

STATE OF NEW HAMPSHIRE  
PUBLIC UTILITIES COMMISSION

Docket No. DG 21-xxx

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

**Petition for Approval of a Renewable Natural Gas Supply and Transportation Agreement**

Liberty Utilities (EnergyNorth Natural Gas) Corp. d/b/a Liberty (“Liberty” or the “Company”), through counsel, respectfully petitions the New Hampshire Public Utilities Commission to approve an *RNG Supply and Transportation Agreement* between the Company and RUDARPA North Country, LLC (“RUDARPA”).

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

1. North Country Environmental Solutions, Inc. (“NCES”) owns a landfill in Bethlehem, New Hampshire, the closed portion of which naturally generates a large quantity of methane, appropriately called landfill gas. When cleaned, landfill gas becomes renewable natural gas, or RNG. RNG is “pipeline quality” gas that can be compressed and injected into a natural gas utility’s distribution system, or transported to other locations to be used in place of natural gas. The methane being produced at the Bethlehem landfill is now being flared.
2. RUDARPA installs and operates the equipment that cleans landfill gas to become RNG. RUDARPA has an agreement with NHCES to buy all the available landfill gas from the Bethlehem site with the intent of creating RNG.
3. The *RNG Supply and Transportation Agreement* (the “RNG Agreement”) at issue in this petition is between RUDARPA and Liberty, and under which Liberty agrees to buy all

the RNG that RUDARPA produces from the landfill over the agreement's 17-year term, with an option to extend. The contract term would begin after Commission approval and with the first delivery of RNG. The RNG Agreement calls for Liberty to pay set prices for the RNG so long as RUDARPA owns the treatment facility, and to pay a lower price if Liberty purchases the facility. Liberty has an option to purchase the facility no earlier than after the facility has operated for four years, which purchase would be subject to separate Commission approval in a future docket.

4. The RNG Agreement is specifically conditioned on Commission approval.
5. Three large customers have signed letters of intent to purchase the RNG, which customers will use approximately 65 percent of the projected RNG output. Liberty is currently negotiating special contracts with these customers, which will be filed for Commission approval. The remaining RNG will be used to serve existing CNG customers in Keene or injected into the EnergyNorth distribution system. The Company is investigating an "opt-in" tariff or other customers to purchase RNG at its contract price.
6. The details of the RNG Agreement and the underlying project are described in the attached Direct Testimony of William J. Clark and Mark Stevens, with attachments.
7. Due to the unique nature of the RNG Agreement and that the RNG supply would be a new component of the Company gas portfolio, Liberty requests the Commission to review and approve the RNG Agreement in advance pursuant to RSA 374:1 ("Every public utility shall furnish such service and facilities as shall be reasonably safe and adequate and in all other respects just and reasonable"), RSA 374:2 ("All charges made ... for any service rendered ... shall be just and reasonable"), and RSA 378:7 ("the

commission shall determine the just and reasonable or lawful rates, fares and charges”), RSA 374:3 (the Commission’s right of general supervision over utilities), and RSA 374:4 (the Commission’s duty to keep informed), and RSA 374:5. *See Liberty Utilities (EnergyNorth Natural Gas) Corp.*, Order No. 25,822 (Oct. 2, 2015) (approving 20-year capacity contract); *Northern Utilities, Inc.* Order No. 22,288, 81 NH PUC 648 (Feb. 29, 2008) (approving a contract that would enable construction of an affiliate-owned LNG facility).

8. The Company believes that its decision to enter the RNG Agreement is prudent, and the resulting costs are just, reasonable, and in the public interest, and thus Liberty requests Commission approval.

WHEREFORE, Liberty respectfully asks the Commission to:

- A. Approve the *RNG Supply and Transportation Agreement*; and
- B. Grant any other relief that the Commission deems necessary, just, and reasonable to implement the relief sought above.

Respectfully submitted,  
Liberty Utilities (EnergyNorth Natural Gas) Corp., d/b/a  
Liberty

By its Attorney,



Date: March 4, 2021

By: \_\_\_\_\_  
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Certificate of Service

I hereby certify that on March 4, 2021, copy of this Petition has been forwarded to the Office of the Consumer Advocate.

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

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Michael J. Sheehan