

**THE STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

IR 17-037

IN RE: GAS DISTRIBUTION UTILITIES

Investigation of Gas Operator Qualification Programs and Testing Practices

ORDER OF NOTICE

The Commission announces an investigation pursuant to RSA 365:5 and :6 and RSA 374:3 and :4 into natural gas pipeline operator safety programs and testing practices used by gas distribution utilities in the State of New Hampshire. On January 13, 2017, the Staff of the Commission's Safety Division (Staff) filed a request to open an investigation into the gas pipeline operator qualification programs of utilities serving the State of New Hampshire pursuant to 49 Code of Federal Regulations Part 192 . (Transportation of Natural Gas by Pipeline: Minimum Federal Safety Standards) and NH Code Admin. Rule Puc 506.01 *et seq.* (Pipeline Safety Standards).

In its request, Staff noted that the Northeast Gas Association (NGA) is the predominant provider of safety qualification training programs throughout the Northeast and the primary testing provider for New Hampshire based operators, including Liberty Utilities and Unitil/Northern Utilities, Inc. Staff based its request on reports of irregularities in the Northeastern states in connection with administrative services provided by the NGA. Some of the irregularities included test answers being available to test takers prior to test administration and numerous proctoring irregularities. In January 2017, the New York Public Service Commission sent a letter to certain utilities doing business in New York concluding that testing protocols were compromised in NGA administered exams offered to utilities and their subcontractors. While Staff has not found, or been made aware of, any improprieties in the

testing and qualification of New Hampshire pipeline operators, it believes that, given the scope and breadth of the allegations in other states, an investigation into testing practices and operator qualification programs within this state is warranted. We authorize Staff to conduct an investigation pursuant to our statutory authority in RSA 365:5 and :6 and RSA 374:3 and 4. *See e.g. In Re: NH Electric Cooperative*, DE-88067, Order No. 19,094 (May 13, 1988). Such investigation shall include *inter alia*, those issues identified in Staff's recommendation filed with the Commission on January 13.

Because this investigation involves the qualification of workers in the natural gas industry, the Commission expects that all natural gas utilities operating in this state may be affected by the outcome of this investigation. Participation by all gas distribution utilities conducting business in this state is mandatory. The Commission shall hold a technical session on, or before, March 22, 2017, for the purpose of developing a procedural schedule for the provision of information by gas utilities and third parties to Staff. Staff shall endeavor to complete its investigation and deliver a report to the Commission on, or before, September 22, 2017.

Each party has the right to have an attorney represent the party at the party's own expense. Subsequent docket filings, other than information for which confidential treatment is requested of or granted by the Commission, will be posted to the Commissions' website at <http://www.puc.nh.gov/Regulatory/docketbk-2017.html>.

Based upon the foregoing, it is hereby

ORDERED, that Staff investigate the legal and regulatory issues referenced herein, with a report of its findings, conclusions and recommendations to be made to the Commission no later than September 22, 2017, and it is;

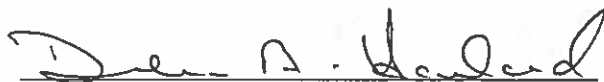
FURTHER ORDERED, that participation by Liberty Utilities (EnergyNorth Natural Gas Corp.) d/b/a Liberty Utilities, and Unitil/Northern Utilities, Inc. is mandatory for this investigation, and it is

FURTHER ORDERED, that Liberty Utilities (EnergyNorth Natural Gas Corp.) d/b/a Liberty Utilities, and Unitil/Northern Utilities, Inc. respond to Staff's inquiries, subject to protective treatment, as appropriate, pursuant to RSA 91-A, and it is

FURTHER ORDERED, that Staff make inquiries of other stakeholders and persons with information as needed in its investigation, with responses afforded protective treatment, as appropriate, pursuant to RSA 91-A; and it is

FURTHER ORDERED, that Staff shall conduct a public stakeholder technical session at the Commission's offices at 21 South Fruit Street, Concord, New Hampshire to be held on March 22, 2017 at 10:00 a.m. to set forth a procedural schedule for this investigation.

By order of the Public Utilities Commission of New Hampshire this third day of March, 2017.



Debra A. Howland
Executive Director

Individuals needing assistance or auxiliary communication aids due to sensory impairment or other disability should contact the Americans with Disabilities Act Coordinator, NHPUC, 21 S. Fruit St., Suite 10, Concord, New Hampshire 03301-2429; 603-271-2431; TDD Access: Relay N.H. 1-800-735-2964. Notification of the need for assistance should be made one week prior to the scheduled event.

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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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.**