

STATE OF NEW HAMPSHIRE

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June 30, 2021

Debra A. Howland  
Executive Director  
New Hampshire Public Utilities Commission  
21 South Fruit Street, Suite 10  
Concord, New Hampshire 03301

Re: Docket DG 06-107  
Liberty Utilities (Granite State Electric) Corp. d/b/a Liberty  
Annual Storm Report for Calendar Year 2019  
Staff Response to Liberty Motion for Reconsideration

Dear Ms. Howland:

Attached for electronic filing is Staff's Response to the Motion for Reconsideration filed by Liberty Utilities (Granite State Electric) Corp. d/b/a Liberty (Liberty, or the Company) on May 21, 2021 in the above-referenced proceeding, as requested by the Commission in a secretarial letter issued on June 18, 2021. Pursuant to the Commission's March 17, 2020 secretarial letter, only an electronic version of the above document and attachments will be filed.

In its review of the Company's Annual Storm Report for Calendar Year 2019, Staff took a closer look at a certain aspect of the Company's determination of eligible storm events as filed in the above docket and discovered that the Company appeared to have redefined "concurrent troubles" as a criterion for storm cost recovery. Although Staff did not notice the changed definition in one or more prior reports submitted by Liberty, it disagrees with the Company's interpretation of the appropriate qualifying criteria in this proceeding.

The dispute is centered on the interpretation of the "concurrent troubles" criteria defined in a settlement agreement approved in Docket DG 06-107, as follows:

"The Storm Fund shall be used for the recovery of costs associated with major storms experienced by the Company, which are defined as a severe weather event or events causing 30 concurrent troubles ( *i.e.*, interruption events occurring on either primary or secondary lines) and 15 percent of customers interrupted or 45 concurrent troubles."

Staff explained at some length in its March 23, 2021 recommendation in the current proceeding why it rejected certain claims for cost recovery. The Company objected to Staff's conclusions in an email, stating that Staff had approved recovery based on the same company usage of the term

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‘concurrent troubles’ in the past. *See* Staff Response, Attachments 1-4. However, Staff believes its interpretation of the settlement agreement is correct - and that two (or more) wrongs do not make a right, at ratepayer expense. The Company did not file an objection on the record when Staff filed its recommendation, although it had 30 days to do so before the Commission issued a decision on April 23, 2021.

Sincerely,

*/s/ Lynn Fabrizio*

Lynn Fabrizio  
Staff Attorney

Attachment

cc: Service List - DG 06-107

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