

STATE OF NEW HAMPSHIRE
BEFORE THE
PUBLIC UTILITIES COMMISSION

Docket No. DG 15-155

Valley Green Natural Gas, LLC

PARTIALLY ASSENTED-TO MOTION TO STRIKE HEARING TESTIMONY

NOW COMES, Valley Green Natural Gas, LLC (“Valley Green”) by and through its attorneys, Rath, Young & Pignatelli, P.C., and hereby moves the New Hampshire Public Utilities Commission (the “Commission”) to strike the testimony proffered at the March 2, 2016 hearing in this matter. In support of its Motion, Valley Green states as follows:

1. The Commission held a hearing on the merits in this matter on March 2, 2016.
2. The Commission made rulings on the record of that hearing and the parties provided appearances and opening statements.
3. At page 75 of the transcript of the March 2 hearing, and by letter dated March 15, 2016, the Commission suspended the hearing and continued it until May 5-6, 2016.
4. The witness panel will be reconvened for the May 5-6 hearing, which makes moot the testimony provided on March 2 and located beginning at transcript page 24.
5. To eliminate duplicative testimony in the record, Valley Green requests that testimony and discussion which starts at page 24, line 7 of the March 2 transcript through page 75, line 13 be struck from the record of this proceeding.
6. Granting this motion will promote the orderly and efficient conduct of the May 5-6, 2016 hearing pursuant to the Commission’s authority under RSA 541-A:33, II to exclude irrelevant, immaterial, or unduly repetitious evidence.

7. Valley Green has contacted the other parties in this docket and received concurrence for this request from the following parties: Commission Staff and the Office of Consumer Advocate. Liberty Utilities, NG Advantage and the City of Lebanon oppose the motion. The other parties did not respond.

WHEREFORE, Valley Green respectfully requests that the Commission:

- A. Grant this Motion to Strike Hearing Testimony; and
- B. Grant such other relief as is just and equitable.


Respectfully submitted,

VALLEY GREEN NATURAL GAS, LLC

By its Attorneys,

Date: May 2, 2016

By:


Charles G. Willing, Jr., Esquire
Marcia A. Brown, Esquire
RATH, YOUNG AND PIGNATELLI, P.C.
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CERTIFICATE OF SERVICE

I hereby certify that on May 2, 2016, a copy of this Motion has been forwarded to the Commission's Docket-Related service list for Docket No. DG 15-155.


Charles G. Willing, Jr., Esquire