

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

LIBERTY UTILITIES (Granite State Electric) Corp. d/b/a Liberty

**Docket No. DE 23-003
Proposed Purchase of Receivables Program**

**JOINT MOTION TO STAY AND REQUEST FOR EXPEDITED REIVEW BY
JULY 25, 2023**

The New Hampshire Department of Energy (“the Department”), Liberty Utilities (Granite State Electric) Corp. d/b/a Liberty (“Liberty”), the Community Power Coalition of New Hampshire (“CPCNH”), Direct Energy Services, LLC, Direct Energy Business, LLC, Direct Energy Business Marketing, LLC, Reliant Energy Northeast LLC, and XOOM Energy New Hampshire, LLC (together, the “NRG Retail Companies” and collectively with the Department, Liberty, and CPCNH, the “Moving Parties”) respectfully request, pursuant to NH Admin. Rule Puc 203.7, that the New Hampshire Public Utilities Commission (the “Commission”) stay the remainder of the procedural schedule in the above-captioned docket, pending the outcome of joint settlement discussions among the Moving Parties, Public Service Company of New Hampshire d/b/a Eversource Energy (“Eversource”), and Unitol Energy Systems Inc. (“Unitol”). In support of this Motion, the Moving Parties state as follows:

1. Following multiple sets of discovery and two technical sessions, the Department, CPCNH, and the NRG Retail Companies, respectively, filed a technical statement, written testimony and comments in Docket No. DE 23-003 on June 23, 2023. Settlement discussions took place thereafter, and the Moving Parties have reached agreement, in principle, on some of the program mechanics for Liberty’s proposed Purchase of Receivables (“POR”) Program.
2. On June 30, 2023, the Department proposed combined settlement discussions with the

three utilities (Unitil, Eversource, and Liberty) and the other parties to all three POR dockets (the Department, CPCNH, and NRG). The Department's stated purpose for these discussion is to jointly confer on the details of the POR programs across the utilities, ensure all parties have the same understanding of program mechanics, and work toward uniform proposals for each docket.¹ The Department further proposed that the parties seek Commission approval of a stay in each docket (DE 23-002, DE 23-003, and DE 22-004) to provide adequate time to conduct the combined discussions.

3. On July 5, 2023, the NRG Retail Companies responded to the Department's proposal for joint settlement discussions indicating that the proposal is acceptable with the understanding that, although the parties are waiving confidentiality as to the discussions among the parties in all of the dockets, the communications would not be disclosed outside of those participating in the combined discussions and would not be admitted into the record of any of the proceedings. Unitil assented to the Department's proposal on July 6, 2023, and Liberty and Eversource assented on July 7, 2023. CPCNH also assented. The proposed terms of confidentiality are acceptable to the Moving Parties.

4. A stay of this proceeding, in conjunction with anticipated stays in DE 23-002 and DE 23-004, will preserve the opportunity and time necessary for the Moving Parties to continue to discuss uniform POR provisions across all three utilities, which is administratively efficient and may promote consistent provisions across the POR proceedings.

5. Accordingly, as the outcome of this docket is uncertain at this time, the Moving Parties propose that both the "Settlement Hearing Date," 9 a.m. on August 22, 2023, and the "Rebuttal Hearing Date," 9 a.m. on September 19, 2023, be retained in this docket. A joint discussion among

¹ The Department did not propose to include the New Hampshire Electric Cooperative in the discussion as testimony has not yet been filed in that docket (DE 23-001).

Unitil, Liberty, Eversource, CPCNH, NRG and the Department was held on July 18, and a second discussion is anticipated next week. Following the second joint discussion, the Moving Parties will file a new proposed procedural schedule to identify other procedural dates that may be necessary, including a new potential settlement filing date.

6. Under the currently approved procedural schedule in this proceeding, the Moving Parties must file a Settlement Agreement or Rebuttal Testimony on July 31, 2023. Therefore, the Moving Parties respectfully request that the Commission consider this motion to stay and issue a decision by Tuesday, July 25, 2023. A Commission order by that date will afford the Moving Parties certainty, and time to confer and propose more immediate amendments to the currently approved procedural schedule if necessary. The Moving Parties recognize the tight timeframe associated with this request for expedited relief and appreciate the Commission's consideration.

WHEREFORE, the Moving Parties respectfully requests that the Commission:

- A. Grant the Moving Parties' request to stay the proceeding pending the outcome of the combined settlement discussions among the parties to the identified POR dockets;
- B. Grant the Moving Parties' request to subsequently file a new proposed procedural schedule retaining both the August 22, 2023 and September 19, 2023 hearing dates;
and
- C. Grant such other relief as may be just and equitable.

Respectfully Submitted,

NEW HAMPSHIRE DEPARTMENT OF ENERGY

By: /s/ *Mary E. Schwarzer*

Mary E. Schwarzer
Staff Attorney/Hearings Examiner

COMMUNITY POWER COALITION OF NEW HAMPSHIRE

By: /s/ **Clifton Below**

Clifton Below
Chairman, Community Power Coalition of New Hampshire

NRG RETAIL COMPANIES

By: /s/ *Joey Lee Miranda*

Joey Lee Miranda, Esq.

LIBERTY UTILITIES (GRANITE STATE ELECTRIC) CORP. d/b/a LIBERTY

By: /s/ Michael Sheehan, Esq.

Michael Sheehan, Esq

Dated: July 19, 2023

CERTIFICATE OF SERVICE

I hereby certify that on this 19th day of July, 2023, a copy of the foregoing Motion was electronically delivered to the Service List in docket DE 23-003.

/s/ Mary E. Schwarzer

Mary E. Schwarzer, Esq.

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