

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DG 24-042

**LIBERTY UTILITIES (ENERGYNORTH NATURAL GAS) CORP.
d/b/a LIBERTY-KEENE DIVISION**

Summer 2024 Cost of Gas

**COMMENCEMENT OF ADJUDICATIVE PROCEEDING, NOTICE OF HEARING,
SUSPENSION OF TARIFF, AND APPROVAL OF PROCEDURAL SCHEDULE**

On March 14, 2024, Liberty Utilities (EnergyNorth Natural Gas) Corp. d/b/a Liberty-Keene Division (Liberty Keene) submitted its Summer 2024 Cost of Gas (COG) filing for rates effective May 1, 2024, to October 30, 2024. In support of its petition, Liberty Keene submitted the pre-filed direct testimony of its employees Deborah M. Gilbertson, Alyssa E. Maston, and Robert Garcia, supporting schedules, and revised tariff pages reflecting the proposed changes. Liberty also included an assented-to procedural schedule in its cover letter, which indicated that Liberty will submit an updated filing on April 2, 2024. All docket filings, other than any information subject to confidential treatment, are available on the Commission's website at <https://www.puc.nh.gov/Regulatory/Docketbk/2024/24-042.html/>

I. BACKGROUND AND PROCEDURAL HISTORY

Liberty Keene's proposed Summer 2024 COG rate is \$1.6116 per therm, an increase of \$0.1321 per therm when compared to the 2023 summer period's initial approved rate of \$1.4795 per therm. See Order No. 26,807 (April 25, 2023). Among other factors, this rate is based on the projected usage of both propane air and compressed natural gas in Keene. Liberty represents that the increase from last year's rates is chiefly due to the fact that, while the Summer 2023 COG season started with an overcollection from the previous summer period, the Summer 2024 COG season is

starting with an undercollection of \$47,173. *See* Pre-filed Testimony of D. Gilbertson and A. Maston and R. Garcia at 12. In addition, Liberty Keene represents that while the projected propane market prices for Summer 2024 decreased slightly compared to the projected propane market prices for Summer 2023, the CNG market prices significantly increased in 2024 as compared to 2023. *Id.* However, Liberty Keene represents that this had only a minor impact on the COG rates for Summer 2024. *Id.*

The proposed change to the COG rate is expected to result in an increase of \$56.28 or 39.6% in the gas component of the average residential customers' monthly bills compared to the Summer 2023 period. *Id.* at 16. Taken together with the monthly customer charge, therm delivery charge, and the LDAC, the typical residential customer would see a total monthly bill increase of \$75.70 or 22.9% above Summer 2023 rates. *Id.*

Both the New Hampshire Department of Energy and the Office of the Consumer Advocate filed appearances in this docket. As noted above, Liberty Keene included an assented-to procedural schedule in the cover letter accompanying its petition.

II. ISSUES PRESENTED

The filing presents issues related to RSA 374:22, RSA 378:5, and RSA 378:7, including: the justness of and reasonableness of rates, fares, and charges; the forecasting of sales, supplier prices, and transportation prices; weather normalization; operational issues; purchasing decisions related to current and past supplies; cost and revenue projections; the revenue and rate impacts resulting from the proposed rate change; and the calculation of per therm costs. Accordingly, an adjudicative proceeding will be convened to address these issues.

The Commission will be conducting any hearings scheduled in this matter in person. The Commission will consider requests to conduct hearings using a hybrid

format to permit remote participation by a specific individual only if the Commission has determined that a sufficient reason has been provided for why that individual would be unable to attend in person. Any party requesting that a specific individual be permitted to participate remotely should file a written request with the Commission's Clerk's Office no later than fifteen (15) days prior to the hearing date. If the Commission determines that one or more individuals will be permitted to appear remotely, then individuals in the Commission's hearing room, including the Commissioners, will be broadcast on a web-enabled platform.

Based upon the foregoing, it is hereby

ORDERED, that an adjudicative proceeding be commenced for the purpose of reviewing and resolving the foregoing issues pursuant to RSA chapter 541-A, RSA 374:22, RSA 378:5, and RSA 378:7, and the Commission's procedural rules; and it is

FURTHER ORDERED, that Liberty Keene's proposed tariff is suspended for a period not to exceed 12 months pursuant to RSA 378:6, I(a), pending investigation and further order of the Commission; and it is

FURTHER ORDERED, that the Commission APPROVES the assented-to procedural schedule included in the cover letter accompanying Liberty Keene's petition; and it is

FURTHER ORDERED, that the Commission will hold a prehearing conference, pursuant to N.H. Admin. R., Puc 203.15, at its offices located at 21 S. Fruit St., Suite 10, Concord, New Hampshire, on March 27, 2024, at 1:00 p.m., at which each party should be prepared to address any of the issues set forth in N.H. Admin. R., Puc 203.15; and it is

FURTHER ORDERED, that the Commission will hold a hearing in this matter at its offices located at 21 S. Fruit St., Suite 10, Concord, New Hampshire, on April 19, at 1:00 p.m. Three hours shall be allotted for this hearing; and it is

FURTHER ORDERED, that any entity or individual may petition to intervene and seek to be admitted as a party in this proceeding. Each party has the right to have an attorney represent the party at the party's own expense; and it is

FURTHER ORDERED, that, consistent with N.H. Admin. R., Puc 203.17 and Puc 203.02, any entity or individual seeking to intervene in the proceeding shall file with the Commission a petition to intervene with copies sent to Liberty Keene and any other parties on the service list, on or before April 12, 2024. The petition shall state the facts demonstrating how the petitioner's rights, duties, privileges, immunities, or other substantial interests may be affected by the proceeding, consistent with N.H. Admin. R., Puc 203.17; and it is

FURTHER ORDERED, that any party objecting to a petition to intervene make said objection on or before April 19, 2024; and it is


FURTHER ORDERED, that parties shall file any proposed exhibits, written testimony, motions, or other documents intended to become part of the record in this proceeding with the Commission. Pursuant to the secretarial letter issued on March 17, 2020, which is posted on the Commission's website at <https://www.puc.nh.gov/Regulatory/Secretarial%20Letters/20200317-SecLtr-Temp-Changes-in-Filing-Requirements.pdf>, all Commission rules requiring the filing of paper copies are suspended until further notice. Parties may elect to submit any filing in electronic form unless otherwise ordered by the Commission. Filings will be considered filed as of the time the electronic copy is received by the Commission; and it is

FURTHER ORDERED, that routine procedural inquiries may be made by contacting the Commission's Clerk's Office at (603) 271-2431 or ClerksOffice@puc.nh.gov. All requests to the Commission should be made in a written pleading filed with the Commission. Unless otherwise authorized by law, *ex parte* communications are prohibited; and it is

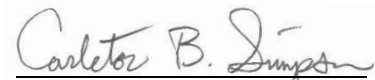
FURTHER ORDERED, that pursuant to N.H. Admin. R., Puc 203.12, Liberty Keene shall notify all entities and individuals desiring to be heard at this hearing by publishing a copy of this order of notice on its website no later than two business days after the date of issue, such publication to be documented by affidavit filed with the Commission on or before March 29, 2024. In addition, the Clerk shall publish this order of notice on the Commission's website no later than two business days after the date of issue; and it is

FURTHER ORDERED, that any hearings in this matter shall be conducted in accordance with the attached hearing guidelines.

So ordered, this twenty-second day of March, 2024.


Daniel C. Goldner
Chairman


Pradip K. Chattopadhyay
Commissioner


Carleton B. Simpson
Commissioner

Individuals needing assistance or auxiliary communication aids due to sensory impairment or other disability should contact the NHPUC, 21 S. Fruit St., Suite 10, Concord, New Hampshire 03301-2429; 603-271-2431; TDD Access: Relay N.H. 1-800-735-2964. Notification of the need for assistance should be made one week prior to the scheduled event.

Service List - Docket Related

Docket#: 24-042

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