

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

Valley Green Natural Gas, LLC

Docket No. DG 15-155

PARTIALLY ASSENTED-TO MOTION TO SUBSTITUTE WITNESS

NOW COMES Valley Green Natural Gas, LLC (“Valley Green”) and hereby moves the New Hampshire Public Utilities Commission (“Commission”) to allow Valley Green to substitute Mr. Kenneth L. Paul as the sponsoring witness for the testimony and discovery responses previously sponsored by Mr. Jonathan W. Carroll. In support of its Motion, Valley Green states as follows:

1. Jonathan W. Carroll, in his capacity as Senior Director of Marketing and Business Development at Gulf Oil Limited Partnership (“Gulf”) prepared direct testimony that was filed in this proceeding on May 15, 2015. Mr. Carroll also prepared responses to discovery requests in this proceeding.

2. Mr. Carroll is out of the country on long-standing personal business during the week of the March 2, 2016 and Gulf desires to substitute Mr. Kenneth L. Paul in Mr. Carroll’s place. Mr. Paul works for Gulf on a contract basis and has worked with Mr. Carroll on the Valley Green project and proceeding.

3. In 2015, Gulf initially planned to file joint direct pre-filed testimony of Messrs. Paul and Carroll but Valley Green decided at the time of the petition that the subjects were sufficiently covered by Mr. Carroll, himself. Now with Mr. Carroll’s unavailability in-person, Valley Green desires to utilize Mr. Paul in-person, rather than attempt to Skype Mr. Carroll into the hearing. International internet capabilities may not be reliable for Mr. Carroll. Mr. Paul is

prepared to adopt the substantive portion of Mr. Carroll's testimony and discovery responses in their entirety so that Valley Green may present live witness testimony. The only change in the testimony previously filed would relate to the identity of the witness and the educational and professional background. As stated above, Mr. Paul is employed by Gulf on a contract basis. He is familiar with Mr. Carroll's testimony, discovery responses, as well as the facts and positions set forth therein. Mr. Paul has expertise in gas supply arrangements such as the arrangement Gulf proposes for Valley Green.

4. No party would be prejudiced by allowing Mr. Paul to adopt Mr. Carroll's testimony because the parties have had a full opportunity to conduct discovery regarding the substance of the testimony and discovery. In fact, Mr. Paul's expertise was referenced in response to EnergyNorth 1-10 (Attachment A). Mr. Paul would be testifying only as to the issues and facts raised in the testimony and discovery.

5. Valley Green has provided the parties with Mr. Paul's resume (Attachment B). Valley Green has contacted the parties in this docket and the following parties concur with the request: Commission Staff, the Office of the Consumer Advocate, Ariel Arwen, and Susan Almy. Liberty Utilities stated that it does not object to the request, subject to the condition that Mr. Paul can testify as to all commercial aspects of the relationship between Valley Green and Gulf and will fully adopt Mr. Carroll's testimony and responses to data requests. As of the time of this filing, Valley Green had not yet heard from the remainder of the parties.

WHEREFORE, Valley Green respectfully requests that the Commission:

- A. Allow Mr. Kenneth L. Paul to adopt as his testimony the pre-filed testimony of Jonathan Carroll and all discovery responses authored by Mr. Carroll in this proceeding; and
- B. Grant such other relief as is just and equitable.

Respectfully submitted,

VALLEY GREEN NATURAL GAS, LLC.

By its Attorneys,

Date: February 25, 2016

By: *Marcia A. Brown*
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CERTIFICATE OF SERVICE

I hereby certify that on February 25, 2016, a copy of this Motion has been forwarded to the Commission's service list for this docket.

Marcia A. Brown
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