

STATE OF NEW HAMPSHIRE
before the
PUBLIC UTILITIES COMMISSION

DG-15-090

NORTHERN UTILITIES, INC.
2015 Summer Period Cost of Gas
Adjustment

PETITION TO INTERVENE OF
ENERGY EXPRESS, INC.
d/b/a METROMEDIA ENERGY, INC.

Express Energy, Inc. d/b/a Metromedia Energy, Inc. (“Energy Express”) hereby petitions to intervene in this matter pursuant to Puc 203.17 and RSA 541-A:32. In support of this petition, Energy Express states the following:

1. During the time period relevant to this case, Energy Express was a registered natural gas marketer in New Hampshire. Energy Express’s principal place of business is 2000 West Park Drive, Westborough, MA 01581.
2. In September 2014, Energy Express exited the natural gas market in New Hampshire.
3. Pursuant to Opinion 524-A in FERC Docket No. RP10-729, PNGTS was required to refund Northern approximately \$22 million in over-collections by April 20, 2015 after FERC reduced PNGTS’s requested rate increase filed in 2010.
4. PNGTS has made this lump-sum payment directly to Northern. Of this \$22 million, approximately \$10.5 million must be returned to New Hampshire customers.
5. Energy Express has calculated that it overpaid approximately \$600,000 as a result of paying Northern’s higher capacity assignment demand rate during the time period PNGTS’s rate subject to refund was in effect.

6. Energy Express understands that this petition comes late in the proceeding; however, Energy Express did not recognize the potential impact of the Commission's contemplated course of action until it became aware of Northern's proposed refund methodology through Maine PUC Docket No. 2015-00041.
7. The proposed Settlement Agreement in this proceeding adopts an approach that would refund the overpayment to marketers by reducing the capacity assignment demand rate prospectively over the next three years.
8. If the Commission approves the Settlement Agreement, Energy Express will not recover any of the estimated \$600,000 in overpayments it made to Northern.
9. If the Commission approves the Settlement Agreement, Energy Express will be forced to absorb that entire cost.
10. Energy Express is entitled to be heard in this matter before the Commission decides to adopt a Settlement Agreement to which it does not agree and which would violate Energy Express's right to a direct refund from Northern.

Respectfully submitted on August 7, 2015.


for William S. Harwood (ME Bar # 1852)
wharwood@verrilldana.com

Brian T. Marshall (ME Bar # 5309)
bmarshall@verrilldana.com

Attorneys for Energy Express, Inc.

VERRILL DANA, LLP
One Portland Square
P.O. Box 586
Portland, ME 04112
(207)774-4000