

STATE OF NEW HAMPSHIRE
BEFORE THE
PUBLIC UTILITIES COMMISSION

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

DOCKET NO. DG 14-380

OBJECTION TO PETITION FOR INTERVENTION

Liberty Utilities (EnergyNorth Natural Gas) Corp. d/b/a Liberty Utilities (“EnergyNorth” or the “Company”), in accordance with Puc 203.07 and RSA 541-A, hereby objects to the petition to intervene filed by the Town of Dracut, Massachusetts in the above-captioned docket.

In support of this objection, the Company states as follows:

1. On December 31, 2014, EnergyNorth filed a Petition for Approval of Firm Transportation Agreement in which it seeks the Commission’s approval to enter into a twenty year agreement with Tennessee Gas Pipeline Company, LLC (“Tennessee”) to purchase firm capacity on a gas pipeline that would be operated by Tennessee and would connect to EnergyNorth’s distribution system in or around Milford, New Hampshire.

2. On February 11, 2015, the Town of Dracut, Massachusetts filed a Petition to Intervene in this docket in which it alleges that “Energy delivery plans in the Northeast impact Dracut’s citizenry, property values, preparedness, its fire department, and municipal services, amongst other things.” Petition to Intervene at ¶ 7. The Commission should deny the Town of Dracut’s requested intervention on the basis that it has failed to satisfy the legal standard for intervention.

3. RSA 541-A:32 provides that a petition to intervene shall be granted where “(b) [t]he petition states facts demonstrating that the petitioner's rights, duties, privileges, immunities or other substantial interests may be affected by the proceeding or that the petitioner qualifies as an intervenor under any provision of law and (c) The presiding officer determines that the interests of justice and the orderly and prompt conduct of the proceedings would not be impaired by allowing the intervention.”

4. The Town of Dracut has not met its burden of proof under RSA 541-A:32 as it has failed to state how its rights, duties, privileges, immunities or other substantial interests would be affected by this proceeding. In this docket, the Commission will be determining whether it is prudent and in the public interest for EnergyNorth to enter into a long term contract to purchase capacity from Tennessee in order to supply natural gas to its retail distribution customers in New Hampshire. In essence, this docket involves consideration of a financial transaction to be entered into by EnergyNorth, and the impact of that transaction on the Company's customers.

5. This docket does not involve where the gas pipeline should be built, whether it should be built, or any matters relating to the citizenry of the Commonwealth of Massachusetts, whether in the Town of Dracut or otherwise. That is because this Commission does not have jurisdiction over those matters, or any issues arising out of the Commonwealth of Massachusetts. Thus, the Commission will not and cannot consider the issues claimed by the Town of Dracut to form the basis of its proposed intervention. Since those issues are not before the Commission in this docket, the Town of Dracut's rights, duties, privileges and immunities will not be affected by this proceeding. *See Re: North Atlantic Energy Corporation*, 87 N.H.P.U.C. 372 (May 31, 2002)(denying intervention request of Aziscoos Lake on basis that “...an association of residents

on a lake in Maine 100 miles from the Seabrook Station they have not established a sufficient basis for full party intervenor status in this proceeding.”).

6. For these reasons, the Company requests that the Commission deny the Town of Dracut’s petition to intervene.

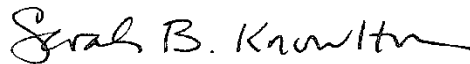
WHEREFORE, EnergyNorth respectfully requests that the Commission:

- A. Deny the Town of Dracut’s Petition for Intervention; and
- B. Such other relief as is just and equitable.

Respectfully submitted,

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

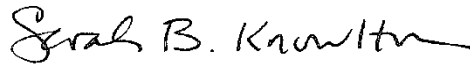
By its Attorney,



Date: February 12, 2015

By: _____
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Certificate of Service

I hereby certify that on February 12, 2015, a copy of this Objection to Petition to Intervene has been forwarded to the service list in this docket.



Sarah B. Knowlton