

STATE OF NEW HAMPSHIRE
BEFORE THE
PUBLIC UTILITIES COMMISSION

Docket No. DE 19-064

LIBERTY UTILITIES (GRANITE STATE ELECTRIC) CORP.
d/b/a LIBERTY UTILITIES

Distribution Service Rate Case

Assented-to Motion for Waiver of Puc 1605.02, Clean Copy of Tariff

Liberty Utilities (Granite State Electric) Corp. d/b/a Liberty Utilities (“Granite State” or the “Company”), through counsel, respectfully moves the New Hampshire Public Utilities Commission (“Commission”) pursuant to Puc 201.05 for a waiver of Puc 1605.02, which requires the Company to file both a “clean” and an “annotated” copy of its proposed tariff. The Company seeks a waiver to only file the annotated, or redlined, version of its proposed tariff.

In support of this motion, the Company states as follows:

1. Puc 1605.02(a)(2) states, “in a service or tariff change filing, a utility shall file ... annotated and clean tariff pages showing the proposed changes as required pursuant to Puc 1604.” “Annotated” tariff pages are the same as “redlined” pages.
2. Puc 1605.02 applies to the Company’s distribution rate case filing because the Company is requesting approval of a number of non-rate related tariff changes, such as modifications to its LED Street Lighting tariff, introduction of a decoupling tariff, and more. These qualify as “service or tariff changes.” *See* Puc 1602.01(a) (“Service or tariff change” means any proposed change in any rate, fare, charge, price or the terms or conditions under which service shall be provided”).

3. Since Granite State is filing a general distribution rate case as well as seeking various changes to non-rate items, the Company is filing a new version of its entire tariff, replacing ELECTRICITY DELIVERY SERVICE TARIFF - NHPUC NO. 20 with ELECTRICITY DELIVERY SERVICE TARIFF - NHPUC NO. 21, a document of approximately 140 pages.

4. The rate case filing includes a redlined version of its proposed Tariff No. 21, which shows all the changes from the existing Tariff No. 20. It is the Company's belief that filing a "clean" copy of this proposed tariff is unnecessary and not useful under the circumstances. If the Company had proposed changes to a single page of the tariff, filing a clean version is sensible because the Commission could simply approve the clean version.

5. In this case, however, there is no chance that the tariff ultimately approved at the end of this docket will be identical to the proposed tariff included with this filing. The Company will file a clean version of the tariff either with a proposed settlement agreement or in compliance with an order resolving this case. And it is unlikely that parties will use the clean version of the tariff during the litigation, but will refer to the redlined version instead.

6. Puc 201.05 states that the Commission shall waive the provisions of any of its rules when the waiver serves the public interest and will not disrupt the orderly and efficient resolution of matters before the Commission. In determining whether a waiver will serve the public interest, the Commission examines whether compliance with the rule would be onerous or inapplicable given the circumstances, or the purpose of the rule would be satisfied by another method.

7. Waiver of the requirement to file a clean tariff serves the public interest, will not disrupt the resolution of this docket, is inapplicable given the circumstances, and the purpose of the rule will be satisfied by filing a clean tariff at the conclusion of this case.

8. Staff and the OCA assent to this request for a waiver.

WHEREFORE, Granite State respectfully asks the Commission to:

- A. Grant this motion and waive Puc 1605.02 so that the Company may file only an annotated, or redlined, version of its proposed Tariff No. 21; and
- B. Grant such other relief as is just and equitable.

Respectfully submitted,

LIBERTY UTILITIES (GRANITE STATE ELECTRIC)
CORP. D/B/A LIBERTY UTILITIES

By its Attorney,



Date: April 30, 2019

By: _____
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Certificate of Service

I hereby certify that on April 30, 2019, a copy of this Motion has been forwarded to the service list in this docket.



Michael J. Sheehan