

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

DG 20-105
Distribution Service Rate Case

Staff Technical Session Data Requests - Set 2

Date Request Received: 1/14/21
Request No. Staff TS 2-3

Date of Response: 1/27/21
Respondent: Francisco C. DaFonte

REQUEST:

Please indicate Liberty's understanding (during the 2013–2020 time period) of:

- a. The time period of that Calpine/TGP agreement
- b. The opportunities to extend that agreement. For example, it is Liberty's understanding that
 - i. Calpine had a unilateral right to extend the terms for one or more years?
 - ii. Could TGP have chosen not to extend the agreement, or denied any request to extend the agreement.
 - iii. The agreement would automatically renew itself for a period of time if neither Calpine nor TGP took any action, prior to the term of the agreement ending.
 - iv. Calpine had a right of first refusal on the capacity provided for in that agreement.
- c. If Liberty does not have specific knowledge, of the Calpine/TGP agreement, please discuss generally, typical terms for extending or renewing transportation agreements with TGP.

RESPONSE:

- a. Liberty does not have actual knowledge of or access to the Calpine/TGP agreement. Liberty's Gas Transportation Agreement with Calpine (initially entered into with AES Londonderry, LLC) had an initial term of twenty years.
- b. Liberty does not have a copy of the Calpine/TGP agreement, therefore it cannot speak definitively as to any of the potential terms of that agreement. However, all of Liberty's contracts with TGP have rollover provisions including its negotiated rate contract with TGP entered into in 2009 that required an expansion of the Concord Lateral, as was the case with the Concord Lateral expansion required to provide service to the Granite Ridge facility.
- c. As discussed in part b above, it is Liberty's understanding and experience that a typical Firm Transportation Agreement with TGP, or any pipeline, has some form of renewal

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right within the contract, but the details of those renewal rights are subject to negotiations between the parties along with various other terms and conditions within the contract.