

STATE OF NEW HAMPSHIRE  
BEFORE THE  
PUBLIC UTILITIES COMMISSION

ELECTRIC AND GAS UTILITIES

Investigation of Energy Efficiency Planning,  
Programming, and Evaluation

Docket No. IR 22-042

**PETITION FOR INTERVENTION OF  
LISTEN COMMUNITY SERVICES**

LISTEN Community Services (LISTEN) hereby petitions to intervene in the above captioned proceeding in accordance with the Order of Notice dated August 10, 2022. Based on the Order of Notice and Order No. 26,678, LISTEN understands that this is an investigatory docket that does not authorize discovery between interested parties and will not result in any binding orders. As a result, LISTEN respectfully submits that filing a petition to intervene is not required because Puc 203.17 and RSA 541-A:32 govern adjudicative proceedings. The filing of a petition to intervene is also inconsistent with past Commission practice in investigatory dockets. *See e.g.*, Docket No. IR 15-072 Energy Efficiency Investigation (seeking written comments from interested parties on specified topics without formal intervention).

LISTEN files this Petition to Intervene without prejudice to its position that formal intervention should not be required for participation in investigatory dockets and states as follows:

1. LISTEN Community Services is located at 60 Hanover Street, Lebanon, NH 03766. The Executive Director of LISTEN is Kyle Fisher, and the Programs Services Director is Angela Zhang. LISTEN is a non-profit 501(c)(3) organization that was incorporated in New Hampshire

in 1972. It is currently registered with and in good standing with the Office of the Secretary of State.

2. LISTEN is a commercial electric customer of Liberty Utilities (Granite State Electric) Corp. d/b/a Liberty. LISTEN's original purpose was to "involve the low-income citizens of Lebanon and surrounding areas in programs which will improve their ability to meet the economic, cultural, social and environmental needs of their families." LISTEN currently envisions an Upper Valley community generously supporting individuals and families in their efforts to achieve and maintain successful independence. LISTEN's Housing Helpers and Heating Helpers programs are a critical part of the Upper Valley's safety net by providing assistance to individuals and families, especially the elderly and those with young children, who are struggling to cover their housing and utility costs.

3. LISTEN has participated in the statewide energy efficiency program that is the subject of this investigatory docket. LISTEN greatly benefited from its participation in the program and hopes to take advantage of the program again in the future.

4. Many of LISTEN's clients are eligible for the Home Energy Assistance (HEA) Program, the Weatherization Assistance Program (WAP), and the Fuel Assistance Program (FAP). LISTEN regularly helps its clients apply for HEA, WAP, and FAP through their local Community Action Agency.

5. As the Commission knows, LISTEN was a party in Docket No. DE 20-092.

6. Therefore, LISTEN and its clients have a substantial interest in this investigation and its potential impact on the statewide energy efficiency program.

7. LISTEN can provide input on a number of topics identified in the Order of Notice that could impact the HEA Program.

8. LISTEN is represented by New Hampshire Legal Assistance in this investigation docket. New Hampshire Legal Assistance has represented low-income individuals and organizations before this Commission in numerous electric, gas, and telecommunication proceedings.

9. To the extent this docket will result in “changes or updates” to current energy efficiency programming, planning, performance incentives or evaluation, the rights, duties, privileges, and other substantial interests of LISTEN and its clients will be affected by this investigation. However, LISTEN respectfully submits that investigations should be for information gathering only. Since Order No. 26,678 states that the investigation will not be concluded with a “binding order,” it is unclear to what extent any interested parties’ rights, duties and privileges will be impacted by this docket. If this docket will address issues that will impact the rights, duties, and privileges of the participants then LISTEN believes the docket should be an adjudicative proceeding that affords the participants the appropriate due process protections.

10. The granting of this petition will not impair the prompt and orderly conduct of this proceeding, will not result in delay, and will not prejudice the interest of any party since this is an investigatory docket.

11. In addition, the interests of justice will be promoted by allowing the intervention of LISTEN in this proceeding.

Wherefore, LISTEN requests that the Commission grant its request to intervene in this proceeding and for such other relief as may be just.

Respectfully submitted,  
LISTEN

By Its Attorney  
New Hampshire Legal Assistance

9/9/2022  
Date

/s/ Raymond Burke  
Raymond Burke, Esq.  
Stephen Tower, Esq.  
117 North State Street  
Concord, NH 03301  
Phone No. (603) 223-9750  
Email: [rburke@nhla.org](mailto:rburke@nhla.org)  
Email: [stower@nhla.org](mailto:stower@nhla.org)

Certification of Service

I hereby certify that on this date a copy of this petition was filed electronically with the Commission, and a copy was sent electronically to the service list in Docket No. IR 22-042 consistent with the secretarial letter of March 17, 2020.

New Hampshire Legal Assistance

9/9/2022  
Date

/s/ Raymond Burke  
Raymond Burke, Esq.  
Attorney for LISTEN