

State of New Hampshire
Public Utilities Commission

DE 19-064

Liberty Utilities (Granite State Electric) Corp.
Petition for Permanent and Temporary Rates

Objection to Liberty Utilities' Motion for Waiver of Puc 1203.02(d), Customer Notice

On April 30, 2019, Liberty Utilities (Granite State Electric) Corp. d/b/a/ Liberty Utilities (Liberty or the Company) filed a Motion for Waiver of Puc 1203.02(d), Customer Notice (Motion) as part of a general rate case. Staff of the Public Utilities Commission (Staff) hereby Objects to this Motion and states as follows:

1. On April 30, 2019, Liberty filed a Petition for Permanent and Temporary Rates with the New Hampshire Public Utilities Commission (Commission).
2. Puc 1203.02(c) requires that electric utilities seeking a general rate change “send to each of its customers a clear and concise statement of the rate schedules applied for and indicate which schedules are applicable to that customer.” With its Motion, Liberty submitted a proposed written notice to customers, pursuant to this rule.
3. Puc 1203.02(d) requires the notice to be distributed no later than 30 calendar days from the filing of the rate case, or, in this case, May 30, 2019. Liberty requests a waiver of this 30-day requirement proposing instead to send out the notice with “June bills.” Liberty states that within the 30-day timeframe, it would send each customer a newsletter

informing them of the rate case filing but without specifying the amount of the rate increase requested. In addition, Liberty would post more detailed information about the rate case (similar to that contained in the proposed written notice) on the Company's website.

4. In communications with Liberty since the Motion was filed, Staff has learned that the "newsletter" referenced is more accurately characterized as an on-bill message. Further, "June bills" will be sent out from June 5 through July 4, 2019 (approximately).
5. In Order No. 26,252 issued in the docket on May 13, 2019, the Commission scheduled a May 30 pre-hearing conference on Liberty's proposed temporary and permanent rate increase and set May 27 as the deadline for intervention. Staff, having conferred with Liberty and the Office of the Consumer Advocate, plans to propose June 14 as a temporary rate hearing date.
6. Staff objects to Liberty's requested waiver because, as proposed, no customers would receive the written notice statement before the pre-hearing conference and the intervention deadline. Further, many of the customers would not receive notice before the proposed temporary rate hearing date. In fact, under Liberty's requested approach, some customers would not receive notice of the rate case until after the requested effective date of the proposed temporary rate increase (July 1, 2019).
7. Liberty states that waiver is necessary because the specific information about the rate case was not available to send to customers within the 30-day period. Motion at 2. Staff disagrees with this conclusion, because Liberty knew of the specific impacts of the rate

case on (or before) April 30, and Liberty could mail all its customers a notice of the specific increase well in advance of May 30, 2019, in compliance with Rule 1203.02(d).

8. Puc Rule 203.07(e) requires that objections to motions be filed within 10 days (in this case May 10, 2019). Staff requests leave to file this objection four days late (two workdays). Staff learned on May 13 that the Motion requested leave to hold off distributing the bill insert notice until June 4 through July 5 and Staff filed this objection as soon as possible thereafter.

WHEREFORE, for the reasons set forth hereinabove, the Staff respectfully requests that the Commission:

1. Deny Liberty's Motion for Waiver of Puc 1203.02(d), Customer Notice; and
2. Require that Liberty mail its rate case notice to all customers (except those customers that have opted for electronic notifications) as soon as practicable, but not later than May 24, 2019; and
3. Require that Liberty send an electronic rate case notice not later than May 24, 2019 to those customers that have opted for electronic notifications.

Respectfully submitted,

Staff of the Public Utilities Commission

By its Attorney,

/s/ Paul B. Dexter

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I hereby certify that, on May 14, 2019, a copy of this Objection has been hand delivered to the Commission and has been sent electronically to the Service List in this matter.

/s/ Paul B. Dexter

Paul B. Dexter