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STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION

June 24, 2021 - 10:03 a.m.

[REMOTE HEARING VIA WEBEX]

RE: DE 19-064
LIBERTY UTILITIES (GRANITE STATE
ELECTRIC) CORP., D/B/A LIBERTY UTILITIES
NOTICE OF INTENT TO FILE RATE SCHEDULES
(Hearing)

PRESENT: Chairwoman Dianne Martin, Presiding
Commissioner Kathryn M. Bailey
Commissioner Daniel Goldner

Doreen Borden, Clerk

APPEARANCES: Reptg. Liberty Utilities (Granite
State Electric)Corp.,d/b/a Liberty
Utilities:
Michael J. Sheehan, Esq.

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

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

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 HEATHER M. TEBBETTS

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1 P R O C E E D I N G S

2 CHAIRWOMAN MARTIN: Good morning.
3 We're here this morning in Docket DE 19-064
4 for a hearing regarding the Liberty Utilities
5 Corporation second step adjustment for effect
6 July 1, 2021.

7 If the Commissioners could please
8 introduce themselves.

9 My name is Dianne Martin. I'm the
10 Chairwoman of the Public Utilities
11 Commission.

12 Commissioner Bailey.

13 COMMISSIONER BAILEY: Good morning,
14 everyone. Kathryn Bailey.

15 CHAIRWOMAN MARTIN: And
16 Commissioner Goldner.

17 COMMISSIONER GOLDNER: Good
18 morning, everyone. Commissioner Goldner.

19 CHAIRWOMAN MARTIN: And let's take
20 appearances. Mr. Sheehan.

21 MR. SHEEHAN: Good morning. Mike
22 Sheehan for Liberty Utilities (Granite State
23 Electric) Corp.

24 CHAIRWOMAN MARTIN: Good morning.

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1 And Mr. Dexter.

2 MR. DEXTER: Good morning,
3 Chairwoman. Good morning, Commissioners. My
4 name is Paul Dexter. I'm an attorney in
5 the -- for the PUC Staff, representing Staff
6 in this proceeding.

7 CHAIRWOMAN MARTIN: All right.
8 Thank you. And I have Exhibits 65 through 77
9 prefiled and premarked for identification.
10 Anything else on exhibits?

11 MR. SHEEHAN: Not from the Company.

12 CHAIRWOMAN MARTIN: Okay.

13 MR. DEXTER: Nothing from Staff.

14 CHAIRWOMAN MARTIN: Thank you.

15 Any other preliminary matters? Mr.
16 Sheehan, you're on mute.

17 MR. SHEEHAN: Sorry. Just to note
18 that I filed a motion for confidential
19 treatment for a discovery request --
20 (connectivity issue)

21 [Court Reporter interrupts.]

22 MR. SHEEHAN: Is that better?

23 CHAIRWOMAN MARTIN: Mr. Sheehan,
24 you have the same problem I do, in that you

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1 have a soft voice. So feel free to speak
2 up.

3 MR. SHEEHAN: Sure. Is that any
4 better?

5 CHAIRWOMAN MARTIN: Yes.

6 MR. SHEEHAN: The Company filed a
7 motion for confidential treatment this
8 morning for a single data response related to
9 this step adjustment proceeding. It's not
10 relevant necessarily to this hearing, just
11 making the Commission aware of that. That's
12 the only other issue I have.

13 CHAIRWOMAN MARTIN: Thank you.

14 Mr. Dexter, any objection from
15 Staff to that motion?

16 MR. DEXTER: I haven't had a chance
17 to read the motion, Chairwoman, because it
18 just came in this morning. But I suspect
19 that we won't. It's fairly typical. I'm
20 guessing it's the fairly typical motion
21 that's filed to protect against disclosure,
22 and I doubt we will have any objection.

23 CHAIRWOMAN MARTIN: Okay. Thank
24 you.

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1 And will that -- it sounds like the
2 material will not come up during the hearing
3 today.

4 MR. SHEEHAN: That's correct. It
5 was a list of customer names at the Tuscan
6 Development. And if we talk about Tuscan,
7 there's no need to talk about specific
8 customers.

9 MR. DEXTER: And I'm not sure which
10 response the motion goes to, but I did
11 include as one of Staff's exhibits a data
12 request from a different docket that did have
13 a list of Tuscan customers, but I only
14 submitted the redacted version as the
15 exhibit. If that's the one we're talking
16 about, it may be that we don't need the
17 motion because the confidential version in
18 this docket was never submitted because the
19 names of the customers weren't important for
20 what I was going to do today.

21 MR. SHEEHAN: The motion this
22 morning was to what you have marked as
23 Exhibit 75; that's Attachment 11.7.8. And
24 you filed the confidential -- the redacted

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1 version of that as well.

2 MR. DEXTER: Right. I only meant
3 to file the redacted version. But I think
4 all that's in the record in this instance is
5 the redacted version.

6 MR. SHEEHAN: Correct. The
7 motion's necessary to get the seal of
8 confidentiality going forward, so if there's
9 ever any record request, the Commission
10 knows -- (connectivity issue)

11 [Court Reporter interrupts.]

12 MR. SHEEHAN: -- the Commission
13 knows not to turn over the document absent
14 some further procedures.

15 MR. DEXTER: And the confidential
16 document is not in the record in this case
17 because I specifically didn't submit it.

18 MR. SHEEHAN: Correct.

19 MR. DEXTER: Right. Okay.

20 CHAIRWOMAN MARTIN: Okay. Thank
21 you both for that. We will take that under
22 advisement and issue an order.

23 Anything else before we hear from
24 the witnesses?

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1 MR. DEXTER: I have a, I guess it's
2 a preliminary matter. I got an e-mail from
3 the OCA this morning saying that the OCA was
4 not able to participate today, but had a
5 couple of concerns about the decoupling
6 tariff that they wanted to raise. I offer to
7 read the e-mail into the record. It's short.
8 And I can do that with permission, of course
9 pending objection from the Company.

10 CHAIRWOMAN MARTIN: Mr. Sheehan,
11 have you seen the e-mail?

12 MR. SHEEHAN: No objection to
13 reading the e-mail. I may have some
14 objections to what's requested in the e-mail.

15 CHAIRWOMAN MARTIN: Okay. Go
16 ahead, Mr. Dexter.

17 MR. DEXTER: Thank you.

18 The e-mail says, "The OCA is unable
19 to be at the DE 19-064 step hearing today.
20 We have two concerns related to decoupling:
21 First, there are issues with the tariff that
22 need to be corrected. Second, the filing
23 contains no revenue per customer calculation,
24 but the tariff clearly states that the RPC is

1 recalculated if there is a distribution rate
2 change, and a step adjustment is a
3 distribution rate change; therefore, having
4 the RPC calculation for review is important.
5 We would propose that the OCA work with
6 Liberty and Staff to come up with mutually
7 agreed tariff language in RPC's calculations.
8 We'd like both of these things to be filed in
9 the docket, holding an exhibit open for that
10 purpose, then they should also be filed as
11 part of the compliance filing."

12 And I left out an introductory and
13 an explanatory sentence that I didn't think
14 was relevant.

15 CHAIRWOMAN MARTIN: Mr. Sheehan.

16 MR. SHEEHAN: Sure. It's troubling
17 that this came up as the hearing started,
18 even though this case has been filed for
19 several months. There was no discovery on
20 the tariff or no questions on the tariff. We
21 had some informal conversations on other
22 issues, and none of this came up. So I
23 object to any formal --

24 CHAIRWOMAN MARTIN: Commissioner

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1 Bailey?

2 Mr. Sheehan, can you start over and
3 speak up? And we will -- I will stop you if
4 I see hands waving again.

5 COMMISSIONER BAILEY: It seems like
6 your mic is not connected.

7 MR. SHEEHAN: It's always funny how
8 everything works smoothly for a few weeks and
9 then you have hiccups. So I will try to
10 speak up and slowly.

11 So I was saying it is troubling
12 that this e-mail came out as the hearing
13 started. The decoupling tariff was in our
14 filing. There were no discovery requests on
15 it. There was no discussion on it. We had
16 several conversations about other issues. We
17 had two rounds of discovery. So I object to
18 any formal requirement that we hold exhibits
19 open and the like. That being said, I'm
20 happy to have conversations with Staff and
21 the OCA to get it right. And if there are in
22 fact mistakes, and I don't know if there are,
23 we will have the conversation. And my
24 suggestion would be that if as a result of

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1 that there is a change, we would be filing an
2 agreed amendment to the proposed tariff
3 sometime next week because these rates and
4 decoupling go into effect July 1.

5 CHAIRWOMAN MARTIN: Mr. Dexter,
6 have you had a chance to process that e-mail,
7 and does Staff have a position?

8 MR. DEXTER: I have heard from the
9 OCA what some of the, quote, unquote,
10 corrections that are needed are, and they
11 were more in the nature of making language
12 consistent within the tariff. The OCA has
13 taken a lead role in the gas case which is
14 pending before the Commission on the
15 decoupling issue and have become sort of the
16 resident experts on that, so I would like to
17 hear what they have to say.

18 I agree with Mr. Sheehan. It would
19 have been easier had we done this, you know,
20 a month or so ago. So I'm willing to go
21 along with Mr. Sheehan's suggestion. I
22 appreciate that Liberty is willing to take
23 this up, even if it has to come after this
24 hearing. And in fact, even if it had to come

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1 after July 1st in a subsequent tariff hearing
2 if we weren't able to wrap it up by July 1st,
3 there are no decoupling adjustments made
4 under this tariff for over a year, according
5 to the settlement, that set up the decoupling
6 mechanism. So I think there is time to clear
7 up any language. And if the OCA raises
8 issues that -- well, I guess we'd have to see
9 what they are, whether or not we can work
10 them out. I suppose if there's issues that
11 can't be worked out, it would be up to the
12 party looking to change the then-existing
13 tariff to convince the Commission that it's
14 worth looking into. So I guess we would
15 cross that bridge when we get to it.

16 So in summary, I would recommend
17 that we -- I don't have any objection, by the
18 way, to the OCA's request that this be done
19 with an exhibit number, if the Commission
20 wants to do that. I'm certainly fine with
21 that. But I also think that this could be
22 done after this hearing, and even after
23 July 1st, in a reasonable 60-day period or
24 something like that.

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1 CHAIRWOMAN MARTIN: Okay. Thank
2 you.

3 Any Commissioners have questions on
4 that? Commissioner Bailey.

5 COMMISSIONER BAILEY: Do you
6 disagree that a new revenue per customer
7 calculation is required when the distribution
8 rates change?

9 MR. SHEEHAN: I don't know is the
10 answer to that. We can ask Ms. Tebbetts when
11 she's testifying if she knows. But again, I
12 agree with Mr. Dexter, that the OCA has made
13 themselves the expert, other than the
14 Company. But the Company's expert is not on
15 the stand either. So it is an incredibly
16 complicated process. And the RPC I don't
17 think changes -- well, I don't know. I don't
18 want to get myself in trouble.

19 But as Mr. Dexter said, it is a
20 year from now looking-back reconciliation is
21 what's important with the decoupling. It's
22 not a -- it's less a going-forward kind of
23 math. So there isn't the time crunch that we
24 would otherwise need to get the rates set

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1 properly. So the rates are set -- well, the
2 rates are requested to be changed based on
3 this filing. And assuming there's an over-
4 or under-recovery based on the decoupling,
5 that would be reconciled next year. I don't
6 know if there's an ongoing process where
7 we're checking in, kind of like with the cost
8 of gas we can make monthly adjustments. I
9 don't think so. So I can't be of much help.
10 Sorry.

11 COMMISSIONER BAILEY: Thank you.
12 I'll ask Ms. Tebbetts some questions about
13 it.

14 CHAIRWOMAN MARTIN: Okay. Anything
15 else before we hear from the witnesses?

16 [No verbal response]

17 CHAIRWOMAN MARTIN: All right.
18 Seeing nothing, Ms. Robidas, would you please
19 swear in the witnesses.

20 (WHEREUPON, ANTHONY STRABONE AND HEATHER
21 M. TEBBETTS were duly sworn and cautioned
22 by the Court Reporter.)

23

24 ANTHONY STRABONE, SWORN

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1 HEATHER M. TEBBETTS, SWORN

2 CHAIRWOMAN MARTIN: Okay. Thank
3 you. Mr. Sheehan.

4 MR. SHEEHAN: Thank you.

5 DIRECT EXAMINATION

6 BY MR. SHEEHAN:

7 Q. Mr. Strabone, could you please introduce
8 yourself and give the title you hold with the
9 Company.

10 A. (Strabone) Yup. Good morning. My name's
11 Anthony Strabone. I am employed with
12 Liberty. I am the senior manager of
13 electrical engineering, where I'm responsible
14 for the capital work plan, where I manage
15 electrical engineering and construction
16 resources for the capital projects.

17 Q. And Mr. Strabone, your qualifications are
18 listed in your testimony. But you are an
19 engineer by trade; is that correct?

20 A. (Strabone) That is correct.

21 Q. And in this case, there's testimony filed
22 that has your name and Ms. Tebbetts marked as
23 Exhibit 65. Did you participate in the
24 preparation of that testimony?

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1 A. (Strabone) Yes, I did.

2 Q. Do you have any changes or corrections you'd
3 like to bring to the Commission's attention
4 now?

5 A. (Strabone) No, I do not.

6 Q. And do you adopt that testimony here today?

7 A. (Strabone) Yes, I do.

8 Q. Thank you.

9 Ms. Tebbetts, same questions. Please
10 introduce yourself.

11 A. (Tebbetts) Good morning. My name is Heather
12 Tebbetts, and I'm the manager of rates and
13 regulatory affairs and employed by Liberty
14 Utilities Service Company. And my
15 responsibilities include rate-related
16 services for Granite State Electric and
17 EnergyNorth Natural Gas.

18 Q. Ms. Tebbetts, there are two documents with
19 your name on them: Exhibit 65, which is the
20 testimony with you and Mr. Strabone, and
21 Exhibit 66, which is a technical statement
22 authored just by you. Is that correct?

23 A. (Tebbetts) Yes.

24 Q. And do you have any changes or corrections to

1 be made to either of those documents?

2 A. (Tebbetts) I do. I have a change to
3 Exhibit 65. And it starts on Bates Page 29,
4 and that's our Attachment 1.

5 And just for information for everyone
6 else, as we're going through the audit with
7 the Commission's Audit Staff, we found that
8 there was a miscalculation in one of the
9 project dollars. And so I want to correct
10 that for us today so that everyone has the
11 correct amount in our attachments.

12 So I'll start with Bates 29, Line 1.
13 That number should be \$11,237,707. And that
14 then changes --

15 CHAIRWOMAN MARTIN: Ms. Tebbetts,
16 could you restate that, please?

17 WITNESS TEBBETTS: Yes. It's
18 \$11,237,707. So 1-1-2-3-7-7-0-7. That's for
19 Line 1.

20 A. (Tebbetts) And with that change, Line 40
21 changes on Bates 29. And that number is
22 1,800,000 -- sorry -- \$1,801,562. So it's
23 1-8-0-1-5-6-2.

24 And the next correction flows into

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1 Bates 30, and this is actually where the
2 Bates 29 change comes from. So you have the
3 first project listed as Attachment 2, and the
4 project description is Battery Pilot. And
5 the total spend on that will change to
6 \$1,232,187. So that's 1-2-3-2-1-8-7.

7 And the final change I have is on
8 Bates 32. So Line 7 -- actually what I'll
9 explain to you is that Line 1 is a revenue
10 requirement increase. So that number we can
11 correct as well. It's the \$1,801,562. So
12 that's the 1-8-0-1-5-6-2 on Line 1.

13 So then we'll correct Line 6, where
14 total revenues have changed as well. And
15 that increase is -- the total revenue number
16 is \$48,707,039. So 4-8-7-0-7-0-3-9, which
17 then changes Line 7 to 3.94 percent. And
18 this, actually, we can re-file, this
19 Attachment 1, because all the rates that are
20 subsequent on Bates Pages 33 and 34 also
21 change. But I won't go through every single
22 line item. What we can do is we can file
23 this as an additional exhibit to make that
24 update, and this way it's on the record of

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1 what the rates will be and you guys will have
2 all this information. But I figured for
3 today you have the updated information based
4 on what's been happening with our audit.

5 CHAIRWOMAN MARTIN: Yes,
6 Commissioner Bailey.

7 COMMISSIONER BAILEY: Ms. Tebbetts,
8 did you say that Line 6 goes -- it increases,
9 48,707,039?

10 WITNESS TEBBETTS: So Line 6 is now
11 the total revenues. That includes the
12 increase -- maybe I said it incorrectly.

13 Line 5 was the revenue increase.
14 Line 6 is the total revenues included in that
15 increase. So Line 6 is Line 4 plus Line 5
16 equals Line 6. So that number changed.

17 COMMISSIONER BAILEY: But isn't the
18 calculation a reduction?

19 WITNESS TEBBETTS: Well, the number
20 is lower than what we originally filed. But
21 it's not a reduction because it's still \$1.8
22 million in total.

23 COMMISSIONER BAILEY: Right. But
24 48,707 is larger than 48,549.

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1 WITNESS TEBBETTS: Well, now I'm
2 confusing myself.

3 (Witness reviews document.)

4 CHAIRWOMAN MARTIN: Why don't we
5 take a five-minute recess until 10:30 so the
6 witness can get her information together.

7 (Brief recess taken at 10:25 a.m. and the
8 hearing resumed at 10:33 a.m.)

9 CHAIRWOMAN MARTIN: Okay. Let's go
10 back on the record.

11 Ms. Tebbetts, you can proceed.

12 WITNESS TEBBETTS: Okay. Thank
13 you. My apologies. For whatever reason,
14 Line 4 on this page was doing its own thing
15 and updating a number that wasn't the real
16 number, so that's why Line 6 didn't add up
17 correctly.

18 So the correct number for Line 6 is
19 4-8-5-0-6-9-8-3, or \$48,506,983, which is
20 less than what we originally filed.

21 CHAIRWOMAN MARTIN: And for the
22 record, we're speaking about Bates Page 32?

23 WITNESS TEBBETTS: Yes.

24 CHAIRWOMAN MARTIN: Okay. Thank

1 you.

2 WITNESS TEBBETTS: Thank you. And
3 one mention, too, I didn't state earlier
4 about the following pages was that Bates 33
5 and 34 rates, those rates were the currently
6 effective rates on April 6th when we made
7 this filing. And since then we have had a
8 reliability enhancement rate docket and rate
9 change that went along with it. So that's
10 why we will refile this with these updates we
11 made today, and then the updated rates which
12 include the May 1 rate adjustment for
13 distribution rates from I believe Docket DE
14 21-049.

15 CHAIRWOMAN MARTIN: For clarity,
16 Mr. Sheehan, are you planning to file an
17 additional exhibit which we would mark as
18 Exhibit 78, and are you filing that today?

19 MR. SHEEHAN: Yes, to the first
20 question. Exhibit 78 will be an updated
21 Attachment 1, and we will file it today if
22 Ms. Tebbetts can get to it this afternoon.
23 If not, it will be filed tomorrow for sure.

24 CHAIRWOMAN MARTIN: Okay. Thank

1 you.

2 A. (Tebbetts) With that I -- oh, go ahead.

3 BY MR. SHEEHAN:

4 Q. I think you were about to say you have no
5 other changes; is that correct?

6 A. (Tebbetts) Yes, that's correct.

7 Q. And with those changes, do you adopt your
8 testimony today?

9 A. (Tebbetts) Yes.

10 Q. The changes to the rates that you mentioned
11 coming out of the REP docket and the
12 change -- let me start there. Will those
13 affect the requests made in this case?

14 A. (Tebbetts) It does not affect the request for
15 the \$1.8 million as the request in this
16 docket. The change will be the starting
17 point for those rates, where we would
18 recalculate the increase on top of the rate
19 change for May 1st, and that will be provided
20 in Bates 33 and 34.

21 Q. So the Commission, although it doesn't have
22 final rates, it does have the final number
23 that we are -- the revenue requirement number
24 that we are asking to be approved; is that

1 correct?

2 A. (Tebbetts) Yes.

3 Q. I wanted to walk you through a couple other
4 introductory things with you. The filing
5 that's before the Commission now requests a
6 number of approvals, and let's itemize them.

7 First is the rate change you just went
8 through that's in Attachment 1. That's the
9 summary. But why don't I start with the
10 first item. And the step increase is the
11 revenue requirement for 2020 projects; is
12 that correct?

13 A. (Tebbetts) Yes.

14 Q. And is it correct that the authority to make
15 this request arises out of the Settlement
16 Agreement in the last rate case in DE 19-064?

17 A. (Tebbetts) Yes.

18 Q. And that Settlement Agreement included a list
19 of projects that we were planning to complete
20 in 2020, for which we could come now and seek
21 recovery; is that correct?

22 A. (Tebbetts) Yes.

23 Q. Second, there's a request for a modest change
24 in rate case expenses that arose out of that

1 case. And is it correct to say that the
2 adjustment -- I think it's about \$10,000 --
3 is a result of a reconciliation from the
4 projected rate case expenses when we finished
5 the case last year to the actuals as the
6 final bills came in and the collections
7 occurred? Is that fair?

8 A. (Tebbetts) Yes.

9 Q. And same for recoupment. So at the time of
10 the rate case being resolved, there was a
11 recoupment factor, if you will, that was
12 supposed to collect the recoupment amount.
13 And we are proposing a change in that to
14 reconcile that to the correct number; is that
15 correct?

16 A. (Tebbetts) Yes.

17 Q. And are all those numbers on the pages you
18 just went through?

19 A. (Tebbetts) All of that information is on
20 Bates Page 31 and 32 for the \$1.8 million.

21 Q. Okay. The other requests in front of the
22 Commission is -- one of them referenced at
23 the outset of this hearing is the decoupling
24 tariff language. The proposed language was

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1 included in your -- is it in your tech
2 statement or in your testimony?

3 A. (Tebbetts) It is in -- it's in Exhibit 65,
4 the testimony.

5 Q. Okay. And that's the proposed language that
6 will authorize the Company to implement the
7 decoupling that was approved in the rate case
8 last year.

9 A. (Tebbetts) Yes, that is the -- those are the
10 tariff pages that came out of the rate case.
11 I don't -- I filed exactly what we had
12 presented at that time.

13 Q. Okay. So the language was approved last
14 year. And for reasons discussed in the rate
15 case, there was an agreement not to implement
16 until this year. So we have essentially
17 copied what was approved last year and are
18 now proposing to put it into effect as of
19 July 1st.

20 A. (Tebbetts) Yes.

21 Q. And do you agree with my statement at the
22 outset, that we'd be happy to talk to Staff
23 and the OCA and make any tweaks or
24 adjustments that are appropriate, to make

1 sure we get it right?

2 A. (Tebbetts) Yes.

3 Q. And the last item for which we're seeking
4 approval here, and this is the one in your
5 tech statement, is some changes to the
6 electric vehicle tariff; is that right?

7 A. (Tebbetts) No. Actually, Mr. Sheehan, it's
8 for street lighting.

9 Q. I'm sorry. Street lighting. I wrote down
10 "EV." And can you just give us a high-level
11 description of the proposed changes to the
12 street lighting tariff that's in your
13 technical statement?

14 A. (Tebbetts) Sure. So we have customers,
15 private area lighting customers, not
16 municipalities today, that their light may
17 burn out or there's something wrong with it,
18 and we will send someone out there to take a
19 look and see what the issue is. The problem
20 we're running into is you can't -- we're
21 having a hard time getting --

22 [Court Reporter interrupts.]

23 A. (Tebbetts) -- sorry -- high-pressure sodium
24 street lights. So because we're having a

1 hard time getting them, and LED lighting is
2 more efficient, we wanted to clarify in our
3 tariff how we would provide to our customers
4 the opportunity to convert to that, to an LED
5 from a high-pressure sodium, and it just
6 wasn't clear. So we worked with Staff to
7 have a discussion about this, and that's
8 where the filing came out of. There's no
9 rate change with it. It's just a
10 clarification of the tariff. I wrote a
11 technical statement to explain why we wanted
12 to do this rather than just make updates to
13 the tariff and request approval.

14 Q. Thank you. Just to cover a couple of other
15 topics that will likely come up later today,
16 are there any costs associated with the
17 Tuscan Development included in the capital
18 portion of the step increase?

19 A. (Tebbetts) There is one project that is -- I
20 just want to grab the Bates page. On Bates
21 Page 30, there is one project. And it is
22 under the line item that's Attachment 4,
23 8830-1958, Install Service to Tuscan Village
24 South. That is one project that is included,

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1 and that project was initially included in
2 our Settlement Agreement as part of the list
3 of projects for Step No. 2.

4 Q. Is it fair to say that generally what came
5 out of last year's rate case was an agreement
6 not to seek recovery for any Tuscan projects
7 until the next rate case? Is that fair?

8 A. (Tebbetts) Generally that's fair.

9 Q. And this one bucket was one item that was
10 specifically included in projects that we
11 could seek recovery for in this step.

12 A. (Tebbetts) Yes.

13 Q. Okay. And the other topic that may come up
14 are costs related to the Battery Storage
15 Pilot. And you mentioned when you went
16 through your corrections, that was one of the
17 numbers that got adjusted. Is there anything
18 in this docket related to the program
19 operation itself, how things are working,
20 various items there, or is it simply a
21 request to seek recovery of battery-related
22 investments in 2020?

23 A. (Tebbetts) The request is simply
24 battery-related investments for the pilot.

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1 MR. SHEEHAN: Okay. Those are all
2 the questions I have. Thank you.

3 CHAIRWOMAN MARTIN: Mr. Dexter.

4 MR. DEXTER: Thank you.

5 CROSS-EXAMINATION

6 BY MR. DEXTER:

7 Q. I think with that direct examination that
8 laid out the elements for approval, I can
9 skip some things I was going to ask about.
10 But I do want to go to Exhibit 65, Bates 32.

11 A. (Tebbetts) Okay. I'm there.

12 Q. And I want to compare the percentage
13 adjustment to distribution rates of
14 4.04 percent -- with the understanding that
15 that number has been updated -- I want to
16 compare that to the percentage increase on
17 the next page, which is Bates 33, where there
18 are actually two percentage increases.

19 So let me ask the question this way:
20 First, very simply, I would think that the
21 4.04 percent on Bates 32 would be the same
22 number as the 4.21 percent that's applicable
23 to the various elements of the commercial
24 customers in G-1, G-2 and G-3, and then the

1 outdoor lighting charges, Rate M, as well.
2 Could you tell me why those two numbers
3 aren't the same?

4 A. (Tebbetts) So when I looked at the formula, I
5 can only explain to you that I've used the
6 same exact model that we used for the
7 liability enhancement program. I wanted to
8 ensure that we were providing the exact same
9 calculations. So other than the fact that
10 that's how the formulas calculated it, I
11 unfortunately can't explain why that number
12 is that way.

13 The reason that you see two different
14 numbers on Bates Page 33 is because the
15 revenues are now weighted because the
16 customer charges for the residential rates
17 are not changing. We agreed to that in our
18 last rate case, that we would not change the
19 residential customer charges. And so as
20 such, the volumetric charges take on more out
21 of that weight.

22 But with regards to that formula, I
23 would have to go back to the owner of the
24 model and find out why exactly that number

1 didn't calculate in the manner that you
2 calculated it in.

3 Q. Okay. Well, I'm not sure it's a model. But
4 let me just try it this way: Let's go back
5 to Page 32. And if I look at Line 7, the
6 footnote tells me that Line 7 is Line 4
7 divided by Line 5. And I think that's just
8 wrong because I think the denominator has to
9 be a lot bigger than the numerator. So if
10 that's the model, or if that's the formula, I
11 don't understand Line 7. Would you agree
12 that that footnote can't be right, the way
13 it's written?

14 A. (Tebbetts) I would agree. And that will be
15 updated when we make our filing for
16 Exhibit 78.

17 Q. Okay. So let's go back to the next page,
18 which is Bates 33. My understanding of the
19 Settlement Agreement is that the percentage
20 increase from the step adjustments will be
21 applied, quote, unquote, across the board to
22 all rate elements, with the exception of the
23 residential class. Would you agree with
24 that?

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1 A. (Tebbetts) Yes.

2 Q. Okay. And with respect to the residential
3 class, the Settlement Agreement states that
4 the entire increase allocated to that class
5 will be collected through the volumetric
6 charges and that the customer charges will
7 stay the same; correct?

8 A. (Tebbetts) Yes.

9 Q. That would explain, then, why the percentage
10 increase for the volumetric charge for the
11 residential class is higher than the overall
12 across-the-board increase; correct?

13 A. (Tebbetts) Yes.

14 Q. Okay. I will leave it at that and wait for
15 the update. But it would seem to me that if
16 there's a percentage increase calculated on
17 Bates 32, and it applies to all rate elements
18 across the board for the commercial
19 customers, that those two numbers should be
20 the same. But having said that, you've
21 agreed to provide an update and look at that,
22 so we'll look at the update when it comes in.

23 So I'd like to turn for a moment to the
24 battery storage project, which, as you

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1 pointed out earlier, on Bates Page 36 of
2 exhibit -- I'm sorry -- Bates Page 30 of
3 Exhibit 65 was, before the correction, listed
4 at about \$1.4 million, correct, for the
5 investment?

6 A. (Tebbetts) Yes.

7 Q. And that has been now updated to about
8 1.2 million as a result of the audit that you
9 mentioned; correct?

10 A. (Tebbetts) Yes.

11 Q. And the audit that you referenced is being
12 conducted by the Commission Staff, the
13 Commission Audit Division; correct?

14 A. (Tebbetts) Yes.

15 Q. And my understanding is that that audit is
16 ongoing, but not complete. Would you agree
17 with that?

18 A. (Tebbetts) Yes.

19 Q. Can you explain the -- what's behind the
20 reduction from the roughly million four to
21 roughly million two in this amount?

22 A. (Tebbetts) Sure. So in the testimony we -- I
23 believe it's in the testimony. So only 60
24 customers had batteries installed and ready

1 for use as of 12/31/20. But the way we
2 purchased the installs from Tesla, they are
3 in 75 -- 25 install blocks. So we had
4 already purchased three blocks of battery
5 installs for 75 installs, but only 60 have
6 been completed. And while the backup that we
7 had used to calculate the summary information
8 in the filing was correct, it had grabbed --
9 the pivot tables had grabbed other line items
10 that we had separated out to take out the
11 other 15 installs in dollars, and it did not
12 do that when I had put the pivot table into
13 the testimony, and then subsequently into the
14 attachment. So while the intention was to
15 include it there, it was a miss on my part
16 when I did the final numbers.

17 Q. So the intention was to include in the step
18 adjustment the batteries for 60 customers,
19 but the way the schedule was presented, it
20 picked up 75 customers. Is that what you're
21 saying?

22 A. (Tebbetts) Yes, that's correct.

23 Q. So it's a difference of 15 customers.

24 And is it true that there are two

1 batteries per customer? So that would be 30
2 batteries; is that right?

3 A. (Tebbetts) Yes.

4 Q. Okay. So in your testimony, which is
5 Exhibit 65, on Bates 10, I'd like to go to
6 that for a minute and look at Line 12. And
7 it says that as of December 31st, 2020, the
8 program had 60 customers with batteries
9 installed and, quote, providing benefits to
10 both customers and the grid during peak
11 events. Can you describe the benefits to the
12 customers and the grid that you reference
13 there?

14 A. (Tebbetts) Sure. So those batteries are used
15 daily by the customers to offset their load
16 during the critical peak hours. So,
17 essentially, customers are not pulling power
18 from the grid, they're utilizing the battery
19 backup power for electricity for their homes.
20 So that is that piece of it.

21 And then the peak event -- so we have
22 been dispatching at ISO-New England peak
23 hours since August, even though we really
24 didn't start the program -- Phase 1 didn't

1 really start until the end of November. But
2 we were working with Tesla to ensure that
3 everything was working correctly with how
4 they were scheduling and all that.

5 So we were able to dispatch these
6 batteries during the fall months, including
7 in December, during the peak hours. And we
8 did make a filing in that docket for our
9 first quarterly report that was due May 15th,
10 providing the information about those
11 dispatches.

12 Q. And is it true that a key element of this
13 program is that these batteries will be
14 charged under a time-of-use rate as opposed
15 to a traditional flat rate? Is that right?

16 A. (Tebbetts) So the customers -- oh, sorry.

17 Q. No, go ahead.

18 A. (Tebbetts) So the customers who are
19 participating in this pilot are taking
20 time-of-use rates. And they have three
21 periods during the week and two periods on
22 the weekend. And so, yes, these customers
23 are utilizing the batteries for charging.
24 Only the customers that don't have solar.

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1 The customers who have solar are using their
2 solar to charge it. They are not utilizing
3 the time-of-use rates to charge it, although
4 they are on time-of-use rates.

5 Q. And the battery begins to be charged upon
6 installation; is that correct? The battery
7 doesn't come fully charged; is that right?

8 A. (Tebbetts) Correct.

9 Q. And is it correct that the time-of-use rate
10 doesn't become available to the customer on
11 the day of installation?

12 A. (Tebbetts) So the time-of-use rate becomes
13 available to the customer on their next
14 billing cycle. So depending on when those
15 batteries are installed, the next read date
16 is the period that they would be on the
17 regular fixed rate.

18 Q. And so there's a period of time where the
19 battery would be installed and charging, but
20 the time-of-use rate element of the pilot
21 program is not yet available --

22 A. (Tebbetts) Yes.

23 Q. And is that time period -- it sounds to me
24 like it would be 30 days or less. But why

1 don't you tell me what, like, the maximum
2 that time period would be until the
3 time-of-use function becomes available -- I
4 mean the rate becomes available.

5 A. (Tebbetts) Sure. It would be less than 30
6 days. So, again, it's between billing
7 cycles. So if the customer's billing cycle
8 started next week and they had a battery
9 installed today, it would be a week lag. So
10 it just depends on the timing of when the
11 batteries are installed.

12 Q. And were there some customers for whom
13 recovery is sought in this case, whose
14 batteries were installed by year end, but
15 their time-of-use rate option was not yet
16 available due to this lag that we discussed?

17 A. (Tebbetts) Yes, I believe there are a few who
18 were utilizing the batteries, but they did
19 not have time-of-use rates until --

20 Q. So you --

21 [Court Reporter interrupts.]

22 A. (Tebbetts) -- until their January bill.

23 Q. So does the Company consider those batteries
24 to be in service and used and useful as of

1 the end of the year, even though the
2 time-of-use rate portion of the pilot is not
3 yet implemented for those three customers?

4 A. (Tebbetts) Absolutely. Those batteries were
5 still providing value to those customers
6 because during those critical peak hours the
7 batteries know the three to eight period,
8 even though the rate may not show that
9 period. So customers are still getting that
10 benefit for those hours for those days during
11 that period of time.

12 Q. Sorry. I'm somewhat new to battery storage.
13 What's the "three to eight period" you
14 referenced?

15 A. (Tebbetts) I'm sorry. That is the critical
16 peak hours. So the batteries are programmed
17 to offset customer load during the critical
18 peak hours, so approximately 3 to 8 p.m. So
19 even though the customer was still paying the
20 fixed kilowatt-hour rate, those batteries are
21 still offsetting their load. It was just
22 that it wasn't at critical peak rates. It
23 was at their rate, the fixed rate. So,
24 nonetheless, the customer still got the

1 benefits of the batteries at those times, and
2 we were still able to dispatch those
3 batteries when necessary in that time period
4 if we had a peak event at that time. I just
5 don't remember if we did. But had we had a
6 peak event, we still would have been able to
7 do it.

8 So yes, I would say that the batteries
9 are used and useful, and the customers were
10 receiving the benefits. And the customers
11 also were informed that at the next billing
12 cycle they would be put on the time-of-use
13 rates, and in the meantime, this is how your
14 program will work. And the customers seem to
15 be fine with that.

16 Q. Okay. I wanted to talk about the
17 contribution in aid of construction, which we
18 sometimes shorthand as "CIAC" with respect to
19 the battery storage pilot. And I think if I
20 look at Exhibit 65, Bates 36, I'll see that
21 number. But let me go there and see if I'm
22 right.

23 Yes, I see a CIAC for this program of
24 \$291,258 on Bates 36 of Exhibit 65.

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1 A. (Tebbetts) Okay. I just need to get there.

2 Q. Sure.

3 A. (Tebbetts) Okay. I'm there.

4 Q. So could you explain where that number of
5 \$291,258 comes from?

6 A. (Tebbetts) Sure. So we have -- so customers
7 participating in this project have the option
8 to either pay a CIAC upfront, or they could
9 pay \$50 per month for 10 years. And some of
10 the customers chose to pay upfront and some
11 customers chose to pay the \$50 a month for 10
12 years. So the \$291,000 is made up of those
13 two buckets of customers. We had 38
14 customers who chose to take the monthly
15 payment and 13 customers who chose to take
16 the upfront payment.

17 Q. And so the number there of 1.4 million, which
18 has been updated to 1.2 million as to what's
19 going into rate base as a result of this step
20 adjustment, is that reduced by the CIAC? Is
21 that how this works?

22 A. (Tebbetts) Yes. So we'll use the 36,
23 regardless of the change this morning. But
24 when you look at the one point -- when you

1 look at Line 2020 -- year 2020, and you look
2 at the total spend, that \$1.347 million has
3 been reduced by the CIAC that was given by
4 customers. So the CIAC was applied against
5 the total cost of the project.

6 Q. Okay. Thanks. And we have -- do we have a
7 match between -- I think what you said is the
8 1.2 million includes 60 customers. Do we
9 have 60 customer CIACs accounted for here, or
10 do we have a lesser or a greater number of
11 CIACs?

12 A. (Tebbetts) Sure. So we have 51 CIACs
13 included here, and that is due to that lag,
14 as I mentioned. So 9 customers have that lag
15 of what we call a "loan." So it's not a loan
16 for the customer. But through our -- the way
17 we have to work through our financial system
18 and our billing, we have to create a loan for
19 these customers. So the process -- it's
20 longer than the time-of-use change. So the
21 process for these customers with regards to
22 the loan is we get our certificate of
23 completion from Tesla, which is the
24 documentation that shows us, through our

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1 interconnection tariff, that everything has
2 been connected and is working appropriately
3 as it should. That is then processed
4 internally. We send the information to our
5 finance department, where now they have to go
6 into the financial system and create a loan.
7 And in that, the data from there then has to
8 flow to our billing system, which then they
9 will add this charge of \$50 per month because
10 that's not an automatic billing charge, it's
11 more like a miscellaneous charge to the
12 customer, so that now in their bill they can
13 actually get that charge. Until that loan is
14 created, we don't see it in the data, and
15 that's why those nine customers are not shown
16 with that loan created, because the
17 certificate of completion came in at the end
18 of -- the middle or the end of December. And
19 just by the time that paperwork gets
20 processed, it wasn't until January. So we
21 didn't see that information through 2020. It
22 was going to be shown in 2021. So next year,
23 when we look to get cost recovery for the
24 rest of the battery installs, we will have a

1 mismatch again for an additional nine
2 customers with CIAC, but it will be only for
3 40 batteries instead of -- 40 installs
4 instead of 49 installs. So we'll have an
5 extra credit next year on that, I guess, when
6 we make a filing.

7 Q. Okay. So let me see if I follow. You had
8 said what percentage of the customers did the
9 upfront -- or the number of customers that
10 did the upfront CIAC versus the CIAC spread
11 over five years? Can you give me those
12 numbers again?

13 A. (Tebbetts) Sure. So 13 customers chose to
14 pay upfront through 2020, and 38 paid -- are
15 doing the \$50 per month. Of those 51, I
16 don't have what the other 9 did. But that's
17 what's in the filing. So 38 and 13 --

18 Q. And irrespective of which payment method they
19 used, the Company has, at least for purposes
20 of this case, recorded the full CIAC as an
21 offset there by reducing rate base, even
22 though they may not have received that money
23 yet; correct?

24 A. (Tebbetts) That's correct.

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1 Q. Is there any reason that the Company couldn't
2 have further increased this CIAC number on
3 Bates 36 for the nine that is in the
4 paperwork process, making, you know, what I
5 would call some sort of an accrual
6 adjustment? And I ask that while noting that
7 you just stated that for the customers that
8 are doing -- that pay over time, you know,
9 we're not waiting for those cash payments to
10 come in for those before we calculate the
11 CIAC.

12 A. (Tebbetts) You know, I actually can't answer
13 that because I don't know if we do -- I don't
14 know the accounting procedures and policies
15 for accruals for CIAC. So I don't know the
16 answer to that. I'm sorry.

17 Q. Well, so I guess I'm reading between the
18 lines of your answer. I could go to the
19 books and records of the Company and find
20 that 291,000 recorded as a CIAC somewhere; is
21 that right?

22 A. (Tebbetts) Yes.

23 Q. So that's not just for regulatory purposes,
24 that number, for purposes of this rate case.

1 You're saying that's how you would book a
2 CIAC. You'd book it all upfront, even though
3 you haven't gotten the money yet; is that
4 right?

5 A. (Tebbetts) Okay. So we -- because these are
6 considered a loan, we consider this to
7 book -- we would book it all upfront. The
8 other customers who actually paid upfront, we
9 booked it when we received the checks, or
10 everything was installed and we knew they
11 were going forward with it.

12 So, again, I'm not positive about
13 exactly how that works with the CIAC in the
14 accounting procedures. I just know that we
15 booked it upfront because we considered it a
16 loan. And my understanding is that was the
17 appropriate way to book this, upfront and not
18 over time.

19 Q. And I'm loathe to even suggest that rate base
20 shouldn't match the books. But in this
21 instance, if you were to make a regulatory
22 rate base adjustment for these nine CIACs
23 that haven't -- that are in the works, rather
24 than wait for them to reduce rate base next

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1 year and reduce them in this case, do you
2 have a rough estimate of what that amount
3 would be? And again, to me it sounds like it
4 would be nine customers times about \$6,000;
5 is that right?

6 A. (Tebbetts) I don't because I don't know which
7 customers paid upfront in those nine or took
8 the \$50 per month option. So I just don't
9 know. I don't have that information with me.

10 Q. Oh, you're saying for some of these nine we
11 may already have the full amount recorded on
12 Bates 36 because they may have paid upfront.

13 A. (Tebbetts) Yes.

14 Q. Okay. All right. I understand. Thanks.

15 All right. Okay. I wanted to move to
16 Exhibit 30 -- I'm sorry -- Exhibit 65,
17 Bates 13, to a statement made about cost
18 increases related to the Tuscan Village
19 service increasing due to the developer's
20 desire to move up the in-service date. So
21 I'm going to go to that testimony.

22 A. (Tebbetts) I lost my video.

23 (Pause)

24 Q. Yes. So the item that I mentioned appears on

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1 Lines 11, 12 and 13. Can you provide the
2 Commission with more detail about the
3 customer's request to move up the in-service
4 date -- for example, you know, what was
5 behind it and what it entailed? And I
6 understand this question may go to Mr.
7 Strabone?

8 A. (Strabone) Yes. So we continued to have
9 meetings, either monthly or bi-weekly,
10 depending on the project as it developed,
11 with the Tuscan Development Team. In 2019,
12 throughout these meetings we continued to
13 work with them to identify their scope of
14 work that they were looking to do in 2020.
15 And we based our 2020 budget off of what we
16 identified with them for their needs within
17 the development to serve customers that they
18 had already secured leases for buildings, you
19 know, with their tenants.

20 So in 2020, in working with Tuscan, they
21 came to us and said that, you know, they had
22 secured additional leases at different
23 buildings throughout different parts of
24 Tuscan Village that were not originally

1 identified in 2019.

2 In order to meet our requirements to
3 serve these buildings, and also their
4 requirements, you know, as they sign their
5 leases with their tenants to provide service
6 to a certain point in the development, we
7 needed to, you know, move along on certain
8 other aspects of construction to further
9 extend our service within the park to meet
10 these developments -- excuse me -- these, you
11 know, lots within the development. So work
12 that they originally said may not come until
13 2021, they were able to secure leases and
14 expedite, you know, signing of contracts with
15 these tenants. And those tenants had an
16 aggressive schedule, where they wanted to
17 break ground and get in the development
18 sooner than probably anticipated or had, you
19 know, discussions with the Tuscan Village
20 team.

21 So Liberty had a -- we had to increase
22 our scope of work, basically, as a result of
23 additional services that the Tuscan
24 Development Team secured with these tenants.

1 Mr. Dexter, you're on mute.

2 Q. Are these tenants that you're talking about,
3 tenants that, in all likelihood, would have
4 been connected later on in the process, and
5 they were just moved into 2020? Is that what
6 you're saying?

7 A. (Strabone) Absolutely. I believe these were
8 mainly lots, other parts of the development
9 that they had. They were working through
10 leases, trying to secure tenants with them.
11 You know, they indicated that, you know, they
12 would be signing leases possibly later in
13 2020, with construction to start on these
14 lots in 2021. And for whatever reason,
15 between the Development and the tenant, which
16 they don't share with us, they were able to
17 secure the leases faster, sign it, and as I
18 said, that tenant wanted to get into the
19 development sooner and start that
20 construction.

21 Q. Did the acceleration lead to any increase in
22 cost as compared to what would have been
23 incurred had it been done according to the
24 original schedule, or was it just that it

1 moved more costs into 2020?

2 A. (Strabone) That's essentially what it is. I
3 guess it's really both. We incurred
4 additional costs because we had an additional
5 scope of work that was originally planned, or
6 had the potential of going in 2021, and we
7 now had to do that work in 2020.

8 So the answer is because of the
9 Development securing these leases, and we
10 identified this work as possibly happening in
11 2021, we had to move those forward and incur
12 additional costs because of the accelerated
13 need dates for these customers.

14 Q. So I did a step adjustment for Northern
15 Utilities a year or two ago, and I don't
16 remember all the details. But one thing I
17 remembered was they had to accelerate work
18 for whatever circumstances. And they ended
19 up working nights and weekends, and so the
20 unit costs ended up being much more
21 expensive. It wasn't just a timing thing.
22 Is that what's going on here, or is it just
23 the timing?

24 A. (Strabone) This is just basically timing. We

1 still had time to go out, go through our
2 competitive bid process; select a bidder
3 based on, you know, qualifications, cost,
4 schedule. We were able to, you know, still
5 secure lowest bidders at that time. This is
6 strictly timing in order for us to provide
7 service to a customer.

8 Q. And we'll get to the list for 2021
9 investments later on. I won't jump over it.
10 It's way in the end of this exhibit. I won't
11 jump to it now.

12 But you would agree that on that list
13 for next year, as it's proposed, there's
14 another install to Tuscan Village on that
15 list; correct?

16 A. (Strabone) There is.

17 Q. And I think it's a million dollars. I can go
18 check that if that's wrong. But I think it's
19 listed as a million dollars. Is that right?

20 A. (Strabone) That is correct.

21 Q. Would you expect that because of the
22 acceleration this year, that that number next
23 year would either be lower or would be
24 removed from the list for next year?

1 A. (Strabone) I would have to indicate that it
2 may actually be slightly higher based on what
3 Tuscan has related to us about construction
4 for next year. And we're working through
5 that process with them right now.

6 Q. So we'll wait and see on that. I think what
7 you're saying is there may be even more
8 tenants than what was contemplated when that
9 million dollars was put on the list for next
10 year; is that right?

11 A. (Strabone) That is absolutely correct.

12 Q. If you could turn to Bates 71 of Exhibit 5
13 [sic], I believe that's the summary sheet for
14 this project we're talking about, Install
15 Service to Tuscan Village South.

16 Now, this project ended up coming in at
17 about \$2.7 million. Agreed?

18 A. (Tebbetts) So what you see here, Mr. Dexter,
19 is what went in service in 2020. So we
20 incurred charges for the installations and
21 the in-service projects, work orders for 2020
22 in prior years. So these work orders were
23 taken out -- looks like probably some of them
24 maybe -- we had some labor in 2018. But the

1 bulk of potentially design and other things
2 that had to get done to get ready to install
3 main line services was in 2019. But nothing
4 was actually placed in service until 2020,
5 where the bulk of the charges are shown in
6 here.

7 Q. And this project was originally budgeted, if
8 I'm not mistaken, at I think 900,000; is that
9 right?

10 A. (Strabone) That is correct.

11 Q. And if we were to go into the materials that
12 you filed back in April, which we appreciated
13 getting with the filing, if we were to go to
14 Bates 78 and 79, we'd find a change order
15 form that says that there was an increased
16 scope of work which led to the increases.
17 Would you agree with that?

18 A. (Tebbetts) Yes.

19 A. (Strabone) Yup.

20 Q. And the increased scope of work is what we
21 just talked about; right? It was the
22 acceleration due to customer request. It
23 wasn't -- that's what it was; right?

24 A. (Strabone) That is correct.

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1 Q. Okay. So I see a CIAC calculated here on
2 Bates 71 of 115,000. Agreed?

3 A. (Tebbetts) Yes.

4 A. (Strabone) Correct.

5 Q. Could you explain how that CIAC was
6 calculated.

7 A. (Tebbetts) Sure. So in our tariff we have
8 Line Extension Policy 3, which is for
9 individual commercial customers. And so
10 there's a formula in there that provides how
11 we calculate what the customer owes us with
12 regards to that request for service. And
13 that formula is applied to each of these
14 services, and customers are required to pay
15 that \$115,000 based on the outcome of those
16 calculations.

17 Q. And as we discussed earlier, the CIAC as you
18 show here, it's a negative number. It's used
19 to reduce the amount that goes into rate
20 base; correct?

21 A. (Tebbetts) Yes.

22 Q. Does the CIAC that's calculated here, the
23 115,000, does that account for the increased
24 scope of work, the accelerated work that Mr.

1 Strabone just talked about?

2 A. (Tebbetts) It depends. And I say it depends
3 because I don't know what -- I don't know
4 what services were planned for 2021 that were
5 then installed in 2020, which then would have
6 had the determination of whether or not they
7 had to pay the CIAC part of that. So I just
8 don't know what the makeup is that would not
9 have occurred in 2020, that would have
10 occurred in 2021.

11 Q. All right. Well, now I'm a little bit
12 confused.

13 So is this a situation where the Company
14 may have completed these services and
15 included the plant amount in the total spend,
16 but not included the CIAC amount for those
17 services? Or do we have, you know, a parody,
18 where if a CIAC was appropriate, based on the
19 tariff, it's included on this sheet?

20 A. (Tebbetts) Yes. So if the CIAC was
21 appropriate and the customer was required to
22 pay it, it was included in this calculation.
23 And if the calculation of the CIAC provided
24 that the customer load was enough that they

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1 did not have to make a payment for CIAC, then
2 that is shown here as well, meaning it's
3 zero.

4 Q. So when you're saying you're not sure, I
5 think what you're saying is you don't know
6 specifically whether or not those, quote,
7 unquote, accelerated customers were subject
8 to a CIAC. But if they were, CIACs are
9 appropriately accounted for in there.

10 A. (Tebbetts) Yes, that's correct.

11 Q. Now, the increase -- the acceleration seems
12 to have cost over a million dollars versus
13 the original budget -- actually, a million
14 five versus the original budget; yet, the
15 CIAC is only 115,000.

16 So my question would be, if it was the
17 customer that requested this additional
18 investment, is it -- would it be appropriate
19 for the customer to have picked up the larger
20 share or an entire share of these, quote,
21 unquote, extra costs due to the acceleration?

22 A. (Tebbetts) So I think, as Mr. Strabone
23 explained, there were no additional costs
24 associated with the acceleration. These

1 costs would have been incurred in 2021 rather
2 than 2020. So when we're looking at this,
3 the formula that's in our tariff would still
4 be applied. Again, it was an acceleration of
5 this, but no additional costs were incurred
6 due to the fact that we accelerated it. We
7 would have spent this money in 2021 if not in
8 2020.

9 Q. Okay. I wanted to spend just a few minutes
10 on the load that's expected to result from
11 this installation at Tuscan Village. And to
12 do that I want to turn to Exhibit 75. And
13 specifically, Page 2 of Exhibit 5 [sic] has a
14 chart that talks about, and I'm going to use
15 the term "anticipated load" and maybe
16 "actual" -- well, I guess I'll ask you to
17 explain the numbers in the bottom left-hand
18 corner of Exhibit 2[sic] with respect to
19 connected load versus forecasted load.

20 A. (Tebbetts) Okay. So are you looking -- I'm
21 not exactly sure what you're looking at in
22 Exhibit 75, which I have here as Data Request
23 Staff 11-7.

24 Q. Yes. That's right. What I'm looking at,

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1 which I believe is Page 2 of that exhibit, is
2 a --

3 A. (Tebbetts) Which is --

4 Q. -- green bar at the top and a big black box
5 at the left, which I believe is the redacted
6 customer names. And then at the bottom
7 there's two calculations that seem to add up
8 in the neighborhood of 22,000 kW for load.

9 A. (Tebbetts) Okay. So you're referencing
10 Attachment Staff 11-7.a.xlsx. I just want to
11 make sure I'm on the correct document. Is
12 that -- I'm asking you. I think you're on
13 mute, Mr. Dexter.

14 Q. I only have it by exhibit number. So in my
15 world --

16 A. (Tebbetts) Okay.

17 Q. -- it's Exhibit 75, Page 2. But I think
18 we're on the same sheet. It's got a green
19 bar on the top and a big black bar on the
20 left. And it's got about 25 lines that look
21 to me -- that are called Current Status, and
22 I believe that's of customers. And in the
23 bottom left-hand corner there's two little
24 additions, that one comes to 22,000 kW and

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1 one comes to 21,000 kW. So do you have that
2 one?

3 A. (Tebbetts) Yes, I have it.

4 Q. Okay. Yeah, sorry, I don't remember what the
5 attachment number was.

6 So could you explain the first
7 calculation in the bottom left-hand corner,
8 the 22.3 kW -- 22.3000 kW. What's that
9 supposed to represent?

10 A. (Tebbetts) Sure. So that represents what
11 we're looking at right now for what we have,
12 either load information from the developer or
13 what's been connected. So some of these are
14 connected, some of these are not. We've got
15 multiple parcels here. So one parcel is the
16 Tuscan South. There are four parcels for
17 Tuscan North. That's the north parcels, and
18 those are different owners. So we've split
19 them in between the North and South for this
20 load calculation information.

21 Q. Yeah. I guess more directly, the first
22 calculation that results in 22,284 kW, is
23 that actual or projected? Or what's that?

24 A. (Tebbetts) So it depends. The current status

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1 provides that some of these buildings have
2 been completed. And some of them have work
3 completed in 2020 and some of them have been
4 completed in 2021. And that's what the
5 current status provides here. So it depends,
6 I guess.

7 Q. Okay. What's the next set of lines that
8 total 20.7000 kW? What does that represent,
9 and how does that differ from what's above?

10 A. (Tebbetts) So that's for the South parcel.
11 And that's just a sum of what's in the South.

12 Q. I'm sorry. But it reads "Total Tuscan
13 Village." But that should read "South"?

14 A. (Tebbetts) Oh, I'm sorry. I was looking at
15 the 17,000. Yes. So the 22.2 megawatts here
16 is the total for everything that we've
17 received information for. Is that what you
18 asked me?

19 Q. And what's below it? The 20.7 just below it,
20 what's that?

21 A. (Tebbetts) So the 20.7000 was information
22 that we tried to capture here based on what
23 was complete and what was not complete, and
24 didn't have a signed tenant at the time or

1 was in progress. So when you look at Tuscan
2 Village Completed/In Progress, that's what's
3 been completed. And then the Total Tuscan
4 Village Without Signed Tenant is the rest of
5 it. So I know the numbers don't match, but
6 that's -- some of it's... some of them had
7 signed tenants, so I did not include that in
8 the total 20.7. But they're not in progress
9 or completed because they haven't been built.
10 But they got a lease. It's very confusing.
11 I apologize, now that I'm talking to you
12 about it.

13 Q. Is it fair to say, generally, that the
14 Company is projecting, when this is done,
15 about 22 megawatts of load from the Village?
16 Is that, generally speaking --

17 A. (Tebbetts) Yes.

18 Q. Okay. So the next several pages in this
19 exhibit, and it goes on for a number of
20 pages, was Staff's attempt in another
21 document to ascertain the actual load at
22 Tuscan Village during the days of June 5th,
23 6th, 7th, 8th and 9th. And this is the
24 response we got. And it seems to be reported

1 by minute and by average amps. And what I'd
2 like to try to do in a few moments, if we
3 could, is compare the amp information, which
4 we believe represents actual load, versus the
5 roughly 22 megawatts that's projected on
6 Page 2. So could you or Mr. Strabone help me
7 with that conversion?

8 A. (Strabone) Sure. So the second spreadsheet
9 that you were just looking at gives you the
10 minute -- the data on, you know, a minute
11 interval based on average amps -- actually,
12 it gives you each phase that we have out
13 there. So it's A, B and C. So you see the
14 three readings per phase. And then IT
15 averages out those three readings. And
16 that's an amperage reading off -- for the
17 18L3, it's a pole top recloser, which is
18 basically, if you're looking at a pole, it's
19 the box that's up at the top. It has sensing
20 capabilities to measure voltage and current.
21 So that's how we got these readings.

22 So looking at those lines, it's giving
23 you what the draw, the current reading is of
24 the customer demand at that time. So if

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1 we -- Mr. Dexter, if you look at one of the
2 lines on, say, the 18L3 feeder, you know, we
3 look at, say like June 8th at, you know, at
4 approximately 2:30 p.m. We see that the A
5 phase had 60 amps; B, 52; C --

6 Q. Excuse me, Mr. Strabone. I just need to
7 interrupt so I can get there, and in case
8 anybody's trying to follow along, because
9 there's a number of pages here.

10 A. (Strabone) Yeah.

11 Q. So let me get to June 8th. At what time?

12 A. (Strabone) 14:24.

13 Q. Okay. Let me get there. Hold on.

14 A. (Tebbetts) Mr. Dexter --

15 A. (Strabone) I can do the generic line if you'd
16 like. I know I was looking at the peak
17 value. So if you'd prefer a generic line,
18 just let me know which one, and I can speak
19 to that.

20 Q. No, I just want to get to what you were
21 talking about.

22 MR. DEXTER: But does the Chair
23 have a question for me?

24 CHAIRWOMAN MARTIN: Can you -- I'm

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1 sorry to interject. Can you please give us,
2 Mr. Strabone, the Bates page that you're on?

3 WITNESS STRABONE: I actually don't
4 have it as a Bates page.

5 MR. DEXTER: I can give that to
6 you, Chairwoman, once I get there, because
7 mine is -- I'm working with the exhibits, and
8 I suspect Mr. Strabone probably -- but now I
9 need to hear the date again. June 8th at
10 what time?

11 A. (Strabone) 14:24.

12 Q. Okay.

13 A. (Tebbetts) Mr. Dexter, it's Line 5186 in the
14 spreadsheet, if that's what you're looking at
15 through the spreadsheet. I don't know if
16 you're using a PDF.

17 MR. SHEEHAN: On the exhibit, it's
18 Bates 75.

19 BY MR. DEXTER:

20 Q. Okay. So I'm on Bates 75. And again, what
21 line number are we looking at for the time
22 number, 14 what?

23 A. (Strabone) 14:24 on June 8th.

24 Q. Okay. I've got it.

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1 MR. DEXTER: It's the second line
2 on Bates 75, Chairwoman Martin and
3 Commissioners.

4 CHAIRWOMAN MARTIN: Thank you.

5 MR. DEXTER: Sorry for all the
6 drama.

7 A. (Strabone) Actually, just take the first
8 line. My apologies to the group.

9 Are we all set to continue? I just want
10 to give folks time to --

11 Q. Yes. And I think what I heard you say was
12 that this was like the peak load. So this is
13 probably the one that we want to look at if
14 we're trying to figure out what the current
15 load is, you know, reasonably.

16 A. (Strabone) Yeah. So to speak to this one, so
17 on that page you see on the left-hand side,
18 up at the top, or hopefully up at the top,
19 it's 18L3. And then on the right-hand side
20 is the 9L1. So those are the -- ultimately
21 you have two columns -- A, B and C, two
22 separate groups.

23 Q. Yeah, those column headings didn't transfer
24 to the exhibit. But I understand what you're

1 saying. The left-hand side is one circuit or
2 feeder, and the right-hand side is another
3 circuit or feeder.

4 A. (Strabone) Correct. Yup. So on the
5 left-hand side you have four columns, which
6 would be -- the first number is 60; that's
7 for one phase. The next number is 52, which
8 is the next phase, and then 50 for the next
9 phase. So there's your three phase readings.
10 I'm going slowly because I'm not sure exactly
11 what you guys are seeing. So I just want to
12 make sure that I'm stepping through it and
13 you're following along.

14 Q. Yup, I'm following.

15 A. (Strabone) Okay. So those are the individual
16 phase readings. And then the next number,
17 which would be 54, is really just averaging
18 out the three of them. And those are
19 amperage readings for that circuit.

20 And on the right-hand side of your paper
21 you should have another four numbers, and it
22 follows along the same sequence that we just
23 went through.

24 So sticking with the left-hand side,

1 which is one circuit, the 54 amps, to convert
2 that, it's approximately 1.2 megawatts of
3 load. On the other feeder, the other side of
4 the paper, you have about 50 amps, which is,
5 you know, approximately 1 megawatt of load.
6 So on that date, at that time, it was about
7 2.3 -- no, 2.2, 2.3 megawatts of load,
8 depending on your rounding.

9 Q. Okay. Thanks. So that's exactly what I was
10 trying to get at.

11 Now if we go to -- I'm sorry. Did you
12 want to say something else?

13 A. (Strabone) No. Go right ahead.

14 Q. Okay. So if we go to Exhibit 77, again, this
15 is one other data request from the other
16 document. And if you go to Page 3 of that
17 exhibit, there's a chart that talks about
18 budget and construction estimates. And it
19 has a total of \$39 million broken down
20 between Golden Rock and Rockingham and a few
21 other things. Do you have that in front of
22 you?

23 A. (Strabone) Yes, I do.

24 Q. Is that all related to Tuscan Village, or

1 does that have -- is that related to
2 something else?

3 A. This is actually related to our overall
4 infrastructure improvements that we have to
5 do. But it has nothing to do with -- sorry.
6 This has no correlation, really, to the graph
7 we just looked at.

8 Q. Right. But are these investments that are
9 listed here being done to allow the Company
10 to provide the expected load to Tuscan
11 Village?

12 A. (Strabone) Yes.

13 Q. Okay. So of the \$39 million that's projected
14 to be spent on these upgrades --

15 CHAIRWOMAN MARTIN: Mr. Dexter, I
16 apologize for interjecting. What page are
17 you on?

18 MR. DEXTER: I'm on Exhibit 77,
19 Bates Page 3.

20 CHAIRWOMAN MARTIN: Thank you.

21 MR. DEXTER: Sure.

22 BY MR. DEXTER:

23 Q. As Attorney Sheehan said at the outset, based
24 on the settlement, the overwhelming majority

1 of these costs, the \$39 million projected
2 here are outside the scope of this case.
3 Would you agree?

4 A. (Strabone) Yes.

5 Q. And what's in this case and what was in the
6 last case, if anything, was something in the
7 neighborhood of \$1- to \$2 million for the
8 service -- for the investments that are
9 listed here, which you've indicated are
10 necessary to serve Tuscan Village; is that
11 right?

12 A. (Strabone) Well, yeah. I mean, they're
13 necessary to serve Tuscan, and they're also
14 necessary to address all of our asset
15 conditions in the Salem area.

16 Q. Okay. All right. Well, we'll be seeing
17 these in future dockets I guess is what I'll
18 conclude from this. And I'll move on.

19 A. (Strabone) Okay.

20 Q. I had one more question on the Tuscan
21 Village. And to do that I need to go to
22 Exhibit 65, Bates 80. And it has to do with
23 the question of burdens.

24 A. (Strabone) Okay.

1 Q. This page is a change order form. And in the
2 paragraph where it talks about the basis for
3 the change, one of the drivers for the
4 increase in costs was the additional scope
5 that we talked about. And another driver
6 said that it was a higher than anticipated
7 burden rate for the first two months of
8 2020-- well, that's what it says.

9 So is that higher than was anticipated
10 as compared to 2019? Is that what that
11 means?

12 A. (Strabone) It was higher than anticipated for
13 what I was carrying for 2020. When I started
14 doing the estimates in 2019, I was carrying a
15 certain rate, which I forgot to write down
16 prior to this hearing. And for 2020, they
17 were slightly higher than what I was carrying
18 and needed to adjust the funding to
19 accommodate for that.

20 A. (Tebbetts) So just to add to that, Mr.
21 Dexter, when we look to do our business cases
22 and funding for the upcoming year, Finance
23 provides us with the burden rate percentage
24 that we should be using to come up with the

1 total cost of the project. So we know what
2 the construction cost may be, but we
3 certainly don't know what those burden rates
4 will be. So Finance provides us that
5 information.

6 So for the end of 2019, they had
7 indicated to use a certain rate for the 2020
8 calculations of our projects. And what this
9 issue is here is that the rate that they had
10 given us in the beginning of 2020, or late
11 2019/early 2020, was actually a higher rate
12 than they should have given us. So they
13 informed us to use higher burden rates, and
14 that caused the issue here with needing a
15 change order, or part of the issue of needing
16 a change order. I just want to make sure
17 it's clear how we got the information and how
18 it gets presented to us in different ways.

19 Q. Okay. Thanks.

20 Let's go back to Exhibit 65, Bates 71,
21 please, which I seem to have lost from my
22 screen. So let me see if I can do it without
23 having the screen in front of me.

24 There's an amount on that sheet that is

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1 for expenditures for 2021. The amount is
2 \$37,000; correct?

3 A. (Tebbetts) Yes.

4 Q. And it's indicated that that was spent in
5 2021 but included in this 2020 step
6 adjustment; is that right?

7 A. (Tebbetts) Yes.

8 Q. Could you explain why this step adjustment
9 which was laid out in the settlement just for
10 2020 investments should include that \$37,000
11 which you indicate was spent in 2021.

12 A. (Tebbetts) Yes. So, essentially, one of the
13 work orders went in service in 2020, but
14 there was an additional -- some labor, some
15 materials and some vendor costs associated
16 with it. And with that, we ended up having
17 some charges in 2021. So we included it in
18 the filing just to close out that work order
19 completely. Next, while we do include the
20 same project for 2021 in the 2022 step, it
21 will only be for work orders in service in
22 2021. So this wouldn't have been captured.
23 And just to complete the loop here of
24 anything that incurred costs in -- for

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1 projects that went in service in 2020, we
2 included it here.

3 Q. So as I understand it, it's related to a
4 project that went into service as of
5 12/31/20, but the dollars hadn't come in yet;
6 is that right?

7 A. (Tebbetts) That's correct.

8 Q. And they weren't paid yet.

9 A. (Tebbetts) Yes.

10 Q. When would that 37,000 be booked to Plant In
11 Service, given this scenario?

12 A. (Tebbetts) So, for the in-service date -- so
13 I don't have the in-service date here, but it
14 was -- call it 12/31/2020 because I don't
15 know what the actual date is. But it was
16 2020.

17 Q. But how would you have booked the \$37,000 if
18 you didn't have the invoices yet?

19 A. (Tebbetts) So when the job gets completed
20 and -- so there's a couple pieces here.

21 We will enter into our system that a job
22 has now been placed in service. But it's
23 usually held open for 90 days or so to get
24 the rest of the invoices. There could be

1 additional labor if there's some removals,
2 things like that that come in. Even though
3 the job is in service and providing benefits,
4 we still may have some costs that come in
5 later.

6 So all those costs, once that work order
7 is closed and it is then moved to Account
8 101, it would have that in-service date of,
9 call it 12/31/2020, and all of those costs
10 would be associated with that date. It's
11 just that we leave it open for about 90 days
12 later to ensure that we capture all costs
13 associated with it before we fully close it.

14 Q. So this sounds to me sort of the same
15 situation we discussed with the battery CIAC,
16 except in this case the additional 37,000 was
17 able to be accounted for. But in the CIAC
18 case, which was a negative reduction to rate
19 base, that wasn't able to be accounted for.
20 So am I misunderstanding? Can you explain
21 why that phenomenon was presented here, if I
22 have it right?

23 A. (Tebbetts) No, no, you have it correct. The
24 CIAC information just wasn't included. It

1 wasn't... I didn't have it at the time of the
2 filing. But this information, when I had
3 pulled the data, was available. So, yeah, I
4 don't have a further explanation for you.
5 There was no intentional reason to treat it
6 differently.

7 Q. If this 37,000 were not included in this
8 year's step adjustment, how -- under
9 conventional ratemaking, where would this
10 show up, in other words? Assuming it's a
11 prudently incurred expense, where would it
12 show up in rates?

13 A. So we would just request to have it in our
14 rate case. We would just wait until then to
15 recover it, that's all.

16 Q. Would it not show up in next year's step
17 adjustment; and if not, why?

18 A. (Tebbetts) So it would not because this
19 project went in service in 2020, and I would
20 not include any costs associated with work
21 orders that went in service in 2020. I would
22 only include costs associated with work
23 orders that went in service in 2021 in that
24 step adjustment.

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1 Q. Now, I may have asked you this. But if I
2 were to look at the Plant In Service Account,
3 Account 101 you mentioned, for this project
4 at the end of the year, 12/31/20, would I
5 find this 37,000 there or would I not?

6 A. (Tebbetts) So assuming that this has already
7 been placed in Account 101, you should find
8 that there because, again, all costs
9 associated with the work order, regardless of
10 the timing of when we received the invoice,
11 would be associated with the date that it
12 went in service. So this went in service by
13 12/31/2020. So all costs associated would be
14 showing an in-service date of 12/31/2020,
15 even if those charges came in two or three
16 months later, because that's the in-service
17 date.

18 Q. I think the answer was, yes, I would find it.
19 But I thought you prefaced it with "assuming"
20 or something.

21 Let me ask it this way: If I were to go
22 to the FERC Form 1 that you filed, there's a
23 big number next to Account 101. And if I or
24 the Audit Division or someone were to drill

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1 down from that number, would the 37,000 be
2 there or not?

3 A. (Tebbetts) Yes.

4 Q. It would. Okay.

5 So let's jump to Exhibit 70 for a
6 moment, please. This talks about a different
7 project, the Mall Road Project. And it
8 references an amount much smaller of \$1,465.
9 And I believe this is essentially the same
10 situation as what we just talked about with
11 respect to the \$37,000; is that right?

12 A. (Tebbetts) Yes, that's correct. And the
13 other -- you had mentioned the battery
14 program, the CIAC. So these jobs are
15 complete and will move through the process of
16 accounting to 101. The battery pilot will
17 stay in 106 until we have all the batteries
18 installed. So as each battery system gets
19 installed, it'll go to 106. Once this is
20 complete, this will all go to 101. So in the
21 next couple months or so, we should have all
22 of that ready to go to 101. So when we talk
23 about the CIAC versus this, understand that
24 this job is actually complete and the battery

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1 pilot jobs are not complete. We still have
2 those jobs that need to have batteries
3 installed -- or needed to have batteries
4 installed after 12/31/2020. So it is a
5 little bit different in that case.

6 Q. So Account 101 is Plant In Service; correct?

7 A. (Tebbetts) Yes.

8 Q. What's Account 106? Is that Plant Held For
9 Future Use?

10 A. (Tebbetts) No. Account 106 is in-service --
11 [Court Reporter interrupts.]

12 Q. I asked if Account 106 is Plant Held For
13 Future Use.

14 A. (Tebbetts) No, it's not. Account 106 is
15 Plant In Service But Not Classified. So it's
16 the in-between account, where we have 107,
17 which is Construction Work In Progress; so
18 nothing is in service. Then, once something
19 goes into service, it moves to Account 106,
20 where we look at it to -- we have the -- we
21 stop AFUDC and say it's in service, and we
22 start depreciating. And now we have the
23 opportunity of time to review all the charges
24 to make sure they're correct and then

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1 classify it to the correct plant account
2 under FERC. And then we would move it to
3 Account 101, which is Plant In Service, but
4 it's all been classified to the correct FERC
5 account.

6 Q. Right. Account 106 is Completed Construction
7 Not Classified I think is what it's called.

8 A. (Tebbetts) Yes.

9 Q. And rate base consists of both Accounts 101
10 and 106, Plant In Service and Completed
11 Construction Not Classified.

12 A. (Tebbetts) Yes.

13 Q. Okay. So let's go to Exhibit 71, please.
14 This talks about a small amount, \$1,292,
15 which is not the same situation as what we
16 just talked about, as I understand it. This
17 response indicates that this was a charge
18 that should not have been included in this
19 filing and that the Company will withdraw it.
20 That's Part A of this response. Is that
21 right?

22 A. (Tebbetts) Yes.

23 Q. Will you -- well, let me ask it this way:
24 Has this withdrawal been reflected in

1 Exhibit 65 thus far?

2 A. (Tebbetts) I don't believe it has, but I will
3 double-check. And I'm making a note of it
4 right now to double-check on that number.

5 Q. If it has not been, would the Company agree
6 to make this reduction in the update that you
7 talked about in your direct testimony?

8 A. (Tebbetts) Yes.

9 Q. Okay. Let's go to Exhibit 76, please, and
10 talk a little bit further about burdens.
11 This response, this is a data response in
12 Set 11 that refers to a response from Set 10.
13 And maybe without flipping around a bunch of
14 pages you can remind us what project this has
15 to do with.

16 A. (Tebbetts) This is the reliability
17 enhancement program which -- give me one
18 second.

19 A. (Strabone) I can help you with that. That
20 was --

21 [Court Reporter interrupts.]

22 A. (Strabone) The project that's related with
23 the reliability enhancement project is Shaker
24 Boulevard, Sullivan Street. Those are two

1 different projects.

2 Q. And Part A of the response today in
3 Exhibit 76 says that -- I'm sorry. It should
4 be Part B of this response I want to look at.
5 It says that burdens are applied after the
6 month that actual charges occur. The burdens
7 applied to these jobs were applied in 2020
8 for charges in December 2019.

9 So my question is do you know what the
10 burden rate was for December 2019 versus
11 January 2020?

12 A. (Strabone) I don't have the exact number.
13 But I believe in December, for comparison, I
14 think in December the burden rates were
15 approximately around 30 to 35 percent, and in
16 January they were in the 40 percent range.

17 Q. So by lagging the burdens by one month -- in
18 other words, the charges were incurred in
19 December 2019, but the burdens were applied
20 in January 2020, as this response says. That
21 would have the impact of adding more burdens
22 to this project than if they were charged --
23 if the burdens were added in the month the
24 charges were incurred. Would you agree?

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1 A. (Strabone) In this case, yes, that's correct.

2 Q. Could you explain why it's appropriate,
3 assuming it is, for the Company to add
4 burdens in a month other than the month in
5 which the charges were incurred?

6 A. (Strabone) I'm not the correct person to
7 respond to that. I work with Finance to get
8 the -- you know, what they estimate for
9 burdens for my calculation. But how the
10 Company actually applies them and what manner
11 they do, I unfortunately am not the right
12 person to answer that. That would be more of
13 someone from Finance to answer that question.

14 Q. Okay. Well, I only have two faces on my
15 screen for possible answers.

16 Ms. Tebbetts, do you have anything to
17 add to that?

18 A. (Tebbetts) The only thing I can add is that
19 the way our burdens are applied are in the
20 month after the charges occur. And so
21 whether that month would have been August,
22 because the charges occurred in July, or that
23 month would have been December -- I'm
24 sorry -- January, because the charge occurred

1 in December, every month our burden rates
2 change. And so I think that because it is
3 the end of the year, you're looking at it as
4 what happened in December versus January.
5 But every month the burden rates change.
6 What we use to project our burden rates is
7 basically an average for the year because
8 every month they change. And how those are
9 calculated -- how they're applied we
10 understand. But how the actual rate gets
11 calculated, that's where Finance comes in on
12 this.

13 And I think, too, thinking about your
14 question as you were asking it, so what we're
15 looking at here is a subset of projects. So
16 if we were in a rate case and we had a list
17 of all of our capital projects, then all of
18 the burdens associated with Granite State
19 Electric would be applied to all those
20 projects. But because we're just looking at
21 a subset of projects, those burdens, if they
22 didn't get applied to this job in January,
23 for example, they would have been applied to
24 all the other jobs. But we're not looking at

1 those jobs today, we're only looking at
2 these.

3 So I think that the overarching idea
4 here as well is the burdens associated with
5 Granite State Electric that are applied is a
6 number that I'm not going to say doesn't
7 change, but doesn't fluctuate too much,
8 because those are the overheads associated
9 with that company. We're just looking at
10 what's applied to these specific projects.
11 But if we were in a full rate case, all those
12 burdens that were applied would actually be
13 shown for every single project. Does that
14 make sense?

15 Q. It does. And I think maybe what I hear you
16 saying is that over time, on average, the
17 fact that the burdens aren't applied in the
18 year -- in the months that they're incurred
19 will ultimately average out. Is that what
20 you're saying?

21 A. (Tebbetts) That's what I'm saying. And
22 that's how we try to predict for budgeting
23 purposes on projects is an overall. So, for
24 example, maybe in March the burden rate was

1 32 percent that was applied, and then in
2 April it was 28 percent. And then in May
3 when we looked at it, it was 38 percent,
4 right. But over the course of the year,
5 they're going to fluctuate, and so we have an
6 average burden rate for the year, I'll just
7 call it 30 to 35 percent because every month
8 they do fluctuate. So when we try to budget
9 and we try to create these projects and
10 create budgets for them, that's what we look
11 at.

12 Now, when we're looking at specific
13 issues like this, because this is one job
14 that got these burdens applied, then we end
15 up looking at these change orders and things
16 like that to say, well, it ended up being
17 applied to this job because it received
18 charges. But again, those burdens would have
19 been applied to any job that was open in that
20 month. And so in the grand scheme of things,
21 when you look at the total cost for Granite
22 State Electric projects, you would see all of
23 those dollars there, just broken up
24 differently between work orders and projects.

1 Q. Where rate base is often counted --
2 calculated on a year-end basis in a typical
3 rate case or in a typical step adjustment,
4 wouldn't it improve the accuracy of the rate
5 base for the month of December to make the
6 charge in December based on the December
7 burden rate rather than -- at least at the
8 end of the year -- implementing this
9 one-month lag?

10 A. (Tebbetts) So what I can say to that is, if I
11 looked at 2020, in January 2020, I got 2019
12 burdens. So the December 2020 burdens went
13 to 2021, all right. So it's just kind of --
14 [Court Reporter interrupts.]

15 A. (Tebbetts) So if I look at the calendar year
16 of 2020 and I look at what happened in
17 January of 2020, we had projects that
18 incurred charges in December of 2019 that
19 then incurred burdens for January of 2020.
20 So then when I look at December of 2020, we
21 had jobs that had charges that do not show
22 any of those burden costs but that are
23 incurred in January of 2021. So when I look
24 at 2020 as a whole -- and I look at this as a

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1 whole and not by project -- I'm going to see
2 those burdens from that previous month
3 included in the following year, but then that
4 burden for the last month of the year is not
5 included for the year. So my point is it
6 evens itself out because we still have 12
7 months of burdens in that calendar year when
8 you look at it at that 30,000-foot level.

9 CHAIRWOMAN MARTIN: Mr. Dexter, can
10 you let me know before you move to your next
11 topic of questions, and we'd like to take a
12 lunch break then.

13 MR. DEXTER: Well, I think this
14 would be a good time for a break because I'm
15 nearing the end of my questions. But I would
16 like to confer with other members of Staff
17 who are out in the waiting room before I
18 conclude. So I could do that over lunch. So
19 this might be a good time for a break.

20 CHAIRWOMAN MARTIN: Okay. Why
21 don't we take the lunch break now then and
22 return at about 12:40. All right. Off the
23 record.

24 MR. DEXTER: Could I request until

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1 1:00, please, because I do have to talk to
2 all the witnesses, as well as eat.

3 CHAIRWOMAN MARTIN: That's fine.
4 We will return at 1:00.

5 MR. DEXTER: Thank you very much.
6 I appreciate it.

7 CHAIRWOMAN MARTIN: You're welcome.
8 (Lunch recess taken at 12:00 p.m.)

9 * * * * *

10 AFTERNOON SESSION
11 (Resumed at 1:03 p.m.)

12 * * * * *

13 CHAIRWOMAN MARTIN: Okay. Welcome
14 back, everyone. Let's go back on the record
15 and back to Mr. Dexter.

16 MR. DEXTER: Thank you, Chairwoman
17 Martin.

18 CROSS-EXAMINATION (cont'd)

19 BY MR. DEXTER:

20 Q. I would like to pick up with Exhibit 65,
21 Bates Page 140. And this is the eighth
22 project that's listed for recovery, and it's
23 entitled "URD Cable Replacement." So maybe,
24 first, if the witnesses could give a --

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1 CHAIRWOMAN MARTIN: Mr. Dexter?

2 MR. DEXTER: Yes.

3 CHAIRWOMAN MARTIN: Can we just
4 pause for a minute?

5 MR. DEXTER: Sure.

6 CHAIRWOMAN MARTIN: We're going to
7 need to take a five-minute recess. We'll
8 come back at 1:10. Thank you.

9 MR. DEXTER: Okay. Thank you.

10 (Brief recess taken at 1:04 p.m., and the
11 hearing resumed at 1:10 p.m.)

12 CHAIRWOMAN MARTIN: Okay. Thank
13 you. Let's go back on the record. I
14 apologize, Mr. Dexter.

15 MR. DEXTER: Sure.

16 CROSS-EXAMINATION (CONT'D)

17 BY MR. DEXTER:

18 Q. So I had directed the witness and the
19 Commissioners to Exhibit 65, Bates 140. And
20 I had asked the witness to provide a brief,
21 general explanation of the project because
22 the title, for me at least, didn't really let
23 me know what the project was all about.

24 A. (Strabone) So this is for URD, which is

1 underground residential development for cable
2 replacement. So this is funding that we
3 looked to spend to replace old 1970s, 1980s
4 vintage cable that has a history of failure
5 and that also was built to the standards at
6 the time, which is direct-buried. But that's
7 no longer our standard. It's our standard
8 now to put our cable in conduit in these
9 residential developments. Having the cable
10 as direct-buried, which is just laid in the
11 earth, it exposes it to corrosion and, you
12 know, failures, you know, being in the ground
13 for the past 30, 40 years, the potential
14 failure for increases.

15 So the funding for this project is to
16 address those types of residential
17 developments that we have direct-buried cable
18 in the ground.

19 Q. Could you explain how the CIAC was developed,
20 \$40,000 as shown on this page of 65?

21 A. (Strabone) This CIAC is associated with an
22 underground residential development up in our
23 Lebanon area. A developer came to us and
24 wants, you know, to develop a few parcels of

1 land. And based on our line extension
2 policies, that CIAC was calculated, you know,
3 in accordance with those, with our policies.

4 Q. So this would be more of a line extension
5 than replacement of the old wires that you
6 just talked about a few minutes ago?

7 A. (Strabone) Correct.

8 Q. Do you know how much of this project of
9 468,000 was related to the line extension
10 versus the replacement of the old cables?

11 A. (Strabone) Yeah, I did look into that. And
12 the only thing that shows up for that project
13 is the CIAC itself. There are no other
14 charges to that project associated with the
15 expense of the URD replacement.

16 Q. Do you know why that is?

17 A. (Strabone) I'd have to dive into that. I
18 didn't -- I don't have that information in
19 front of me right now.

20 A. (Tebbetts) And also, Mr. Dexter, if they're
21 doing work out there, we require the CIACs be
22 paid prior to us doing work. So I don't know
23 if this has been completed or not. But
24 nonetheless, we would require it to be --

1 it's not. Okay. So we would require it to
2 be part of an upfront payment first before we
3 will start the work. So it's appropriate if
4 it was applied to this because of that.

5 Q. Will the work end up in the step adjustment
6 next year, or will that be for something for
7 a future rate case?

8 A. (Tebbetts) I don't have the page in front of
9 me as to whether or not this project was
10 included in there. But if this type of
11 project was included in there, then it may
12 be. I just don't have that page in front of
13 me. But I have it somewhere.

14 Q. Okay. Then moving to Exhibit 65, Bates 152.
15 This is the summary sheet for the Salem
16 underground project on Main Street in Salem.
17 And I'm also going to reference the
18 testimony. I'm not sure it's necessary to
19 turn there. But this is addressed in
20 testimony, which is Exhibit 65, Bates
21 Page 20. And I'm going to paraphrase by
22 saying that the Town requested the Company to
23 put these wires underground versus overhead
24 and that that led to some extra cost. Is

1 that a fair paraphrase?

2 A. (Strabone) So, yes, you're correct that the
3 Town was redeveloping this intersection. And
4 during meetings with them, they indicated
5 that we cannot do a one-for-one replacement,
6 meaning overhead-to-overhead, and that they
7 wanted this area to be underground
8 facilities. So this project is associated
9 with us relocating our overhead to
10 underground to accommodate the reconstruction
11 of this intersection. There was some
12 additional cost that was incurred due to we
13 had already determined where our system would
14 transition from overhead to underground.
15 Those are known as our riser poles. We
16 already determined where those locations
17 would be with the Town and with the
18 appropriate abutters. Upon further
19 investigation regarding easements and
20 property lines, we determined that one pole
21 was actually on an abutter's property. They
22 would not give us the appropriate easement
23 for us to be there, thus requiring us to
24 relocate one of these riser poles a little

1 further down the road. And that's really
2 what was the driver of that additional
3 incurred cost.

4 Q. And there's no CIAC associated with this
5 project; correct?

6 A. (Strabone) That is correct.

7 Q. And why is that? Is there not an opportunity
8 to charge a town any cost of the construction
9 when the undergrounding is done or the
10 relocation is done at their request?

11 A. (Strabone) How does that --

12 A. (Tebbetts) Well, I would say that the Town
13 grants us our pole licenses. And so while --
14 if we wanted to send them a bill, we most
15 certainly could. They then could revoke our
16 licenses. And we certainly don't want that
17 to happen either.

18 This is a main line and not a line
19 extension. I also think that the tariff may
20 not cover this. It's not specific to a
21 customer to provide service to them. This is
22 along a main road that has many services
23 coming off of it to serve individual
24 customers. So I'm not sure that it would

1 fall under our line extension policy either.

2 Q. So is it general practice not to receive
3 reimbursement from a town when they ask you
4 to relocate? Is that the general practice,
5 or is this unusual?

6 A. (Tebbetts) That's our general practice.

7 Q. Okay.

8 CHAIRWOMAN MARTIN: Mr. Dexter,
9 you're on mute.

10 MR. DEXTER: Sorry about that.

11 Thank you.

12 BY MR. DEXTER:

13 Q. I'd like to turn to Exhibit 9 [sic] to follow
14 up on an earlier conversation we had about
15 burden rates and how they might change from
16 month to month. And I'd like to direct the
17 witnesses' attention to Part B of this data
18 request, which was Staff 10-3. Here it talks
19 about --

20 CHAIRWOMAN MARTIN: I'm sorry, Mr.
21 Dexter. What exhibit?

22 MR. DEXTER: Exhibit 69.

23 CHAIRWOMAN MARTIN: Oh, 69. Okay.

24 Thank you.

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1 A. (Tebbetts) Let me -- sorry. All my exhibits
2 are all over the place. I'm sorry. You said
3 it was 10-3?

4 Q. Yeah, that's right, just the one page.

5 A. (Tebbetts) Yes, I'm there. Thank you. We're
6 there.

7 Q. So would you agree that Paragraph B would
8 indicate that the burden rate for 2019, at
9 least for this job, was 40 percent, while the
10 burden rate for 2020 was 55 percent?

11 (Witness reviews document.)

12 A. (Tebbetts) Yes. Then that's what was
13 calculated out then. Yeah.

14 Q. Okay. And I'd like to go back to a schedule
15 we looked at earlier. It's Exhibit 65, which
16 is the original testimony, and I believe it's
17 Page 32.

18 A. (Tebbetts) You said Bates Page 32?

19 Q. Yeah. And it's back on the calculation of
20 the percentage rate increase, which I
21 understand is going to be updated.

22 A. (Tebbetts) Okay. Go ahead.

23 Q. Can you provide the source for Line 4, which
24 is the -- well, for Line 4? The footnote

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1 says "total revenue requirement in
2 proceeding," and the number is \$46,590,297.

3 Do you know where that number came from?

4 A. (Tebbetts) I believe that is a final revenue
5 requirement for after the step adjustment was
6 included in last year's proceedings. So the
7 July 1 rate provided for a revenue
8 requirement of 46,590,297.

9 Q. And last year we had a base rate case and a
10 step adjustment appearing on the same --
11 occurring on the same day; correct?

12 A. (Tebbetts) Yes.

13 Q. So would you be -- you wouldn't be able to
14 give us a source for that, for the record
15 from that part of the case, would you?

16 A. (Tebbetts) I don't have it in front of me.
17 Yeah, I don't have it in the front of me.

18 Q. Okay. We'll leave it at that.

19 A. (Tebbetts) Okay.

20 Q. The last thing I wanted to point out -- and I
21 always say that and it's never the last
22 thing. But Page 35 is a sample bill. And I
23 just want to point out for the Commission
24 that the elements of this bill that are

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1 changing as a result of what's proposed in
2 this case is the line, second and third lines
3 marked "Distribution Charge All KWh";
4 correct?

5 A. (Tebbetts) Yes.

6 Q. The customer charge is not changed because we
7 agreed in the settlement that residential
8 customer charges wouldn't change as a result
9 of the step adjustment; right?

10 A. (Tebbetts) Correct.

11 Q. And all the other elements listed below are
12 not applicable to this case: Transmission
13 charge, stranded charge, energy service
14 charge. They're not at issue today; correct?

15 A. (Tebbetts) Correct.

16 Q. Okay.

17 MR. DEXTER: Chairwoman Martin,
18 that's all the questions I have.

19 CHAIRWOMAN MARTIN: Okay. Thank
20 you.

21 Commissioner Bailey.

22 COMMISSIONER BAILEY: Thank you.

23 INTERROGATORIES BY COMMISSIONERS:

24 BY COMMISSIONER BAILEY:

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1 Q. Let's start on Bates Page 32 of Exhibit 65.

2 A. (Tebbetts) Okay.

3 Q. On the footnote it says that Line 7 is Line 4
4 divided by Line 5, which we agreed is not
5 correct. I think -- well, can you explain to
6 me how you would calculate, without a
7 spreadsheet, how you would calculate a
8 percentage increase?

9 A. (Tebbetts) I would take -- let me think about
10 this for one second, please.

11 (Pause)

12 A. (Tebbetts) So what I would do is I would take
13 the new revenue amount -- so we'll use the
14 numbers that are on this page that we filed,
15 the \$45 million. And then I would subtract
16 out the original revenue amount to give me my
17 total revenue change; so in this case it's
18 1.959 million. And then I would divide that
19 by the \$48.5 million.

20 Q. Wouldn't you divide it by the former revenue
21 requirement, which would indicate the
22 increase?

23 A. (Tebbetts) You could do it that way. That's
24 not how we presented it in our schedules in

1 the past. But that's another way to do it as
2 well. I would agree with you.

3 Q. I think that's the correct way to do it. And
4 I think that the way you did it here is you
5 divided it by the total revenue, the new
6 revenue, and that therefore decreases the
7 percentage increase.

8 A. (Tebbetts) Okay.

9 Q. And I did that calculation with these numbers
10 here, and I came up with 4.21 percent, which
11 is consistent with the numbers on the next
12 page.

13 A. (Tebbetts) Okay. I can do it that way when I
14 make my update.

15 Q. That would be great. Thank you.

16 Mr. Dexter covered a lot of my
17 questions, so I have to -- it'll take me a
18 minute in between questions.

19 (Pause)

20 Q. Okay. Let's go to the battery pilot program.

21 A. (Tebbetts) Okay.

22 Q. Looking at Page 8, it says that you are
23 requesting cost recovery for the programming
24 costs of battery installation costs for

1 batteries installed through December 31st,
2 2020.

3 A. (Tebbetts) Yes.

4 Q. Didn't Order No. 26,364 impose a deadline for
5 the installation of Phase 1 batteries to be
6 no later than October 31st?

7 A. (Tebbetts) So that order did. And
8 subsequently after that we had discussions
9 with the Commission Staff. I'd have to go
10 back in that docket and look. But that
11 phase -- essentially Phase 2 -- we would work
12 through Phase 1. And as soon as we got 50
13 customers installed, Phase 1 would start.
14 And there was really no date on it. But
15 Phase 2 would start no earlier than
16 August 31st, 2022. So it provided us time --
17 because of COVID, we had issues with
18 customers wanting to -- not allowing anyone
19 in their home. Fair enough. And then we had
20 some issues with getting those installs
21 completed because of the delay from COVID and
22 customer engagement on it.

23 So when we had discussed with Staff, we
24 had determined it would be the 22nd -- 2022.

1 And I think that's --

2 Q. It's in the same order. The order says that
3 the deadline for the installation of the
4 first 100 batteries was extended to
5 August 31, 2020, and the balance of Phase 1
6 was extended until October 31st, 2020. So
7 you were supposed to have completed your
8 battery installations for Phase 1 by
9 October 31st, and then we were going to -- if
10 the batteries weren't installed by July of
11 2020, then you needed to extend the study
12 period for Phase 1 until 2022. So my
13 interpretation of that order is that you were
14 supposed to have completed installing the
15 batteries for Phase 1 by October 31st. And
16 are you still installing batteries for
17 Phase 1 now?

18 A. (Tebbetts) We are. We are. We're very close
19 to the end. But we've had some issues with
20 some customers dropping out. We had some
21 customer issues with them not getting back to
22 us or Tesla. We've called, e-mailed,
23 everything, and it's just been kind of a long
24 road with some of these customers. We don't

1 want to just drop them off the list. So
2 we're trying to get them back in, just to
3 make sure they get their batteries installed.
4 So we're working on that. We have weekly
5 calls with Tesla and weekly updates on
6 everything getting installed.

7 Q. What about the Commission order?

8 A. (Tebbetts) Well, I have to go back and look.
9 But I thought that Phase 1 started after the
10 50 batteries were installed -- not
11 batteries -- after the first 50 installs
12 occurred, which was in November.

13 Q. Right. But you were supposed to have the
14 first hundred batteries installed by August,
15 the end of August. So you didn't even have
16 the first 100 installed until the end of
17 November.

18 A. (Tebbetts) That's correct. We had a lot of
19 issues with COVID.

20 Q. Okay. I know. But we talked about that last
21 summer, and that's why we extended the
22 deadline until August 31st. And then you
23 just didn't notify the Commission that you
24 didn't meet the deadlines in the order?

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1 A. (Tebbetts) We had many discussions with Staff
2 in between, and Staff was fully aware of our
3 issues. They were informal discussions, they
4 were not on the record, about the issues we
5 were having with COVID. And so --

6 Q. You can't put this on Staff. I mean, it's
7 your job to comply with an order. And if you
8 don't comply with the order, then you need to
9 inform the Commission, not Staff. I mean,
10 it's not Staff's job to tell us that you are
11 failing to comply with an order.

12 All right. Let's move on.

13 A. (Tebbetts) Okay.

14 Q. So in the next line you say that you had 60
15 customers with batteries installed as of
16 December 31st. So that means you had 120
17 batteries installed, right --

18 A. (Tebbetts) Yes.

19 Q. -- by December 31st?

20 Okay. Can you describe for me how much
21 load has been reduced during peak events and
22 how many times you've hit the peak?

23 A. (Tebbetts) We filed our -- I have to find the
24 filing we made on May 15th. I don't have it

1 in front of me. But we have a requirement to
2 make a filing every quarter once the first
3 phase started. So we did inform the
4 Commission at that point what that
5 information was. I just have to find it. I
6 don't know if you want to wait for me to find
7 it.

8 Q. That's all right. I guess I can look it up.
9 I just thought that you would be very proud
10 of it and you could tell me.

11 A. (Tebbetts) I am. I'm so sorry. I was --
12 yeah, I'm sorry. I probably could find it
13 really quickly. I just don't -- I have to
14 find it in all my folders, and I only have
15 the docket stuff up. Sorry.

16 Q. Okay.

17 A. (Tebbetts) I will tell you that we hit the
18 peak -- here's what I can tell you that I do
19 know. We discharged -- I do have something
20 in front of me real quickly. One, two,
21 three, four, five, six... so we hit the
22 peak -- our performance target was at
23 75 percent. And of the days that we
24 discharged, two days we did -- one day was a

1 peak and one day was not. We did not meet
2 that. And we believe it's because our solar
3 customers, they had -- we had just had a snow
4 storm at the end of January, and most of
5 their panels, it was like -- (connectivity
6 issue) -- I think it was that one. I want to
7 say the panels were covered in snow. And
8 those customers only charge from solar. They
9 don't charge from the grid. So we're pretty
10 sure that's why we missed it on those
11 customers. But otherwise, we have met the
12 peak in the other days that we were going
13 for.

14 And so when I look at the report -- when
15 you look at the report, you're only going to
16 see three days because we only did the first
17 quarter. But last year, in 2020, we hit the
18 peak hour each time that we dispatched. So
19 in August -- we didn't dispatch in September.
20 So in August, October and November and
21 December, we hit the peak hour with the
22 batteries that we had installed.

23 Q. And is that information included in the
24 report that you filed for the first quarter?

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1 A. (Tebbetts) No. It only included the first
2 quarter because we thought we didn't want it
3 to get confusing about the data we were
4 providing because it was required to be for
5 Phase 1. And that really was us testing to
6 ensure that, yes, the batteries are accepting
7 the signal; yes, the batteries are doing what
8 they're supposed to do when they're asked to
9 do it. But we did hit those hours.

10 Q. So you're saying Phase 1 started on
11 January 1st of 2021.

12 A. (Tebbetts) Yeah. We were doing that for
13 reporting purposes because we wanted to be
14 able to look back at data for a calendar
15 year. And given that it's 18 months, that
16 will bring us to June 30th, 2022. So that
17 would allow us to have a full 18 months, but
18 yet still have the shoulder periods before
19 and after batteries being installed; so July
20 and August of 2022 and then prior to
21 December 2020.

22 Q. So the pilot will include July and August of
23 2022?

24 A. (Tebbetts) Yeah, for data purposes. Yes, we

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1 would include it for data purposes, sure.

2 That's still part of Phase 1.

3 Q. Okay. And have you discharged the batteries
4 at times other than the critical peak?

5 A. (Tebbetts) For a peak event day you mean, for
6 ISO-New England?

7 Q. No, ever. Does Tesla discharge the batteries
8 for any time other than when you are
9 discharging to try to reduce the peak?

10 A. (Tebbetts) No, Tesla doesn't do anything.
11 The batteries are programmed to dispatch to
12 the customer's home to offset their load
13 during the critical peak hours. But that is
14 just a function of the program itself. Tesla
15 is not sending any dispatch signal to do that
16 every day. The only time they send a
17 dispatch signal is for the peak event.

18 Q. Okay. Does the program include dispatching
19 during times that are not in the critical
20 peak?

21 A. (Tebbetts) It could. So the batteries are
22 learning. It's kind of like if you have a
23 Nest at your house and you just leave it
24 programmed, it will learn when maybe someone

1 comes in the room and turns up the heat or
2 turns down the cooling. So the batteries are
3 doing the same thing.

4 So the idea is that some customers may
5 see that the batteries are dispatching to
6 their home before 3 p.m., for example, when
7 that critical peak hour starts, because they
8 aren't using as much during that critical
9 peak hour. So they're actually getting an
10 added benefit, where it's actually kind of
11 providing them benefit prior to 3 p.m. So
12 some customers may see that. We have seen a
13 couple instances where that's happened. And
14 sometimes they will cycle on the weekends
15 just because they need to -- they want to get
16 ready for that critical peak period on
17 Monday. And so depending on what the
18 customer's usage patterns are, they may cycle
19 on the weekends here and there.

20 So yes, that does happen sometimes, but
21 it's not a function of the programming
22 specifically. It's just to get the customer
23 the best bill benefit, you know, on their
24 bill, and that's it.

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1 Q. So that would benefit customers. But what
2 does it do to your pilot, and how do you
3 account for that in your analysis?

4 A. (Tebbetts) So it reduces the customer's load.
5 So I guess we wouldn't account for it.

6 Q. But wasn't the point of the pilot to see if
7 you could reduce customer load during the
8 critical peak to hit peak demand?

9 A. (Tebbetts) Yes.

10 Q. So if they discharge early, then are they --
11 will they have the charge in the battery to
12 discharge when you need it to reduce the
13 critical peak or the peak demand?

14 A. (Tebbetts) Yes. Yes, it will. So if a
15 customer uses -- so the batteries have
16 27-kilowatt hours in them.

17 [Court Reporter interrupts.]

18 A. (Tebbetts) Let's say the customer only uses
19 about 2-kilowatt hours per hour in their
20 home. Then those batteries can go for many
21 hours. And so the customer might see from
22 1 p.m. to 8 p.m. that benefit. But it will
23 go all the way to 8 p.m. It would not stop
24 short so that they end up paying the critical

1 peak pricing. It would not stop short. It
2 would just extend it at the front end for
3 them.

4 Q. Okay. Thanks. Now, if you look at the table
5 on Page 10, Bates Page 10 of Exhibit 65, it
6 looks like the budget that you projected was
7 six and a half million dollars for 2018
8 through 2020; is that right?

9 A. (Tebbetts) Yes.

10 Q. And you only spent 1.4 million total?

11 A. (Tebbetts) So far, that's correct. Yes. And
12 that's just because that total is for Phase 1
13 and Phase 2. The business case was written
14 for both phases, and that's what I presented
15 here. That's the original business case.
16 This is just a cost for Phase 1, or a part of
17 Phase 1 I should say.

18 Q. Why was the budget 4.5 million in the first
19 year?

20 A. (Tebbetts) That was just the original
21 business case. I wanted Staff to be able to
22 look, and the Commissioners, to be able to
23 say -- to put it together and say, okay, this
24 was your budget in your business case that

1 you filed, so this is what we should see for
2 information in the tables. I just wanted to
3 make sure it matched. If I only put the
4 500,000 in there, it wouldn't have matched
5 the \$4.1 million business case that I
6 provided.

7 Q. I'm not understanding the match, because to
8 me it looks like you budgeted 4.5 million and
9 spent 28,000. So what match are you talking
10 about?

11 A. (Tebbetts) Let me just get to that exact
12 page. Page 1 of -- okay. Let me just grab
13 Attachment 2.

14 (Pause)

15 A. (Tebbetts) Okay. So in 2018 is when the
16 business case was approved, and that's why it
17 goes along with the year 2018. We had filed
18 this in 2017, and we were hoping to get
19 approval in 2018. But we didn't get approval
20 until 2019. So that didn't change what the
21 business case was approved to spend, but we
22 didn't have approval yet. We just had the
23 spend. But I wanted to include that in the
24 list because the business case associated

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1 with it is four and a half million dollars.

2 Q. Okay. Were you going to show me something in
3 Attachment 2?

4 A. (Tebbetts) Oh, no, I was trying to find that
5 on my paper. Sorry. I was looking at the
6 testimony instead.

7 Q. Okay. Can you look at Bates Page 18, Line 7
8 through 8, where you say historic spend rates
9 of July 2020 through December 2020, the
10 Company anticipates requiring additional
11 capital for this blanket? Can you explain
12 that? Why is July through December historic?
13 And aren't items that have been damaged or
14 failed replaced?

15 A. (Strabone) So to answer your first question
16 about historic spending, what we do to -- so
17 these are -- so this is the blanket that is
18 associated with the damage failure blanket.
19 And what we do for looking out, you know, for
20 our budgeting purposes, we look at historic
21 spending. So we go back to 2018 all the way
22 through 2020 for actual costs. And what we
23 try to do there is we look to see what our
24 monthly spend is each month, you know, for

1 each year and on average, and see how it
2 tracks historically for things that may come
3 in. It's not a good -- well, it helps with
4 us forecasting out future costs. So if we
5 look every year from 2018 to 2020, and say
6 the month of July has a lot of damage due to
7 thunderstorms and lightning strikes and other
8 things of that nature, we would then look at
9 our current year spend and say, okay, let's
10 account for the same level of spending going
11 forward, and is our current spend rate
12 tracking along with what we've seen
13 historically.

14 So what we're trying to do is look at
15 how we're tracking currently in the year, how
16 that compares to past years -- you know, in
17 this case, 2018, 2019, you know, whatever
18 data we have available to us -- and then also
19 forecast out future months to see where our
20 year-end projection would be, depending on
21 our current spend rates and current trends
22 for those months going forward.

23 So that's what that statement is really
24 trying to say, is that, you know, taking into

1 account the current spend rate and then
2 historic spend rate from July through
3 December, we anticipate needing additional
4 capital funding for this project -- I mean
5 this blanket.

6 Q. In which year did you anticipate needing
7 additional funding?

8 A. (Strabone) Well, this is for 2020. So that
9 was the year that we needed it for. So that
10 comment is for the year 2020. And that's
11 based on historic spending for previous years
12 of whatever data was available. So as I
13 mentioned earlier, it could be back to 2018,
14 2017, 2016. It's what we have that we're
15 able to track and, you know, use to help
16 forecast our future spending for the year.

17 Q. So I don't understand the reference to the
18 "historic spend rates of July 2020 through
19 December 2020" when you were talking about
20 2020.

21 A. (Strabone) Yeah, as I look that, it could
22 have been worded better. So it should really
23 say "historic spend rates for the months of
24 July through December." You know, historic

1 spend rates from 2016 through 2019 for the
2 months of July to December would anticipate
3 us needing future capital -- I mean
4 additional capital to account for future
5 spending for year end.

6 Q. Okay. Thank you.

7 A. (Strabone) Yeah.

8 Q. At the bottom of the carryover paragraph on
9 Page 19, you're talking about the causes of
10 failure. And you say these cable types --
11 the last sentence, Lines 6 and 7 -- "These
12 cable types have also shown a susceptibility
13 to neutral corrosion and tend to be XLPE or
14 PE insulated and are in excess of 20 years of
15 age."

16 What was the expected life of those
17 assets?

18 A. (Strabone) I have to go back and look, but I
19 believe they're direct-buried. And with
20 those types of cables, I want to say they're
21 around probably, like, 20 or 30 years. But
22 it all depends on soil conditions and
23 installation costs. And these ones actually,
24 the XLPE, I believe, actually has a shorter

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1 life expectancy than the PE due to mechanical
2 breakdown, just the way the cable was
3 manufactured many years ago, back in the '50s
4 and '60s and '70s.

5 Q. And is this -- are these cables for service
6 drops from the transformer to the customer's
7 house? Or what cables are we talking about
8 here?

9 A. (Strabone) So this would be the cables you
10 were talking, underground residential
11 development. So it would be underground
12 primary cable that would come off where we
13 transitioned from overhead to underground.
14 This would be the cable that goes
15 underground, that goes to the transformers
16 that feed the customers. So it's the primary
17 cable that's feeding the transformers.

18 Q. And they were direct-buried?

19 A. (Strabone) Back many years ago, they put
20 those direct-buried in the ground, yes.

21 Q. Okay. Have the assets that you replaced,
22 were they fully depreciated?

23 A. (Strabone) I would have to go back and look
24 on the ones that we did. But shooting from

1 the hip, I would say, yes, they were -- if
2 they weren't fully depreciated, they were
3 probably at the end of useful life.

4 Q. Can we talk a little bit about carryover
5 charges that you want to collect, and can you
6 explain to me again why we should allow
7 carryover charges for step increases?

8 A. (Tebbetts) So I'll answer your second
9 question, and I'll let Mr. Strabone answer
10 what the carryover charges are.

11 Originally in the list of projects, we
12 had the enhanced bare conductor replacement
13 project. And as part of that Settlement
14 Agreement, it noted that we, you know, had
15 the opportunity to substitute other projects
16 in here, so long as they were not associated
17 with Rockingham and the Tuscan Village. And
18 so because of the invoices that came in in
19 2020, we canceled the enhanced bare
20 replacement project that was in the original
21 list. We didn't do it that year. So we
22 substituted those dollars, the dollars in
23 this project, for that instead. So, given
24 that we weren't trying to -- we thought it

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1 was appropriate, since we canceled that
2 project, to add this in to the step
3 adjustment instead. Both projects are for
4 liability enhancements, but one of them was
5 specific to the REP program that was part of
6 our filings annually, and the other one was
7 just not part of that program. But they're
8 both used for the same purpose, both project
9 numbers and names.

10 Q. I want to understand why we should allow
11 carryover charges.

12 A. (Tebbetts) So they're charges that were
13 prudently incurred. It happens to be
14 carryover just simply because we had the end
15 of a calendar year. If the project ended in
16 July, then you wouldn't see it as a
17 carryover; it would just be charged in
18 August, September and October. It's just the
19 timing of when we finished the project to
20 when we ended the calendar year. And so it's
21 carryover in that sense that it's just a
22 timing issue that we started in a new
23 calendar year.

24 Q. Okay. And you went through a lot of

1 questions with Mr. Dexter about the burdens.
2 And you testified that the burdens changed
3 monthly. And then he showed us a data
4 response that said the 2020 burdens are
5 40 percent and the 2021 burdens are
6 55 percent. Can you tell me why it's
7 reasonable to charge 55 percent for costs
8 that were incurred for projects in 2020? I
9 mean, that's when the burdens happened, isn't
10 it?

11 A. (Tebbetts) So as I explained earlier, so
12 there's an estimate for the year. So when we
13 look at the total project dollars, that
14 40 percent was the average rate of the
15 burdens. So if you took all the costs for
16 the project and looked at what percentage was
17 applied to the burdens, charges for every
18 single month, it was 40 percent. That wasn't
19 the burden rate from Finance necessarily,
20 because, again, every month that rate
21 changes. So the average for the project was
22 40 percent.

23 The 55 percent goes back to what I had
24 mentioned earlier, where we're looking at

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1 this one piece of our total overhead costs,
2 which as part of our last rate case were
3 approved. And because we're looking at one
4 specific project, it says it's 55 percent of
5 this project. But if you looked at the
6 overall amount for the whole year, then it
7 will even itself out. So in the January and
8 February time frame, we don't have a lot of
9 construction going on, but our overheads
10 don't change. So there's more dollars
11 applied to the fewer work orders that are
12 open because we just don't have a lot of
13 construction going on; whereas in the
14 summertime, that burden rate could be as low
15 as 20 percent or 22 percent simply because we
16 have so many work orders happening during
17 construction season, that those work orders
18 would receive the lower burden rates. But at
19 the end, if you look at everything in the
20 bucket, and we spent -- I'm just going to say
21 let's just assume our burden rate was
22 25 percent for the calculation. If we spent
23 \$20 million in 2020 on all of our capital
24 projects, and \$5 million of that is burdens,

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1 then it's still \$20 million spent. It's just
2 that what we filed here are individual
3 projects, so you don't get that big picture
4 of what the total burden rate was versus what
5 the total capital spending was.

6 Q. Could you, in a record request, tell me what
7 the burden rate for each month in 2020 was
8 and the burden rate for each month in 2021 to
9 date, please?

10 A. (Tebbetts) Yes.

11 Q. And then how do you answer a question that
12 says that the 2021 burden rate is 55 percent
13 if you haven't had all the months added up
14 yet?

15 A. (Tebbetts) So the answer -- the question we
16 were asked is, you know, we looked at the
17 charges -- so we looked at the charges that
18 were incurred in 2019, in December 2019, and
19 then we looked at the burdens applied in
20 January 2020, and we calculated that. If you
21 looked at the charges for the month of
22 December 2019 versus the amount of burdens in
23 January, it's 55 percent. That doesn't mean
24 the burden rate for the month was 55 percent.

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1 Q. That means that --

2 A. (Tebbetts) That means that --

3 Q. That means that the burden rate in January
4 was higher than 55 percent if the average for
5 the whole year was 55 percent, based on what
6 you said earlier, doesn't it?

7 A. (Tebbetts) So the average for the year wasn't
8 55 percent. It was -- the 55 percent was the
9 amount of burdens applied to this job. So I
10 don't have it in front of me, but let's just
11 say that the total charges in December were
12 \$100 -- not burdens, charges, direct charges.
13 Then in January there was \$55 charged for
14 burdens. That's our 55 percent rate. That's
15 what we're saying. It's not the total burden
16 rate for all projects. That's just what was
17 charged to that project, and that's how we
18 came up with 55 percent. So that wasn't the
19 average burden rate for the month. That's
20 just the burden rate that was applied to this
21 job. We can get you, as you asked, the
22 burden rates for each month to compare it.

23 Q. And I'd like to clarify that I mean I want
24 burden rates for each month of 2019 and 2020

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1 and then the average for each year.

2 COMMISSIONER BAILEY: And so, Mr.
3 Dexter, could you tell me what data request
4 exhibit that was that showed the 40 and
5 55 percent burden rate?

6 MR. DEXTER: Exhibit 69, Part B at
7 the bottom.

8 COMMISSIONER BAILEY: Thank you.

9 CHAIRWOMAN MARTIN: So Commissioner
10 Bailey, I just want to confirm. It's the
11 burden rate for each month in 2019 and 2020,
12 and the average burden rate for each year?

13 COMMISSIONER BAILEY: Yes. Thank
14 you.

15 BY COMMISSIONER BAILEY:

16 Q. I'm just trying to look at the question that
17 was asked. It says -- okay. The answer
18 says, "The overall burden rate to the project
19 was 40 percent." So the overall burden to
20 the project for all the bills that came due
21 in 2019 -- not 2019. This is 2020; right?

22 A. (Strabone) Correct.

23 Q. So the burdens for the work that was charged
24 in 2020 was 40 percent for the overall

1 project. Yes?

2 A. (Tebbetts) Correct, because we had burden
3 charges. So we had charges in January,
4 February, March and April. So when you look
5 at the burdens applied in each month and add
6 it up and figure out the calculation, it was
7 40 percent total as an average for the four
8 months that we got charges.

9 Q. And then the new rate for the new year in
10 January and February was 55 percent.

11 A. (Tebbetts) So they weren't rates. We did
12 exactly the same thing. We took the charges
13 that received burdens in January and said if
14 we received \$100 in charges, how much did
15 Finance allocate to this project, and they
16 allocated \$55. So when you look at the
17 total, it's \$155. And the same thing in
18 February. We looked at another \$100, and
19 they allocated \$55. So the burdens applied
20 for March and April were much lower than
21 that, than the 40 percent, to get us to an
22 average of 40 percent. So --

23 Q. Do you have any idea how Finance determines
24 what the burden rate is going to be? It

1 seems kind of arbitrary to me.

2 A. (Tebbetts) So my understanding of how burdens
3 are allocated is we have a total cost of
4 overhead for the month. I don't know what
5 that is. And we have a total group of open
6 work orders. So if we have \$1,000 of
7 overheads in the month of January and we have
8 two work orders open, they're each going to
9 get a piece of that \$1,000. If we have 10
10 work orders open, the 10 are going to get a
11 piece of that \$1,000. It's weighted on the
12 total cost of that work order. But if they
13 were equal, each would get 500. If they were
14 equal in the second example, they'd each get
15 \$100. So that is how they're applied. How
16 the total burden amount that gets allocated
17 out is calculated, I don't know. Like that
18 \$1,000 in my example, I don't know. I do
19 know that, you know, those costs were
20 approved in our last rate case. So that
21 information would have been available during
22 that test year period. But that's as far as
23 I can explain as to how it works.

24 Q. Okay. Thank you.

1 Going back to Exhibit 65, okay, the
2 project where the Town required you to bury
3 the lines. Don't you have a policy in your
4 tariff that requires payment for work that's
5 in addition to your standard practice that is
6 caused by a ratepayer?

7 A. (Tebbetts) Our tariff -- our line extension
8 policy does provide for that. But that would
9 be for the service. And this is not a single
10 service. Like, for example, if this was a
11 service to the Town of Salem Police
12 Headquarters, let's just say that, that would
13 be a different story because that is a single
14 service to a location of a single customer.
15 This is not that. This is a relocation of
16 poles and wires to make it underground at a
17 busy intersection and other areas that serve
18 many, many, many customers. This is not a
19 single -- it was a request from the Town to
20 move it, but it is not a request to serve the
21 Town or a service -- or an end-use customer.

22 Q. I understand that. But the Town asked you to
23 replace the poles and wires. And if you had
24 replaced the poles and wires, that would have

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1 been one thing. But you spent additional
2 money to bury at the Town's request. So why
3 shouldn't the Town be responsible for that
4 additional cost?

5 A. (Tebbetts) Can you just give me one second?
6 I just want to check on something.

7 (Pause)

8 A. (Tebbetts) Mr. Strabone is going to take the
9 rest of that.

10 Q. So before you start that, Mr. Strabone --
11 thank you. Are you two in the same room?

12 A. (Tebbetts) Yes.

13 Q. Is there anybody else in the room with you?

14 A. (Tebbetts) No.

15 Q. Okay. Thank you.

16 A. (Strabone) So Ms. Tebbetts reminded me that
17 we did go through this with the Town. Our
18 business community person did deal with the
19 Town on this. She reminded me that we did
20 have discussions with them about going
21 overhead and that it was -- we just didn't
22 want to go underground. So we did explore
23 this with them, about trying to work with
24 them to go overhead versus underground.

1 We looked at our tariff, which is true.
2 We couldn't find anything that would say that
3 we had to -- or that we could charge them.
4 We brought up the fact of -- going through
5 this process, we went through the Town. We
6 said that, you know, there are concerns with
7 going underground, which does cost a bit
8 additional than standard overhead
9 construction. They ultimately said that, you
10 know, they would not pay. And they provided
11 us a letter basically stating the fact that
12 they wouldn't grant us any pole license
13 agreements in this area either. So they
14 basically said that we can try whatever we
15 want, but they're not going to approve
16 anything. So we only had the option to go
17 underground to continue serving in the area.
18 So we did take a look to see if there was
19 anything that we could go back against them
20 with, and ultimately we couldn't find
21 anything that would help solve our case or
22 prove our stance to go overhead.

23 So like Ms. Tebbetts said, this is not
24 just a service. This is -- you know, to an

1 individual customer. It's some of the main
2 line that feeds North Salem, heads up to, you
3 know, along South Broadway, which is, you
4 know, a commercialized area. And ultimately
5 we needed these facilities to be in there, so
6 we went with the underground solution.

7 Q. So don't you think the Town needed those
8 facilities to be in there as well? I mean,
9 if you had said to the customers, well,
10 sorry, we can't provide service anymore
11 because the Town won't let us put poles up --
12 seems like a game of chicken to me.

13 A. (Strabone) Yeah. You know, to be honest with
14 you, that's some of the dealings we deal with
15 with the Town of Salem. We try to have
16 workable relationships with them, which we
17 maintain that. There are some times, you
18 know, when we have projects like this where
19 we're trying to say, like, you're not just
20 impacting us, you're impacting your town for
21 service. And it's their ultimate plan of
22 what they had for redevelopment in the area.
23 And, you know, as I think back, they pulled
24 some plans out from many years ago and said,

1 you needed to get that work done sooner
2 rather than later. I think you testified,
3 Mr. Strabone, that it cost more than it would
4 have if you did it next year.

5 A. (Strabone) No. It was just a cost that we
6 would have done in 2021 that we just now had
7 to do in 2020. So I used the word
8 "additional" probably incorrectly. It's just
9 cost we incurred to do this work, that the
10 developer said, hey, we originally planned
11 this for 2021, but now we want to do it in
12 2020. So we just had to pull that scope of
13 work into the current year. We still had
14 time to go through our competitive bid
15 process and do our design and go through our
16 appropriate steps and procedures to get, you
17 know, appropriate bids for the work. We
18 didn't pay a premium for any of the work. We
19 weren't -- we didn't have to accelerate to
20 meet -- we didn't have to accelerate to meet,
21 you know, the scope and a timeline that there
22 was unrealistic expectations. It was the
23 developer who came to us and said I want to
24 do this a year earlier, let's work it in.

1 And we went through the design process, the
2 bid process and the construction process,
3 because ultimately these buildings that were
4 coming in, they still needed to be
5 constructed. So if they planned eight months
6 of construction work in 2021, but now they're
7 doing it in 2020, well, they still had the
8 eight months of construction to do.

9 So it was just work that was originally
10 planned that would have been budgeted in
11 2021, that now had to be completed in 2020.

12 Q. Okay. Let's talk about the testimony that
13 you gave earlier, Mr. Strabone, about the
14 average amps being 60, and that equated to,
15 did you say 1 megawatt or 1.2 megawatts?

16 A. (Strabone) Yeah, one was 50 amps and one was
17 I think 57.

18 Q. What voltage were you using?

19 A. (Strabone) 13.2 -- 13,200. Sorry. I should
20 probably explain that.

21 Q. Okay. Thank you.

22 A. (Strabone) Sorry.

23 Q. That's okay. All right. So your peak demand
24 in Tuscan Village so far, then, is

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1 1.2 megawatts.

2 A. (Strabone) It's around two-point -- actually,
3 when you take the peak, the peak of each
4 feeder is occurring at different times. So
5 if you look at the two peaks together, it's
6 approximately 2.5 megawatts.

7 Q. Okay. And what's your peak demand for
8 Liberty, not including Tuscan Village or
9 even -- I mean what's the peak demand of all
10 of Liberty's service territory?

11 A. (Strabone) I'm sorry, I don't have that
12 information.

13 A. (Tebbetts) I can answer that.

14 Q. Sure.

15 A. (Tebbetts) It's about 198 to 200 megawatts,
16 depending on what's happening with the
17 system. But it's between that annually.

18 Q. And how many customers do you have?

19 A. (Tebbetts) About 46,000.

20 Q. And how many customers are going to be added
21 in Salem?

22 A. (Tebbetts) That I don't know because a lot of
23 what's in that list are residential customers
24 in the apartment buildings that they're

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1 building. So I don't know how many customers
2 there are. Hundreds. I'll say hundreds.

3 Q. Okay. How did you come up with a capacity
4 requirement of 22 megawatts?

5 A. (Strabone) That is from us working with
6 our -- working with the Tuscan Development
7 Team, the individual customers, and getting
8 load data sheets from the developer.

9 Q. Can you estimate what percentage of the
10 project, of the total Tuscan Village project,
11 is completed to date?

12 A. (Strabone) Actual completion would be very
13 difficult to determine at this time because a
14 lot of the buildings are at different stages
15 of construction. We were trying to look into
16 that to kind of correlate the two, you know,
17 what we had for readings as to what we had on
18 the sheet. And to be honest with you, we
19 would have to go back and really look through
20 each individual account, because we have some
21 buildings that on our side is complete, the
22 services to them, but they're at different
23 stages of completion. So they do have some
24 load, but they're not at their full build-out

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1 or full capacity.

2 A. (Tebbetts) So, for example, we have apartment
3 buildings that may only be 25 percent full
4 with customers because they just haven't
5 rented out the apartments yet. That's
6 certainly something that we said we wanted to
7 look into. We just didn't have time before
8 today's hearing from a couple days ago.

9 Q. All right. Well, I hope that you look into
10 that and assure yourself that you're going to
11 need 22 megawatts, because there's a lot of
12 investments coming and there will be a
13 prudency review, and 22 megawatts seems like
14 a lot to me. So...

15 A. (Strabone) It definitely is a lot. And duly
16 noted. And I can assure you that we go
17 through these load calculations and the load
18 data from these customers, and we ask a lot
19 of questions to make sure that we are making
20 the right decisions with respect to our
21 system improvements and this project.

22 A. (Tebbetts) And with that, I can also, if
23 you'd like, I can give you an update.

24 I had a meeting yesterday with Tuscan to

1 talk about one of their large users, which is
2 in our list of potential users. And I took
3 some notes there. So this potential tenant
4 is I think 5 megawatts on the exhibit that
5 Mr. Dexter provided. And that's Exhibit 75,
6 I think.

7 MR. DEXTER: Exhibit 75. That's
8 right.

9 A. (Tebbetts) Exhibit 75, yes.

10 So in Exhibit 75, near the bottom we
11 have something that says something like
12 research and development. And we had -- I
13 had a meeting with them yesterday to discuss
14 this and some other things. And what they
15 gave us, or gave me for some information, is
16 that this potential tenant, they've had 15
17 meetings with them. Their chief operating
18 officer flew in yesterday from Europe for a
19 meeting yesterday afternoon with the
20 developer, the owner of the development,
21 along with his team and the team from this
22 company that is confidential and couldn't
23 tell me. So they do believe that this
24 organization is very interested in moving

1 here, and they will be, I think, 5 megawatts
2 of load.

3 They also told me that their retail
4 stores are doing five times the sales than
5 projected. And I said, "Why does that
6 matter?" And he said, "Because their rent is
7 tied to sales." So as they have higher
8 sales, they pay more rent. So he knows for
9 certain that the retail stores are doing very
10 well.

11 They have an issue with parking already.
12 They had to create, in the dirt area that is
13 restricted, parking. They do not have enough
14 overflow parking at all. They've made three
15 overflow parking areas. On the weekends,
16 there's absolutely no parking at all for
17 this.

18 So I had told them we were having this
19 discussion today, this hearing, and I would
20 love to get some more information. He was
21 able to provide me that. He did say to me
22 and others that were with me, although Mr.
23 Strabone wasn't there, that they're very
24 excited about what's going on. They're

1 getting a lot of traffic. And even yesterday
2 when we were outside looking at the switch
3 gear, there was nothing but cars driving
4 right by us the whole time.

5 So we do think that there's opportunity
6 here for the load to come through. And I'd
7 even offer at some point a tour of the place.
8 And he offered, too, that if anyone at the
9 Commission or any other organization wants to
10 come through and have a tour, they're more
11 than happy to bring you guys around just to
12 see what the old Rockingham dog track looks
13 like now because it's unrecognizable from
14 that.

15 So we are encouraged by the developer
16 that these things are happening, and they're
17 going to come through.

18 Q. But all of that activity, the peak demand is
19 2.2 megawatts with all the activity that you
20 just went through; right?

21 A. (Tebbetts) Yeah. So again, as Mr.
22 Strabone noted, we have to go through
23 literally every single account and see if
24 every single apartment rented out, which

1 there's hundreds of them, right. So they may
2 not be. I don't know what was actually
3 energized at that moment of those days. So
4 there's a lot of retail stores that just got
5 energized a couple weeks ago. They may not
6 have been -- they may not have even moved in
7 by then.

8 So when we're looking at this, like he
9 said, it's a point in time. And we have to
10 go through every single account and see
11 exactly what has actual loads there and what
12 doesn't.

13 Q. Okay. Can we go to the meter project, which
14 starts on Page 21? What kind of meters are
15 you buying at this point?

16 A. (Tebbetts) They're just the regular AMR
17 meters that we use. We have to go through
18 the testing. And I think one of the exhibits
19 Mr. Dexter put in here provided information
20 about exactly what we were looking at for
21 meters. We replaced about 1,000 to 1500, I
22 think, meters a year. And that's just
23 testing and failures and other issues.
24 They're old, so...

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1 Q. When do you think that you'll start
2 introducing AMR [sic] meters? I mean, you
3 guys are the leaders in time-of-use rates.
4 I'm surprised that you're still buying --
5 sorry, I mean AMI meters. I'm surprised that
6 you're still buying AMR meters. Can you talk
7 to us a little bit about that?

8 A. (Tebbetts) Yes. Yeah, so we are looking
9 actively into moving to AMI in the next
10 couple years or so. In the meantime, we
11 still have to do all the testing and all of
12 these things. And we still have new
13 customers coming onto the system, as we
14 talked about testing just now. We can't give
15 them AMI meters. We just don't have the
16 back-office infrastructure, which is the Nest
17 network, to do this. So in the meantime,
18 they will continue to get the AMR meters.
19 But we are actively looking at going to AMI
20 in the next couple years, and that will
21 probably be introduced in our next rate case.

22 Q. Is there a bridge meter that you can buy
23 that's AMR that can be upgraded to AMI later?

24 A. (Tebbetts) You know, we looked into a little

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1 bit of this technology, and I'm not a hundred
2 percent sure. We are moving to Customer
3 First, which is going to be our -- we're
4 utilizing FAP and some other new software
5 systems. And I just don't know the answer as
6 to whether or not the FAP can easily
7 integrate with a bridge meter. I think what
8 we're looking to do here is we don't want to
9 touch anything that's not a great system to
10 integrate into. So once we can get our
11 Customer First up and going, we want to
12 utilize the meters, I'll call it the "final
13 meter" that the customer will end up taking.
14 And I'm not familiar enough with bridge
15 meters to understand whether or not that
16 would be available to us. But I know that we
17 are looking to use just a regular AMI meters
18 once we move into it. And the project team
19 is more involved in that than me.

20 Q. Okay. Just give me one minute to look at my
21 notes to make sure I covered everything,
22 okay.

23 (Pause)

24 BY COMMISSIONER BAILEY:

1 Q. Ms. Tebbetts, going back to the battery pilot
2 and the fact that customers, the first time
3 they charge the batteries, they have to
4 charge it at the fixed rate.

5 Can you -- you started -- I mean, I
6 think you said that the batteries offset the
7 load and so it doesn't cost them any more
8 money for the first charge. But I don't
9 understand that, if the rate that they're
10 paying is the same rate that they're charging
11 at.

12 A. (Tebbetts) Okay.

13 Q. Can you explain that?

14 A. (Tebbetts) Sure. So if the customer gets the
15 battery installed today and it needs to
16 charge up to 27-kilowatt hours, they're going
17 to pay --

18 [Court Reporter interrupts.]

19 A. (Tebbetts) I'm not sure the exact customer
20 rate. Call it 16 cents. They're going to
21 pay 16 cents to charge it. Tomorrow is
22 Friday. And around -- at 3:00, because their
23 battery hasn't learned their behavior, at
24 3:00 it's going to start discharging to their

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1 house. So they will not import any kilowatt
2 hours. So let's assume they use all those
3 27. Then they paid 16 cents for 27, and then
4 they discharged -- they didn't import 27.
5 Then at 8:00 it's going to charge up again
6 for 27-kilowatt hours at that same 16 cents.
7 And then on Monday they're going to export --
8 they're going to offset their charges at 16
9 cents. So for them it's actually flat. For
10 the time-of-use customers, it's just cheaper
11 to charge than charging any other time.
12 That's the difference. So there's no impact
13 to the customer because they're using what
14 they charged at the same rate.

15 Q. Okay. Thank you. I get it.

16 COMMISSIONER BAILEY: That's all I
17 have. Thank you very much.

18 CHAIRWOMAN MARTIN: Okay.
19 Commissioner Goldner, do you have any
20 questions?

21 COMMISSIONER GOLDNER: I do.

22 BY COMMISSIONER GOLDNER:

23 Q. I'd like to start on Exhibit 65, Page 29,
24 where we started about four hours ago. Ms.

1 Tebbetts mentioned that on Line 1 it went
2 from 11.4 million, which is on the sheet
3 here, to I think around 11.2 million. And
4 then on Line 40 you mentioned that it went
5 from the current value of 1.84 million down
6 to about right at 1.8 million. So on the top
7 you've got a delta of about 200,000, Line 1,
8 and on Line 4 you have a delta of about
9 40,000. So something must have changed in
10 between. Can you point me to the lines that
11 changed in between those two numbers?

12 A. (Tebbetts) Sure. Sure, I can. So it changes
13 a whole bunch of numbers.

14 (Witness reviews document.)

15 A. (Tebbetts) Okay. Well, we'll go through it.
16 I might have to open up the spreadsheet.
17 Because when I opened this up and did it this
18 morning, as the other number changed earlier,
19 the Line 4 on the other page, my federal tax
20 rates have changed as well, which I don't
21 know why. So give me one moment, and I'm
22 just going to open up the spreadsheet to make
23 it cleaner, because I don't know what's going
24 on.

1 (Pause)

2 A. (Tebbetts) Okay. So I see what's going on
3 here. Okay. So there's a bunch of things
4 that changed, and it's a function of what's
5 happening on the second page as well. But
6 let me get -- if you just give me one moment.

7 (Pause)

8 A. (Tebbetts) Regardless of the book
9 depreciation and federal tax rate changes for
10 deferred tax purposes -- so a few things
11 happened. The calendar year spend when you
12 compare the original filing with what I gave
13 you this morning -- so Line 7 -- that
14 calendar year spend on Line 7 goes down to
15 about 550,000. So right now it's 580, and it
16 goes down to about 550,000. That flows
17 through to Line 14, which then reduces the
18 book depreciation to 464,000; so that's
19 another reduction of about 20,000. Because
20 of those changes and those reductions, our
21 deferred tax reserve goes down. Our
22 effective tax rates do not change. So
23 ultimately our total deferred tax reserve
24 ends up being about \$5200 instead of 58.

1 When you take the new on Line 27, that
2 would be what Line 1 is. And then you look
3 at that, and that changes down to the new
4 number that I gave you. Line 28 then changes
5 again because that's the book depreciation.
6 And then the deferred tax reserve changes as
7 well. You end up with a number of about
8 10.7 million, where if you look at the
9 filing, it's about 10.9 million. That's your
10 \$200,000 that changes.

11 Q. Right.

12 A. (Tebbetts) So then as we move down to
13 calculate the revenue requirement, you have
14 your return in taxes at 1.024 million, where
15 the new number is about 1,007,000. The book
16 depreciation is reduced again by that 20,000.
17 And your property taxes have been also
18 reduced by about 6,000. So with those
19 reductions, you come up to about \$45,000 for
20 the annual revenue requirement calculation.
21 That's the reduction. So while you may have
22 a 200 -- let me see here. We had about a
23 \$200,000 reduction in the capital investment.
24 That translated to about \$43,000 in the

1 annual revenue requirement reduction. So,
2 about a quarter.

3 Q. Okay. Looks it's like primarily driven up
4 Line 34. You're taking 9.36 percent of a
5 really big number, and that's the bulk of the
6 difference. Okay. Thank you. I understand.

7 If we move to Page 10 on Exhibit 65, I'm
8 following up on some of Commissioner Bailey's
9 questions.

10 A. (Tebbetts) Okay.

11 Q. So the cost of the program is stated here at
12 1.434 in 2020. So that's the cost for the
13 year. And I think Commissioner Bailey asked
14 this question, but maybe I didn't understand
15 the answer, which is have the benefits been
16 quantified? We spent 1.4. How much did we
17 get back? What does that look like?

18 A. (Tebbetts) So with regards to the reduction,
19 the peak reduction would come with our
20 reduction from the transmission grid. And I
21 don't have that information in front of me at
22 this moment. I think -- one second here. I
23 think I might have something. The report
24 that we filed, I should have it right here.

1 I don't know -- I have to look into this and
2 see exactly -- I don't think in the first
3 report we provided exactly what the reduction
4 was for kW.

5 And as part of -- I think this is also
6 maybe something that we certainly can add.
7 As part of the requirements for our quarterly
8 reporting, that reduction is not part of the
9 requirements for reporting, and it probably
10 should be. So that's something else I
11 wanted to -- I had talked to our consultant
12 about providing that kind of information,
13 because I don't believe it's required as part
14 of what we had figured out would be part of
15 our reporting. But I can tell you that --
16 oh, go ahead.

17 Q. I was just going to say I think what the
18 Commission would be interested in is a couple
19 of things. One is the overall benefit for
20 the \$1.4 million spent. But I think even
21 more importantly, as I understand it, there
22 were 60 customers attached to this; so that's
23 about \$24,000 each with the spend on each of
24 the customers.

1 And so I think what would be very
2 interesting to see would be a table that
3 shows for each of those customers, with the
4 names blocked out of course, what benefit
5 each customer -- because I suspect what
6 you're going to see is that some customers
7 are getting no benefit and some customers are
8 getting huge benefit. And I think the
9 Commission would be very interested in that
10 profile within those 60 customers as we learn
11 through this pilot. So I would like to look
12 at that data.

13 That's all I have on Page 10. If
14 everyone's okay, I can move to Page 36 in the
15 exhibit -- yes.

16 A. (Tebbetts) I just have a question for you
17 with regards to that. We have an open
18 docket, Docket DE 17-189, where we're
19 actively working on some of these. So my
20 question is would you request that that
21 information be in this docket, or maybe we
22 should be providing it through that -- we
23 have an open proceeding right now -- and
24 providing it there so that it's in one place,

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1 and then the other parties in that docket,
2 which there are a lot, also get that
3 information. I'm just --

4 COMMISSIONER GOLDNER: Chairwoman
5 Martin, do you have a preference?

6 CHAIRWOMAN MARTIN: Well, you can
7 either do it as a record request here and get
8 the information so that you have it in this
9 docket, if you need it for this docket;
10 otherwise, you could receive it in the other
11 docket. It's really your preference,
12 timing-wise.

13 COMMISSIONER GOLDNER: Okay. I
14 think I would like to do it in both, yeah,
15 because to Ms. Tebbetts' point, it's
16 appropriate to share with the other utilities
17 as well.

18 BY COMMISSIONER GOLDNER:

19 Q. Okay. So let's move to Page 36, same
20 exhibit.

21 CHAIRWOMAN MARTIN: Commissioner
22 Goldner.

23 COMMISSIONER GOLDNER: Yes.

24 CHAIRWOMAN MARTIN: I just want to

1 note that we will reserve Exhibit 80 for that
2 record request.

3 COMMISSIONER GOLDNER: Thank you.

4 BY COMMISSIONER GOLDNER:

5 Q. So I'm following up on some of Attorney
6 Dexter's questions on that CIAC rate on
7 exhibit -- on Page 36. And it's just really
8 a follow-up to understand.

9 My simple math here was that we have a
10 charge of, I think you said \$50 a month times
11 12 months for 10 years; so that's \$6,000.
12 Customers do have the option to pay upfront.
13 But this charge is sort of an add-up of all
14 customers at that charge. So wouldn't it
15 just be \$6,000 times 60, or \$360,000, in that
16 line?

17 A. (Tebbetts) No. So 13 customers paid \$4,866.
18 So that total is 63,258 --

19 Q. I see. So you -- oh, I'm sorry, Ms.
20 Tebbetts. I think what you're doing, if I
21 may, you're sort of taking a present value.
22 So the people that got the option to pay 4300
23 paid less because they weren't making
24 payments for the next 10 years. So they got

1 charged less in the end; right? Completely
2 appropriate. I'm just trying to understand.

3 A. (Tebbetts) Yes. So --

4 Q. Go ahead.

5 A. (Tebbetts) So in that docket, that is how we
6 calculated it. So, correct.

7 So the order provided in -- the
8 Settlement Agreement in that docket provided
9 that customers who paid upfront got
10 essentially the net present value, a
11 discount, for paying upfront. And customers
12 who didn't paid the full \$6,000, yes.

13 Q. Okay. So I'm just using my old-fashioned
14 calculator here, so bear with me. So 13
15 times 4300 is about 56. And then we have 38
16 customers at the 6,000; right? So you're
17 probably faster in your spreadsheet, but hold
18 on.

19 A. (Tebbetts) Just so you know, the payment was
20 4,866.

21 Q. Oh, okay. My mistake. Okay. So I see what
22 you did, and I also see what Attorney Dexter
23 was pointing out, which is there's nine
24 missing from the calculation. So, okay.

1 Very good. Thank you for helping me.

2 Okay. Speaking of math, Mr. Strabone,
3 can you remind me of my three-phase
4 calculations to get to load? I know there's
5 something about power equals voltage times
6 current. We have three phases here. Can you
7 take us to 13,200 volts --

8 [Court Reporter interrupts.]

9 CHAIRWOMAN MARTIN: Just a minute.

10 Q. So, yes, I'm just asking Mr. Strabone to take
11 us through just the math on the load or the
12 power calculation to take us from the
13 13,200 volts that he had mentioned earlier
14 and the 50 amps at three phases to get us to
15 a 1-megawatt load. It's been a while, so I'm
16 just trying to remember how to do the math.

17 A. (Strabone) Sure. So you have your 13.2 -- so
18 you have 13,200. You can divide that by
19 1,000 already. So you have 13.2 times your
20 50 amps, times your square root of 3 --

21 Q. Okay.

22 A. (Strabone) -- and you get 1,141. And that's
23 really -- to convert the 1,141 kilowatts to
24 megawatts, it's another division of 1,000 to

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1 get your one point --

2 Q. I'm sorry, sir. Thank you. Very good.

3 A. (Strabone) Yup.

4 Q. It was the root of three that I had forgotten
5 about.

6 A. (Strabone) Trips me up all the time, too.

7 Q. Right. One phase is so much easier. Okay.
8 Very good.

9 So let's now go to the issue of burdens.
10 And I'm just -- I just have a few questions
11 to follow up on Commissioner Bailey's
12 questions.

13 Can you tell me, Ms. Tebbetts, what are
14 the top -- what are the burdens composed of,
15 or what are the top two or three overheads
16 that show up in your burdens? Can you give
17 the Commission some granularity on what is
18 inside that burdens number?

19 A. (Tebbetts) Sure. So to start, we have three
20 different burdens. We have a burden that is,
21 I'll call it a New Hampshire burden, so local
22 overhead costs. We have our corporate
23 burden. So those are all the corporate costs
24 that are then, you know, moved down to the

1 operating companies, such as Granite State
2 Electric. And then we have our storage
3 burden, which is actually a burden on
4 inventory.

5 Q. Okay.

6 A. (Tebbetts) And so when we receive a burden on
7 a charge, depending on what that charge is
8 will depend on what burden it receives.

9 So, for example, if we have a burden
10 for -- so we have a labor charge. You charge
11 your time to a project. You're going to get
12 a burden for -- I just happen to have it on
13 the board here. You're going to get a burden
14 for the local overhead charges. You're going
15 to get a burden for the local overhead
16 charges and the corporate charges. So that's
17 how you're going to look at that.

18 Q. So, for example, your corporate -- I'm sorry,
19 Ms. Tebbetts.

20 So, for example, your corporate burden
21 would be things like corporate finance,
22 executive pay. These kinds of things would
23 roll down to -- do those come as a fixed
24 charge for the year, say \$1 million per month

1 or something like that, or is it just a fixed
2 charge that rolls in annually?

3 A. (Tebbetts) It is not a fixed charge. And I'm
4 not an expert on this, I will say. But my
5 understanding from just dealing with the
6 burden issues here is that whatever, you
7 know, charges have been incurred in that
8 month are then flowed down.

9 So an example would be maybe in the
10 month of February we had a 1,000 employees on
11 the payroll in corporate, but in the month of
12 March we had 992 because people left. So one
13 could assume that those burden rates may be
14 lower. Or maybe we had 1,010 because we
15 hired people for certain jobs that were not
16 being filled at the time.

17 So I don't believe that they're exactly
18 the same every single month. And it also
19 depends on what kind of charge it is, in the
20 sense of, like, materials. Materials only
21 get one of those burdens and then -- of the
22 management burdens. And it doesn't get --
23 and then it gets the inventory burden, right.
24 So it's complicated I guess is my point.

1 It's very complicated.

2 Q. Can I -- yeah, I would like to help you with
3 that. Is there -- are you closing the books
4 monthly?

5 A. (Tebbetts) Yup.

6 Q. Why? Why would you close the books monthly?
7 Why wouldn't you close the books quarterly?
8 Most publicly traded corporations will close
9 the books quarterly. They report monthly.
10 They have monthly processes, but they close
11 the books quarterly.

12 A. (Tebbetts) Oh, okay. So I see what you're
13 saying when you say "close the books." I'm
14 sorry.

15 We do our monthly reporting. I don't
16 know how often we would consider what you're
17 saying, "close the books." I don't know the
18 answer to that.

19 Q. Okay. It just seems like you're doing an
20 awful lot of accounting work for very little
21 benefit. You're adjusting burdens monthly
22 and you're getting all these charges in. You
23 must have a very large accounting department
24 to be able to deal with the complexities, as

1 you said, because you, in my opinion, have
2 some self-inflicted wounds here.

3 Okay. So would you say the corporate
4 burden, is that, you know, 10 percent on
5 average in a typical year? How big is that
6 corporate burden?

7 A. (Tebbetts) I don't know the answer to that,
8 actually. It's a blend.

9 Q. I'm just trying to -- oh, I'm sorry. I'm
10 just trying to understand this New Hampshire
11 burden, this corporate burden, this third
12 burden you mentioned. Are these -- is it
13 dominated by one, or is it -- are they all
14 kind of equal? I'm just trying to
15 characterize what you have inside this burden
16 number.

17 A. (Tebbetts) So if you give me one moment, I
18 can just take a look at something that I do
19 have that might help me. But I don't know if
20 it's actually going to help me, but I'm going
21 to look at it anyways. Okay.

22 CHAIRWOMAN MARTIN: Commissioner
23 Goldner, I wonder if it might be helpful to
24 have a record request for the breakdown of

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1 the burdens at a particular time.

2 COMMISSIONER GOLDNER: Yes. Thank
3 you, Chairwoman. I think that's a good idea.
4 That's a good idea so that we can move on to
5 another topic. But yes. Would you like me
6 to restate the question or --

7 A. (Tebbetts) Well, may I --

8 CHAIRWOMAN MARTIN: Yes, if you
9 would, it would help.

10 A. (Tebbetts) Sorry. May I add that
11 Commissioner Bailey requested the '19 and '20
12 burden rates? So we're going to provide it
13 anyways. And we would provide it by the
14 breakdown of that --

15 BY COMMISSIONER GOLDNER:

16 Q. Okay. Very good. Very good. As long as the
17 detail is in Commissioner Bailey's request, I
18 think that would be fine.

19 A. (Tebbetts) Okay.

20 Q. What would the response of the Company be if
21 the Commission said you shouldn't be changing
22 burden rates monthly, you should be changing
23 them quarterly or yearly? What would the
24 Company's response be on that?

1 A. (Tebbetts) I am not the person to ask for
2 that since I don't work in finance and I
3 don't deal with the calculation of the burden
4 rates. So unfortunately, I can't answer that
5 question.

6 Q. Okay. I would also like to ask about another
7 one of Commissioner Bailey's requests, just
8 to make sure all the data is in there.

9 She had asked for the burden
10 information. I just wanted to make sure that
11 you would include the direct charge in
12 dollars, the burdens in dollars. And then
13 percentages, of course, you know, can be
14 included. And then would you be able to --
15 so what I'm asking for is you suggested you
16 would include the burden information. But we
17 also need the direct charge information so we
18 have the complete picture. And I'd like to
19 see that by project and then for total
20 company. So there's a total company line, a
21 total at the bottom, and then a breakdown by
22 project. Would that be problematic, or could
23 you sort of bolt that onto Commissioner
24 Bailey's request?

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1 A. (Tebbetts) So I can tell you that all of that
2 is in Exhibit 65 under -- for each of the
3 attachments it provides overhead. And we
4 were calling it "overheads" on here, but it's
5 the burdens. So you have the dollar amount
6 that was charged to each project in there.

7 Q. Yeah, I think a summary table would be very
8 helpful. There's many pages and lots of --

9 A. (Tebbetts) Okay.

10 Q. Yeah, just a summary table would be great.
11 Thank you.

12 A. (Tebbetts) So I just want to make sure I do
13 this correctly. You want a summary table of
14 the project?

15 Q. Hmm-hmm.

16 A. (Tebbetts) Dollars?

17 Q. Hmm-hmm. Yes.

18 A. (Tebbetts) And what else? I'm sorry.

19 Q. The direct charges and the burdens by month
20 and for the year total, yeah.

21 A. (Tebbetts) Okay.

22 Q. It's really just Commissioner Bailey's
23 request. I'm just filling out the detail a
24 little bit, so...

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1 A. (Tebbetts) Well, so I just want to make sure
2 I'm clear again. So you want a summary by
3 project that we filed in the step in this
4 filing.

5 Q. Hmm-hmm.

6 A. (Tebbetts) And in that we should see a column
7 of total dollars.

8 Q. Hmm-hmm.

9 A. (Tebbetts) We should see a column of direct
10 charges.

11 Q. Hmm-hmm.

12 A. (Tebbetts) I'm just writing it down. And
13 then a column for the burdens.

14 Q. Hmm-hmm.

15 A. (Tebbetts) But you want -- what do you want
16 by month? You want the burden charges by
17 month as well?

18 Q. Yeah, that was in Commissioner Bailey's
19 request. That's right.

20 A. (Tebbetts) Well --

21 Q. It's three-dimensional. So it's going -- we
22 might want to think about how we display
23 that. But I do realize it's
24 three-dimensional.

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1 A. (Tebbetts) So what I was anticipating to
2 provide for Commissioner Bailey's request was
3 not by project but the burden rates overall
4 for Granite State Electric for each of those
5 three pieces by month. So that wouldn't be
6 what the burden charge to this project is.
7 So then maybe they are separate requests I
8 guess is what I'm saying.

9 Q. Yeah, I think you're right.

10 A. (Tebbetts) Okay. That's fine. We can do
11 that.

12 CHAIRWOMAN MARTIN: And for
13 Commissioner Bailey's, I had also the average
14 for each year.

15 WITNESS TEBBETTS: Yes. Yes, I
16 will include that as well.

17 BY COMMISSIONER GOLDNER:

18 Q. Very good. And I just have one more
19 question, and that is on Exhibit 65, Bates 71
20 and 140, again just following up on Attorney
21 Dexter's questions.

22 I noticed in both of those tables, and
23 perhaps more, that the total spend was
24 greater than the budget, and in at least one

1 case much greater than the budget. Does that
2 cause any concerns for you? It seems like
3 there's a trend to spend a far larger number
4 than the budget.

5 A. (Tebbetts) May I ask what Bates page you're
6 on? I'm sorry. I didn't hear you.

7 Q. Yes. I'm sorry. 71 and 140.

8 A. (Tebbetts) Okay. Thank you.

9 Q. Where I'm going, Ms. Tebbetts, is I'd like to
10 understand sort of the corrective actions
11 whenever there's a project that goes over
12 budget. I would assume there are some
13 lessons learned and there are corrective
14 actions that are taken on a project that goes
15 that far over budget.

16 A. (Strabone) Yeah, so on Bates Page 71, we can
17 talk about this one because that's the Tuscan
18 Village project that went over budget, where
19 we had change orders.

20 So the process that we do here is that,
21 you know, we'll take it from the step that we
22 have identified work and that now the
23 customers come to us and say we need
24 additional work to be done, which then

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1 ultimately results in us needing additional
2 funding. From there, what we're doing is
3 we're generating a capital change order to
4 request the additional funding, and then
5 we're bringing that to senior leadership
6 during our monthly capital budget meetings.
7 And folks that are on this call, they
8 represent all the departments. So it's
9 regulatory, engineering, construction,
10 operations. Our senior leaders that are --
11 our local president, regional president,
12 vice-president, they're all invited. Also
13 folks from finance are on there as well. And
14 we discuss these projects, and we discuss the
15 implications of what's driving the additional
16 costs for the funding, you know, what we're
17 going to -- is there a way to mitigate it,
18 you know, if there is, if there isn't; how
19 much do we truly need; what's the impact to
20 our overall capital budget; you know, if
21 it's -- you know, some of these -- you know,
22 in this case it's customer-driven. So, you
23 know, we look at that as a top priority that,
24 you know, would need to receive the funding

1 so we can, you know, provide service to a
2 customer.

3 We look at, you know, ultimately what
4 does this impact have on our bottom line to
5 the capital budget as well. And then we're
6 getting feedback from --

7 [Court Reporter interrupts.]

8 A. (Strabone) So we're getting feedback from our
9 senior leadership, our locals here. And
10 depending on what the impact would be, they
11 may also bring it up to their -- to
12 corporate, you know, to a higher level, to
13 talk about impacts on the capital budget.
14 And from there it could be either, hey, we
15 need to minimize this overall impact, so is
16 there other projects that we can reduce
17 funding on. Or we may get the go-ahead and
18 say, yes, that's okay. The overall impact is
19 not that significant and go ahead and spend
20 that money. And then the change order gets
21 approved, signed off on, and then we're
22 allowed to go ahead and spend -- you know, go
23 ahead and perform that work and spend the
24 additional capital.

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1 Q. Okay. Thank you. That makes sense.

2 Is there -- just so I understand, is
3 this -- if the budget -- if the spend is
4 larger than the budget, do those increased
5 dollars still show up in the rate of return
6 calculation? I believe it would; correct?

7 A. (Tebbetts) I'm sorry. Could you repeat that
8 question?

9 Q. Yeah, I'm just trying to understand. The
10 total spend number, that ultimately ends up
11 in your rate of return calculation; right?
12 It's the actual spend and not the budget that
13 shows up there; right?

14 A. (Tebbetts) Yes, that's correct.

15 Q. So is there any downside to spending more? I
16 mean, if it would have been -- if \$4 million
17 would have been approved on this sheet
18 instead of 2.7 million, you would have still
19 gotten your rate of return on the 4 million;
20 correct?

21 A. (Tebbetts) Well, not if it had been
22 approved -- if that's what we had spent, then
23 yes, we would be coming in for \$4 million.
24 But I would say that we -- the way we look at

1 our budget is we stay within, you know,
2 parameters that are appropriate with regards
3 to our rate of return, so that we don't want
4 to -- how do I say this? We don't want to be
5 over-earning. We don't want to under-earn.
6 We want to try to get as close as we can to
7 what we're allowed. We rarely do, simply
8 because of the capital spending that we do.
9 But we do try to manage to that budget. Some
10 of these projects, as we mentioned, are
11 customer-driven. And when that happens, it's
12 difficult to manage that, in the sense that
13 we expected to pay X, but the developer came
14 to us to spend Y.

15 One way we manage is how we mentioned
16 earlier, where we will cancel projects. So
17 our enhanced bare conductor project for
18 \$875,000 was canceled because we had other
19 costs incurred during the year. And so
20 rather than just spend it anyways -- of
21 course we could have, but that would -- it
22 wouldn't provide us, you know, the level of
23 scrutiny on our budget that our senior
24 leadership expects from us. And so that

1 decision in that example would be to cancel a
2 project and defer it to another year to
3 accommodate the fact that we are expected to
4 try to spend within our annual budget.

5 Q. Okay. Thank you.

6 COMMISSIONER GOLDNER: That's all I
7 have, Chairwoman Martin.

8 CHAIRWOMAN MARTIN: Okay. Thank
9 you. And you'll be happy to hear that I
10 don't have any additional questions.

11 Back to Mr. Sheehan, if you have
12 redirect.

13 MR. SHEEHAN: Certainly. I have
14 notes, so it will be kind of scatter shod.

15 REDIRECT EXAMINATION

16 BY MR. SHEEHAN:

17 Q. Ms. Tebbetts, I think you described it. But
18 to be clear, on the CIAC, the formula, is it
19 correct to say that you look at a customer's
20 expected load, which translates into expected
21 distribution income, and that's the starting
22 point to determine whether there'll need to
23 be a CIAC?

24 A. (Tebbetts) That's correct. So a developer or

1 a customer will come to us and say we need
2 service for this building. And we request
3 load data information, such as square footage
4 and lighting, and as much information as we
5 can get. And then we have the spreadsheet
6 that we have developed over many, many, many
7 years, so that we are including the demand
8 diversity. So we're not just saying it's 100
9 percent load because it may not be 100
10 percent, what they're giving us. We provide
11 a demand diversity in there. And then that
12 will calculate, utilizing the formula in the
13 tariff, what the total revenue is based on
14 the rates in effect at the time of the
15 request. And then they also calculate based
16 on that formula what credit the customer may
17 get for revenue. In the event that the cost
18 to serve that customer to build that line
19 extension, for example, is greater than the
20 credit for revenue, the customer will owe us
21 a CIAC.

22 Q. So a real simple example would be the revenue
23 calculation is 100 bucks, but it's going to
24 cost 110 to connect that customer. You send

1 them the bill for a \$10 CIAC.

2 A. (Tebbetts) Yes.

3 Q. There was a lot of time spent on burdens.

4 But one further -- or a couple questions on

5 what is in the burden. And you described a

6 local burden rate, a corporate burden rate.

7 And I think there was an inventory burden

8 rate. Is it fair to say that what comprises

9 the local burden rate are many of the costs,

10 employee costs, accounting costs, insurance,

11 benefits, et cetera, that is part of the

12 presentation in a general rate case?

13 A. (Tebbetts) Yes.

14 Q. And those costs are subject to review in the

15 general rate case, and ultimately some

16 number's approved for all those kinds of

17 costs; is that right?

18 A. (Tebbetts) Yes.

19 Q. And then, of course, some of those costs are

20 allocated to capital projects and result in

21 this burden rate. And that process is also

22 subject to review in a rate case.

23 A. (Tebbetts) Yes.

24 Q. Okay. And I think there might have been a

1 little disconnect on a couple of the
2 questions about the battery program.

3 When there's not a peak event called,
4 the batteries are used each day to offset
5 customer load during the peak period. Or at
6 least that's the first priority of the
7 program.

8 A. (Tebbetts) Yes, that's correct.

9 Q. And when a peak event is possibly coming, the
10 program makes sure the battery is charged and
11 ready to respond to that peak event some
12 hours ahead; is that fair?

13 A. (Tebbetts) Yes.

14 Q. And so the program is designed to make sure
15 as much of the customer's batteries are
16 available to us at the peak when the actual
17 hour comes or two hours come.

18 A. (Tebbetts) Yes.

19 Q. And on the last few questions from
20 Commissioner Goldner on the amount we spend.

21 In this particular case, the step
22 adjustment that's up for review had a cap on
23 it as part of the Settlement Agreement; is
24 that correct?

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1 A. (Tebbetts) I believe it was -- I'm not sure
2 of the exact wording in the Settlement
3 Agreement. But I do believe that it wasn't
4 necessarily capped, but it was that we would
5 come in at about 1.8 million. For 2022 there
6 is a cap at 1.8 million.

7 Q. And is it fair to say the brackets around
8 this step was the specific list of projects
9 that was agreed to as part of the settlement?

10 A. (Tebbetts) That's correct, with the
11 opportunity to substitute as necessary.

12 Q. So if in fact we had spent \$4 million on four
13 other projects during 2020, the Settlement
14 Agreement would have precluded recovery of
15 those projects.

16 A. (Tebbetts) Yes.

17 Q. Is it also fair to say, more generally, that
18 any money we spend on a capital project is
19 always subject to prudence review, whether in
20 a step or rate case, and if the Commission
21 were to find the spending imprudent, we don't
22 get recovery there?

23 A. (Tebbetts) Yes.

24 MR. SHEEHAN: That's all I have.

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1 Thank you.

2 CHAIRWOMAN MARTIN: Okay. Thank
3 you.

4 Any follow-up questions from the
5 Commissioners?

6 [No verbal response]

7 CHAIRWOMAN MARTIN: Okay. Seeing
8 none, we will strike I.D. on Exhibits 65
9 through 77 and admit those as full exhibits.

10 We are also holding the record open
11 for Exhibit 78, which is an updated
12 Attachment 1 to Exhibit 65; Exhibit 79 for
13 Commissioner Bailey's record request
14 regarding burdens; Exhibit 80 for
15 Commissioner Goldner's record request
16 regarding customer benefits of battery
17 storage; and Exhibit 81 for the summary table
18 by project as requested by Commissioner
19 Goldner.

20 Mr. Sheehan, do you have clarity on
21 all of those, or do you have any questions?

22 MR. SHEEHAN: I do have clarity on
23 the request. I have one question.

24 I talked to Ms. Tebbetts on the

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1 break, and she will have 78 by first thing
2 tomorrow morning.

3 The burden rates, I haven't talked
4 to her about it, but I think that is
5 manageable in the next couple days, if not
6 tomorrow.

7 However, I don't have a handle on
8 how long it might take us to go through the
9 battery customers to calculate, you know,
10 their individual benefit. And I'm not sure,
11 frankly, if we could get that in time for a
12 July 1 order in this docket. I think that
13 that information may not affect this
14 particular case, the resolution of it. So I
15 wonder if the Commission is looking for it
16 prior to order, or whether if it comes in
17 sometime after that would be acceptable.

18 CHAIRWOMAN MARTIN: Commissioner
19 Goldner, did you have a timing on that? Are
20 you okay if it comes in after the order is
21 needed in this case?

22 COMMISSIONER GOLDNER: I think that
23 would be fine, yes.

24 CHAIRWOMAN MARTIN: Okay. Anything

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1 else?

2 WITNESS TEBBETTS: I think one --

3 MR. SHEEHAN: I was going to say
4 maybe Ms. Tebbetts can tell me whether I'm
5 right or wrong on that issue.

6 WITNESS TEBBETTS: No, no, you're
7 correct. I think what I need to do is I need
8 to get -- the data has to be downloaded. And
9 what I'm going to do, just for ease, is start
10 with January 1st data, just to simply make it
11 just a starting point where we're doing our
12 quarterly reporting. I think it would
13 probably be helpful to see what the quarterly
14 reports say and then compare that to the
15 actual data that I'm giving you. And then --
16 but I need to get Tesla involved to get the
17 data, and I may need to get Guy Howes
18 involved as well, because they're the ones
19 who are putting it together for us so that
20 it's in a nice package for you and not just a
21 download of a spreadsheet. So I will work
22 with them next week, most likely. I'm going
23 to have to get a call with them so I can
24 explain to them everything that needs to

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1 happen. So maybe a couple weeks, given that
2 the Fourth of July holiday is here. I don't
3 know how -- if they're available.

4 But again, I don't think that this
5 data you're requesting affects our request.
6 But I'm more than happy to provide it, if the
7 timeline is okay with you, that it may be a
8 couple weeks.

9 CHAIRWOMAN MARTIN: Why don't we
10 set a deadline of July 15th.

11 A. (Tebbetts) Okay. Thank you.

12 CHAIRWOMAN MARTIN: Okay. And then
13 we are going to reserve an exhibit, in case
14 it's necessary, Exhibit 82, to be used as
15 described by Mr. Dexter in the letter from
16 the OCA regarding the decoupling tariff, if
17 it is needed following the discussions that
18 were agreed to between the Company and the
19 Staff and as contemplated by the OCA.

20 Anything else? Any questions on
21 any of that?

22 [No verbal response]

23 CHAIRWOMAN MARTIN: Okay. Then
24 we'll go to closings and start with Mr.

1 Dexter.

2 MR. DEXTER: Thank you,
3 Commissioners, for hanging in. It was a very
4 long day, which I didn't predict would go
5 this long, but...

6 Based on the Staff's review of the
7 documents that were filed, and relying in
8 part on the partially completed audit, Staff
9 would recommend approval of the recalculated
10 revenue increase that we get with the
11 exhibits that's been reserved. We say that
12 having not seen it, but assuming that it's
13 verifiable when it comes in.

14 We would recommend two further
15 adjustments to that calculation, and we
16 talked about both of those today. Staff
17 would recommend that the Company make, for
18 purposes of this step adjustment, a pro forma
19 adjustment to rate base to reflect the CIAC,
20 or the nine customers that seem to have, I'm
21 going to use the term "fallen through the
22 cracks" due to timing differences. In other
23 words, we've got the cost of their battery in
24 rate base. It would seem perfectly

1 symmetrical and reasonable to incorporate
2 their CIAC as well. The witness testified
3 that it could be somewhere between one or all
4 nine of these customers where the CIAC has
5 not been reflected, depending on whether they
6 paid upfront or whether they paid over time.
7 But we believe it would be worth the effort
8 to look into that and quantify the CIAC if
9 it's not reflected so that the rate base, as
10 a result of this docket, is symmetrical; in
11 other words, if we have the cost of the
12 battery, that cost should be offset by CIAC.

13 With respect to the second
14 adjustment that we would propose, it's
15 actually got two parts: One was for \$37,000
16 and one was for \$1,700. This related to
17 charges that were described as "2021 charges"
18 that were put into rate base in 2020 for, it
19 sounded like accounting convenience purposes.
20 And on that basis, Staff would strongly
21 disagree with including those two figures in
22 rate base in this case. However, we heard
23 from the witness that, in fact, although they
24 were classified in the materials that were

1 filed as "2021 charges," that they were in
2 fact booked to Plant In Service either in the
3 Plant In Service Account or in the Completed
4 Construction Not Classified Account, both of
5 which were rate-base included, that they are
6 in fact in those accounts at the end of the
7 year. So that strikes us as in somewhat
8 conflict with the materials that were filed
9 in Exhibit 65. We would ask that,
10 respectfully, that the Company verify that
11 those two figures were in fact booked to
12 Plant or Completed Construction Not
13 Classified. And if they were, we wouldn't
14 have an objection. If they're booked to
15 Plant at the end of the year, we believe that
16 their rate base is includable in this docket.

17 If, however, the Company determines
18 after looking and checking with the
19 accounting department -- and the witness
20 indicated several times that they don't keep
21 the books -- if in fact they were recorded in
22 2021, then Staff would recommend their
23 exclusion from this step, and that would be
24 something that the Company would need to look

1 for in a future proceeding.

2 So those are two recommendations we
3 make with respect to the numbers that we've
4 been talking about today.

5 Thirdly, it's been mentioned a
6 number of times that the investments that
7 were presented today are subject to audit by
8 the Commission's Audit Division. The witness
9 indicated, and we understand, that this audit
10 is not complete. So we would like to make a
11 fairly typical request that any results of
12 this case be subject to adjustment based on
13 the outcome of the audit.

14 In addition, very near the end of
15 Exhibit 65, on Page 189, is the list of
16 projects for next year's step adjustment.
17 And if you recall, if you go back to the
18 original Settlement Agreement, the agreement
19 was that the Company would provide this list
20 in this docket, which they have done and we
21 appreciate. This list, I just want to make
22 clear that from Staff's viewpoint, should be
23 for informational purposes at this time. I
24 don't think the Company asked for approval of

1 this list. We understand that it's
2 informational. There are at least four
3 projects that are labeled as "growth," one of
4 which is Tuscan Village, which we talked
5 about. The other three we're not sure.

6 So Staff would like the opportunity
7 to work with the Company, as the settlement
8 contemplates, to come up with an agreed-upon
9 list for the step adjustment next year. We
10 just didn't want the Commission or the
11 Company to view this as an approved list
12 within the confines of this docket.

13 And we will take the opportunity to
14 join in the conversations between the
15 Consumer Advocate's Office and the Company on
16 the decoupling tariff and try to get to the
17 bottom of that in a very short period of
18 time. We wish we had brought that to the
19 Commission on a more timely basis, but that
20 just happens to be the nature of how this
21 review happened. We're not trying to hold up
22 the proceeding. I think it's something that
23 could be dealt with after July 1st if
24 necessary.

1 So that summarizes Staff's
2 recommendations and position in this case.
3 And again, we thank you for the fairly long
4 day.

5 CHAIRWOMAN MARTIN: Okay. Thank
6 you, Mr. Dexter.

7 Mr. Sheehan.

8 MR. SHEEHAN: Thank you. So going
9 back to the beginning, there are a handful of
10 things for which we've requested approval
11 here. The step increase based on the capital
12 projects and the final number will come
13 tomorrow, and those include the
14 reconciliation of the rate case expenses and
15 the recoupment and approval of the two tariff
16 language pieces: The lighting tariff and the
17 decoupling tariff. As mentioned, we have
18 every intent to work with OCA and Staff to
19 learn what the language tweaks are to the
20 tariff, and I fully expect we'll reach
21 agreement on that.

22 The other issue referenced in the
23 OCA's e-mail was the revenue per customer.
24 And there was apparently some concern that

1 that was not fixed. However, it takes a
2 determination in this case to sort of set the
3 revenue level before we can calculate the
4 revenue per customer. At its very basic
5 level, when the order is issued in this case,
6 it's gong to say Liberty is entitled to
7 recover, say \$40 million per year. The
8 decoupling mechanism is designed that we only
9 recover 40, no more, no less, and we
10 calculate a revenue per customer to try to
11 hit that target as best we can. Then, as Mr.
12 Dexter said, it's next year when we can look
13 back on the first decoupling year and we can
14 find out if we recover 39-1/2 million or
15 40-1/2 million and make the appropriate
16 adjustment.

17 So that's a long way of saying that
18 the revenue per customer is a calculation
19 that we will do. It doesn't have to be in
20 the tariff. I don't remember if it is or
21 not. The mechanism for calculating is in the
22 tariff, and that is more of an accounting
23 exercise that happens at the close of the
24 year.

1 Couple of thoughts on some of the
2 issues that came up during the hearing. We
3 spent a lot of time on burdens. I won't
4 spend more.

5 Regarding the Salem request that we
6 underground those lines, our poles and lines
7 are in city and state right-of-ways at their
8 sufferance. If the state says we have to
9 move a pole, we have to move a pole. And if
10 we don't, they can force us to remove the
11 pole. We don't have the right to be there.
12 So when Salem says you need to underground
13 the lines, we have to. As Mr. Strabone said,
14 we try hard to work with them and come to the
15 best, most cost-effective solutions. But at
16 the end of the day, our licenses with them
17 are at their sufferance. And you may recall
18 in the gas cases, that happens quite
19 frequently that we are moving our pipes for a
20 town to do a water project or a sewer
21 project. Now, we use those opportunities to
22 replace old pipe. But it's centered on the
23 same concept that we are there at their
24 sufferance. So this is an example of that.

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1 So the fact that it was more expensive to go
2 underground -- we had to do it. So that's
3 just a -- RSA 231:177 is sort of the old
4 bedrock statement of that fact.

5 Regarding AMI meters, I can add a
6 little bit more. There is a directive from
7 corporate to go that route as expeditiously
8 as is reasonably possible. And as Ms.
9 Tebbetts said, the efforts are underway. And
10 the Commission will see AMI appearing in
11 future dockets here.

12 The last question that came up was
13 Commissioner Goldner's request about what
14 would the Company say if we had to adjust
15 burden rates monthly -- quarterly instead of
16 monthly. I don't know what the accounting
17 folks would say. My response is it will
18 still end up with the same number on an
19 annual basis because, again, the number we're
20 trying to collect is all the components that
21 make up the burden. And we're trying to find
22 the best way to do that. And so that's the
23 overarching thing, is the same dollar will be
24 in the burdens over the course of a year.

1 Don't know if there are other FERC rules that
2 we have to follow or accounting practices
3 that that would interrupt, but that's my
4 first reaction.

5 So with those aside, we appreciate
6 Staff's support for the bulk of our request
7 in this docket. We do ask that the
8 Commission approve the rates. And the final
9 numbers will arrive tomorrow with the
10 adjustments and the corrections discussed
11 today, and the adjustment to take into
12 account the REP rate adjustment that happened
13 in May. And we ask that you approve the
14 tariff language requested as well. We thank
15 you for your time.

16 CHAIRWOMAN MARTIN: Okay. Thank
17 you. And I just want to understand, make
18 sure I understand the process. So the
19 updated filing will be made. Staff will
20 review that and verify it. And if there are
21 any concerns, I assume we will hear it from
22 you. Am I right?

23 MR. DEXTER: We will attempt to do
24 that as quickly as possible, and hopefully

1 tomorrow. We've narrowed down the issues.
2 We do want to remind Ms. Tebbetts that she
3 did write down the small \$1,247 disallowance.
4 Not a big deal. But that's one that I can
5 see being overlooked, given how small it is.

6 I guess I didn't hear agreement on
7 our two recommendations regarding the CIAC,
8 the 37,000 and the 1.7 million. So I didn't
9 expect -- 1.7 thousand. I wouldn't expect
10 that tomorrow's calculation would reflect
11 those reductions. But I will leave that up
12 to the Company if they want to incorporate
13 theirs or not or wait for the Commission's
14 ruling.

15 CHAIRWOMAN MARTIN: Okay. Thank
16 you.

17 Anything, Mr. Sheehan?

18 MR. SHEEHAN: I just don't frankly
19 have the authority or the ability to have any
20 confidence to say "Yes" or "No" to that. I
21 guess -- I don't know. I mean, we could not
22 make the change, and if you ordered
23 otherwise, we could reflect it later. Or we
24 could make the change, and if you order

1 otherwise, we could reflect that later. I
2 mean, I guess -- I don't want to -- I think
3 it's silly to get into a back-and-forth on
4 this tomorrow in advance of an order over
5 such small numbers I guess. So I'm certainly
6 willing to take direction if the Commission
7 has a preference for how we handle that short
8 of an order, or prior to an order.

9 MR. DEXTER: I would agree with Mr.
10 Sheehan, that one calculation for tomorrow is
11 probably enough. The impact is fairly small
12 and readily adjusted, as I understand it,
13 when a final decision is made on those two
14 issues.

15 CHAIRWOMAN MARTIN: Okay. Well,
16 the Commission's preference is, to the extent
17 the Company agrees to it, to reflect that in
18 your updated filing.

19 MR. SHEEHAN: Okay. Then we'll
20 have that conversation internally. If we
21 agree to make it, we'll so indicate in a
22 cover letter. And if we don't, we'll
23 indicate that as well so you know what
24 happened or didn't happen.

HEARING

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CHAIRWOMAN MARTIN: All right.
Thank you very much.
Thank you all for all of the
information you provided to us today. We
will take this under advisement and issue an
order promptly. Have a good rest of the day.

COMMISSIONER BAILEY: Thank you,
everyone.

(Whereupon the hearing concluded at 3:15 p.m.)

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C E R T I F I C A T E

I, Susan J. Robidas, a Licensed Shorthand Court Reporter and Notary Public of the State of New Hampshire, do hereby certify that the foregoing is a true and accurate transcript of my stenographic notes of these proceedings taken at the place and on the date hereinbefore set forth, to the best of my skill and ability under the conditions present at the time.

I further certify that I am neither attorney or counsel for, nor related to or employed by any of the parties to the action; and further, that I am not a relative or employee of any attorney or counsel employed in this case, nor am I financially interested in this action.

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