

**BEFORE THE NEW HAMPSHIRE PUBLIC UTILITIES COMMISSION**

UNITIL ENERGY SYSTEMS, INC. )  
Petitioner ) **DOCKET NO. DE 09-009**  
)  
)

**PETITION FOR APPROVAL OF DEFAULT SERVICE  
SOLICITATION AND PROPOSED DEFAULT SERVICE TARIFF**

Unitil Energy Systems, Inc., (“UES” or “Company”) submits this Petition requesting:

1) approval of the New Hampshire Public Utilities Commission (“Commission”) of UES’ solicitation and procurement of three contracts for Default Service (“DS”). The first contract is for 100 percent of large customer (G1) default service requirements for three months in duration, May 1, 2009, through July 31, 2009; the second contract is for 25 percent of small customer (non-G1) default service requirements for 24 months in duration, May 1, 2009 through April 30, 2011; the third contract is for 25 percent of small customer (non-G1) requirements for 12 months in duration, May 1, 2009 through April 30, 2010; and

2) approval of proposed tariffs incorporating the results of this solicitation into rates. As part of this request, and as discussed more fully below, UES seeks a final order granting the approvals requested herein no later than March 20, 2009. In support of its Petition, UES states the following:

**Petitioner**

UES is a New Hampshire corporation and public utility primarily engaged in the distribution of electricity in the capital and seacoast regions of New Hampshire.

**Background**

Pursuant to the terms of the Settlement Agreement, and as approved by the Commission in NHPUC Order No. 24,511, UES has solicited for DS power supplies for three contracts: the three month period beginning May 1, 2009, for one hundred (100) percent of its DS supply requirements for its G1 customers; the 24 month period beginning May 1, 2009 for 25 percent of its default service requirements for its non-G1 customers; and the 12 month period beginning May 1, 2009 for 25 percent of its default service requirements for its non-G1 customers. The solicitation process was conducted in accordance with the model schedule contained in the Settlement Agreement.

UES submits this Petition in compliance with the Settlement Agreement and orders issued in Docket No. DE 05-064 and subsequent related proceedings, and requests approval of the results of its most recent solicitation, as described more fully below and in the attached exhibits, and also requests approval of the tariffs included with this filing.

#### **Description of Exhibits**

Attached to this Petition are the following Exhibits:

Exhibit RSF-1: Testimony and Schedules of Robert S. Furino.

Exhibit LSM-1: Testimony and Schedules of Linda S. McNamara.

Exhibit RT-1: Testimony and Schedules of Robyn Tafoya.

#### **Solicitation Process and Selection of Winning Bidders**

UES submits that it has conducted the solicitation process, made its selection of the winning bidder and entered into a Power Supply Agreement in accordance with the representations set forth in its Petition submitted on April 1, 2005, as amended by the

Settlement Agreement filed on August 11, 2005 and as approved by the Commission in its orders in Docket No. DE 05-064 and subsequent related dockets. Details of UES' compliance in this regard are set forth in Exhibit RSF-1 and the Bid Evaluation Report attached as Schedule RSF-1 thereto. A copy of the RFP, redlined against the previous RFP issued by UES in this docket, was provided to Commission Staff and the Office of Consumer Advocate ("OCA") by e-mail on February 5, 2009. A redline version of the final Power Supply Agreement with the winning bidder is provided in the confidential attachment labeled Tab A to Schedule RSF-1.

### **Proposed Tariffs**

UES' proposed tariffs are included with this filing and are provided in redline as Schedule LSM-1 attached to Exhibit LSM-1. UES requests approval of these proposed tariffs.

### **Updated Lead Lag Study**

Also included in this filing is an updated lead/lag study ("2008 UES Default Service and Renewable Energy Credits Lead Lag Study"). Pursuant to the Settlement Agreement approved by the Commission in Docket DE 05-064, UES' internal administrative costs and supply-related working capital costs, based on actual supply costs and an agreed upon lead/lag study or its equivalent, are recovered through DS rates on a fully reconciling basis. UES recognizes, however, that the Commission, Staff and interested parties such as the OCA, may not have a sufficient opportunity to review the updated lead/lag study within the time frame that UES is requesting approval of the

tariffs. Accordingly, UES requests approval of the proposed tariffs as filed, subject to further investigation and review of the lead/lag study and subject to reconciliation, if necessary.

### **Proposed Rate Calculations**

The proposed rate calculations for the non-G-1 Default Service Charge (“DSC”) are shown on Page 1 of Schedule LSM-2, and the rate calculations for the G-1 Variable DSC are shown on Page 1 of Schedule LSM-3, both of which are attached to Exhibit LSM-1.

### **Bill Impacts**

Schedule LSM-4 provides typical bill impacts associated with UES’ proposed DS rate changes for customers who do not choose a competitive supplier.

### **Motion for Confidential Treatment**

Accompanying this Petition is a Motion for Confidential Treatment and Protective Order wherein UES seeks protective treatment with respect to certain information contained in Exhibit RSF-1, Exhibit LSM-1, and Exhibit RT-1 and in the e-mails exchanged with the Staff and the OCA on March 10, 2009 containing a summary of bidders’ initial proposals.

### **Request for Approvals**

UES respectfully requests that the Commission issue a final order no later than March 20, 2009, containing the following findings of fact, conclusions and approvals:

1. FIND that UES has followed the solicitation process approved by the Commission;
2. FIND that UES' analysis of the bids submitted was reasonable;
3. FIND that UES has supplied a reasonable rationale for its choice of supplier.
4. CONCLUDE that, based upon the above Findings, the power supply costs resulting from the solicitation are reasonable;
5. CONCLUDE that, based upon the above Findings and Conclusion that the power supply costs resulting from the solicitation are reasonable, and subject to the ongoing obligation of UES to act prudently, according to law and in conformity with Commission orders, the amounts payable to the seller for power supply costs under the power supply agreements for G1 and non-G1 customers are approved for inclusion in retail rates beginning May 1, 2009.
6. GRANT APPROVAL of the tariff changes requested herein.
7. GRANT APPROVAL of the Motion for Confidential Treatment and Protective Order.
8. GRANT APPROVAL of the 2008 UES Default Service and Renewable Energy Credits Lead Lag Study, subject to further review and investigation if necessary.

**Conclusion**

For all of the foregoing reasons, UES requests that the Commission grant it the approvals requested in this Petition, and for such other relief as the Commission may deem necessary and proper.

Respectfully submitted,

UNITIL ENERGY SYSTEMS, INC.  
By its Attorney:

***/s/ Gary Epler***

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