manages 23 it. Yes, we've had leaks. Also during the 24 winter, as Mr. Mostone mentioned, we're</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>

<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 57</p> <p>1 driving around every day during the winter 2 trying to find leaks, you know, the day they 3 develop. We have a program where in the cast 4 iron/bare steel areas we drive a 5 leak-detection truck. It just goes on a 6 continuous circuit driving through the city 7 every couple of days. And I'm not familiar 8 with the incidents you described. The 9 only -- the part that I'm most familiar with 10 is the total replacement amounts and then how 11 much of that total replacement amount could 12 be considered streets that had a strong 13 history of prior leaks versus the total 14 replacement amount. And I'm really happy 15 about that, that the Company is able to get 16 ahead versus just treading water, you know, 17 trying to run around just putting out the 18 fires. We're able to get ahead and modernize 19 the infrastructure because our replacement 20 rate is higher than the degradation of the 21 facility. 22 Q. So are you saying, then, that the leak 23 history on the remaining CIBS is not severe 24 enough to cause you concern and that you'll</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 59</p> <p>1 installed I believe within the last 50 or 60 2 years. There was also an approximately 3 hundred-year-old cast iron pipe on Smyth 4 Road. So what the Company did for the 5 portion of that street where the pipes were 6 running parallel was we abandoned the cast 7 iron main and put the customers onto the 8 steel main. The steel main was installed at 9 a later date. So that would be an example of 10 abandonment where the Company was able to get 11 cast iron out of the ground without full 12 expenditure of replacing the pipe. 13 Q. Okay. Thank you. 14 COMMISSIONER BAILEY: That's all I 15 have, Madam Chair. 16 CHAIRWOMAN MARTIN: All right. 17 Commissioner Giaimo. 18 COMMISSIONER GIAIMO: Good morning. 19 I'm going to wait for people to nod their 20 heads so that I know they're hearing me. 21 Great. Thank you. 22 BY COMMISSIONER GIAIMO: 23 Q. So Staff at one point last year suggested the 24 discontinuance of the step adjustments for</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>
<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 58</p> <p>1 get to it in time before there's a real 2 problem? 3 A. (Frost) I believe that with continued 4 monitoring and with quick action on pipes 5 that show degradation and with establishing a 6 realistic end date, you know, within I think 7 the five- to ten-year mark that we discussed, 8 with maybe an allowance to discuss, as Mr. 9 Knepper brought up, the large-diameter cast 10 iron and to discuss straggler streets that 11 are shown not to present an immediate safety 12 hazard, that the Company would be reliably 13 managing this. 14 Q. Okay. Just one more question. In your 15 testimony you talked about you either -- 16 11.13 miles were either replaced or 17 abandoned. So can you tell me what it means, 18 "abandoned"? You just take it out of service 19 and it's no longer necessary and you count 20 that as part of the CIBS replacement program? 21 A. (Frost) Yes. A perfect example was on Smyth 22 Road in Manchester. There is a 60-pound gas 23 main on Smyth Road that's coated steel that 24 provides a feed into the city that was</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 60</p> <p>1 the CIBS program, but also made a couple of 2 observations. I want to know if the Company 3 agrees with the observations. Specifically, 4 in a recommendation they said public safety 5 risks due to leaks and pipe failures have 6 been substantially reduced, as evidenced by a 7 significant decline in system leaks, and the 8 regulatory burden and expenses will be 9 reduced by eliminating the CIBS annual step 10 adjustments. Are those statements true? 11 Does the Company believe those statements to 12 be true? 13 A. (Mostone) Yes, the Company believes those 14 statements to be true. 15 Q. Okay. Thanks. 16 Mr. Frost, you said that you re-ran the 17 numbers and there's approximately 56 miles 18 left of CIBS. And then you said plus or 19 minus, but then I don't think you said plus 20 or minus what. I'm just wondering, what's 21 your confidence in it actually being 22 56 miles? 23 A. (Frost) Good morning, Commissioner Giaimo. 24 The numbers I referenced were from an extract</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>



<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 61</p> <p>1 of the Company's mapping system last week. 2 The Company, you know, as construction is 3 completed, it can take a few months for all 4 records to be finished and then the finished 5 maps to be completed in the electronic system 6 I use. So that was kind of where I had said 7 plus or minus. 8 The testimony in this case, it described 9 mileage where the Company has -- when we 10 started the CIBS program, we froze the amount 11 of cast iron mileage and have been 12 subtracting the year-end replacement on a 13 fiscal basis. So that's why I noted that 14 there might be slight differences in the 15 reason that those occurred. 16 Q. Okay. That's fine. Mr. Frost, would you say 17 it's fair to make this observation: That as 18 the total miles of CIBS replacement has 19 occurred, the costs have gone up as a 20 function of various things, but one of those 21 is that you've taken out the low-hanging 22 fruit and that it's more and more difficult 23 and more and more problematic the pipes that 24 you have to deal with now? Is that fair? Is</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 63</p> <p>1 been wild cards with working amongst city 2 projects, such as the Concord steam 3 conversion. Not that we were working the 4 project together; however, we had to 5 juggle -- or the City of Concord had to 6 juggle us with contractors doing the steam 7 work concurrently on similar streets. That 8 often happens in the other cities, too, where 9 the municipality is juggling Liberty's 10 construction with other parties' construction 11 affecting us. 12 Q. Thanks for that. So when I read the 13 testimony, many things jumped out. But there 14 were two that really jumped out at me as 15 potential concerns, and one was the low 16 estimate, the underestimating of projects, 17 and the other was the inability to get 18 certain things done early or at least on 19 time. So I want to ask some questions to 20 probe that a little more. 21 I'll start with were there seven -- how 22 many projects were delayed? Seven were 23 delayed due to weather, is that right, due to 24 the winter season?</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>
<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 62</p> <p>1 that fair to say? 2 A. (Frost) Yes. Yes, one of the issues is in 3 the early years of the cast iron program -- 4 in my career with the gas company, cast iron 5 has been going on my whole career, 6 replacement. A lot of the smaller diameter 7 pipes that cost less per foot to replace is 8 more leak-prone. So that pipe tended to rise 9 to have a higher leak history at the outset 10 of cast iron programs; therefore, correct, 11 the low-hanging fruit population. 12 Q. Okay. That's helpful. And is estimating 13 these more challenging replacements more 14 difficult as a result of the complexity of 15 the projects? 16 A. (Frost) I mean, there has been difficulty 17 with estimating. There's a lot of wild cards 18 out there when some of the cities and towns 19 won't give us final requirements until they 20 officially issue a permit right before 21 construction. So a lot of times they'll give 22 us general guidance, or the Company can 23 make -- can use as historical data. And I do 24 use historical data with estimating. There's</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 64</p> <p>1 A. (Frost) Seven that had reduced project scope. 2 Q. And then was it three that were not -- no, 3 three were not started at all. How many were 4 delayed because winter, for lack of a better 5 term, snuck up on you? 6 A. (Frost) Well, I think that population of ten. 7 What happens on the Company side is that 8 before we begin a project, we need to make 9 sure that we have enough time left in the 10 construction season to substantially complete 11 it so that it's a prudent expenditure. We 12 also need to make sure that the in-progress 13 projects will reach a point where the gas 14 system is safe for winter. I would think, 15 looking in my testimony, the amount of 16 mileage completed, I believe the Company 17 substantially completed the mileage that it 18 intended to. So that is one good part there 19 that should be noted -- 20 Q. So let me interrupt you there. I think -- 21 off top of my head, I'm not looking 22 specifically at the page, but I think it 23 was -- 24 (Court Reporter interrupts.)</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>

<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 65</p> <p>1 Q. I said I'm not looking specifically at it, 2 but I believe that 12.6 miles of projects was 3 proposed, but something like 11.1 was 4 completed. 5 So Mr. Frost, in your mind, that's 6 substantial completion? It's about 7 88 percent of the total projects that were 8 supposed to be in place were actually put in 9 place. 10 A. (Frost) Thank you for calculating that that's 11 the 88 percent figure. I was about to 12 calculate that. While not ideal, I would 13 describe that as successful. The Company has 14 had prior years, where I've been involved 15 with the program, where I think the amount of 16 completion has been less. So I was satisfied 17 to have approaching 90 percent completion. I 18 take -- as alluded to, I'm less involved with 19 the construction management side. However, I 20 was pleased from a design side. 21 Q. Okay. So with respect to your planning, when 22 you -- you like -- you want projects in place 23 and completed by Thanksgiving, early 24 November, mid-October, to ensure that it gets</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 67</p> <p>1 can you restate your question? Ms. Robidas 2 is having trouble hearing. 3 BY COMMISSIONER GIAIMO: 4 Q. Your prior answer explains why the Company 5 would not start a project and defer it 6 completely for a year because of compressed 7 time frames; is that right? 8 A. (Mostone) That's a possibility. We do look 9 at that. So if we do have a project that's 10 getting late in the year, we may work with 11 the city and towns to find out what their 12 protocols are, if they're paving, if they're 13 doing things also. But we did that last 14 year, where we saw some projects that were 15 getting off way too late, and we didn't want 16 to run into winter months because we don't 17 know what to expect on weather. So yes, we 18 will shut them down. With that being said, 19 we also add projects during the year, too, 20 and we look at other projects that may be 21 smaller that we can get done instead. So we 22 do look at all avenues at that point. 23 Q. So thank you for that answer. 24 The CIBS program has been functioning</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>
<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 66</p> <p>1 done before the winter makes the construction 2 season impossible? I'm just trying to get an 3 understanding. What's your planning? What 4 do you work back from? 5 A. (Mostone) So that is the plan. We try to get 6 as much as we can done by Thanksgiving. But 7 as projects go on and we have delays here and 8 there, they run into the December months. 9 But our goal is to have everything out before 10 Thanksgiving. We've had some overages on 11 that that brings us into December. But a lot 12 of it is because of late starts. It could be 13 something with the cities or towns requesting 14 us at a later date, trying to get everything 15 done. The one thing we do not want to do is 16 leave -- we try not to leave any cast iron 17 that's already encroached on in the ground. 18 So we push to try to get it out as quickly as 19 we can. And it does run into the December 20 month. 21 Q. Right. And all the more reason you might -- 22 (connectivity issue) 23 (Court Reporter interrupts.) 24 CHAIRWOMAN MARTIN: Commissioner,</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 68</p> <p>1 for Liberty for what, like 13 or 14 years 2 now? Does that sounds right? Or 12, 13 3 years now? 4 A. (Mostone) I believe that's correct, yes. 5 Q. And you said that the benchmark is being 6 within 10 percent of budget. But what I 7 thought I heard was, you know, you're at 8 15 percent over this year and last year was 9 13 percent. Is 10 percent a reasonable goal, 10 or does the Company just need to do a better 11 job of sharpening its pencil? 12 A. (Frost) This is Brian here. I think the 13 Company has demonstrated, you know, on an 14 overall program basis, costs, you know, 15 within that limit. 16 Another thing that has come up over the 17 years and within this hearing is that the 18 Company's estimating process tends to look at 19 each project within the whole program, and it 20 tends to look at a lot of history and average 21 rules for each city. Typically when I 22 estimate projects, I'll estimate each 23 individual project, but I'll apply historical 24 experience with environmental and permitting</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>

<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 69</p> <p>1 restrictions to each of those projects rather 2 than going into a deep dive and approaching 3 each project as, say, a new day or whatnot. 4 So I think the total program number indicates 5 10 percent, you know, plus or minus as a 6 goal. 7 Q. I just want to make sure I understand. The 8 plus or minus is 10 percent; right? The 9 objective is to stay under 10 percent, or 10 within 10 percent under or over budget and 11 not to be more or less 10 percent; right? 12 A. (Frost) I think in a program like this, 13 10 percent would be hitting -- you know, plus 14 or minus 10 percent would be good; 15 15 percent, you know, indicates an issue if 16 the overall program -- or it may start 17 indicating an issue if it starts going 18 towards 20. That's more of an issue. 19 Q. Okay. I guess I'm not trying to be 20 argumentative, but you've been forecasting 21 this program for a dozen years. And I guess 22 I would think ideally the Company should be 23 shooting for hitting the estimate on the 24 nose, not plus or minus 5 percent from a</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 71</p> <p>1 and whether or not, as I heard earlier, part 2 of the consideration for Liberty is whether 3 it's economically feasible? And that goes 4 into the timeline. But for those that are in 5 that condition, are they on a different 6 timeline regardless of where they're located? 7 A. (Frost) Yes, those pipes are on a different 8 timeline. I had noted that the Company 9 evaluates its leaks continuously and strives 10 to replace pipes that show an abnormal or a 11 leak history as soon as possible. We 12 wouldn't be deferring pipe with a leak 13 history. 14 One other item of note regarding the 15 samples that Mr. Knepper referenced. The 16 Company often extracts those samples at 17 locations where it has measurements to the 18 old pipe. Often those locations are points 19 where the Company in the past, you know, 20 maybe in the prior year or two, had installed 21 a temporary repair clamp. The temporary 22 repair clamps are made to last, you know, 23 probably up to 30 years to seal those leaks. 24 So I think that should also be considered.</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>
<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 70</p> <p>1 10 percent overage standpoint. So I'll pause 2 there and let you comment on that if you'd 3 like. 4 A. (Frost) Thank you for the observation. Yeah, 5 it's hard to respond. I can say that me, I 6 take a lot of these, the observations from 7 Staff and the Commissioners, and incorporate 8 them into future program years. And I will 9 take the observation that we need to look at 10 estimating back to the team. 11 Q. Thank you, Mr. Frost. I appreciate that. 12 COMMISSIONER GIAIMO: Madam Chair, 13 I appreciate the responses of the witnesses, 14 and that's all the questions I have. 15 CHAIRWOMAN MARTIN: All right. 16 A lot of my questions have been 17 answered, but I have a few left. 18 BY CHAIRWOMAN MARTIN: 19 Q. I read in the testimony of Mr. Knepper that a 20 number of the pipes in question are at the 21 point of 100 percent wall loss and 24-hour 22 leaking. 23 Can you give me a sense of what portion 24 of the remaining pipes are in that condition</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 72</p> <p>1 The Company does have leaks. However, some 2 of these samples might be cut out from areas 3 where the Company responded to those leaks 4 and repaired it in a generally accepted 5 manner in the industry. 6 Q. Do you have a sense, though, of the 7 percentage of the 56 miles that might be in 8 that condition? 9 A. (Frost) It's hard to -- I couldn't quantify a 10 percentage because I guess I don't have X-ray 11 vision to know what the pipe looks like. A 12 lot of these pipes operate at low pressure, 13 which means that when they're buried, if they 14 were buried in an area where there was 15 groundwater or there was sufficient ground 16 pressure, that gaps wouldn't be actively 17 leaking out of the pipe even if it had a hole 18 in it. 19 The Company surveys all of these mains 20 continuously during the winter. They also 21 provide summer follow-up surveys to find the 22 leaks when they occur and repair them. It 23 would be impossible to give a mileage 24 percentage of that.</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>

<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 73</p> <p>1 (Court Reporter interrupts.)</p> <p>2 Q. There was mention of a Keene replacement that</p> <p>3 didn't appear in the prior planning in the</p> <p>4 Knepper testimony as well. Can the Company</p> <p>5 respond to that and give an explanation?</p> <p>6 A. (Frost) I'm extremely sorry. I didn't catch</p> <p>7 the question fully.</p> <p>8 Q. No worries. There was mention of a Keene</p> <p>9 replacement that was not included in the</p> <p>10 prior planning in the Knepper testimony. And</p> <p>11 I was wondering if the Company could respond</p> <p>12 to that and explain.</p> <p>13 A. (Frost) Would it be too much trouble to ask</p> <p>14 for a Bates page reference?</p> <p>15 Q. Well, my notes say Bates 9, but that could be</p> <p>16 for the next question. Let's check that.</p> <p>17 Mr. Knepper, do you have that and could</p> <p>18 confirm? That would help.</p> <p>19 A. (Knepper) Yup, Bates Page 9.</p> <p>20 Q. Okay.</p> <p>21 A. (Knepper) I guess it beings on Bates Page 8</p> <p>22 if you're looking for it.</p> <p>23 A. (Frost) Okay. Now I understand. Sorry. You</p> <p>24 meant Keene replacement. I had heard steam</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 75</p> <p>1 related to a Nashua paving project. I can't</p> <p>2 remember if you gave this information about</p> <p>3 the specific timeline for that.</p> <p>4 A. (Frost) I think I described that a good goal</p> <p>5 would be approximately five years. We also</p> <p>6 discussed about the difficulty of having a</p> <p>7 hundred percent. There may be stragglers.</p> <p>8 Typically the cities, all the major cities,</p> <p>9 will give us a look ahead. They'll give us a</p> <p>10 plan to coordinate construction that's out</p> <p>11 one to two years, and then as the</p> <p>12 construction season approaches, the cities'</p> <p>13 plan starts to get more certain to a hundred</p> <p>14 percent certainty. The City of Nashua has</p> <p>15 set forth a goal to repave the city, and they</p> <p>16 got authorization for bonding for that;</p> <p>17 however, they have not set forth an execution</p> <p>18 plan year by year on how they're going to do</p> <p>19 that. And the Company only gets data</p> <p>20 typically for one year and then maybe the</p> <p>21 follow-on year is uncertain.</p> <p>22 Q. Okay. Thank you.</p> <p>23 You made a comment about construction.</p> <p>24 At some point construction in Nashua and</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>
<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 74</p> <p>1 replacement.</p> <p>2 Q. Oh, sorry. No, Keene.</p> <p>3 A. (Frost) We had a -- the state was doing a</p> <p>4 steam project in Concord. I'm very sorry.</p> <p>5 Yes, we did include a single project in</p> <p>6 the Keene operating area because Keene's cast</p> <p>7 iron pipe was added into our risk model for</p> <p>8 fiscal year 2020, and the rates were</p> <p>9 consolidated under another case.</p> <p>10 Q. Okay. Can you tell me the average number of</p> <p>11 miles done per year in this program for the</p> <p>12 three prior years?</p> <p>13 A. (Frost) Okay. I'm looking at testimony as</p> <p>14 referenced before for fiscal year 2020. This</p> <p>15 year it was, I believe, 11.1 miles,</p> <p>16 approximately. There was another decimal</p> <p>17 point there. In fiscal year 2019, the CIBS</p> <p>18 program replaced -- I'm looking at a graph --</p> <p>19 just under 10 miles on this graph. In fiscal</p> <p>20 year 2018, it appears on the graph between 11</p> <p>21 and 12 miles.</p> <p>22 Q. Okay. Thank you.</p> <p>23 You mentioned that some of the work that</p> <p>24 would be delayed beyond the 2024 timeline was</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 76</p> <p>1 Concord will occur. I didn't follow you.</p> <p>2 Were you saying that those two cities would</p> <p>3 be doing it at the same time, or what was</p> <p>4 your meaning there?</p> <p>5 A. (Frost) Yes, the Company typically needs to</p> <p>6 spread out its construction work. We</p> <p>7 typically try to allocate construction</p> <p>8 equally among each city. It's not exactly</p> <p>9 equal, but we try to spread it out more or</p> <p>10 less. The amount of pipe remaining in both</p> <p>11 Concord and Nashua is a lot less than in the</p> <p>12 city of Manchester. Right now it appears</p> <p>13 that over 50 percent of the remaining pipe is</p> <p>14 in the city of Manchester, and Nashua has a</p> <p>15 higher percentage of pipe remaining than</p> <p>16 Concord. That's what I was trying to allude</p> <p>17 to, that if we continue construction, we</p> <p>18 would run out of CIBS pipe in Concord first</p> <p>19 and then in Nashua.</p> <p>20 Q. Okay. Thank you for that.</p> <p>21 You mentioned that three projects had</p> <p>22 not started. Can you just give more</p> <p>23 explanation for that?</p> <p>24 A. (Frost) Okay. I'm looking at the spreadsheet</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>

<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 77</p> <p>1 here, and I'd like to start in Nashua. There 2 was a project on Concord Street in Nashua 3 that I'm unfamiliar with that the Company was 4 not able to get a permit. That was a state 5 road. And New York -- New Hampshire DOT, I'm 6 sorry, would not issue a permit because the 7 expected construction schedule would go into 8 the winter. On Lake Street there was -- 9 Q. Before you move on from that -- I apologize 10 for interrupting. When did you ask for that 11 permit? 12 A. (Frost) I made the initial request for that 13 permit during the winter, the prior winter. 14 New Hampshire DOT did not resolve it. I made 15 multiple follow-ups on a monthly and then 16 bi-weekly basis. 17 Q. Okay. 18 A. (Frost) Ledge Street in Nashua, that is a 19 sizable project that also involved -- was 20 being coordinated with a regulator station 21 installation. And the Company was not able 22 to fully complete that, and it did not make 23 sense to get into the gas system at that 24 point. I'm not familiar with the one project</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 79</p> <p>1 permit to complete the work, to complete 2 excavation to tie over the services. Is 3 there a specific agreement that you're 4 wondering about? 5 Q. No. Am I understanding correctly that you're 6 leaving -- you're abandoning the pipeline in 7 the roadway? 8 A. (Frost) Yeah, the pipe is left in the ground. 9 Q. I guess my question is do you have to get 10 agreements from whomever you have been given 11 access by, whether it be the municipality, 12 landowner? 13 A. (Frost) Yes. Typically municipalities allow 14 the pipes to be abandoned in place. At times 15 New Hampshire DOT, if it's an especially 16 large pipe, would require it to be filled 17 with grout, which is similar to concrete. It 18 is not concrete. But we would work with the 19 owner of the right-of-way to figure that out. 20 Q. All right. Thank you. 21 CHAIRWOMAN MARTIN: I think all my 22 other questions have been answered. So we 23 can go back to Mr. Sheehan in follow-up. 24 MR. SHEEHAN: I do have some.</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>
<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 78</p> <p>1 in Concord that was not begun. 2 Q. Mr. Mostone, are you familiar with that 3 project? 4 A. (Mostone) The Ledge Street project? No, I'm 5 not. 6 Q. No, the third project that was not started. 7 A. (Mostone) That was the Ledge Street project? 8 Q. I don't think so. Mr. Frost just mentioned 9 the Lake Street project. 10 A. (Mostone) South Spring project, I'm not 11 familiar with that, off top of my head. 12 Don't know. 13 Q. Is that the project, Mr. Frost, the South 14 Spring in Concord? 15 A. (Frost) Correct. South Spring Street, 16 Concord. 17 Q. So you don't know why that wasn't started? 18 A. (Frost) No, I do not. I typically hand off 19 the designed CIBS program to the Company's 20 construction management department. 21 Q. Okay. You mention that you abandon pipes. 22 Do you have to get agreements related to that 23 before you can abandon them? 24 A. (Frost) We would request a road opening</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 80</p> <p>1 Thank you. 2 REDIRECT EXAMINATION 3 BY MR. SHEEHAN: 4 Q. On the last topic about the projects that 5 were not started, is it common for the 6 Company to plan for more projects than it 7 completes in each CIBS year? 8 A. Yes, it is common to do that. Also, to 9 answer the question on that a little bit 10 more, I don't know the exact reason why, but 11 it could be because of the length of the 12 project and crew availability up in that area 13 at the time. 14 Q. And is it also fair to say that having 15 planned for more projects to be completed 16 affords the Company some flexibility to 17 adjust? As I think someone mentioned, if one 18 project doesn't get a permit, then you can 19 quickly move to another one that's already 20 planned; is that correct? 21 A. (Mostone) Yes, that's correct. We try to 22 move over to try to get another project done 23 if something's detained for whatever reason. 24 The only issue that we do have with that is</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>

<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 81</p> <p>1 the amount of fitters to open from inside to 2 outside. If they're working on a project 3 that they're thinking is going to happen, 4 they start earlier than the main crews. So 5 they're doing what we call "pre-piping" ahead 6 of time on a similar project. So if we do 7 move, we have to get them over, and that does 8 slow projects down in that area because they 9 haven't -- they may not have started the 10 pre-piping process in that area. 11 Q. So you're saying you can switch to a new 12 project, but it's not an overnight task. 13 There's a fair amount of pre-planning for 14 such a change; is that correct? 15 A. (Mostone) Yeah, that's correct. We try to 16 prioritize with them and tell them, you know, 17 where we're going to start. And they'll go 18 up -- they actually start their projects in 19 the middle of winter to get ahead of the main 20 construction crews, you know, to try to 21 get -- (connectivity issue) 22 (Court Reporter interrupts.) 23 A. (Mostone) We call them fitters. What they 24 try to do is try to get ahead of the main</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 83</p> <p>1 one-to-two. But at times, with vacations and 2 other things going on, we can't always 3 control that. So the minimum that we go to 4 is the one-to-four. 5 Q. And that means that an inspector would have 6 two, three or four projects that they are 7 working on in any given day; is that fair? 8 A. (Mostone) That's correct. 9 Q. And is it fair to say you will assign, or 10 someone will assign that inspector to 11 projects that are geographically close 12 together? 13 A. (Mostone) Correct. 14 Q. And so this inspector's job is to touch base 15 with each project, an hour each, a half-hour 16 each, whatever is the appropriate way of 17 keeping an eye on what's going on in the 18 project. 19 A. (Mostone) Yes. They try to see -- they go to 20 each project on a daily basis. If we're 21 doing a tie-over, they're required to be at 22 the job to monitor any major things that 23 could tie in to the existing main. 24 Q. And I think it came up in the context that</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>
<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 82</p> <p>1 construction crew, so then the pipes inside 2 the homes and outside -- we call that 3 pre-piping so they can get ahead of the 4 schedule. So when the main crews come in and 5 start laying main and start services, it's 6 all a quick tie-over to get them gas and 7 running to complete the projects on a 8 scheduled time. So when we do move, it does 9 create a little bit of a havoc to get the 10 crews moved that are over and coordinate with 11 customers to get in to do this. That's part 12 of their process. They have to coordinate 13 and get in and schedule with customers for 14 the piping inside. 15 Q. Different topic. Mr. Mostone, you mentioned 16 the inspectors that you have on site, and you 17 said you had a one-to-four ratio. Can you 18 explain that in a little more detail? 19 A. (Mostone) So we're required to have a minimum 20 of one-to-four ratio, meaning one inspector 21 to four crews. We typically try to do better 22 than that. We go down to, you know, it's 23 either a one-to-three or even lower. You 24 know, we typically like to get the</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 84</p> <p>1 this inspector would be the first person, 2 decision maker, if you will, who would see a 3 need for a change in what the plan was and 4 start the process of either approving it him 5 or herself or running it up the flagpole to 6 get approval for whatever that change might 7 be; is that correct? 8 A. (Mostone) That's correct. We have to have a 9 signed change order at the time if something 10 is deviating from the original plan. 11 Q. So that is a process that starts in real time 12 when the need for the change arises. There's 13 a company person there or a few minutes away 14 that could start that review and approval 15 process. 16 A. (Mostone) Right. 17 Q. There were several questions about the safety 18 of the remaining pipe in the ground. Mr. 19 Mostone, can you, at a quick level, explain 20 what the three levels are in our system, what 21 each of the three are, and what the Company's 22 obligation is to respond to each of those? 23 A. (Mostone) So are we talking leak grading? 24 Q. Correct.</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>

<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 85</p> <p>1 A. So a Grade 3 leak is considered a 2 non-hazardous leak. We have to monitor it. 3 And it's not necessarily repaired within a 4 time frame. Grade 2 leaks are monitored and 5 also replaced within six months or by year's 6 end. And Grade 1 is an emergency leak that's 7 considered hazardous and needs to be repaired 8 immediately. 9 Q. And of course the Company finds these leaks 10 through its surveys or through customer or 11 civilian reports of the smell of gas; is that 12 fair? 13 A. (Mostone) That's correct. 14 Q. And as for the pipe samples that come out of 15 the ground with, as the phrase is, "a hundred 16 percent wall thickness loss -- (connectivity 17 issue) 18 (Court Reporter interrupts.) 19 Q. Bob, I think you need to mute yourself while 20 I'm talking. I think the echo's coming from 21 your end. 22 So some pipes that have holes in them 23 are not really leaking because the 24 surrounding soil, mud, whatever, can actually</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 87</p> <p>1 you're there. 2 A. (Frost) I am in that column of the 3 spreadsheet. 4 Q. Can you tell me what you are trying to show, 5 what it means, the phrase "loaded cost 6 variance percentage"? 7 A. (Frost) The loaded cost is the sum of the 8 direct contractor cost on the job plus the 9 Company's overhead burdens. This is trying 10 to show the difference between the original 11 estimate filed with Staff and the finished 12 construction costs. That also includes an 13 estimate of carryover costs. 14 Q. We have not talked about carryover costs much 15 today, which is fine. But if you could give 16 us a brief description as we go through this. 17 A. (Frost) Carryover costs are typically 18 incurred for paving or degradation fees that 19 are not completed in the year that the pipe 20 is installed. Sometimes due to when 21 construction finishes, it is too cold out to 22 finish repaving the street, so those costs 23 would be incurred in the following year. 24 Additionally, the City of Manchester</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>
<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 86</p> <p>1 prevent them leaking, especially on the 2 low-pressure pipes; is that fair? 3 A. (Frost) Yes. This is Brian. That is a fair 4 assessment, that we sometimes find pipes that 5 have a hole in it during the course of 6 construction. However, the Company has not 7 found leaks going into the soil. We've also 8 cut out pipe samples which have been 9 previously repaired within a couple of years 10 before they were cut out. 11 Q. Of course we need to replace those pipes 12 anyway. But I think I understand your 13 testimony, Brian, to be it is the reported 14 leak history that the Company relies on in 15 prioritizing which pipes should come out 16 first; correct? 17 A. (Frost) Correct, it is the reported leak 18 history. 19 Q. And last, Brian, if you could open your 20 spreadsheet, Attachment 2 to your testimony, 21 which begins or appears at Bates 30, and 22 scroll over horizontally to Column B, as in 23 boy, and M, as in Michael, titled "Loaded 24 Cost Variance Percentage." Let me know when</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 88</p> <p>1 charges degradation fees on the total 2 finished pavement patched. So Manchester 3 degradation fees are not billed until the 4 second year. 5 Q. So if we look at the columns on this page, 6 the one I was pointing to, the ones to the 7 left are those other costs you described. 8 There's an estimated direct cost, BH; actual 9 direct, BI and the variance there. And then 10 there's the estimated loaded cost, BK; 11 actual, BL; and variance is BM. So the BK, 12 estimated loaded cost, is in effect your 13 estimate before any construction begins; is 14 that fair? 15 A. (Frost) You are correct. 16 Q. Now if we scroll down in those columns to 17 line, looks like 48, 49 and 50, where it 18 returns to a blue shaded area. Do you see 19 that? 20 A. (Frost) I do. 21 Q. You have to scroll all the way to the left to 22 find out what those blue shades are. And 23 those are -- the bottom of the blue shaded 24 said "Fiscal Year 2020 CIBS Program Totals";</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>

<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 89</p> <p>1 is that right?</p> <p>2 A. (Frost) It is the total for all areas.</p> <p>3 Q. And I think the number Commissioner Bailey</p> <p>4 started with is where the variance between</p> <p>5 estimated and actual shows 15 percent and the</p> <p>6 average cost per foot shows the \$299 to \$384;</p> <p>7 is that right?</p> <p>8 A. (Frost) It does.</p> <p>9 Q. And so in this particular line, 15 percent is</p> <p>10 the variance between the estimated and the</p> <p>11 actual loaded costs for the program, the</p> <p>12 dollars that are at issue in this case.</p> <p>13 That's not fair. Strike that question.</p> <p>14 Scroll down further, and the last two</p> <p>15 shaded blue lines are 76 and 79. One of them</p> <p>16 has a minus 17 percent and the lower one has</p> <p>17 8 percent. Can you tell us what those are?</p> <p>18 A. (Frost) The minus 17 percent, that is the</p> <p>19 variance between what the Company incurred</p> <p>20 for actual carryover costs within the fiscal</p> <p>21 year 2020 program versus estimated at last</p> <p>22 year. And the 8 percent is the total cost</p> <p>23 variance of the program if you add up work</p> <p>24 completed this year and expected future</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 91</p> <p>1 Staff has noted the Company's success with</p> <p>2 managing the program on an overall basis.</p> <p>3 However, Staff has also asked for, at times,</p> <p>4 a microscopic basis. And on the microscopic</p> <p>5 level there is a fair amount of variance.</p> <p>6 Q. And by that do you mean that if you look at</p> <p>7 it project by project, some will be at</p> <p>8 budget, some will be significantly over, and</p> <p>9 some will be significantly under? Is that</p> <p>10 fair?</p> <p>11 A. (Frost) Yes, Mike, that is correct.</p> <p>12 Additionally, we talked a lot in these</p> <p>13 questions about how the variance is</p> <p>14 calculated in multiple different ways based</p> <p>15 on original estimate, based on incurred costs</p> <p>16 plus expected carryover costs, variances of</p> <p>17 carryover costs against expected carryover</p> <p>18 costs. Just many different types of variance</p> <p>19 calculations. However, the total program</p> <p>20 variance calculated in fiscal year 2020 is</p> <p>21 8 percent.</p> <p>22 Q. Thank you.</p> <p>23 MR. SHEEHAN: Those are all the</p> <p>24 questions I have, Chairwoman.</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>
<p>[WITNESS PANEL: McNAMARA FROST MOSTONE] Page 90</p> <p>1 carryover costs plus the variance of</p> <p>2 carryover work completed this year.</p> <p>3 Q. So the minus 17 is an indication that the</p> <p>4 estimates for the carryover cost was higher</p> <p>5 than the actual; correct?</p> <p>6 A. (Frost) That is correct. The Company</p> <p>7 incurred less carryover cost than it</p> <p>8 anticipated. It was able to hold the line on</p> <p>9 that cost.</p> <p>10 Q. And so is it fair to say that the 8 percent</p> <p>11 variance is the overall financial picture of</p> <p>12 the project when you're looking at estimate</p> <p>13 versus actual?</p> <p>14 A. (Frost) On a total-wide program expenditure,</p> <p>15 8 percent is the variance.</p> <p>16 Q. And if we -- I'm not going to have you go</p> <p>17 through prior years. But is it fair to say</p> <p>18 that in recent years the variances have been</p> <p>19 less than that? You have had years of four</p> <p>20 or five or six or even minus four percent</p> <p>21 variances; do you recall that?</p> <p>22 A. (Frost) Yes, I recall that. The Company has</p> <p>23 been very successful in managing the overall</p> <p>24 program costs. I believe in prior years</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS: KNEPPER] Page 92</p> <p>1 CHAIRWOMAN MARTIN: All right.</p> <p>2 Thank you.</p> <p>3 Ms. Fabrizio, do you want to do</p> <p>4 your direct on Staff?</p> <p>5 MS. FABRIZIO: Yes. Thank you,</p> <p>6 Madam Chair. I will introduce Randy Knepper</p> <p>7 as Staff's witness.</p> <p>8 DIRECT EXAMINATION</p> <p>9 BY MS. FABRIZIO:</p> <p>10 Q. Mr. Knepper, could you please state your full</p> <p>11 name for the record. You are on mute, Randy.</p> <p>12 A. (Knepper) I'm unmuting. I'm just not as</p> <p>13 quick as you, Lynn.</p> <p>14 Yeah, I'm Randall Knepper. I'm the</p> <p>15 director of safety, and I'm in room -- I</p> <p>16 don't even know what room -- Room 32 at the</p> <p>17 Commission. And I'm by myself right now.</p> <p>18 Q. Thank you. And what is your position at the</p> <p>19 Commission?</p> <p>20 A. (Knepper) I'm the director of Safety and</p> <p>21 Security.</p> <p>22 Q. And in that capacity, were you the lead</p> <p>23 analyst responsible for examining Liberty's</p> <p>24 CIBS program results this year?</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>



<p>[WITNESS: KNEPPER] Page 93</p> <p>1 A. (Knepper) By default, yes. 2 Q. And did you prepare testimony filed on behalf 3 of Staff on June 12th, 2020, marked as 4 Exhibit 2 in this docket? 5 A. (Knepper) Yes. 6 Q. And you attached Staff's audit report as part 7 of your testimony in Exhibit 2, but that is 8 also entered as Exhibit 3; is that correct? 9 A. (Knepper) Yes. 10 Q. And are there any corrections to your 11 testimony that you would like to make at this 12 time? 13 A. (Knepper) No. 14 Q. If I were to ask you the same questions that 15 are included in your testimony, would the 16 answers be the same today? 17 A. (Knepper) Yeah. 18 Q. Thank you. 19 CHAIRWOMAN MARTIN: Ms. Fabrizio, 20 are you finished introducing the witness and 21 laying the foundation? 22 MS. FABRIZIO: Yes. 23 CHAIRWOMAN MARTIN: Okay. I just 24 want to check with Ms. Robidas.</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS: KNEPPER] Page 95</p> <p>1 variance regarding low-cost planned projects 2 that were completed without reduction in 3 scope? 4 And maybe I can step back there. And if 5 you could provide your understanding of the 6 earlier discussion of variances and how you 7 read the Company's results. 8 A. (Knepper) Lynn, I want to make sure I 9 understand your question. Are you referring 10 to my Bates Page 20 on my testimony? 11 Q. Yes. You attached the spreadsheet to your 12 testimony, so that was easiest for me to 13 refer to. 14 A. (Knepper) Okay. So my Bates Page 20, I 15 believe, is a spreadsheet of just bare steel 16 only. And that just lists -- that is not 17 the -- it's not a financial thing. All it 18 lists is of the samples that were brought in 19 over the 12 year period, what the ages were, 20 the history and the conditions of the bare 21 steel that have been brought to us. Are you 22 referring to a different one? 23 Q. Yes, I must be. I'm referring to the giant 24 spreadsheet that we've been looking at --</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>
<p>[WITNESS: KNEPPER] Page 94</p> <p>1 Ms. Robidas, could you use a break? 2 COURT REPORTER: I'm good right 3 now. Thank you. 4 CHAIRWOMAN MARTIN: You're okay 5 right now? 6 COURT REPORTER: Yup. 7 CHAIRWOMAN MARTIN: Okay. Then 8 let's proceed. 9 MS. FABRIZIO: Okay. Thank you. 10 BY MS. FABRIZIO: 11 Q. Mr. Knepper, we've heard a lot of numbers 12 this morning. First of all, I'd like to ask 13 you, how many years has Liberty CIBS program 14 been in place? 15 A. (Knepper) So the Liberty CIBS program has 16 been in place for 12 years. And of all the 17 people here, the one person that's been here 18 constant is me. 19 Q. Okay. And we've heard statements regarding 20 project cost variances. We've heard a couple 21 of numbers: Plus or minus 10, 15 percent, 22 8 percent. In your review of the Company's 23 spreadsheet attached to your testimony on 24 Bates Page 20, what is the percentage</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS: KNEPPER] Page 96</p> <p>1 A. (Knepper) So the giant spreadsheet that I'm 2 aware of is in Exhibit 1 of Liberty's 3 testimony, and I believe it's Bates Page 30. 4 And I have the benefit of having a large 5 printout and I can read those column numbers 6 and I can read those numbers. So, you know, 7 for those who want to follow it, they're 8 going to have to really zoom in on that Bates 9 Page 30 because it's very small. 10 Q. Okay. 11 A. (Knepper) So now that I have the right page 12 and the right reference, can you repeat your 13 question for me? 14 Q. Sure. We've heard statements from the 15 Company today that the overall variance is 16 plus or minus 10 percent on project cost. 17 We've also heard a figure of 15 percent 18 today. Based on your review of the 19 spreadsheet that we're now all looking at, 20 how would you assess the cost variance of the 21 CIBS program? 22 A. (Knepper) Well, I think it's difficult to 23 kind of do the overall because when you -- if 24 you look at the seven uncompleted projects,</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>

<p>[WITNESS: KNEPPER] Page 97</p> <p>1 they show up as negative variances; so that's 2 going to reduce the overall amount. I 3 believe that's also consistent with the audit 4 findings, the final audit findings. I 5 mentioned that in Section 2. And so when 6 you're looking at those numbers on an overall 7 basis, I find it's kind of difficult. If you 8 look at even the carryover costs that are 9 included, some of them are not totally 10 included because they haven't gotten bills 11 for degradation fees and things like that. 12 And that's part of that 8 percent number they 13 use. 14 So I tend to look at it on a 15 project-by-project basis. I don't know if 16 they call that a "microscopic" level, but I 17 call it on a "individual" level. So those 18 are the ones that I tend to look at to see, 19 you know, for a given project, did you vary 20 from what you thought you were going to do. 21 And I do agree with Staff's testimony -- 22 or the previous testimony. I think it is 23 over 2,000 cells that we asked for. The 24 reason we asked for 2,000 cells on this data</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS: KNEPPER] Page 99</p> <p>1 the overall cost, which I think they listed 2 between the estimated loaded cost versus the 3 actual loaded cost. That's kind of what the 4 number is. If you look at it on a division 5 basis, looks like the Nashua division was 6 5 percent, and that had, you know, two 7 projects within that were well over; you 8 know, one was 151 percent one was 9 146 percent. The Manchester was 15 percent. 10 And I think in Concord it was 38 percent over 11 in the Concord division. So those were the 12 ones that I kind of focused on. 13 Q. Okay. On Bates Page 7 of your testimony you 14 refer to 27 percent. So what is that based 15 on? 16 A. (Knepper) Bear with me, Lynn. I'm flipping 17 through pages. 18 Q. I have it marked as Bates Page 7. 19 A. (Knepper) Yes. 20 Q. And it looks like Lines 15 through 17. 21 A. (Knepper) Yeah. That's basically just 22 sourcing it from their testimony, from Robert 23 Mostone's and Brian Frost's testimony. And I 24 reference it in my footnote where I got that,</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>
<p>[WITNESS: KNEPPER] Page 98</p> <p>1 is because of all the things that you've 2 heard today -- you know, I can't get started 3 until later. And so then we want to know the 4 actual start date and end date, and that 5 becomes a column. That becomes a thing. We 6 want to know how much are degradation fees, 7 because when we initiated this program, 8 degradation fees weren't even part of this, 9 right; they weren't getting any degradation 10 fees. When we initiated this program, 11 carryover costs weren't a major portion of it 12 because a majority of the projects were 13 getting done in a single year; they've now 14 become a major portion. So in the beginning 15 we were probably not hitting sections where 16 there was a lot of extra costs, such as ledge 17 or asbestos. So all those things have kind 18 of grown over the years, and the spreadsheet 19 now has the data with it. And even then, 20 they still cause a lot of questions. 21 So my assessment is, you know, it's not 22 for me to -- you know, I look at their 23 numbers, and they look at as an overall -- 24 15 percent is the number that I look at for</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS: KNEPPER] Page 100</p> <p>1 Note 7. 2 Q. Okay. Thank you. 3 So you have recommended that the 4 Commission require Liberty to set a target 5 goal of end of year 2025 to complete its CIBS 6 program -- that's at Bates Page 10 of your 7 testimony, with an exception for mains equal 8 to or greater than 10-inch nominal diameter 9 and mains associated with the Keene system. 10 Why have you chosen 2025 as a target? 11 A. (Knepper) So in the past, Liberty, in many 12 years, has said 2024. If you look at 13 previous years' CIBS dockets, I think it's 14 been at least three dockets that they've 15 mentioned 2024 as the target. I don't think 16 that's achievable by them anymore, but I do 17 think 2025. So I can tell you how I get 18 there and derive that number. 19 So they have about 55 miles of cast iron 20 and bare steel left in their system. I do 21 not include Keene because Keene was never 22 really part of the CIBS program from 23 inception. It was never part of the 24 conceptual thing, so I'm not including the</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>

<p>[WITNESS: KNEPPER] Page 101</p> <p>1 6.75 miles. If you were to include it, we'd 2 need to see, you know, are you operating the 3 system? Is it going to natural gas? We'd 4 have to see a whole conversion plan 5 associated with it to look at that. 6 So of that 55 miles that's left, there's 7 about, I think -- I don't know if these 8 numbers are consistent with what Brian said. 9 But according to reports that they filed with 10 us, there's about 1 mile that's 14- and 11 16-inch, and there's about 3.7 miles that are 12 10-inch and 12-inch. So it's a very small 13 portion, between 4 and 5 miles. I kind of 14 excluded that. That gets you down to about 15 50. At the end of this year, they're 16 probably going to get 7 to 8 miles done. 17 That's my estimate based on what I see on 18 crew activity in some of the discovery 19 questions. So that reduces that down to 20 about 42. Through municipal projects 21 historically over this 12-year period, 22 they've been replacing somewhere around 23 2 miles on average. But I anticipate that 24 going down a little bit. So if you were to</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS: KNEPPER] Page 103</p> <p>1 "hard and fast." But it's a targeted end 2 date. And I don't think so. If you look at 3 this large spreadsheet, you'll see 4 there's pipes in there that have been in the 5 ground, and they've been removed, since 1892. 6 So those are 128 years they've been in the 7 ground. At this point in time, I think an 8 extra year is probably not going to increase 9 it. 10 We do note that the leak rates are going 11 down. I would expect them to go down as they 12 replace more. And so I think we're getting 13 to the end of the system, the end of the 14 program. And I think they can start to 15 replace -- you know, certainly if they want 16 to do more, they can. 17 But I do think they need some sort of 18 guidance because I don't think we want to 19 continue this on for the next 10 years or 20 20 years. This has been going on for quite a 21 long time to get some of this aged, 22 leak-prone pipe out. 23 Q. Thanks. And you refer to CIBS mains equal to 24 or greater than 10 inches in diameter not</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>
<p>[WITNESS: KNEPPER] Page 102</p> <p>1 say 1.75 miles for the remaining 5 years, 2 that gets another 7 to 8 miles. That's done 3 outside of the CIBS, what you call the CIBS 4 program. Remember, the CIBS program is for 5 internally-driven projects, right. They're 6 not for externally driven projects. 7 Externally projects that are done by 8 municipalities, the Company should be taking 9 advantage of those and replacing them. This 10 is as if the municipality was not going to do 11 any work and the Company's initiating the 12 program, or the replacement program on their 13 own. And if you do that, you're down to 14 about 35 miles. And you divide that by five 15 years, right. We're talking about 2021, 16 2022, 2023, 2024 and 2025. That's about 17 7 miles a year. I think that's achievable. 18 Q. And does pushing the program back to 2025 19 create a delay that poses a significant risk 20 to public safety? 21 A. (Knepper) Well, I think a one-year delay from 22 what we were kind of -- remember, this is a 23 targeted end date. This isn't a hard and 24 fast. I don't know where they label this</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS: KNEPPER] Page 104</p> <p>1 posing the same level of risk. What would be 2 a reasonable target to replace those? 3 A. (Knepper) I don't think it's a targeted date. 4 I think it's going to be -- because there's 5 very few streets that that's on. It's not 6 scattered throughout. There's 12-inch here 7 on Main Street in Concord. There's 10-inch 8 on North State Street and South Street in 9 Concord. There's a few places in Nashua near 10 their plant that they have some 16-inch and 11 14-inch. So you're looking at very, very 12 specific streets and segments. So I think 13 you can look at those on an individual basis 14 of when it makes sense to replace them. 15 Those are going to be very, very expensive 16 projects to replace because you can't just 17 easily replace 16-inch with plastic like they 18 can do with a 4-inch or 8-inch or 6-inch. 19 And, you know, those are ones that I would 20 probably just monitor and not put an end date 21 to. 22 We specifically asked, like on the Main 23 Street program in Concord -- you know, Main 24 Street's been redone with brick pavers and</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>

<p>[WITNESS: KNEPPER] Page 105</p> <p>1 extended curbs to replace the gas main years 2 ago at the time the construction was done. 3 And at that time Liberty did not feel it was 4 a priority. 5 Q. So you are not suggesting that 10-inch or 6 greater mains should never been replaced, 7 merely that they should not be -- they don't 8 need to be part of the accelerated recovery 9 CIBS program; is that right? 10 A. (Knepper) So the CIBS program's gone away, 11 right. So the reason I kind of say 10-inch 12 and above is because typically they'll leak 13 at bell joints. And I would say the majority 14 of those bell joints have already been 15 attended to by Liberty. So now the only 16 other thing is with cast iron, the other way 17 to have the gas leak is when it breaks. So 18 when that cast iron fractures or breaks, the 19 gas can leak. But when you get to those size 20 pipes of 10-inch, 12-, 14- and 16-inch, 21 they're much thicker materials and so they 22 tend not to break as much. And we've not 23 recorded many gas main breaks on those. We 24 look at that data that Liberty submits to us.</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS: KNEPPER] Page 107</p> <p>1 requirements from the Company regarding its 2 CIBS activities. Could you briefly explain 3 what you're looking for? 4 A. (Knepper) Yeah. So now that the CIBS program 5 was terminated last year by the Commission as 6 we alluded to, this large spreadsheet is 7 probably the number one thing we get, as well 8 as the spreadsheets that Ms. McNamara puts 9 together that kind of gives you the financial 10 impact. Those two things kind of tell us the 11 most. 12 And so if you were to go to cold turkey 13 and not get any of that information, and 14 you're still spending, I don't know, upwards 15 of \$20 million to year to \$25 million a year, 16 I think it's reasonable to, instead of just 17 taking that out and only replacing it with 18 what we get for the E22, which is just a 19 single line item for very little description, 20 I think you either continue with this or you 21 have a modified something in between. And so 22 I made suggestions as to the Commission 23 asking for a modified E22. 24 Q. Thanks. And the Company has indicated in</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>
<p>[WITNESS: KNEPPER] Page 106</p> <p>1 And because of those reasons we don't tend to 2 see it. 3 Q. Okay. Thanks. And you've also excluded the 4 CIBS mains in Keene as part of your 5 assessment of an optimal target end date. 6 Why is that? 7 A. (Knepper) Yeah, because I don't think Keene 8 was really ever part of the program. And 9 when you look at the testimony that they 10 have, I think it's -- let me get to the Bates 11 page number. Bear with me for a second. It 12 would be in Exhibit 1, Bates page -- trying 13 to look at -- well, let's just look at Bates 14 Page 50. If you were to go and look at that 15 in Exhibit 1, and you look at Line 11, 16 Keene's not really in there when you look at 17 the miles of cast iron replaced and you're 18 trying to do this tracking. So it doesn't 19 make sense to even include it because it 20 distorts all data and all the associated 21 stuff. I kind of think Keene's separate, on 22 its own. 23 Q. Okay. Thank you. You have recommended that 24 the Commission require certain reporting</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS: KNEPPER] Page 108</p> <p>1 this proceeding some concern regarding the 2 administrative burden of the reporting that 3 Staff would like to see from the Company. Do 4 you have similar concerns? 5 A. (Knepper) I don't consider this detail of 6 this type of spreadsheet an administrative 7 burden. The things when I refer to 8 administrative burdens are not having to file 9 the marketing report, not having to do these 10 cast iron/bare steel cutouts anymore, not 11 having to give us a preliminary plan with all 12 the GIS and all the layers and all the leak 13 history associated with it, to then have a 14 tech session, to then have a finalized plan, 15 to then have a hearing like this and to have 16 the order posted and testimony and discovery 17 and -- those are the administrative burdens 18 that I was referring to. 19 Q. Okay. And your recommendation is that the 20 Commission set a replacement target goal year 21 end 2025. Do you believe there should be any 22 incentives or penalties related to that 23 target date? 24 A. (Knepper) I don't know if there should be --</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>

<p>[WITNESS: KNEPPER] Page 109</p> <p>1 well, I'm not a big fan of incentives. I 2 think -- I don't think they need to be 3 incentivized any more. That's why we 4 terminated the program. But penalties, it 5 all depends upon if you -- if they're not 6 doing things properly. And so I think if we 7 continue to see the milages -- you just heard 8 that the last three years was around 11 miles 9 a year, and that's between municipal and 10 self-initiated work. If we see those numbers 11 stay constant or in and around that, I don't 12 think we need any penalties, no.</p> <p>13 Q. Okay. Thank you. And do you generally 14 support the Company's request here for 15 recovery of the CIBS program cost for 2020?</p> <p>16 A. (Knepper) Yes.</p> <p>17 Q. Okay. Thank you.</p> <p>18 MS. FABRIZIO: I have no further 19 questions for Mr. Knepper.</p> <p>20 CHAIRWOMAN MARTIN: Okay.</p> <p>21 Ms. Robidas, are you still okay to 22 keep going?</p> <p>23 COURT REPORTER: Yes, thanks.</p> <p>24 CHAIRWOMAN MARTIN: Okay. Thank</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS: KNEPPER] Page 111</p> <p>1 My first series of questions regarding 2 your proposed target date, you heard Mr. 3 Frost and Mr. Mostone talk about the many 4 factors that should be considered when 5 setting a target date, such as the Manchester 6 sewer project, the Nashua paving goals and 7 the traffic concerns of trying to do too much 8 work in a city. Do you disagree that any of 9 those are factors that could impact the 10 ability to meet any target date?</p> <p>11 A. (Knepper) I think they can, yes. The east 12 side of Manchester sewer and water separation 13 project has probably been discussed for, I 14 don't know, 20 years. And it's going to be 15 dependent upon federal funding. So as you 16 well know, those kind of municipality 17 projects get stretched out and delayed. And 18 for a long period of time they were looking 19 for different technologies so they wouldn't 20 even do that type of work. So I do think if 21 they actually go through, yeah, you should 22 try to coordinate as much, and you should do 23 as much planning, so that if you do move 24 something, it will not be in the way later</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>
<p>[WITNESS: KNEPPER] Page 110</p> <p>1 you.</p> <p>2 Ms. Shute.</p> <p>3 MS. SHUTE: I don't have any cross.</p> <p>4 Thank you.</p> <p>5 CHAIRWOMAN MARTIN: Okay. Mr.</p> <p>6 Sheehan.</p> <p>7 MR. SHEEHAN: Thank you. I have a 8 few questions.</p> <p>9 CROSS-EXAMINATION</p> <p>10 BY MR. SHEEHAN:</p> <p>11 Q. First, Mr. Knepper, and you did say it in the 12 middle of your testimony just now, but to 13 make clear, the CIBS program and all of the 14 components that comprise the CIBS program no 15 longer exist as of the Commission order a 16 year ago; is that correct?</p> <p>17 A. (Knepper) That's correct.</p> <p>18 Q. And that was a recommendation of Staff, not 19 the Company, to terminate the CIBS program; 20 correct?</p> <p>21 A. (Knepper) That's correct.</p> <p>22 Q. And in fact, the Company objected to it for a 23 number of reasons, and the Commission 24 ultimately decided to terminate the program.</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS: KNEPPER] Page 112</p> <p>1 and you wouldn't have to do duplicate 2 replacements or movement. And that depends 3 upon where they are. So I don't want to wait 4 forever for this, quote, unquote, sewer 5 separation project because that's been, I 6 don't know, an ongoing project that I've been 7 aware of since I started.</p> <p>8 So the Nashua one. Each town always has 9 cities and towns and paving priorities and 10 things like that. And you should be doing 11 that as well. To me, that's all kind of 12 coordination that you guys do. I think 13 you're doing it now. But I don't want it to 14 be said that it was a final hard and fast. 15 It was -- I think I used the word "targeted" 16 I think is what I used. And that doesn't 17 mean it's an absolute. And if you're hearing 18 a straggler or two that you're talking about, 19 I don't think Staff's going to object to 20 those kind of things. It's just kind of what 21 are you targeting, what are you trying to do 22 and get a replacement rate I guess. So from 23 what I heard was, from earlier testimony 24 today, was five years. And it seems to kind</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>

<p>[WITNESS: KNEPPER] Page 113</p> <p>1 of coincide with the same number that I had 2 put in my testimony. 3 Q. Do you have any specific information about 4 the Manchester project of recent that says 5 it's a go or a no-go, or is it just general 6 knowledge that it's been in the works 7 forever, and from your perspective, who knows 8 when it will actually happens? 9 A. (Knepper) I think the latter, what you just 10 said. 11 Q. So if the Company has information that it's 12 more likely to proceed, it would be wise to 13 at least wait some time to see in fact what 14 the city is going to do and work around those 15 plans, even if it were to push the finished 16 date out beyond 2025 by a few years. Would 17 that be wise? 18 A. (Knepper) I think that's wise. But again, I 19 don't know if they are -- at what stage of 20 completion are they at. Are they at the 21 90 percent completion of drawing drawings and 22 bidding it and that kind of stuff? I'm 23 guessing they're probably at the trying to 24 get federal money stage. But I don't know.</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS: KNEPPER] Page 115</p> <p>1 no. Talking about what amount and where, I'd 2 have to take that into consideration before I 3 answer that question. 4 Q. And do you disagree with the Company's 5 testimony that the cities impose requirements 6 sometimes apparently -- well, they impose 7 requirements such as hours of the day or the 8 like that makes projects more difficult to 9 complete as timely as first anticipated? 10 A. (Knepper) Yeah, we've noticed that when we're 11 in the field doing inspections, that cities 12 are imposing more and more costs on to these 13 projects which is driving up those rates. 14 Q. And so slowing things down; correct? 15 A. (Knepper) I couldn't hear you, Mike. 16 Q. And slowing things down. 17 A. (Knepper) Yeah. If they say you can't 18 start -- like in Nashua, I believe, they'll 19 say things like you can't start until after 20 the morning rush and then you've got to be 21 done before the evening rush, which means you 22 can't start normally at 7:00 a.m. I now 23 start at 9:00 and I got to be finished by 24 3:00. That reduces the amount of work hours</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>
<p>[WITNESS: KNEPPER] Page 114</p> <p>1 But I do think the Company should definitely 2 factor that into consideration, yes. 3 Q. And would it have been wise for you to factor 4 that in to determine where they were on that 5 project before setting a 2025 target date? 6 A. (Knepper) Well, I don't have the specifics, 7 so... I didn't have the specifics of the 8 project when I wrote my testimony. So if 9 there is specifics, yeah, I think you should 10 definitely factor that in. If they tell you 11 they're going to be working on this street 12 this year and they're going to be working on 13 this street the next year and what that is, 14 definitely you should factor that in. 15 Q. And if they received whatever permissions or 16 approvals they need to do the whole project 17 and it's a ten-year project, would it be 18 reasonable to make sure you're not putting in 19 pipe today that's going to have to be moved 20 on year seven? 21 A. (Knepper) I'd have to kind of look at the 22 specifics before I answer that question. I 23 don't know. I mean if you're talking about 24 delaying all 40 years -- 40 miles, I'd say</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS: KNEPPER] Page 116</p> <p>1 in a day, and that means you have to go back 2 the same day and you can't get what you could 3 get done if they didn't impose those kind of 4 requirements. 5 Q. And in that example, I think Mr. Mostone 6 referenced it, the practice -- I think it's a 7 requirement of the Company to fill the hole 8 every day at the end of the work day. So if 9 you have a nine to three window, you have to 10 show up at nine, dig the hole, do the work 11 and stop the work in time to fill the hole 12 back up before three; is that correct? 13 A. (Knepper) Right. I also think they know what 14 streets those are going to be on. So you're 15 working on Main Street. You would know that 16 that would be imposed versus some other side 17 street where there isn't much traffic. 18 Q. Yeah. I mean, we all know it's coming. But 19 it's just a factor that will increase as we 20 do more and more of the final streets in 21 downtown. Is that fair? 22 A. (Knepper) Yup. I believe that's another 23 reason why the costs are increasing. They're 24 getting to the more arterial, more the heart</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>

<p>[WITNESS: KNEPPER] Page 117</p> <p>1 of the heart of the city, and the more 2 costlier projects. 3 Q. Did you figure the delays associated with 4 those kinds of things when you stated your 5 2025 target? 6 A. (Knepper) I think that, yes, because I'd 7 already reduced going from 10 miles a year to 8 11 miles a year down to 7. So I think the 9 answer is I think that's all -- if I were to 10 factor that in, I would say that would be 11 part of that consideration. I can't hear 12 you. 13 Q. Thank you. I marked a few exhibits from last 14 year, Staff's recommendations from earlier in 15 the year that Mr. Frink wrote recommending 16 termination of the program, Mr. Frink's 17 testimony which had some of that same 18 information, and an excerpt of testimony from 19 last year's hearing. I don't need to go 20 through those in detail, but they're there if 21 any of us need to refer to them for the 22 following few questions. 23 First, do you agree that administrative 24 burden was one reason for Staff's</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS: KNEPPER] Page 119</p> <p>1 I don't know if you're getting a delay from 2 me. But I'm there. 3 Q. Okay. Second line -- well, the first line 4 described Northern's program in one sentence. 5 Second sentence, the program went for ten 6 years through 2020. Do you see that? Sorry. 7 Through 2000. 8 A. (Knepper) Which line? 9 Q. The second full sentence, I'll just read it 10 slowly. "Northern was allowed to recover 11 bare steel replacement costs through annual 12 step adjustments for ten years, with the last 13 bare steel step adjustment occurring in 14 2000." Do you see that? 15 A. (Knepper) I see that. 16 Q. And then the rest of that sentence, "After 17 which Northern's bare steel replacement 18 program continued until all bare steel was 19 eliminated from its distribution system in 20 2018." Correct? 21 A. (Knepper) I see that, yeah. 22 Q. So their accelerated recovery version of the 23 program ended in the 2000, and they spent 24 another 18 years removing the balance of</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>
<p>[WITNESS: KNEPPER] Page 118</p> <p>1 recommendation to terminate the CIBS program? 2 A. (Knepper) I believe that's what he mentioned 3 on those, one of the reasons, yes. 4 Q. Yeah, I think you just recited a few minutes 5 ago the components of that administrative 6 burden; correct? 7 A. (Knepper) Yeah. It may not be word-for-word 8 but -- 9 Q. Understood. 10 A. (Knepper) -- but the gist. 11 Q. Last year there was a comparison to what 12 happened with Northern Utilities a decade ago 13 when their program was terminated. Do you 14 recall that? 15 A. (Knepper) Yeah, that's part of -- I'd have to 16 kind of -- I didn't really focus on that. So 17 you'd have to point me to the page that 18 you're referring to if you want me to 19 comment. 20 Q. Sure. It is in -- 21 A. (Knepper) Is it Exhibit 4 or 5? 22 Q. Yeah, Exhibit 4, Mr. Frink's testimony, Bates 23 Page 10. Are you there? 24 A. (Knepper) Yeah, I'm getting a delay from you.</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS: KNEPPER] Page 120</p> <p>1 their bare steel; is that correct? 2 A. (Knepper) That's correct. 3 Q. Okay. 4 A. (Knepper) And it wasn't really until there 5 was a mandate by the Commission to say get it 6 done by 2018 that they got it done by 2018. 7 So if there wasn't any mandate, I would 8 assume that it would have extended even 9 further. 10 Q. The other piece that I marked was an excerpt 11 from testimony last year. I just cut a few 12 pages. This is Exhibit 6. And the pages I 13 excerpted begin at Bates 4, which is Page 95 14 of that testimony. Let me know when you're 15 there, please. 16 A. (Knepper) I'm there. 17 Q. The question at the top of the page is me, 18 and then Mr. Frink gives an answer for a 19 period. And then I ask another question 20 summarizing what part of the current CIBS 21 process would no longer happen, other than 22 the yearly rate increases. And Mr. Frink 23 starts to give an answer. If you scroll to 24 Page 96, he defers to you. And then you</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>

<p>[WITNESS: KNEPPER] Page 121</p> <p>1 begin answering on Page 96 of the transcript, 2 Bates 5. Do you see that? 3 A. (Knepper) I do. Looks like Line 13. 4 Q. Correct. And bear with me a second. At the 5 end of Bates Page 96 and into 97 you describe 6 the spreadsheet and all the data in it and 7 the report. And you say, quote, "I view all 8 of that as not having to be done." Do you 9 see that? 10 A. (Knepper) Yup. 11 Q. And then you say, in effect, what you need 12 for information going forward is, quote, "'We 13 replaced nine miles,' close quote. They 14 don't have to say, 'I replaced 550 feet on 15 Blodget Street or whatever.'" And then later 16 in that paragraph you have a sentence that 17 begins with "And so." And everyone can see 18 that. 19 But you're basically saying let the 20 Company do it, and we don't need to be 21 getting all the information and micromanaging 22 that process. Is that a fair 23 characterization? 24 A. (Knepper) Yeah. But I think if you look at</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS: KNEPPER] Page 123</p> <p>1 Q. Certainly without the program, the way the 2 Company would recover CIBS cost is through a 3 rate case where it would provide information 4 like it does for all its other capital 5 projects supporting the rate case. And of 6 course it's for the Commission to decide 7 whether that information is sufficient to 8 establish the prudence of those costs. Is 9 that fair? 10 A. (Knepper) Yeah. And I would expect if we 11 don't get this on an annual basis for the 12 amount of dollars, that'll probably be the 13 first question you get during a rate case is, 14 "Please provide similar information in these 15 2,000 cells on a project-by-project basis." 16 So I think we'll either get it upfront or 17 we'll get it at the end at a rate case level. 18 We'll probably get the detail that we need to 19 be able to analyze the prudence. 20 Q. And it would be fair to say that -- well, 21 strike that. 22 A. (Knepper) I lost you again, Mike. Sorry. 23 CHAIRWOMAN MARTIN: Mr. Sheehan, I 24 think you're on mute.</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>
<p>[WITNESS: KNEPPER] Page 122</p> <p>1 the -- to me it says we're not of like minds, 2 Mr. Frink and myself. He believes from a 3 financial side of the equation he needs to 4 have all that information. 5 Q. But it's your testimony in this docket, Mr. 6 Knepper, that's proposing the new information 7 to be provided; correct? 8 A. (Knepper) Opposing new information being 9 provided? 10 Q. Proposing. 11 A. (Knepper) Yeah, I think it's reasonable to go 12 from just saying we're going to spend \$25 13 million over 11 miles to be able to give more 14 detail to that, a description of it and where 15 you're going to go and how many services and 16 some basic information. Do I need to know 17 the dates, the ages of things? Probably not. 18 Do I need to have all the cost estimates and 19 variances? Probably not. But I do think we 20 need to have something more than in a single 21 line. And I think that's what I was trying 22 to express in my testimony. I don't know if 23 I gave it justice or not, but that's what I 24 was looking to do.</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS: KNEPPER] Page 124</p> <p>1 MR. SHEEHAN: Yes, I'm sorry. 2 BY MR. SHEEHAN: 3 Q. I think my last question is, and I think you 4 answered it, the Company is requesting a 5 certain rate adjustment in this case as 6 outlined in Ms. McNamara's testimony. And I 7 think you said that Staff has no objection to 8 that particular request. Is that fair? 9 A. (Knepper) That's fair. 10 Q. Thank you. 11 MR. SHEEHAN: I have no further 12 questions. 13 CHAIRWOMAN MARTIN: All right. 14 Thank you. Commissioner Bailey. 15 COMMISSIONER BAILEY: Thank you. 16 INTERROGATORIES BY COMMISSIONERS: 17 BY COMMISSIONER BAILEY: 18 Q. I'm really sorry, but I'm a little bit 19 confused. So we have the spreadsheet that is 20 in the Company's testimony. That's 21 Attachment A. And we have a different 22 spreadsheet in your testimony, Mr. Knepper. 23 That's Attachment 7. And they're not exactly 24 the same thing; right? Looks like it's --</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>



<p>[WITNESS: KNEPPER] Page 125</p> <p>1 A. (Knepper) Let me look at what Attachment 7 2 is. 3 Q. Attachment 7 is what you -- I think it's a 4 response to a data request that you 5 recommended. That's the reporting 6 information that we could require. 7 A. (Knepper) Yeah. So let me kind of go over 8 that, if I can clarify that a little bit. 9 Q. Okay. 10 A. (Knepper) So in Attachment 6A, when we asked 11 the Company what kind of information we would 12 get for this year's program, I highlighted a 13 single row. And it said basically -- 14 (connectivity issue) 15 (Court Reporter interrupts.) 16 A. (Knepper) Said \$9 million in capital expense, 17 approximately. And that's it. And so that 18 was just to kind of emphasize it. And then 19 in 6B I listed the kind of information that 20 we get from an E22 currently. And you can 21 see it doesn't -- you know, it just talks 22 about growth. It does say replacement. And 23 it doesn't give a lot of detail. So what I'm 24 trying to do in Attachment 7, when we asked</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS: KNEPPER] Page 127</p> <p>1 A. (Knepper) So right now there's no CIBS 2 program going on, because this hearing's 3 talking about last year's CIBS program. You 4 can see that's a lot less than the 2,000-cell 5 spreadsheet, the 66 columns, call it 39 or 6 whatever, associated with the 39 projects. 7 This is a lot less. But it does give 8 important information. It gives information 9 about is it cast iron or is it bare steel. 10 Gives you length. You know, gives you 11 whether it's going to be abandoned and 12 re-laid. And did give a cost estimate, and 13 it told you kind of the scope of the work. 14 So I think something like that is not 15 burdensome to the Company to provide. 16 Q. Okay. 17 A. (Knepper) But I do think that the Company 18 needs to be aware that if they don't keep 19 this format that they have for this 20 2,000-cell spreadsheet, they can expect the 21 Staff, during a rate proceeding when they 22 come in for rates, to say we want it on a 23 segment-by-segment basis. And we're going to 24 be looking for similar information because</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>
<p>[WITNESS: KNEPPER] Page 126</p> <p>1 the data request, the discovery request to 2 get more information on those E22s, Liberty 3 then provided a spreadsheet on Bates Page 4 106. And that starts to put a little bit 5 more definition to those numbers. And that's 6 what I was trying to say is that kind of 7 detail would be helpful. But again, we would 8 ask that the Commission order some sort of 9 detailed report like that. Or they can just 10 use the existing format that they have now, 11 that's currently -- that they've been using 12 for 12 years. 13 Q. Sorry. I'm having trouble getting my mouse 14 between screens and unmuting and looking at 15 the information in your testimony. 16 So the information that they've been 17 providing for years is the big, huge, giant 18 spreadsheet that's in Attachment A in their 19 testimony. So Attachment 7 is a subset of 20 that. 21 A. (Knepper) That's kind of what they propose 22 for -- that's what they showed that's going 23 on, activity that's going on right now. 24 Q. Okay.</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS: KNEPPER] Page 128</p> <p>1 Staff knows that they have the ability to 2 extract that. And we also kind of think it 3 does give a lot more of a telling story as to 4 what did you plan, what did you do, when did 5 you start, what did you accomplish, what were 6 the reasons. And when you start putting that 7 on there, the spreadsheet gets big. 8 Q. So if they were -- if the Commission were to 9 order them to provide you the information in 10 Attachment 7 in your testimony, and then a 11 rate case came up, would they still need to 12 provide the big 2,000-cell spreadsheet 13 information if they're going to have to do 14 that anyway? 15 A. (Knepper) Well, it's hard for me to -- I 16 don't want to speak out of turn for Mr. 17 Frink. But I would expect that would be a 18 data request that they would ask for very 19 early in the process. 20 Q. So your point is they might as well continue 21 to file that 2,000-cell spreadsheet on an 22 annual basis because they're going to have to 23 produce it anyway. And so is it your 24 recommendation then that we require that</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>

<p>[WITNESS: KNEPPER] Page 129</p> <p>1 rather than what you have in Attachment 7?</p> <p>2 A. (Knepper) I think if the Commission orders</p> <p>3 and it's made known, then they know they're</p> <p>4 going to have to do it. And whether it's</p> <p>5 upfront or not -- right now they -- but there</p> <p>6 would just be no -- I guess it would help the</p> <p>7 Staff because it gives you an idea as to how</p> <p>8 many bare steel services are remaining, how</p> <p>9 much -- which projects get done. Answers all</p> <p>10 those questions like, you know, there's</p> <p>11 6 miles left in Concord and how much got done</p> <p>12 in Manchester and all those things to help in</p> <p>13 coordination with what you're talking about a</p> <p>14 city and sewer water project that the City of</p> <p>15 Manchester is considering and those kind of</p> <p>16 things.</p> <p>17 Q. Is it possible that if you had time, you and</p> <p>18 Mr. Frink had time with the Company to look</p> <p>19 at the gigantic spreadsheet, that you could</p> <p>20 maybe trim it down a little bit and get rid</p> <p>21 of some of the columns so that it wasn't</p> <p>22 quite as massive and that it would satisfy</p> <p>23 both the requirement for you to keep track of</p> <p>24 the progress with CIBS and also satisfy Mr.</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS: KNEPPER] Page 131</p> <p>1 that that's -- it can't -- it shouldn't be</p> <p>2 that much of a burden for them.</p> <p>3 Q. And by "this," you mean the big spreadsheet?</p> <p>4 A. (Knepper) Yes.</p> <p>5 Q. Okay. So on the timing of when they should</p> <p>6 finish the CIBS project, I think that your</p> <p>7 basic position is they have 56 miles left.</p> <p>8 They've been doing about 11 miles a year. So</p> <p>9 they should be able to finish it in five</p> <p>10 years. Is that kind of where you got to --</p> <p>11 A. (Knepper) I think so. I think that the</p> <p>12 original 2024 date's getting extended to</p> <p>13 2025. So I think that it will. Now, whether</p> <p>14 it's down to the last foot and down to the</p> <p>15 absolute that I've gotten every single thing</p> <p>16 out, I don't think that's our concern. But</p> <p>17 our concern is without having a goal, it will</p> <p>18 get -- it will extend. And, you know, when</p> <p>19 I'm dealing with pipes that are well over --</p> <p>20 that were put in when horses were still on</p> <p>21 these streets, we need to remove those pipes.</p> <p>22 Q. I understand. I am a little sympathetic to</p> <p>23 the Company's argument about not having to</p> <p>24 move the pipes twice. And I think what you</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>
<p>[WITNESS: KNEPPER] Page 130</p> <p>1 Frink for the rate case?</p> <p>2 A. (Knepper) I guess we could look at what kind</p> <p>3 of things -- I mean, I'm really looking at</p> <p>4 it, Commissioner Bailey, from an operational</p> <p>5 standpoint --</p> <p>6 Q. Right.</p> <p>7 A. -- and he's kind of looking at it from a</p> <p>8 financial aspect. And the two kind of</p> <p>9 intermingle. So I tend to look at stuff on a</p> <p>10 project-by-project basis. And so are you</p> <p>11 planning on replace 22-inch.</p> <p>12 So in my opinion, that one spreadsheet</p> <p>13 is not a huge burden. It is a burden more</p> <p>14 than nothing. But I think we're eliminating</p> <p>15 having a hearing, having to cut out samples,</p> <p>16 analyze them, having to -- you know, prior to</p> <p>17 this spreadsheet, they gave us -- you know,</p> <p>18 Brian Frost would give us plans that showed</p> <p>19 GIS, you know, where it starts and stops, and</p> <p>20 all the leak history that goes with it.</p> <p>21 There's many, many, many, many more pages</p> <p>22 than just that one spreadsheet. So I think</p> <p>23 if we eliminate all that other stuff, and the</p> <p>24 only thing remaining is this, I would say</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS: KNEPPER] Page 132</p> <p>1 said is work with the city, find out when</p> <p>2 they're going to do the sewer separation</p> <p>3 project in earnest. And to the extent that</p> <p>4 they can move them now and move them to a</p> <p>5 location where the sewer separation project</p> <p>6 won't be impacted, that would be the best</p> <p>7 thing. But if --</p> <p>8 A. (Knepper) I would expect them to do that.</p> <p>9 Q. But if the sewer separation project were</p> <p>10 happening, say completing in seven years from</p> <p>11 now, would you expect them to open the street</p> <p>12 up next year, replace five miles in Nashua</p> <p>13 [sic], and then I guess they would have to</p> <p>14 pay for all the paving, and then the city</p> <p>15 opens it up again in the next five years?</p> <p>16 A. (Knepper) If you told me that was an absolute</p> <p>17 it was going to be done in seven years and</p> <p>18 you're going to make that commitment, that's</p> <p>19 one thing. What I find is that this project</p> <p>20 has been lingering for decades, and the</p> <p>21 answer is I can't wait forever. And at some</p> <p>22 point in time we have to remove it.</p> <p>23 Now, the other thing you need to take --</p> <p>24 to know is even the existing polyethylene</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>

<p>[WITNESS: KNEPPER] Page 133</p> <p>1 pipe that they have replaced, let's say six 2 years ago, if that's in the way, that's going 3 to get moved. So either way they're going to 4 be moving pipe if it interferes with the 5 project. So I look at it and say, well, I'd 6 have to look at it in context of how much of 7 their pipeline system is going to be affected 8 by this sewer water -- or sewer interceptor 9 project. So you'd probably have to look at 10 it in those terms. 11 Q. Okay. And if they did look at it earnestly 12 in those terms, you can't really bind them to 13 five years then. But you can -- we could say 14 the target is five years, but work with the 15 City of Manchester and get it done within no 16 later than ten years or something. 17 A. (Knepper) I find if the Commission doesn't 18 mandate or put a target on it, it just goes 19 on forever. 20 Q. Okay. 21 A. (Knepper) And I think, in my opinion, what 22 you initially heard from Liberty this morning 23 was they wouldn't give you a date, wouldn't 24 get there, and you had to kind of get it out</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS: KNEPPER] Page 135</p> <p>1 a clarification. So last year it was Staff's 2 recommendation and your recommendation that 3 the CIBS project should be immediately 4 terminated. 5 A. (Knepper) Yup. 6 Q. And the Commission decided and ordered that 7 it would be deferred one year; is that 8 correct? 9 A. (Knepper) Yup. 10 Q. Okay. What I'd like -- sorry? 11 A. (Knepper) The reason is because we gave 12 advanced notice to the Company even before 13 that, that we're winding down. 14 Q. Okay. I understand. 15 What I thought I also heard you say is 16 that you're supportive and that you will 17 continually encourage the Company to work 18 with the cities in coordinating and getting 19 things done as quickly as possible. Is that 20 right? 21 A. (Knepper) Not only supportive, that would be 22 my expectation. 23 Q. Okay. And I want to touch finally on what 24 Commissioner Bailey was suggesting. And I'm</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>
<p>[WITNESS: KNEPPER] Page 134</p> <p>1 of them town-by-town. And you kind of got 2 out that they think they can do most of it in 3 five years and that there's some stragglers. 4 That's a lot different than at the beginning 5 they just kind of said, well, we'll get to it 6 on a practical basis when we can get to it. 7 So I think the strongest point is if the 8 Commission is doing that, it sets a tone that 9 this is important to remove this, and it 10 gives a targeted date. It's not an absolute. 11 And it doesn't say every footage. But if 12 we're down to that, we're going to be down to 13 less than 5 miles, 6 miles out of the -- 14 which is going to be less than probably 15 2 percent of their system I think at that 16 point in time, I'll be pretty satisfied. 17 Q. Okay. Great. Thank you very much. 18 COMMISSIONER BAILEY: That's all I 19 have Madam Chair. 20 CHAIRWOMAN MARTIN: All right. 21 Thank you, Commissioner Giaimo. 22 BY COMMISSIONER GIAIMO: 23 Q. I have just a couple quick clarifications. 24 So, good afternoon Mr. Knepper. I want</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS: KNEPPER] Page 136</p> <p>1 wondering did you feel like there would be a 2 meeting of the minds with respect to the 3 reporting requirements, or are you so far 4 apart with what you think the Company wants 5 and what you need and what Mr. Frink may need 6 that, you know, you can't resolve that and 7 you would need the Commission to order that 8 immediately? 9 A. (Knepper) Well, you know, when we asked them 10 for this year when there wasn't a cast 11 iron/bare steel program, right -- they're 12 replacing main as we speak right now -- what 13 do you have for associated information, they 14 started out with that one line. That's it? 15 Well, that kind of told me that absent 16 this -- and then we had -- then they kind of 17 got down to a little bit more detail, and 18 then finally the third discovery question we 19 got to it. And so, you know, I was kind of 20 afraid like we were going cold turkey, that 21 we had a lot of data information coming in 22 with a lot of dollars in expenditures 23 associated with it, and then all of a sudden 24 we're not getting anything. I didn't want --</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>

<p>[WITNESS: KNEPPER] Page 137</p> <p>1 I wanted to make sure that does not happen. 2 Q. I understand that, Mr. Knepper. But you also 3 said that it's a question of do we need 4 the -- we're going to get the information now 5 or we're going to get it before a rate case. 6 Eventually you're going to get the 7 information. 8 A. (Knepper) Right. 9 Q. The Company understands -- 10 A. (Knepper) From my standpoint -- 11 Q. Sorry. 12 A. (Knepper) From my standpoint, I could live 13 with what's in Attachment 7. But I'm also 14 not speaking for Mr. Frink. 15 COMMISSIONER GIAIMO: Okay. And I 16 don't know to the extent it's appropriate, 17 but maybe Mr. Sheehan could maybe think about 18 that and incorporate something to that effect 19 in his closing. 20 Okay. Thank you. That's all the 21 questions I have. 22 CHAIRWOMAN MARTIN: All right. 23 Thank you. I don't have any questions 24 remaining. So back to you, Ms. Fabrizio.</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS: KNEPPER] Page 139</p> <p>1 what the Commission decided last year. 2 Q. Okay. Thank you. I have no further 3 questions. 4 BY CHAIRWOMAN MARTIN: 5 Q. Okay. My question is really related to the 6 question about the sewer project. And Mr. 7 Sheehan said if the Company had information 8 that the sewer project is likely to 9 proceed -- I would like to ask that question 10 to the Company. If you have specific 11 information that it is likely to proceed at a 12 certain time frame, could you please provide 13 that now. 14 A. (Frost) Good afternoon. Brian Frost here. 15 The City of Manchester sent us a construction 16 plan for the first major east side projects 17 earlier this summer. It involves creating a 18 main drain roughly in the area of Salmon 19 Street and North Street. After that is 20 complete, in the next one to two years they 21 would move into neighborhoods. They have 22 made -- the city has made a formal request 23 for us to start considering replacement and 24 movement of our pipes next year in that area.</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>
<p>[WITNESS: KNEPPER] Page 138</p> <p>1 I do have a request. I'd like to 2 ask another question of the Company related 3 to Mr. Sheehan's redirect. So after Ms. 4 Fabrizio is done -- (connectivity issue). 5 CHAIRWOMAN MARTIN: Yeah, I lost 6 you for a second there. After Ms. Fabrizio 7 is done, I would like to ask one more 8 question. 9 MS. FABRIZIO: Thank you, Madam 10 Chair. 11 REDIRECT EXAMINATION 12 BY MS. FABRIZIO: 13 Q. Mr. Knepper, you are recommending that 14 Liberty continue its replacement of its 15 in-ground CIBS pipes; is that correct? 16 A. (Knepper) Yeah. I just want to make sure 17 everybody's aware. When the program -- the 18 CIBS program is over, I would like to replace 19 leak-prone pipe, yes. 20 Q. Okay. And you are basically recommending 21 that we simply not continue the accelerated 22 recovery incentive that has been in place 23 under the CIBS program; is that correct? 24 A. (Knepper) Yes, that's correct. And that's</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS: KNEPPER] Page 140</p> <p>1 Q. Okay. Thank you. That's helpful. 2 CHAIRWOMAN MARTIN: Mr. Sheehan, do 3 you have any follow-up based upon that 4 question? 5 MR. SHEEHAN: I do not. Thank you. 6 CHAIRWOMAN MARTIN: Okay. Thank 7 you. 8 All right. Let's see. I need to 9 strike the I.D. on the exhibits. So without 10 objection, I'll strike the I.D. on Exhibits 1 11 through 6 and admit them as full exhibits. 12 Is there anything else that any of 13 the parties thinks we need to do before we go 14 to closing? 15 [No verbal response] 16 CHAIRWOMAN MARTIN: Okay. Seeing 17 none, let's get closing statements, beginning 18 with Ms. Shute. 19 MS. SHUTE: Thank you, Chairwoman 20 Martin. The OCA supports the Staff's 21 position. We feel that, given there's 22 considerable remaining investment left to 23 replace the remaining leak-prone pipe, the 24 level of detailed reporting that's been</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>

<p>[WITNESS: KNEPPER] Page 141</p> <p>1 requested by the Staff seems reasonable and 2 appropriate. And I have no other statements 3 at this time. Thank you. 4 CHAIRWOMAN MARTIN: All right. 5 Thank you. 6 Ms. Fabrizio. 7 MS. FABRIZIO: Thank you, Madam 8 Chair. Staff recommends approval of the 9 proposed increase in annual revenue 10 requirement for fiscal year 2020 CIBS program 11 costs based on the audit of fiscal year 2020 12 CIBS costs and review of the Company's 13 revenue requirement calculation. The CIBS 14 replacement program is necessary to ensure 15 public safety, a point that has been made 16 repeatedly by both the Company and Staff 17 throughout the existence of the program. 18 Liberty has been targeting year end 2024 to 19 complete the program but does not expect to 20 meet that goal at this time. Staff 21 recommends the Commission require Liberty to 22 target year end 2025 to remove CIBS from its 23 distribution system, with only a minor 24 allowance for large-diameter CIBS piping,</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS: KNEPPER] Page 143</p> <p>1 of -- no longer CIBS program from the PUC, 2 but the internal CIBS program, if you will. 3 So, first, we do appreciate the audit 4 division's review of the filing and Staff's 5 support of that piece of it. 6 What I'd like to say briefly on the 7 future part of this is that the Company is 8 committed to replacing CIBS as soon as is 9 practical and possible, with appropriate 10 consideration to cost. You will recall that 11 we objected to the termination of the 12 program. Since Liberty took over this 13 franchise, it took a couple years to ramp up 14 the CIBS program. But in fact we did, going 15 from, I don't know, 3 or 4 miles per year up 16 to over 10 miles per year for a number of 17 years. It was the annual -- in part, it was 18 the annual rate adjustments that helped 19 support those costs. I think we had 20 30-something crews out in the field last 21 year. We feared, in part, that the loss of 22 the annual adjustment would send the wrong 23 message internally, that it's not a priority 24 of the Commission anymore. I can tell you</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>
<p>[WITNESS: KNEPPER] Page 142</p> <p>1 which is generally less leak-prone and more 2 costly to remove, and CIBS mains in Keene, as 3 those mains are expected to be addressed 4 through the Keene system conversion from 5 propane air to natural gas. Because of the 6 importance of the program, Staff recommends 7 the Commission require Liberty to provide 8 annual CIBS plans reporting for Staff review, 9 as outlined by Mr. Knepper today, to be more 10 limited than it was, as required under the 11 settlement agreement program that has been 12 terminated, but sufficient to enable Staff to 13 track progress and for Staff to inform the 14 Commission of any concerns regarding CIBS 15 replacement planning. Thank you. 16 CHAIRWOMAN MARTIN: All right. 17 Thank you. 18 And Mr. Sheehan. 19 MR. SHEEHAN: Thank you. First, we 20 appreciate the support of Staff on the 21 primary request in this proceeding, which is 22 the rate adjustment. We spent a lot of time 23 on a recommendation -- on Staff's 24 recommendations that, going forward, part</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS: KNEPPER] Page 144</p> <p>1 locally it's always been a priority, and we 2 are always fighting internally for budget 3 dollars to do what's best for our local 4 company. So that's why we fought so hard. 5 We believe in the program. We believe all 6 the safety reasons for it as the number one 7 reason. The emergent safety issues are 8 largely gone. It's now putting out the last 9 remaining smolders, if you will. The fire's 10 been out, and now we just have a few embers 11 remaining. And as Brian described, the 12 remaining leak-prone pipe is not very leaky. 13 So the Commission decided 14 otherwise. That's fine. We're continuing as 15 we would have anyway. We will run into these 16 problems that we talked about today. So 17 we're simply saying that 2024 is not 18 realistic. It's always been a target, but we 19 also knew that as we got to the end we would 20 run into the problems that we're running 21 into, the asbestos, the downtown projects and 22 the paving projects and the like. So we 23 don't think the Commission needs to impose a 24 target date. We are already targeted as soon</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>

<p>[WITNESS: KNEPPER] Page 145</p> <p>1 as possible. And Brian is doing the 2 engineering to put a finer point on that as 3 we get more details, for example, for the 4 Manchester project. And I give the history 5 to show that the Company has been committed 6 to it, and we will remain committed to 7 removing the CIBS.</p> <p>8 As for the reporting, these 9 projects are the only projects in the Company 10 that receive this level of detail, and it's 11 only because of the CIBS program that this 12 evolved over the years. When we go to put 13 CIBS pipe in rate cases in the future, we 14 will present similar information that we 15 always present in every rate case to support 16 capital investment. It will not look like 17 that big spreadsheet because we don't do that 18 for any other project. And the Commission 19 routinely approves capital expenditures on 20 far less detail. To resolve the issue, as 21 Commissioner Giaimo suggested, we will accept 22 the recommended reporting that is in Mr. 23 Knepper's testimony, which was the enhanced 24 E22, if I have the name of that report</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS: KNEPPER] Page 147</p> <p>1 file this summer. And we will be making a 2 proposal that will be in the neighborhood of 3 a CIBS program. It won't be CIBS, but we're 4 developing something that at least is 5 somewhat analogous for the Commission's 6 consideration. And we think that's where 7 most of these conversations belong.</p> <p>8 With that being said, as I said 9 before, we'll accept the reporting 10 requirements in Mr. Knepper's testimony. We 11 ask the Commission not to set a target, and 12 if one is to be developed, that that 13 conversation go to the upcoming rate case. 14 Thank you.</p> <p>15 CHAIRWOMAN MARTIN: Okay. Thank 16 you. And I just want to thank Ms. Robidas 17 for being willing to continue.</p> <p>18 With that, we will close the record 19 and take the matter under advisement and get 20 an order out as soon as we can. Thank you, 21 everyone.</p> <p>22 MR. SHEEHAN: Thank you. 23 MS. FABRIZIO: Thank you. 24 (Hearing concluded at 1:30 p.m.)</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>
<p>[WITNESS: KNEPPER] Page 146</p> <p>1 correct. I think even Mr. Frost testified 2 today that he can live with that as a 3 reporting requirement going forward.</p> <p>4 So with that, we thank everyone for 5 their work on this and ask the Commission to 6 approve the rate adjustment.</p> <p>7 One last, final thought. I'm 8 sorry. Last year's order terminating the 9 program suggested that the Company, and I'm 10 going to quote here, that the next step of 11 CIBS, whether it's CIBS or something else, 12 should be discussed in a rate case. And the 13 quote is this: "By terminating the existing 14 CIBS program, we are not precluding an 15 alternative proposal in Liberty's next rate 16 case. We continue to believe it is important 17 to replace the cast iron/bare steel 18 infrastructure and will consider an 19 alternative proposal from the parties during 20 the anticipated rate case," close quote. 21 That's Order 26, 2667.</p> <p>22 So this whole conversation over 23 reporting and deadlines and targets we think 24 belongs in the rate case that we intend to</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>	<p>[WITNESS: KNEPPER] Page 148</p> <p>1 C E R T I F I C A T E</p> <p>2</p> <p>3</p> <p>4 I, Susan J. Robidas, a Licensed 5 Shorthand Court Reporter and Notary Public 6 of the State of New Hampshire, do hereby 7 certify that the foregoing is a true and 8 accurate transcript of my stenographic 9 notes of these proceedings taken at the 10 place and on the date hereinbefore set 11 forth, to the best of my skill and ability 12 under the conditions present at the time.</p> <p>13</p> <p>14 I further certify that I am neither 15 attorney or counsel for, nor related to or 16 employed by any of the parties to the 17 action; and further, that I am not a 18 relative or employee of any attorney or 19 counsel employed in this case, nor am I 20 financially interested in this action.</p> <p>21</p> <p>22 The foregoing certification of this 23 transcript does not apply to any 24 reproduction of the same by any means unless under the direct control and/or direction of the certifying reporter.</p> <p>25</p> <p>26 Susan J. Robidas, LCR/RPR 27 Licensed Shorthand Court Reporter 28 Registered Professional Reporter 29 N.H. LCR No. 44 (RSA 310-A:173)</p> <p>{DG 20-049} [HEARING ON MERITS] {06-18-20}</p>

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