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December 10, 2018

Via Electronic Mail and Hand Delivery

Debra A. Howland, Executive Director
New Hampshire Public Utilities Commission
21 South Fruit Street, Suite 10
Concord, NH 03301-2429

**Re: Docket No. DE 17-136
Liberty Utilities (Granite State Electric) Corp.
SBC rate change**

Dear Ms. Howland:

On behalf of Liberty Utilities (Granite State Electric) Corp., enclosed for filing in the above docket please find three copies of clean and redlined versions of the following proposed tariff pages, which pages reflect changes to the systems benefits charge (SBC) arising out of this docket, specifically the SBC components for the Energy Efficiency Programs and the Lost Revenue Mechanism:

NHPUC No. 20 – Electricity Delivery, Granite State Electric

First Revised Page 22

First Revised Page 23

Sixth Revised Page 117

The Company asks the Commission to approve these pages with an effective date of January 1, 2019.

The Company also seeks, to the extent required, a waiver of the 30 day requirement in Puc 1603.07(a), which states that: “Proposed tariff changes ... shall become effective ... (1) After 30 days’ notice to the commission and the providing of such notice to the public as directed by the commission; or (2) Upon issuance of an order of the commission.” (Emphasis

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added.) The disjunctive “or” indicates that the rule allows the Commission to order approval of the tariff pages before expiration of 30 days.

The relevant statute similarly grants the Commission discretion to approve a rate change with less than 30 days’ notice. “Unless the commission otherwise orders, no change shall be made in any rate, fare, charge or price, which shall have been filed or published by a public utility in compliance with the requirements hereof, except after 30 days’ notice to the commission.” RSA 378:3 (emphasis added). The statute thus grants the Commission discretion to approve this proposed SBC change to be effective January 1, 2019.

Thus, if the Commission invokes subsection Puc 1603.07(a)(2), a waiver is not necessary.

If the Commission nonetheless finds that a waiver is required, Puc 201.05(a) states: “The commission shall waive the provisions of any of its rules, except where precluded by statute,^[1] upon request by an interested party, or on its own motion, if the commission finds that: (1) The waiver serves the public interest; and (2) The waiver will not disrupt the orderly and efficient resolution of matters before the commission.”

Addressing the requirements of Puc 201.05(a), waiver of the 30 day notice period is in the public interest because it will allow the new SBC to go into effect on January 1, 2019, which is the date that the parties in this docket proposed for the new SBC, and which is the date that the program changes will go into effect. Also note that the final SBC will not be fixed until approved by the Commission in this docket (any variation between the proposed rate in this filing and the Commission-approved rate will be addressed in a compliance filing). And waiver of the 30 day notice period will not disrupt the resolution of this or any other proceedings before the Commission.

Thank you.

Sincerely,



Michael J. Sheehan

cc: Service List
Enclosures

¹ As discussed above, the 30 day requirement is not required by statute.