

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DG 16-812

**LIBERTY UTILITIES (ENERGYNORTH NATURAL GAS) CORP. D/B/A
LIBERTY UTILITIES – KEENE DIVISION**

2016-2017 Winter Period Cost of Gas Adjustment

**Order Scheduling Hearing and Requiring Modification of COG Reconciliation
Calculations**

ORDER NO. 25,986

February 7, 2017

In this order, the Commission schedules a hearing regarding a cost of gas ratemaking matter involving Liberty-Keene, and requires modifications to the utility's cost of gas reconciliation calculations.

In Order No. 25,960 (October 28, 2016), the Commission approved cost of gas (COG) rates for the 2016-2017 winter period for Liberty Utilities (EnergyNorth Natural Gas) Corp. d/b/a Liberty Utilities – Keene Division (Liberty-Keene), a public utility distributing propane air gas in Keene. The COG rates were approved pursuant to the terms of Liberty-Keene's COG Tariff and RSA Chapter 378. In its initial COG filing Liberty-Keene included production costs from the 2015-2016 winter period and projected production costs for the 2016-2017 winter period and has included those costs in its subsequent monthly projected over- or under-collection reports.

On December 22, 2016, Commission Staff filed a memorandum (Staff Recommendation) raising certain accounting and operational issues with Liberty-Keene. Specifically, Staff objected to the inclusion of production costs in the COG and expressed concerns that the production costs related to the continuously staffed operation of Liberty-Keene's propane-air mixing plant (Liberty-Keene Propane Plant) might not be prudently incurred under the ratemaking standards of RSA Chapter 378.

The Staff Recommendation, and all subsequent docket filings, other than any information for which confidential treatment is requested of or granted by the Commission, are posted to the Commission's website at <http://www.puc.nh.gov/Regulatory/Docketbk/2016/16-812.html>.

Based on the Staff Recommendation, the Commission has determined that a hearing, pursuant to RSA Chapters 374 and 378, is necessary to examine, *inter alia*, operational matters related to production costs, whether production costs arising from the continuously staffed operation of the Liberty-Keene Propane Plant are prudent, and if so, whether production costs should be recovered through COG rates or in other categories of rates.

Staff is contesting the prudence of certain production costs and whether it is appropriate for Liberty to recover any of the winter 2015-2016 and 2016-2017 production costs through COG rates. Eliminating the 2016-2017 production costs from the monthly over- and under-collection report for the remainder of this winter period would ensure that Keene customers taking Liberty service this winter would pay a portion of the contested costs, but not the entire cost, pending a final decision on the matter. Ultimately Keene ratepayers will be responsible for prudently incurred gas costs, but removing a portion of those costs at this time reduces the risk of shifting the cost responsibility between customers that terminate or commence service after this winter. Accordingly, pending a resolution of the issues raised in the Staff Recommendation, we hereby order Liberty-Keene to exclude actual and projected 2016-2017 winter production costs from future winter period 2016-2017 monthly projected over- or under-collection reports.

Pursuant to the terms of this order, the Commission will hold a hearing regarding these matters, docketed in Docket No. DG 16-812, on April 10, 2017. Furthermore, the following procedural schedule is established by the Commission on its own motion:

Discovery on Staff Recommendation: due February 15, 2017

Staff Responses to Discovery: due March 1, 2017

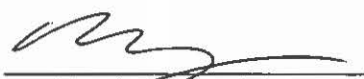
Rebuttal Testimony: due March 16, 2017

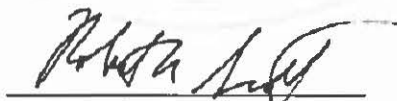
Based upon the foregoing, it is hereby

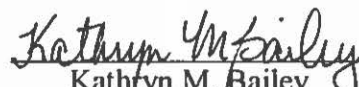
ORDERED, that a hearing, pursuant to our authority under RSA Chapters 374 and 378, be held before the Commission located at 21 S. Fruit St., Suite 10, Concord, New Hampshire on April 10, 2017, at 1:30 p.m., at which Liberty-Keene will be given the opportunity to present evidence and argument regarding the recovery of production costs through COG rates and the prudence of the continuously staffed operation of the Liberty-Keene Propane Plant, and all related operational matters. Staff and any intervenors will be given the opportunity at hearing to respond and present evidence and argument on all issues involved; and it is

FURTHER ORDERED, pending the outcome of this proceeding, Liberty-Keene refrain from including the actual and projected 2016-2017 winter production costs, subject to reconciliation, when calculating its projected over- or under-collections for the monthly COG rate reconciliation calculations going forward.

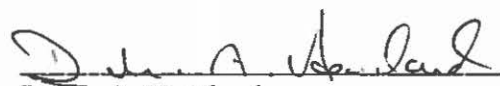
By order of the Public Utilities Commission of New Hampshire this seventh day of February, 2017.


Martin P. Honigberg
Chairman


Robert R. Scott
Commissioner


Kathryn M. Bailey
Commissioner

Attested by:


Debra A. Howland
Executive Director

SERVICE LIST - EMAIL ADDRESSES- DOCKET RELATED

Pursuant to N.H. Admin Rule Puc 203.11 (a) (1): Serve an electronic copy on each person identified on the service list.

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Docket #: 16-812-1 Printed: February 07, 2017

FILING INSTRUCTIONS:

- a) Pursuant to N.H. Admin Rule Puc 203.02 (a), with the exception of Discovery, file 7 copies, as well as an electronic copy, of all documents including cover letter with:**

**DEBRA A HOWLAND
EXEC DIRECTOR
NHPUC
21 S. FRUIT ST, SUITE 10
CONCORD NH 03301-2429**
- b) Serve an electronic copy with each person identified on the Commission's service list and with the Office of Consumer Advocate.**
- c) Serve a written copy on each person on the service list not able to receive electronic mail.**