

**STATE OF NEW HAMPSHIRE  
PUBLIC UTILITIES COMMISSION**

**DG 18-194**

**Liberty Utilities (EnergyNorth Natural Gas) Corp. d/b/a Liberty Utilities**

**Petition for Expansion of Franchise to the Town of Epping and  
Waiver of the Tariff Filing Requirements Pursuant to Puc 1603.02(a)**

**ORDER OF NOTICE**

On December 24, 2018, Liberty Utilities (EnergyNorth Natural Gas) Corp. d/b/a Liberty Utilities (Liberty) filed a petition for franchise authority in the Town of Epping (Epping) with a request for waiver of the tariff filing requirements pursuant to N.H. Code Admin. Rules Puc 1603.02(a). The petition and subsequent docket filings, other than any information for which confidential treatment is requested of or granted by the Commission, will be posted to the Commission's website at <http://puc.nh.gov/Regulatory/Docketbk/2018/18-194.html>.

The filing raises, *inter alia*, issues related to statutory requirements under RSA Chapters 374 and 378, specifically, RSA 374:1, whether Liberty can furnish reasonably safe and adequate, and in all other respects, just and reasonable gas service and facilities in Epping, including all aspects of engineering, safety, and adequacy of pipeline natural gas supply; RSA 374:2, whether Liberty can offer its proposed service at just and reasonable charges to customers in Epping without burdening Liberty's existing customers with unreasonable rates due to cross-subsidization; RSAs 374:8 and 374:13, whether Liberty keeps, and will continue to keep, accounts and records in the forms prescribed by the Commission in connection with its existing franchises and the proposed franchise in Epping; and RSAs 374:22 and 374:26, granting the Commission authority to determine whether Liberty possesses the financial, technical, and managerial capability to own and operate the proposed natural gas main extension and associated

facilities in Epping; whether the authority requested in the petition would be for the public good; whether terms and conditions for the franchise privilege, if granted, should be applied by the Commission for the public interest; and whether Liberty's proposed rates and tariffs for service in Epping, and any updated rates and tariffs for Liberty's existing customers, will be just and reasonable and, in all other respects, will conform with the Commission's regulations. In addition, the petition raises the issues of whether Liberty's petition should be considered at this time in light of the petition's reliance on the proposed future construction of the Granite Bridge pipeline and LNG storage facility projects proposed in Docket No. DG 17-198, and in light of Order No. 26,220 (February 8, 2019) issued in Docket No. DG 18-094, in which the Commission granted Northern Utilities, Inc. franchise rights in the Epping territory designated in its petition in that docket. Each party has the right to have an attorney represent the party at the party's own expense.

**Based upon the foregoing, it is hereby**

**ORDERED**, that a Prehearing Conference, pursuant to N.H. Code Admin. Rules Puc 203.15, be held before the Commission located at 21 S. Fruit St., Suite 10, Concord, New Hampshire on March 12, 2019 at 10:00 a.m., at which each party will provide a preliminary statement of its position with regard to the petition and any of the issues set forth in N.H. Code Admin. Rules Puc 203.15; and it is

**FURTHER ORDERED**, that, immediately following the Prehearing Conference, Liberty, the Staff of the Commission, and any Intervenors hold a Technical Session to review the petition; and it is

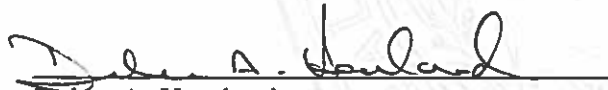
**FURTHER ORDERED**, that pursuant to N.H. Code Admin. Rules Puc 203.12, Liberty shall notify all persons desiring to be heard at this hearing by publishing a copy of this Order of

Notice no later than February 22, 2019, in a newspaper with general circulation in those portions of the state in which operations are conducted, publication to be documented by affidavit filed with the Commission on or before March 7, 2019; and it is

**FURTHER ORDERED**, that consistent with N.H. Code Admin. Rules Puc 203.17 and Puc 203.02, any party seeking to intervene in the proceeding shall submit to the Commission seven copies of a Petition to Intervene with copies sent to Liberty and the Office of the Consumer Advocate on or before March 7, 2019, such Petition stating the facts demonstrating how its rights, duties, privileges, immunities, or other substantial interest may be affected by the proceeding, consistent with N.H. Code Admin. Rules Puc 203.17; and it is

**FURTHER ORDERED**, that any party objecting to a Petition to Intervene make said Objection on or before March 12, 2019.

By order of the Public Utilities Commission of New Hampshire this twelfth day of February, 2019.

  
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.

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**SERVICE LIST - EMAIL ADDRESSES- DOCKET RELATED**

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**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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Docket #: 18-194-1      Printed: February 12, 2019

**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.**