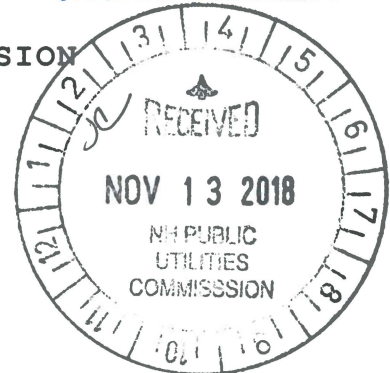


STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION

**CERTIFIED
ORIGINAL TRANSCRIPT**

October 22, 2018 - 9:15 a.m.
Concord, New Hampshire



RE: DG 17-048
LIBERTY UTILITIES (ENERGYNORTH
NATURAL GAS) CORP. d/b/a LIBERTY
UTILITIES: Request for Change in
Rates.
(Hearing on Re-Hearing, et alia)

PRESENT: Chairman Martin P. Honigberg, Presiding
Commissioner Kathryn M. Bailey
Commissioner Michael S. Giaimo

Sandy Deno, Clerk

APPEARANCES: **Reptg. Liberty Utilities (EnergyNorth**
Natural Gas) Corp. d/b/a Liberty
Utilities:
Michael J. Sheehan, Esq.

Reptg. Residential Ratepayers:
D. Maurice Kreis, Esq., Consumer Adv.
Brian D. Buckley, Esq.
Office of Consumer Advocate

Reptg. PUC Staff:
Paul B. Dexter, Esq.

Court Reporter: Susan J. Robidas, NH LCR No. 44

I N D E X

WITNESS PANEL: NICOLE HARRIS
 JOHN SHORE
 DAVID B. SIMEK

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P R O C E E D I N G S

CHAIRMAN HONIGBERG: We are here again this morning to continue in Docket DG 17-048, which is Liberty (EnergyNorth Natural Gas) rate case. We're here to talk about, among other things, weather normalization, customer education, et cetera. I don't think we need to do appearances. All the same players are here. We do have a new set of faces in the witness box, so we're going to need to deal with that.

Mr. Sheehan, how are we proceeding this morning?

MR. SHEEHAN: This hearing is a little different than the others. And in talking to Staff, and the OCA's been listening in, we decided to make available the people most involved with the high level and supervisory level with the drafting of the customer materials, the tariff, the web site, et cetera, to essentially say they are the ones that did that. I'll go through a brief time line on what they've done and leave them open to questions from the

1 Commission on the materials that are before
2 you. We have a couple exhibits to mark that
3 I have already filed.

4 And while I'm here, the filing of
5 October 16th with the bill insert and Q&A
6 language has been marked as Exhibit 91.

7 The revised tariff that we filed
8 Friday has been marked as Exhibit 92. And
9 Mr. Simek is there to talk about the tariff
10 itself.

11 (The documents, as described, were
12 marked as Exhibits 91 and 92 for
13 identification.)

14 CHAIRMAN HONIGBERG: Mr. Dexter,
15 from your perspective, how's this going to go
16 this morning?

17 MR. DEXTER: Well, we view this
18 primarily as an opportunity for the
19 Commission to ask questions of the panel. I
20 can state from Staff's perspective that a lot
21 of stuff has gone on behind the scenes over
22 the last two weeks I would say.

23 Concerning the tariff, we had a
24 phone conversation with the Company sometime

1 last week and relayed some suggested changes
2 to the tariff that resulted in the October 19
3 filing that you have. I believe Mr. Simek is
4 going to point out the change today is in the
5 nature of a typographical error. And with
6 that, Staff supports the tariff that's laid
7 out in the October 19th filing.

8 Regarding the customer education
9 materials. Again there's been some
10 discussions back and forth between the Staff
11 and the Company. There were eight
12 suggestions that Staff raised with the
13 Company late last week, and I believe two of
14 them have been taken care of already. Five
15 of them we have agreement to make changes on
16 a going-forward basis to some of the
17 materials, and No. 8 is still one that needs
18 further discussion before we reach
19 resolution. But I think it's fair to say
20 that there's a large degree of agreement
21 between Staff and the Company as to where
22 we're going to go with the customer education
23 materials.

24 CHAIRMAN HONIGBERG: Okay.

1 Anything else we need to do before we have
2 the witnesses who have not yet been sworn in,
3 sworn in?

4 [No verbal response]

5 CHAIRMAN HONIGBERG: All right.
6 Why don't we take care of that, please.

7 (WHEREUPON, NICOLE HARRIS JOHN SHORE
8 DAVID B. SIMEK were duly sworn and
9 cautioned by the Court Reporter.)

10 CHAIRMAN HONIGBERG: Mr. Sheehan.

11 MR. SHEEHAN: Thank you.

12 DIRECT EXAMINATION

13 BY MR. SHEEHAN:

14 Q. Ms. Harris, could you introduce yourself,
15 your name and the position with the Company,
16 please.

17 A. (Harris) My name is Nicole Harris, director
18 of customer experience.

19 Q. And at a high level, what falls under your
20 responsibility at the Company?

21 A. (Harris) It is customer service, billing,
22 collections, load data services, marketing
23 and communication, and energy efficiency.

24 Q. And roughly how many people do you have

1 reporting to you here in New Hampshire?

2 A. (Harris) I have approximately 48.

3 Q. And specific to the issues we're talking
4 about here today, the bill insert, the
5 material on the web site, that kind of task,
6 what was your involvement?

7 A. (Harris) My involvement within this was to
8 assist John in the communications, coordinate
9 meetings, as well as bring the billing folks
10 involved and appropriate parties in order to
11 assist John in drafting communications.

12 Q. As you heard me say a minute ago, we have
13 marked as Exhibit 91 -- I'll get this with
14 John. Never mind.

15 Mr. Shore, could you introduce yourself
16 and your title with the Company, please.

17 A. (Shore) Yes. Good morning. My name is John
18 Shore. I'm the senior manager of
19 communications and marketing for Liberty.

20 Q. And what type of tasks fall under your
21 responsibility?

22 A. (Shore) Mainly communications, which includes
23 internal and customer communications, as well
24 as marketing.

1 Q. And could you describe what you did in
2 relation to the issues that bring us here
3 today, the customer notifications, the bill
4 inserts and the like.

5 A. (Shore) I wrote the communications, worked
6 with my team to develop the web pages. We
7 also created a video. And also worked with
8 Nicole and some other folks in the Company to
9 basically gather that information and create
10 it.

11 Q. The Company made a filing in June of this
12 summer, 2018. That was the first official
13 filing of this type of material; is that
14 correct?

15 A. (Shore) That's correct.

16 Q. And those were the first drafts of the
17 communications that have evolved to what we
18 have in front of us today; is that correct?

19 A. (Shore) Yes.

20 Q. And is it fair to say that June filing also
21 included a time line of what the Company
22 intended to follow to get all these various
23 materials ready to go for the November 1
24 effective date of decoupling?

1 A. (Shore) Yes.

2 Q. And after making that June filing, did you
3 continue to revise those documents?

4 A. (Shore) Yes, I did.

5 Q. And those revisions resulted in what we filed
6 on October 16th, which included the bill
7 insert, print of the web page and a Word
8 document with the Q&A that's on the web site;
9 is that correct?

10 A. (Shore) That's correct.

11 Q. And can you tell us what, as of October 16
12 when that was filed, what the process was,
13 who was involved to make those refinements
14 and edits? Is that all internal, to the
15 extent it involves staff?

16 A. (Shore) So those changes were done internally
17 through meetings amongst ourselves and my
18 team basically making the changes and
19 improving it since we filed in June.

20 Q. And then last week there were some more
21 conversations with Staff concerning that
22 document; is that correct?

23 A. (Shore) Yes.

24 Q. And as Mr. Dexter just said, there were a

1 number of things discussed with Ms. Noonan
2 over further refinements to be made to those
3 materials; is that correct?

4 A. (Shore) Yes, it is.

5 Q. And were you presented with a list of those
6 items this morning that was a summary of what
7 was discussed last week?

8 A. (Shore) Yes.

9 Q. And you heard Mr. Dexter say two of those
10 have been done; five of them were the Company
11 is willing to do and will work on in due
12 course, and the last one is an issue that
13 still needs to be discussed further. Do you
14 agree with that general characterization?

15 A. (Shore) Yes, I do.

16 Q. Why don't we go through this quickly.

17 The first one that has been done
18 concerns some inconsistent wording, including
19 making "WNA" or "NWA" consistent throughout
20 the documents; is that correct?

21 A. (Shore) Yes, it is.

22 Q. And for your benefit, we talked about this
23 last week in front of the Commission with
24 regard to the tariff itself. There were

1 edits along those lines.

2 No. 2 was some other wording changes to
3 the web site FAQs. And those have already
4 been made as well?

5 A. (Shore) Yes.

6 Q. What's listed as 3 through 7, these are ones
7 the Company has agreed to get done. No. 3 is
8 updating the bill section of the web site to
9 reflect this NWA line that will appear on the
10 bills; is that correct?

11 A. (Shore) Yes.

12 Q. And providing some links to other parts of
13 the web site that would explain that part of
14 the bill.

15 A. (Shore) Correct.

16 Q. Now, the next one was working with Staff to
17 develop language for the FAQs related to how
18 energy efficiency continues to benefit them
19 even with an NWA charge; is that correct?

20 A. (Shore) That's No. 5, yes.

21 Q. Okay. And No. 4 is -- what's your
22 understanding of No. 4? Four and five seem
23 to overlap a bit; is that correct?

24 (Witness reviews document.)

1 A. (Shore) Yes, they do overlap.

2 Q. And they deal with connecting the NWA and
3 energy efficiency and how they both play a
4 role going forward.

5 A. (Shore) Yes.

6 Q. Six was to develop web pages to show the
7 heating degree day tables for both the
8 current winter and the 30-year average.

9 A. (Shore) Yes.

10 Q. And that information is available. It's a
11 question of getting it in a format and
12 getting it up in the right location on the
13 web site; is that correct?

14 A. (Shore) Yes.

15 Q. And last was to work on a FAQ-style web page
16 that provides more detailed information about
17 how the NWA will work.

18 A. (Shore) Yes.

19 Q. And those were all things the Company is
20 willing to do, willing to work with, and will
21 get done in collaboration with Staff; is that
22 correct?

23 A. (Shore) Correct.

24 Q. And we'll certainly keep OCA in the loop as

1 well.

2 A. (Shore) Yes.

3 Q. Either you or Ms. Harris, if you could
4 describe what was the last item that Mr.
5 Dexter said may need some more work.

6 A. (Harris) Correct. The last item, No. 8, is
7 including a bill message which states, or
8 tells the customer that the weather was X
9 percentage warmer weather during the billing
10 cycle. And currently, right now, that would
11 take further work on our end as we cannot at
12 this point individualize the messages on the
13 bill. So it requires additional code changes
14 to move in that direction.

15 Q. Can you describe for us the code changes that
16 the Company has had to go through over the
17 last couple months to implement the rest of
18 what is decoupling?

19 A. (Harris) We'd have to -- we had to work with
20 our third-party vendor in order to make these
21 adjustments, the calculation within the
22 billing system, as well as how it translates
23 into the bill print.

24 Q. And can you give us a sense of how involved

1 and complex that process is to get those
2 changes to the bill?

3 A. (Harris) It was a very complex process. We
4 involved James Bonner, who is our resident
5 expert in that calculation, working with the
6 vendors and going through what we call QA,
7 quality assurance testing, and UAT testing.

8 Q. And how many times has there been a draft
9 from the vendor that gets tested and then
10 revised back to the vendor and then back to
11 the Company for testing? How long does that
12 process take?

13 A. (Harris) It takes months.

14 Q. Thank you. And adding a message as suggested
15 in this page would trigger similar kinds of
16 processes with the billing vendor; is that
17 correct?

18 A. (Harris) That's correct.

19 Q. Does the Company have any objection to
20 including that kind of information on the
21 bill, or is it more of a mechanical issue of
22 how and when we can get it done?

23 A. (Harris) That's correct.

24 Q. The latter?

1 A. (Harris) The latter.

2 Q. And we might as well close the loop with Mr.
3 Simek.

4 You were here Friday during the hearing
5 on the other parts of this case, the
6 recoupment and cost parts of this case. And
7 there was discussion over the language of the
8 decoupling tariff itself. Do you recall
9 that?

10 A. (Simek) Yes.

11 Q. And there was discussion with Staff over some
12 further edits to the tariff that the Company
13 agreed to make and in fact filed Friday
14 afternoon and may have become formal this
15 morning. Do you recall that?

16 A. (Simek) Yes, I do.

17 Q. And the Company accepted all the proposed
18 edits by Staff?

19 A. (Simek) Correct.

20 Q. And as Mr. Dexter mentioned, there's one
21 typographical error that needs to be fixed in
22 what we filed Friday?

23 A. (Simek) Yes, there is.

24 Q. And for the record, that's the document that

1 we've agreed to mark as Exhibit 92 that you
2 have in your hand?

3 A. (Simek) Correct.

4 Q. Using Exhibit 92, could you tell us which
5 page and what the correction is? Or you can
6 otherwise identify what page it's on.

7 A. (Simek) Sure. On Page 36, towards the bottom
8 of the page, there's a calculation for RDAF,
9 the revenue decoupling adjustment factor, by
10 customer group. And towards the end of the
11 enumerator there's a T minus 1. That lower
12 case "t" should be a capital "T." That's the
13 only correction.

14 MR. SHEEHAN: That's all I have for
15 these witnesses. And I assume the Commission
16 has some questions.

17 CHAIRMAN HONIGBERG: Mr. Kreis, Mr.
18 Dexter, do you have any questions for the
19 panel that will help illuminate things?

20 MR. DEXTER: I have a couple, but
21 I'm happy to go after the Consumer Advocate.

22 CHAIRMAN HONIGBERG: Mr. Kreis.

23 MR. KREIS: I think I just have a
24 couple of questions just so that I understand

1 what's happening here.

2 CROSS-EXAMINATION

3 BY MR. KREIS:

4 Q. I have to confess this is the first time I've
5 ever sat in this hearing room and talked
6 about material on a utility's web site, and
7 so I just want to make sure I understand the
8 nature of the review here.

9 The Q&A that we have been talking about
10 on the web site is something -- this is a
11 question for the witnesses, obviously -- is
12 this something that you routinely present to
13 the Commission for approval?

14 A. (Harris) I'm not aware, no.

15 Q. And are you in fact asking the Commission to
16 approve the copy that is on the web site that
17 we're talking about here?

18 MR. SHEEHAN: If I may, this is
19 actually a legal question. The Order states
20 at Page 46, "Due to the novelty of the
21 decoupling process in New Hampshire, Liberty
22 must also submit at the same time" -- as the
23 compliance filing in June -- "customer notice
24 and educational materials for review and

1 approval by the Commission."

2 BY MR. KREIS:

3 Q. And so that brings me to the question I
4 really would like to know the answer to,
5 which is: Assuming Commission approval of
6 the customer education materials that we're
7 talking about here, what happens in the
8 future? Let me ask a more specific question.

9 Does the Company expect that it may,
10 after approval, make further revisions to
11 these materials?

12 A. (Harris) I would say yes, there would be
13 further revisions potentially to the
14 materials.

15 Q. What would trigger those revisions?

16 A. (Harris) It would be customer inquiries. It
17 would be an inquiry from Staff to help
18 further clarify any questions that may occur
19 from customers.

20 Q. So at the risk of putting words in your
21 mouth, as the Company gains actual experience
22 with revenue decoupling, it could conclude
23 that it would be more conducive to the
24 consumer understanding of revenue decoupling

1 if there were further improvements to this
2 customer education language.

3 A. (Harris) Yes, I agree with that.

4 Q. And you don't expect to come back to the
5 Commission for approval every time you make a
6 change, do you?

7 A. (Harris) No.

8 Q. Those -- oh, you referred, Ms. Harris, to
9 "UAT testing." I guess I'm just curious what
10 UAT testing is.

11 A. (Harris) User acceptance testing. So what
12 happens is we receive code from our vendor.
13 It's then what we call quality assurance
14 through our IT department. And before final
15 go into production, we run a series of test
16 beds, what we call "user acceptance testing."

17 Q. Thank you.

18 MR. KREIS: Mr. Chairman, those are
19 the only questions I have.

20 CHAIRMAN HONIGBERG: Mr. Dexter.

21 MR. DEXTER: Thank you.

22 CROSS-EXAMINATION

23 BY MR. DEXTER:

24 Q. So we're looking at a list of issues that we

1 developed, and they're numbered. And I know
2 the Commission doesn't have them. But I want
3 to ask some questions about the last issue
4 that Mr. Sheehan asked you about, and that
5 has to do with the statement on the bill that
6 tells the customer whether or not the weather
7 was colder than or warmer than normal.

8 Is it correct that that statement would
9 be the same for everyone in a billing cycle?

10 A. (Harris) Within a billing cycle, yes, but --

11 Q. And the reason -- I'm sorry. Go ahead.

12 A. (Harris) No, go ahead.

13 Q. And the reason I asked is you mentioned
14 somewhere in your answer about individual
15 bill messages. And I just wanted to clarify
16 that this message would be the same for
17 everyone in the cycle.

18 A. (Harris) That's correct. When a bill message
19 goes out, it's a bill message that's placed
20 on a bill, and it goes to every customer. So
21 as it stands right now, we do not have that
22 capability to individually message different
23 populations of folks, whether its rate class,
24 by cycle.

1 Q. So even though this would be the same for
2 everyone in the cycle, you would still say it
3 falls into this category of individual bill
4 messages.

5 A. (Harris) That's correct.

6 Q. Okay. Further up on the list there were two
7 issues. They're numbered 4 and 5 on our
8 list. They both deal with energy efficiency,
9 Mr. Shore. And Mr. Sheehan asked you some
10 questions about those. I wanted to go back
11 to those because I think there are different
12 intents behind each of these issues, and I
13 wanted to explore that a little bit.

14 No. 4 that we talked about had to do
15 with, Staff's perspective, the potential
16 confusion between whether or not it was still
17 beneficial for a customer to engage in energy
18 efficiency, even with this normal weather
19 adjustment on their bill. Is that a fair
20 statement of that issue?

21 A. (Shore) Yes.

22 Q. And the idea of the education campaign would
23 be to help customers understand that it is
24 still in fact in their benefit to undertake

1 energy efficiency, even with the decoupling
2 charge; correct?

3 A. Yes.

4 Q. And the next issue is a little bit different
5 from Staff's perspective. We viewed that as
6 an energy efficiency communications plan.
7 And we viewed that more as a comprehensive
8 discussion about energy efficiency and its
9 beneficial impacts, and the fact that the
10 Company is now free to pursue energy
11 efficiency without revenue degradation
12 because of decoupling. Would you agree with
13 that characterization?

14 A. (Shore) Yes.

15 Q. And does the Company have in mind what this
16 plan might look like to customers? I know
17 the web site -- I'm sorry -- the video on the
18 web site has touched on it quite a bit.

19 A. (Shore) We don't have a full plan developed
20 for this particular item yet, but it is
21 something that we'll work on.

22 Q. Okay. Do you have a general idea of the time
23 frame for the five items that we've mentioned
24 that you would work with Staff on? Is this a

1 multi-month process? Again, not the last
2 issue, which I understand has some billing
3 issues associated with it or some computer
4 coding issues, but the other five that we
5 talked about.

6 A. (Shore) So, some of these have already been
7 completed, as mentioned earlier, the changes
8 to our web site. We made changes to our
9 video that was produced earlier. The balance
10 of these changes I believe could be made
11 probably within a week or so. The plan for
12 communications around energy efficiency may
13 take a little longer than that, but it would
14 be in the neighborhood of a couple of weeks I
15 would say for that.

16 Q. Okay. Thank you very much.

17 MR. DEXTER: And Mr. Chairman, I
18 appreciate the OCA's questions about
19 approvals, and I should have mentioned when
20 you asked what are we doing here today, what
21 I should have said right away is what Mr.
22 Sheehan just said, that on Page 46 of the
23 Order, the Company was required to file this
24 plan and materials with the Commission. And

1 what we're ultimately looking for at the end
2 of this hearing or thereafter is approval
3 from the Commission of these materials, as
4 required by the Order.

5 CHAIRMAN HONIGBERG: And you are
6 not -- your view is consistent with Mr.
7 Kreis's view, that once this is approved, the
8 Company's not going to need to come back for
9 constant request for permission to change;
10 right?

11 MR. DEXTER: We wouldn't expect
12 that. And we rely on the language in the
13 Order that says "due to the novelty of the
14 decoupling process..." Once this is rolled
15 out, hopefully it won't be as novel anymore.
16 And if there are changes or refinements that
17 would be made, I wouldn't expect that the
18 Company would have to come before the
19 Commission for those approvals.

20 CHAIRMAN HONIGBERG: But you and
21 Ms. Noonan, I suspect, would agree that
22 anytime they're going to change language,
23 that it would be important for them to
24 communicate early, and even before it's

1 rolled out, to Ms. Noonan and her part of
2 this office so that everybody's prepared for
3 the next round of phone calls about what
4 changes have been made, wouldn't you?

5 MR. DEXTER: Yes.

6 CHAIRMAN HONIGBERG: All right. So
7 are you done asking questions?

8 MR. DEXTER: I am.

9 CHAIRMAN HONIGBERG: All right.
10 Thank you.

11 Commissioner Bailey.

12 INTERROGATORIES BY COMMISSIONERS:

13 BY COMMISSIONER BAILEY:

14 Q. Good morning. Have you already sent this to
15 your customers?

16 A. (Shore) We sent the bill insert. That went
17 out -- well, it's going out with bill cycles
18 in October. And we also did a customer
19 newsletter that has an article about it which
20 will be going out in November. That's
21 already been printed and is ready to go out.
22 The web site is live now.

23 Q. So what part of "Commission approval" did you
24 get before you sent these out?

1 A. (Shore) We didn't have approval, but we had
2 deadlines that we needed to meet for the
3 production of those items.

4 Q. That doesn't seem acceptable to me. I mean,
5 this rate case has been going on for a very
6 long time, and there have been a lot of back
7 and forth. And the Order said that you
8 needed approval. So I don't understand why
9 you didn't seek approval before you sent it
10 to your customers.

11 CHAIRMAN HONIGBERG: Mr. Sheehan.

12 MR. SHEEHAN: The Commission also
13 ordered the decoupling go in effect
14 November 1st. And we were in a conflict
15 between those two concepts of getting
16 decoupling rolled out and getting approval
17 for the various communications.

18 We made our filing on time in June.
19 We were ready to go. We gave Staff a
20 specific schedule that this had to be done by
21 this date and its 20 lines of deadlines.
22 Staff did not participate in the conversation
23 until roughly a month ago.

24 COMMISSIONER BAILEY: It didn't say

1 Staff had to approve it.

2 MR. SHEEHAN: Understood. Neither
3 did the Commission ask what we filed. So we
4 filed it, and we heard nothing from Staff or
5 the Commission until now.

6 COMMISSIONER BAILEY: Don't you
7 think it would have been better to say, Hey,
8 Commission, we have this conflict
9 November 1st, so we need to get this approved
10 by October 1st?

11 MR. SHEEHAN: We did. The schedule
12 we put in our filing has exactly what we need
13 to do by calendar dates. And the Commission
14 had those in June. So I appreciate what
15 you're saying, that there wasn't approvals.
16 But we were stuck between a rock and a hard
17 place. And if we hadn't done those
18 notifications, we would have probably ended
19 up delaying the November 1 timeline, which
20 creates all kinds of other issues.

21 CHAIRMAN HONIGBERG: You do
22 recognize, though, the risk of proceeding
23 without approval when approval seems to be
24 called for. I mean, it is certainly possible

1 for you to file urgent pleadings, make urgent
2 phone calls and act like your hair is on fire
3 to get someone's attention, isn't it?

4 MR. SHEEHAN: With due respect, we
5 did. We filed. We asked Staff for
6 follow-up. We filed a response to the
7 secretarial letter a month ago telling the
8 Commission what we had done and what we were
9 doing. The Commission certainly knows that
10 customer notices have to go out a month, six
11 weeks before the deadline. It was all there.
12 And we had to make a judgment call to move
13 forward with those things.

14 COMMISSIONER BAILEY: Okay. Moving
15 on to another topic.

16 BY COMMISSIONER BAILEY:

17 Q. Did you choose "WNA" or "NWA" for the acronym
18 that you're going to consistently use?

19 A. (Simek) Commission Staff actually chose
20 "NWA," so that's what we went with.

21 Q. Okay. And is that -- that's associated with
22 normal weather normalization factor.

23 A. (Simek) Normal weather adjustment is the NWA.

24 Q. Normal weather adjustment is the NWA. Okay.

1 A. (Simek) And NWF is the normal weather factor.
2 I'm sorry. Normal weather normalization
3 factor.

4 Q. Yeah. Do you have to use "normal" and
5 "normalization" twice? Is that important?
6 That's what got me confused.

7 A. (Simek) No, probably not.

8 Q. I think that might clarify things.

9 A. (Simek) We can make that correction.

10 Q. Okay. Thank you.

11 CHAIRMAN HONIGBERG: Hang on. What
12 correction? Neither Mr. Dexter nor I know
13 what you just did.

14 MR. DEXTER: I agree with the
15 Chairman. I just want to make sure I
16 understand, 'cause I thought it was
17 standardized to normal weather adjustment and
18 normal weather factor.

19 COMMISSIONER BAILEY: And in the
20 tariff it still says "normal weather
21 normalization factor."

22 A. (Simek) It does under Letter S on Page 36.
23 So that was a correction we should have made
24 before. That's another correction we can

1 make now.

2 BY MS. BAILEY:

3 Q. All right. Thank you.

4 Can you tell me about the testing that
5 your third-party vendor did for this bill
6 calculation?

7 A. (Harris) The code was done through -- we went
8 through a requirement session. They went
9 away, coded, made the appropriate code
10 changes within their test environment. And
11 once they got to a point where it was ready
12 to be released, it was put to our IT
13 department at our head office to start the
14 quality assurance testing.

15 Q. And did you run a number of bill scenarios
16 through using the formulas and verify that
17 the math came out correctly?

18 A. (Harris) Yes, that's correct. We have a
19 large test bed that we utilized, as far as
20 the calculation.

21 Q. Can you tell me about how many attempts you
22 did and whether you found errors and --

23 A. (Harris) I don't have the details to that.
24 But there are -- you know, obviously there

1 are generally with any testing, there are
2 errors that result. And when we do find an
3 issue, it is escalated in triage to see
4 whether it's something with our existing code
5 or if it's with the new code that came in.
6 So it's running the new changes within the
7 environment, as well as what we call
8 "regression testing," to make sure that all
9 the other bills with our customers within the
10 same databases weren't impacted by the code.

11 Q. Are you absolutely certain that this is going
12 to calculate bills correctly?

13 A. (Harris) Yes.

14 CHAIRMAN HONIGBERG: I just want to
15 follow up on that line. When are the first
16 bills going out that are going to have the
17 change?

18 WITNESS HARRIS: The first bill
19 would be on the... it would be on
20 November 8th.

21 BY COMMISSIONER BAILEY:

22 Q. Will there be any weather normalization on
23 November 8th?

24 A. (Harris) Yes. So what happens is the bill

1 cycle has a -- November 8th is the first bill
2 cycle that has a November bill date in it.
3 So it becomes effected and pro rated
4 effective November 1st.

5 Q. So the days between November 1st and -- do
6 you read meters?

7 A. (Harris) Yes, we read meters.

8 Q. So the days between November 1st and the day
9 that you read the meter will be adjusted for
10 weather?

11 A. (Harris) Correct, effective November 1st.

12 Q. Okay.

13 CHAIRMAN HONIGBERG: Have you and
14 your staff planned for additional call
15 volumes starting on November 9th?

16 WITNESS HARRIS: Yes. We've done
17 training, as far as the calculation, what to
18 expect. And we will be ready for those
19 calls. We also have the folks who -- to be
20 on alert, the folks who participated in the
21 testing to assist with any escalated calls.

22 CHAIRMAN HONIGBERG: And you don't
23 have vacation planned during that time;
24 right?

1 WITNESS HARRIS: I'd have to look.
2 But we will be on alert. Really, it would
3 come into effect, if the first bills go out
4 on November 8th with the normal
5 weatherization on that, then we would expect
6 to receive calls the following week.

7 BY COMMISSIONER BAILEY:

8 Q. Does base usage appear on the customers bill?

9 A. (Harris) No, it does not.

10 Q. Can you get that on the customer's bill?

11 A. (Harris) Could we get it on? It would take a
12 lot of programming to get that on the bill.

13 Q. Well, you have -- well, you had to already
14 calculate base use or at least the base load
15 factor for every customer.

16 A. (Harris) That is within the system.

17 Q. Okay. Can you put the base load factor on
18 the bill?

19 A. (Harris) I'd have to maybe defer to Jim
20 Bonner. Would he be able to assist in that?

21 Q. He was under oath the other day. I don't
22 know. Let's ask the Chairman.

23 A. (Harris) I think -- okay.

24 CHAIRMAN HONIGBERG: Mr. Sheehan,

1 do we need Mr. Bonner to be part of this
2 discussion?

3 MR. SHEEHAN: We brought him here
4 just in case questions got to his level, and
5 that's why he's in the back of the room.
6 So...

7 CHAIRMAN HONIGBERG: Mr. Bonner,
8 things have been escalated to you, it sounds
9 like, for this one question. You have a
10 microphone in front of you.

11 Off the record.

12 (Discussion off the record)

13 CHAIRMAN HONIGBERG: Mr. Bonner.

14 WITNESS BONNER: Yes. Thank you,
15 Mr. Chairman.

16 The base load factor is within the
17 system. It is capable of being printed on
18 the bill. However, there would have to be
19 coding change in the bill printing program
20 and space provided in order to be able to
21 place it. The drawback of putting the base
22 load factor on the bill is that the units of
23 the base load factor are therms per day. So
24 in order to calculate your own base load,

1 you'd have to take that number and multiply
2 it by the number of billing days on your
3 bill --

4 COMMISSIONER BAILEY: To get base
5 usage.

6 WITNESS BONNER: -- in order to get
7 base usage.

8 COMMISSIONER BAILEY: I know. I
9 get that. So are you saying it would be
10 better for customers to have base usage on
11 the bill?

12 WITNESS BONNER: From a customer
13 education point of view, I would say it would
14 be. It's one less calculation you would have
15 to make.

16 COMMISSIONER BAILEY: Okay. I'm
17 okay with that. But here's my concern: I'm
18 a math person. So if I had base usage and I
19 had the actual heating degree days and the
20 normal heating degree days, I could calculate
21 it and see if you calculated it correctly.
22 And I think that's only fair to have enough
23 information available and on the bills so
24 that customers can do the math themselves and

1 verify that the bills are correct.

2 Do you think there's anything else
3 that the customer might need? I mean, I kind
4 of went through the formula, and I think
5 that's what they need. But is there anything
6 else, Mr. Bonner, that the customer would
7 need in order to calculate the factor?

8 WITNESS BONNER: To calculate the
9 full factor, you would need one more unit,
10 and that's what's referred to as the "WNA" --
11 or "NWA slope" now.

12 COMMISSIONER BAILEY: Right. But
13 that's based on usage and heating degree
14 days.

15 WITNESS BONNER: Yes. You would
16 calculate it by taking your total usage,
17 subtracting off your base, dividing that by
18 the actual heating degree days.

19 COMMISSIONER BAILEY: So if they
20 had the base and they had the actual usage --

21 WITNESS BONNER: And you had the
22 heating degree days --

23 COMMISSIONER BAILEY: -- which is
24 going to be --

1 (Court Reporter interrupts.)

2 WITNESS BONNER: And heating degree
3 days, yes, that should be sufficient
4 information to calculate the number.

5 COMMISSIONER BAILEY: Okay. So I
6 really think that base usage is a very
7 important piece of information that customers
8 need to have on the bill. So if you could
9 add that to your list, I would appreciate it.

10 Mr. Giaimo?

11 COMMISSIONER GIAIMO: Can that be
12 done for the effective November 8 bills?

13 WITNESS HARRIS: No, it would not
14 be available for the November bills.

15 COMMISSIONER BAILEY: I understand
16 that.

17 BY COMMISSIONER BAILEY:

18 Q. How long do you think it would take to get it
19 available, to get it on the bill, also with
20 the percent hotter or colder data point?

21 A. (Harris) It would -- I couldn't give you a
22 definitive because what we have to do is we
23 have to provide the requirements to our
24 third-party vendor, step through the

1 requirements, as well as, you know, get a
2 quote from them and timeline on their
3 availability to implement this, as well as
4 our present vendors as well.

5 Q. Based on your experience, is that six months
6 out? Is that next year?

7 A. (Harris) I would say six months to a year,
8 potentially.

9 Q. Okay. So if our Consumer Affairs Division
10 gets a call from a customer who's absolutely
11 sure their bill is not right, how do they
12 figure it out?

13 A. (Harris) We would walk them through the
14 calculation.

15 Q. So you could give a customer on the phone
16 their base usage?

17 A. (Harris) At this point, no, we would not be
18 able to. However, we would escalate that to
19 one of our analysts who would be able to pull
20 together that information and get back to the
21 customer.

22 WITNESS BONNER: Ms. Harris, may I
23 just correct you just one moment? The base
24 load factor is available to the customer

1 service representatives.

2 A. (Harris) Okay.

3 BY COMMISSIONER BAILEY:

4 Q. Okay. So how about this: Until you're able
5 to put the base load factor, or the base
6 usage, which is probably better -- I think I
7 agree with you, Mr. Bonner -- on the bill, if
8 we take a sample of the bills every month,
9 and you give us the base load factor for
10 those bills and we just double-check to make
11 sure the math is right -- and you can blank
12 out the customer name if that's -- or we can
13 keep that confidential -- but just something
14 so that we can verify that the bills are
15 being calculated correctly.

16 A. (Harris) Yes, we could do that.

17 CHAIRMAN HONIGBERG: I just want to
18 make sure that Mr. Sheehan is okay with what
19 just happened, 'cause I will tell you that
20 internally we've been talking about the
21 desire to check to make sure that some number
22 of bills, be it 5, 15, 50, are checked to
23 make sure that they're right. And you can
24 even use my bill --

1 MR. SHEEHAN: And mine.

2 CHAIRMAN HONIGBERG: -- and yours
3 to see if they're working right.

4 MR. SHEEHAN: The only -- we have
5 no objection, obviously. The question is
6 process. And I frankly would expect a
7 paragraph in an order or a secretarial letter
8 saying we want you to submit 25 bills per
9 month, some way to tell us how to do it. And
10 we can certainly have a conversation between
11 Nicole and Jim and staff to get the wording
12 of such a secretarial letter workable so that
13 each side is doing how we collect 25 bills:
14 Do we randomly select them? Do we pick
15 yours, mine and somebody else's? We just
16 need to be told what to do.

17 CHAIRMAN HONIGBERG: And we don't
18 want to tell you to do something you can't
19 do.

20 MR. SHEEHAN: Right.

21 CHAIRMAN HONIGBERG: And so I agree
22 with you. It makes sense for you to have a
23 conversation with Staff and with the OCA
24 about how to get that done in a way that

1 works for your people and will be an adequate
2 check to make sure that things are working
3 right. We do have to issue an order as a
4 result of where we are procedurally because
5 there's still the pending Motion for
6 Rehearing that is being resolved per your
7 agreement and the work that's being done
8 Friday and here. So there is an order that's
9 going to be coming. So, to the extent we can
10 get it in that, that would be great. If
11 that's going to be a little bit longer and
12 you need something quicker, we can do
13 something through a secretarial letter. But
14 we want to get it so that it's doable and
15 executable by your folks.

16 BY COMMISSIONER BAILEY:

17 Q. Okay. Back to the data on the bill about the
18 percent, whether the weather was warmer or
19 colder than normal. Have you started working
20 with the vendor to get that fix changed?

21 A. (Harris) No, we have not. We were just
22 notified of this request last week.

23 Q. Okay. How long do you think that will take
24 to get? Is that a six-month thing? That's

1 not --

2 A. (Harris) Potentially. It really -- we need
3 to look at the space on the bill. You know,
4 it's very limited right now on where we can
5 place it. So it could take longer than, you
6 know -- I would say about six months.

7 Q. So it's going to be confusing to customers
8 from the start. It could even be a little...

9 CHAIRMAN HONIGBERG: Do our bills
10 have historical usage on them for the last 12
11 months?

12 WITNESS HARRIS: Yes, there is a
13 graph.

14 CHAIRMAN HONIGBERG: Yeah, it's a
15 graph. It would seem that that's the area
16 where you would want to put information like
17 this. And I think, without having it in
18 front of me because I can't find the sample
19 from the hearing, that there's probably space
20 in and around there to play with. But my
21 wife is in IT. I understand how complicated
22 any coding change is to things like this.
23 I'm not underplaying that at all. But it
24 seems like that is the location where you

1 would put that kind of customer information
2 on the bill.

3 WITNESS HARRIS: Yes, we could
4 explore that area.

5 COMMISSIONER BAILEY: The base
6 usage.

7 CHAIRMAN HONIGBERG: Yeah, what
8 you're talking about.

9 BY COMMISSIONER BAILEY:

10 Q. Well, the percent warmer or colder than
11 normal, I mean, it seems like there's a lot
12 of space on this page.

13 A. (Harris) That's a mark-up bill. There is
14 space in there. But during the winter period
15 there is a chart on the right-hand side where
16 all that space is which shows -- that's
17 correct -- that shows the cost of gas.

18 Q. Okay. In order to keep you focused on
19 getting these two things done, what should we
20 tell you to do? Are there steps that you
21 need to take that we can, you know, reach
22 milestones along the way?

23 A. (Harris) I think that we need to come up with
24 a plan and work with our vendors in order to

1 establish that timeline.

2 Q. Okay.

3 CHAIRMAN HONIGBERG: And if it
4 would help internally for you to get things
5 prioritized, if it were put in an order, we
6 can put it in an order so that you have
7 something that you can show to your
8 management and the folks in Canada: This is
9 important. There's a state that needs us to
10 do something. We can certainly put it in an
11 order.

12 COMMISSIONER BAILEY: We could. I
13 mean, I was assuming we would, so --

14 CHAIRMAN HONIGBERG: Because I
15 don't think we're going to have the proposed
16 plan from their vendor in time to issue, to
17 put in this order.

18 COMMISSIONER BAILEY: We can put
19 requirements in this order.

20 BY COMMISSIONER BAILEY:

21 Q. And I just want to remind you that during the
22 rate case, one of the biggest reasons that
23 the Company testified about going to
24 decoupling was to improve energy efficiency.

1 So your energy efficiency plan going forward
2 is really important. And we expect to see
3 increases in that because this is a test of
4 whether that worked. And the next rate case,
5 your witnesses will be on the stand. So were
6 you aware of that?

7 A. (Shore) Aware of which part of what you said?

8 Q. That we're going to be looking very carefully
9 at whether you have improved energy
10 efficiency efforts or not as a result of
11 decoupling in the next rate case.

12 A. (Shore) I guess I personally wasn't aware of
13 that.

14 Q. Okay. Well --

15 CHAIRMAN HONIGBERG: I mean, maybe
16 there needs to be internal communications.
17 But one of the reasons why the Company was
18 interested in going to decoupling, separate
19 and apart from weather normalization, but
20 going to decoupling generally, was to free
21 itself to encourage energy efficiency because
22 it wasn't going to be penalized if it was
23 used. That promise the OCA will be holding
24 you to, Staff will be holding you to, and the

1 Commission will be holding you to, to
2 demonstrate that you then, having been freed
3 to do it, that you then did it. You
4 understand that now; right?

5 WITNESS SHORE: Yes, I do.

6 COMMISSIONER BAILEY: That's all I
7 have. Thank you.

8 CHAIRMAN HONIGBERG: Commissioner
9 Giaimo.

10 BY COMMISSIONER GIAIMO:

11 Q. Good morning.

12 A. (Panel) Good morning.

13 Q. So what I heard is that over the past four
14 months there's been lots of meetings, lots of
15 discussions, lots of work with the
16 third-party vendor, lots of coding. And
17 here's my question: At lots of cost? I'm
18 not looking for a specific number, just
19 maybe, yes, it's coming obviously at a cost.

20 A. (Harris) Yes.

21 Q. Yes. And so I'll look at the audience.

22 COMMISSIONER GIAIMO: For some
23 reason I recall a \$50,000 number being the
24 objective for total cost to implement

1 decoupling.

2 MR. SHEEHAN: That was contained in
3 the OCA-Liberty settlement. It was not
4 contained in the Commission Order.

5 CHAIRMAN HONIGBERG: Do you have a
6 ballpark for what the IT work has been?

7 COMMISSIONER GIAIMO: That's my
8 next question. And I'm sure I see the
9 Consumer Advocate's interest has been peaked
10 as well.

11 COMMISSIONER BAILEY: Mine, too.

12 A. (Harris) I currently don't have that final
13 cost.

14 BY COMMISSIONER GIAIMO:

15 Q. Are we, using that \$50,000 baseline, are we
16 in that neighborhood now?

17 A. (Harris) I would say it's more than \$50,000.

18 Q. And it sounds like with all the requirements
19 that we've heard discussed in the last 15, 20
20 minutes, there are going to be a lot more
21 meetings, a lot more discussions, a lot more
22 third-party vendor discussions, a lot more
23 coding and a lot more cost.

24 A. (Harris) That is correct.

1 CHAIRMAN HONIGBERG: Would you say
2 that we're over a hundred?

3 WITNESS HARRIS: I would say yes.

4 CHAIRMAN HONIGBERG: Are we over
5 200?

6 WITNESS HARRIS: I couldn't say
7 that. I couldn't answer that for sure.

8 CHAIRMAN HONIGBERG: But you're
9 comfortable that you're over a hundred.

10 WITNESS HARRIS: Yes.

11 CHAIRMAN HONIGBERG: But you're not
12 sure whether you've gotten to 200 yet.

13 WITNESS HARRIS: Correct.

14 COMMISSIONER GIAIMO: Okay.

15 BY COMMISSIONER GIAIMO:

16 Q. I actually have a question about the tariff,
17 so I guess you're the gentleman I'd like to
18 ask.

19 A. (Simek) Sure.

20 Q. I'm on Page 38, and that's the number used in
21 the right-hand corner for the revised Page
22 38. And it's paragraph, I guess, Paragraph
23 10. We were talking about information to be
24 filed with the Commission. I'm just

1 wondering annually when you expect that to
2 be. Would it be some time between
3 September 1st and October 31st each year?

4 A. (Simek) We have this base revenue per
5 customer is going to be an exhibit that's
6 included in today's cost of gas filing -- I'm
7 sorry -- today's cost of gas hearing.

8 Q. So we can expect it in that docket every
9 year.

10 A. (Simek) Correct. We had included it in our
11 initial filing based on -- now that we have
12 redone the numbers and we recalculated it,
13 now we have an exhibit that will have updated
14 base revenue.

15 Q. So, annually as part of the cost of gas.

16 A. (Simek) Correct.

17 Q. Thank you. So, this time. My ballpark of
18 September, October is probably accurate.
19 October?

20 A. (Simek) Yeah.

21 Q. Okay. Thank you.

22 I just had one more question. And I
23 thought I heard this, and I just want to make
24 sure I was hearing it right.

1 By bill cycle, you mean each customer
2 that has the same day of billing each month
3 is all part of the same billing cycle. So
4 there are 20 of them?

5 A. (Harris) That's correct.

6 Q. And currently you can't -- you're challenged
7 to get a specific message for each one of
8 those billing cycles.

9 A. (Harris) That's correct.

10 Q. Communications would need to go to everybody.

11 A. (Harris) Correct.

12 Q. As part of the discussion we've had with
13 respect to coding and future coding, that
14 could be resolved?

15 A. (Harris) Yes.

16 Q. Thank you.

17 COMMISSIONER GIAIMO: I have no
18 other questions.

19 CHAIRMAN HONIGBERG: For a price,
20 anything is possible, almost. I don't think
21 I have any other substantive questions that
22 haven't been covered.

23 I just want to emphasize to the
24 Company what I said to Mr. Sheehan the other

1 day. This is important, and we want it to
2 work. We want it to work for you and we want
3 it to work for your customers. And we don't
4 want to create a situation where your people
5 are getting flooded with phone calls and Ms.
6 Noonan's office is being flooded with phone
7 calls, because when that happens, nobody's
8 happy. And even if it's working right, if
9 people don't understand that it's working
10 right, people won't be happy. So the
11 communications part is important. The
12 education part is important. And then the
13 execution is crucial. I think you understand
14 that, right, Ms. Harris?

15 WITNESS HARRIS: Yes, I do.

16 CHAIRMAN HONIGBERG: So I'm
17 optimistic that we'll all come away from this
18 hearing and what's going to get issued and
19 the work that's going to get put in between
20 now and when you go live, and then in the
21 weeks and months after you go live, that
22 there will be quick responses to problems and
23 efforts all around to work together. And
24 you'll do that; right?

1 WITNESS HARRIS: Yes.

2 CHAIRMAN HONIGBERG: I don't think
3 I have anything else.

4 Mr. Sheehan is there anything else
5 you want to cover?

6 MR. SHEEHAN: Just a couple
7 follow-up.

8 REDIRECT EXAMINATION

9 BY MR. SHEEHAN:

10 Q. I think it's now clear that the first bill
11 you said would go out that would have the
12 adjustment of November 8, that's simply
13 because that billing cycle is the first
14 billing cycle that picks up November 1.

15 A. (Harris) That's correct.

16 Q. So that bill may theoretically have 29 days
17 in October not subject to WNA decoupling and
18 one day in November that is.

19 A. (Harris) That's correct.

20 Q. And then bills that follow will pick up more
21 of November as we go forward.

22 A. (Harris) Yes.

23 Q. And second, the Chairman was asking to the
24 extent the Commissioners could put in an

1 order some impetus to get this moving more
2 quickly, any billing code changes you have to
3 do for what the Commission may require. Do
4 you have any resistance within the New
5 Hampshire leadership of getting this done?

6 A. (Harris) No.

7 Q. And same with the IT and other folks in
8 Toronto. Is there any resistance,
9 roadblocks, problems getting these processes
10 through over the last six months?

11 A. (Harris) Getting them into place or the
12 new -- sorry.

13 Q. Is there any corporate resistance,
14 roadblocks, difficulties in the politics of
15 getting this done?

16 A. (Harris) No.

17 Q. And so to the extent there are timeline
18 issues, it is either the vendor or simply the
19 time it takes to do all this work.

20 A. (Harris) That is correct.

21 Q. When did we first notify our vendor that
22 decoupling was coming and we need to start
23 working on what is going into effect on
24 November 1? Ballpark.

1 A. (Harris) That was eight months ago.

2 MR. SHEEHAN: Okay. That's all I
3 have.

4 CHAIRMAN HONIGBERG: Mr. Dexter?

5 MR. DEXTER: I do have one
6 follow-up question for Mr. Simek.

7 CROSS-EXAMINATION (cont'd)

8 BY MR. DEXTER:

9 Q. You stated earlier in the discussion between
10 using "WNA" and "NWA" that Staff picked
11 "NWA," and I wanted to direct your attention
12 to Exhibit 61, which was filed many, many
13 months ago in the case. It was a sample bill
14 that came out in the hearings, probably back
15 in April. I imagine you don't have that with
16 you, but I'd be happy to show it to you.

17 A. (Simek) Correct. I don't have it with me.

18 MR. DEXTER: Can I...

19 (Mr. Dexter hands document to witness.)

20 A. (Simek) Thank you.

21 BY MR. DEXTER:

22 Q. Now, isn't it correct that Exhibit 61 refers
23 to this adjustment as "NWA," normal weather
24 adjustment?

1 A. (Simek) Yes. I believe when I spoke earlier,
2 I was implying that the tariff had some areas
3 that said "NWA" and some with the other
4 acronym, and Staff suggested that we just
5 change them all to be consistent with "NWA."

6 Q. And that would be consistent with the sample
7 bill that had been submitted many months
8 before; correct?

9 A. (Simek) Correct.

10 Q. And I don't know if you've got Mr. Sheehan's
11 October 1st filing in front of you. It's
12 entitled, "Response to September 24
13 Secretarial Letter." That contained I think
14 a "mock-up bill," as Ms. Harris described it.
15 It also has a line on there called "normal
16 weather adjustment." Would you agree with
17 that?

18 A. (Simek) I don't have it in front of me, but I
19 agree that's probably the case, yes.

20 Q. Okay. And the intent, then, again, was to
21 have the tariff match what was being
22 presented as mock-up bills.

23 A. (Simek) Correct.

24 Q. Thank you.

1 MR. DEXTER: That's all I have.

2 CHAIRMAN HONIGBERG: Anything else
3 we need to do in this hearing before we close
4 the record? Anyone? Does anyone feel like
5 they want to sum up in any way? We'll strike
6 I.D. on Exhibits 91 and 92.

7 You want to sum up, Mr. Dexter?

8 CLOSING STATEMENTS

9 MR. DEXTER: I don't want to sum
10 up, but I did have two points I wanted to
11 make to the Bench. I don't know if it's in
12 the form of a summary. I wanted to point out
13 two things --

14 CHAIRMAN HONIGBERG: Go ahead.

15 MR. DEXTER: -- that have to do
16 with some of the questioning that's gone on
17 today.

18 There were a number of questions
19 about getting additional information on the
20 bill in terms of base usage. And again, we
21 came up with this list of issues and didn't
22 share it with the Commission. But one of the
23 issues we talked about with the Company was
24 addressing the need for the customer to have

1 the base usage calculation, the weather
2 normalization, the normal weather factor, and
3 the ability to make those calculations that
4 Commissioner Bailey was talking about done
5 through a link on the web site, recognizing
6 that there would be a substantial delay in
7 getting this stuff on the bill.

8 So it was our intention, from
9 Staff's perspective, and hopefully the
10 Company's onboard with this, that that still
11 would take place so that in the interim this
12 type of information would be expounded upon
13 in the Company's web site.

14 CHAIRMAN HONIGBERG: Is it Staff's
15 view that access to that kind of calculator
16 on the web site is an adequate substitute for
17 information on the bill?

18 MR. DEXTER: I think Staff would
19 characterize it as a "second best approach."
20 If it couldn't be done on the bill due to
21 cost or space or time, that would be a second
22 best approach.

23 CHAIRMAN HONIGBERG: I think
24 through conversations with the Company, find

1 out what it might cost. You might make a
2 judgment call as to what you would recommend
3 going forward, because if this is a \$500,000
4 fix, that might not be worth it.

5 MR. DEXTER: I understand.

6 The other point I wanted to make is
7 there was some discussion from the Bench
8 about the importance of the link between
9 decoupling and energy efficiency and how you
10 expected to hear back from the Company in the
11 next rate case. And I wanted to point out
12 that we've been talking about Page 46 of the
13 Order. Three quarters of Page 46 of the
14 Order lists seven things that the Company is
15 required to report back on in terms of this
16 very issue. And it closes with, "The above
17 list is not intended to be exhaustive." So
18 there is already directives to the Company in
19 the April 30th rate order about the
20 importance and the need for reporting back to
21 the Commission and establishing the efforts
22 that they've taken to promote energy
23 efficiency now that they've been removed of
24 the restraints that existed, according to the

1 Company, under traditional ratemaking.

2 CHAIRMAN HONIGBERG: Liberated.

3 That's the -- they've been liberated.

4 MR. DEXTER: Liberated.

5 CHAIRMAN HONIGBERG: Mr. Kreis,
6 anything you wanted to add?

7 MR. KREIS: I do have a few things
8 I would like to add very, very briefly. The
9 first point I want to make is that there's a
10 difference between abbreviations and
11 acronyms. And what we've been talking about
12 here today are actually abbreviations and not
13 acronyms. This affects the English major
14 department.

15 But the more important point I
16 would like to make has to do with revenue
17 decoupling in general. And I just would like
18 to remind the Commission that revenue
19 decoupling was terribly important to the
20 Office of the Consumer Advocate. We worked
21 very hard with this utility and with Staff to
22 develop a revenue decoupling plan that
23 everyone would like. And we presented it to
24 the Commission. And the Commission, I think

1 it's fair to say, liked what we proposed.
2 And what has happened since then is that the
3 three of you sitting up on the Bench I think
4 have taken this really seriously. The
5 message has gotten back to me slowly over
6 time by watching the Commission that you
7 folks up on the Bench really want to do this
8 right, that you're not -- that you are
9 actively engaged in the process of
10 implementing revenue decoupling, that you
11 understand this is the first utility in New
12 Hampshire to attempt something like this, and
13 you would like to make sure that it happens
14 correctly. And we are right with you wanting
15 to make sure that that happens. I guess I
16 would caution all of us about micromanaging
17 the utility because ultimately doing this
18 right is their responsibility, subject to
19 prudence review and everything else. I can
20 tell you that we at the OCA are not going to
21 wait until the next rate case to make sure
22 that revenue decoupling happens in a
23 satisfactory fashion, and in particular, that
24 this Company complies with its obligation,

1 both legal and, I would say, moral, to become
2 a absolute champion of energy efficiency now
3 that it has been liberated from the
4 through-put incentive. That's a big deal to
5 us. And I'm really pleased to hear the
6 Commission taking that seriously. I can tell
7 you we take it just as seriously, if not
8 more. That is a big deal.

9 I'm really glad that Commissioner
10 Giaimo brought up the question of the costs
11 associated with all of the billing changes.
12 In the Settlement Agreement is a provision
13 that we were very focused on during the
14 negotiations that limited the Company to
15 \$50,000 in cost recovery from consumers to
16 cover the costs the Company would incur in
17 connection with implementing revenue
18 decoupling. And as far as the OCA is
19 concerned, that limitation should still
20 apply, and the Commission should indicate in
21 its order that the only extra recovery this
22 Company is entitled to in the course of
23 implementing revenue decoupling is an extra
24 \$50,000. It's not a scenario in which every

1 time the Company has to go through what are
2 admittedly some complicated billing change
3 gyrations, they get to impose a new surcharge
4 on the customers. That's not the way this
5 works. The way this works is the Company can
6 recover an additional \$50,000, period. And
7 if the Company disagrees with that, I think
8 they should say so. But I hope the
9 Commission does address this in the order. I
10 think that's all I have to say.

11 I want to thank the Company, the
12 Staff and the Commission itself for its keen
13 interest in getting revenue decoupling right.
14 I think we're all well served by that. Thank
15 you.

16 CHAIRMAN HONIGBERG: I know Mr.
17 Sheehan has some things he needs to say now.

18 MR. SHEEHAN: We do disagree with
19 what Mr. Kreis just said. We knew from the
20 beginning it would cost more than \$50,000.
21 We agreed to the \$50,000 cap as part of that
22 settlement, which provided a much larger
23 revenue requirement than we got. And the
24 Commission specifically rejected the

1 settlement agreement, so that \$50,000 cap
2 does not exist. Should the Commission now
3 impose it, it would violate just about every
4 principle of ratemaking in orders, et cetera.
5 It would be taking money away from us that it
6 had previously approved. If the Commission
7 orders us to -- it has ordered us at our
8 request to implement decoupling. And if the
9 Commission orders further changes to the
10 billing that costs more money, we have every
11 right to seek recovery of all of those
12 reasonable costs. So there's no basis to
13 limit our recovery for the conversion costs.

14 As far as those additional
15 requirements, given this issue, I would urge
16 the Commission to weave it out, whether it's
17 Staff-generated or mutually-generated, that
18 if we explore those changes and it's going to
19 cost X, that we can at least talk before we
20 implement them. We have no desire either to
21 run up these costs for maybe not as much
22 benefit as they warrant.

23 Last, taking up Mr. Kreis's tone, I
24 agree with it. We appreciate the

1 Commission's deep involvement in this. And
2 we all want to get this right. This has
3 complete support within the Company. I have
4 to say, and this may be disclosing a little
5 confidence, but during the rate case
6 proceeding, when the order came out that
7 rejected the Settlement Agreement and ordered
8 a different revenue number, one of the first
9 questions I got from senior management was,
10 "Did we get decoupling?" It's really
11 important there as well. So we have complete
12 support of the Company to do this, and do it
13 right. So you have to walk that fine line
14 between telling us what to do and
15 micromanaging. And I appreciate that. And I
16 would suggest that the Commission not try too
17 hard, because then we run into having to come
18 back here for approval of what may seem to
19 be -- it's cumbersome. And I think you
20 understand that.

21 So with that, that's all I have to
22 say. Thank you.

23 CHAIRMAN HONIGBERG: Okay.

24 COMMISSIONER BAILEY: I remember

1 testimony that the Company thought that they
2 could get all the billing changes done for
3 \$50,000. We'll let the record speak for
4 itself on that.

5 But do you agree with me that the
6 \$50,000 limit on the IT work necessary was
7 part of the settlement on decoupling?

8 MR. SHEEHAN: It was part of the
9 settlement. I just went through the Order,
10 and I did a search for 50, and \$50,000 never
11 shows up in the Order.

12 COMMISSIONER BAILEY: Yeah, it
13 does.

14 MR. KREIS: Page 44.

15 COMMISSIONER BAILEY: Yeah.

16 MR. SHEEHAN: Oh, I'm sorry. I
17 didn't see it. And let me find that because
18 we need to pin this down.

19 COMMISSIONER BAILEY: It's in the
20 section about decoupling. And we approved
21 the settlement decoupling proposal, and that
22 \$50,000 is listed as part of the information
23 for the ruling.

24 MR. SHEEHAN: Right, the \$50,000 is

1 recapping what the settlement said. It
2 wasn't an Order saying you were limited to
3 \$50,000.

4 COMMISSIONER BAILEY: Well, we
5 approved the settlement on decoupling.
6 That's what I -- I mean, we can argue about
7 it later.

8 MR. SHEEHAN: That's a legal
9 argument that I think you can note what my
10 position is on that.

11 COMMISSIONER BAILEY: Yeah. Thank
12 you.

13 CHAIRMAN HONIGBERG: What will the
14 context be of a request for recovery of those
15 expenditures?

16 MR. SHEEHAN: Be the next rate case
17 I would presume.

18 CHAIRMAN HONIGBERG: At which time
19 you'll be demonstrating the prudence of all
20 of your expenditures; right?

21 MR. SHEEHAN: Right.

22 CHAIRMAN HONIGBERG: Okay.
23 Anything else we need to deal with before we
24 close this hearing?

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[No verbal response]

CHAIRMAN HONIGBERG: All right.

Thank you all. We are adjourned.

(Whereupon the hearing was adjourned at
10:26 a.m.)

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C E R T I F I C A T E

I, Susan J. Robidas, a Licensed
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