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December 28, 2022

Daniel C. Goldner, Chairman  
Public Utilities Commission  
21 S. Fruit Street  
Concord, NH 03301-2429

Re: DG 21-130, DG 21-132, DG 20-105 Issue: Separate LDAC and COG dockets, *the Parties' joint request to enlarge time and transfer issue to Docket No. IR 22-053*

Dear Chairman Goldner:

On August 4, 2022, in Order No. 26,715, the Commission directed the parties including the Department of Energy (DOE), Liberty Utilities (EnergyNorth Natural Gas) Corp. d/b/a Liberty Utilities ("Liberty" or "the Company"), and the Office of the Consumer Advocate (OCA) to propose both a unitary track (i.e., as currently practiced) and new separate tracks for the LDAC and for the cost of gas supply per therm respectively. *See* Order No. 26,715 at 5 (October 31, 2022) (Docket No. DG 22-045) *citing* Order No. 26,663 at 3-4, 5-6 (August 4, 2022) (filed in Dockets No. DG 20-105, 21-130 and 21-132). During the hearings, the Commission expressed an interest in related changes to tariff language and deadlines, and seemed to envision a framework wherein review of Liberty's LDAC would not be compressed into a traditional cost of gas docket, and in which the Commission would have three- or four-weeks *post-hearing* to issue a separate LDAC order. *See* Transcript of July 12, 2022 Prehearing Conference at 17-33, 27-29 (Liberty and OCA support identifying necessary tariff changes).

Respectfully, due to staff resource issues and the press of other dockets, Liberty, OCA, and DOE ("the Parties") are unable to meet the December 31, 2022 filing deadline. In addition, the Commission has opened Docket No. IR 22-053 an investigative docket, focused, among other things, on cost of gas procedures. The IR docket did not exist when the Commission issued the directive at issue here. Moreover, the IR docket seems better suited to consider the scheduling matters at issue because New Hampshire's other gas utility, Northern Utilities, Inc., which presumably would be subject to a similar schedule adjustment, could also provide insight and perspective. This would better support a similar LDAC/COG framework for both gas utilities.

For the above reasons, DOE, OCA, and Liberty propose that the scheduling matter at issue here be transferred to Docket No. IR 22-053, and that a new deadline be scheduled, with the participation of New Hampshire's other gas utility, Northern Utilities, Inc. in the near future.

The relief requested is consistent with Puc 202.04 requirements. The Parties jointly request the relief requested herein. No party's rights will be adversely affected by this extension and transfer request.

In addition, this request will not unduly delay the proceeding, as additional time is essential to allow the Parties to file the requested analysis and proposal. Furthermore, the Parties will be caused undue hardship if the extension is not granted for the following reasons: (i) the requested analysis of a separate Liberty LDAC tracks cannot be provided at this time, (ii) Northern Utilities Inc.'s input is not possible in the current docket; (iii) without an enlargement of time, the Commission will not receive the requested-input. For these three reasons, the Parties' requested delay and transfer to Docket No. IR 22-053 are reasonable and appropriate.

At the request of the Parties, through counsel, DOE is filing this request for relief. Consistent with the Commission's current policy, this letter is being filed solely in electronic form. Thank you for your attention to this matter, and for considering this request.

Sincerely,

*/s/ Mary E. Schwarzer*

Mary.E. Schwarzer  
Staff Attorney/Hearings Examiner

Cc: Service Lists DG 20-105, DG 21-130, DG 21-132

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