

STATE OF NEW HAMPSHIRE  
PUBLIC UTILITIES COMMISSION  
DG 14-091

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

PETITION TO INTERVENE OUT-OF-TIME OF XPRESS NATURAL GAS, LLC

NOW COMES Xpress Natural Gas, LLC (“XNG”) which hereby petitions to intervene in the above-referenced matter pursuant to PUC 203.17 and RSA 541-A:32, and in support hereof states as follows:

1. XNG is a Delaware limited liability company with a principal place of business at 30 Rowes Wharf, 6<sup>th</sup> Floor, Boston, MA 02110.

2. XNG is the provider of natural gas to customers in the Northeast, including New Hampshire. XNG fills high capacity compressed natural gas (“CNG”) trailers to deliver natural gas to its customers. Its customers in New Hampshire include Plymouth State University in Plymouth and Dartmouth Hitchcock Medical Center in Lebanon.

3. The present petition by Liberty Utilities is for approval of a special contract and lease agreement related to the proposed construction of a CNG filling and fueling station in Concord, New Hampshire.

4. As the provider of natural gas, including CNG, XNG has an interest in the proposed construction by Liberty Utilities of a CNG filling and fueling station in Concord.

5. The issues raised or which may be raised in this proceeding may be applicable to XNG, particularly in regard to XNG’s vehicular CNG delivery systems and in regard to the on-site facilities at its customers’ locations in New Hampshire. These interests are substantial and are not likely to be adequately represented by any other party to this proceeding. Thus any

action of the PUC on Liberty's pending petition is likely to impact the rights, duties and interest of XNG in New Hampshire.

7. XNG requests that it be granted full party status in this matter, including: that it be entitled to receive copies of all pleadings and other documents, all discovery and all emails or other correspondence among the parties and staff, and it may attend and participate in technical sessions, and present and cross-examine witnesses and file briefs or memoranda as appropriate.

8. XNG's Petition to Intervene is being filed after the date for intervention as provided in the PUC's Order of Notice, which set the deadline of April 21, 2014 for petitions to intervene. However, good cause exists to allow XNG's Petition to Intervene because XNG did not have notice of this proceeding until April 23, 2014, at which time it promptly reviewed the Petition and prepared this Petition to Intervene. Allowing XNG to intervene at this point will not impair the orderly and prompt conduct of the proceeding, as XNG agrees to be bound by the procedural schedule established at the April 23, 2014 Prehearing Conference.

WHEREFORE, Xpress Natural Gas, LLC respectfully requests that the PUC:

- A. Grant XNG's Petition to Intervene; and
- B. Order such other relief as may be just and reasonable.

Respectfully Submitted,

**XPRESS NATURAL GAS**



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