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STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION

March 26, 2021 - 10:12 a.m.

[Remote Hearing conducted via Webex]

RE: DE 21-004
LIBERTY UTILITIES (GRANITE STATE
ELECTRIC) CORP. d/b/a LIBERTY UTILITIES:
Least Cost Integrated Resource Plan.
(Prehearing conference)

PRESENT: Chairwoman Dianne H. Martin, Presiding
Cmsr. Kathryn M. Bailey

Doreen Borden, Clerk
Corrine Lemay, PUC Remote Hearing Host

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

Reptg. PUC Staff:
Brian D. Buckley, Esq.

Court Reporter: Steven E. Patnaude, LCR No. 52

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I N D E X

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ISSUE RE: MOTION FOR CONFIDENTIAL TREATMENT 5

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P R O C E E D I N G

1
2 CHAIRWOMAN MARTIN: We're here this
3 morning in Docket DE 21-004 for a prehearing
4 conference regarding Liberty Utilities d/b/a
5 Granite State Electric LCIRP.

6 I still have to make the necessary
7 findings for a remote hearing.

8 As Chairwoman of the Public Utilities
9 Commission, I find that due to the State of
10 Emergency declared by the Governor as a result of
11 the COVID-19 pandemic, and in accordance with the
12 Governor's Emergency Order Number 12, pursuant to
13 Executive Order 2020-04, this public body is
14 authorized to meet electronically. Please note
15 that there is no physical location to observe and
16 listen contemporaneously to this hearing, which
17 was authorized pursuant to the Governor's
18 Emergency Order.

19 However, in accordance with the
20 Emergency Order, I am confirming that we are
21 utilizing Webex for this electronic hearing. All
22 members of the Commission have the ability to
23 communicate contemporaneously during this
24 hearing, and the public has access to

1 contemporaneously listen and, if necessary,
2 participate. We previously gave notice to the
3 public of the necessary information for accessing
4 this hearing in the Order of Notice. If anyone
5 has a problem during the hearing, please call
6 (603)271-2431. In the event the public is unable
7 to access the hearing, the hearing will be
8 adjourned and rescheduled.

9 Okay. I have to take a roll call
10 attendance. My name is Dianne Martin. I am the
11 Chairwoman of the Public Utilities Commission.
12 And I am alone.

13 Commissioner Bailey, good morning.

14 COMMISSIONER BAILEY: Good morning.
15 Good morning, everyone. Kathryn Bailey,
16 Commissioner at the PUC. And I am alone.

17 CHAIRWOMAN MARTIN: Okay. And let's
18 take appearances, starting with Mr. Sheehan.

19 MR. SHEEHAN: Good morning. I'm Mike
20 Sheehan, representing Liberty Utilities (Granite
21 State Electric) Corp.

22 CHAIRWOMAN MARTIN: Thank you. And
23 Mr. Buckley.

24 MR. BUCKLEY: Good morning, Madam Chair

1 and Commissioner Bailey. I am Brian Buckley.
2 And I am representing the Commission Staff.

3 CHAIRWOMAN MARTIN: Okay. We have a
4 pending Motion for Confidential Treatment. Is
5 there any objection to that?

6 MR. BUCKLEY: No objection.

7 CHAIRWOMAN MARTIN: Okay. We will take
8 that under advisement and issue that as part of
9 an order.

10 Any other preliminary matters?

11 *[No verbal response.]*

12 MR. SHEEHAN: Not from the Company.

13 MR. BUCKLEY: None at this time.

14 CHAIRWOMAN MARTIN: So, we'll move on
15 to initial positions, starting with Mr. Sheehan.

16 MR. SHEEHAN: Thank you. First,
17 prompted by a comment the Chairwoman made before
18 we started thanking the administrative staff, I'd
19 like to note that it's been just over a year
20 since we started these remote proceedings. And,
21 on behalf of the Company, I've remarked several
22 times outside of the Commission that it's been
23 great that the Commission has been able to
24 conduct business more or less as usual through

1 this last year. There certainly have been
2 hiccups along the way, but that's a credit to all
3 of you that we've been able to keep things moving
4 along.

5 Today, I'm pleased to --

6 CHAIRWOMAN MARTIN: Thank you for that.
7 That's nice to hear.

8 MR. SHEEHAN: You're welcome.

9 I'm pleased to officially start off our
10 LCIRP docket. This is a filing required by RSA
11 378:37 and following sections. And it follows
12 the order approved in our 2016 IRP, and then the
13 sort of interim filing we made in '19, which was
14 approved last year.

15 Of course, the purpose of the IRP is to
16 provide the Commission and others with an
17 understanding of our resource planning process to
18 meet our obligations. It describes our demand
19 forecasting processes and results, and how we
20 plan to meet that demand going forward.

21 And, in particular, from the recent
22 orders, this IRP addresses a couple more specific
23 things. First, we were directed to work with
24 Staff to provide access to some operating

1 manuals, and that has been completed. We were
2 directed to develop a list of planned capital
3 projects that could be candidates of NWS
4 solutions, non-wires solutions, and to meet with
5 the parties to sort of identify, in particular,
6 an NWS solution that could form the basis of a
7 more in-depth study. And we've done all of that,
8 and the IRP does include some -- a proposed --
9 well, it's in the "Bellows Falls" area we call
10 it, for a proposed NWS solution for some capacity
11 issues we have there. And we look forward to
12 diving into that with Staff and the OCA and if
13 any other intervenors show up.

14 We are excited. I can guarantee you
15 that the engineering at the Company is committed
16 completely to NWS evaluation and execution when
17 appropriate. And we think we have a great
18 candidate out in the western part of our service
19 territory.

20 So, with that, we are ready to dive in
21 and start the hard work of this plan.

22 CHAIRWOMAN MARTIN: Thank you.

23 Commissioner Bailey, do you have
24 questions for Mr. Sheehan?

1 COMMISSIONER BAILEY: I do have
2 questions. I can either wait till after
3 Mr. Buckley goes, because maybe Mr. Buckley will
4 want to answer the questions. I don't know.
5 It's up to you.

6 CHAIRWOMAN MARTIN: I'm fine with
7 waiting, and we can just ask all the questions at
8 the end.

9 COMMISSIONER BAILEY: Okay. Thanks.

10 CHAIRWOMAN MARTIN: Mr. Buckley.

11 MR. BUCKLEY: Thank you, Madam Chair.

12 I'll start, I think, by echoing the
13 sentiments expressed by the Chair, as well as
14 Mr. Sheehan. Staff really does appreciate the
15 ability of the various support staff and the
16 Commission's ability to move forward, in light of
17 this pandemic, in a almost entirely remote
18 manner. If for no other reason than the
19 administrative efficiency of not having the
20 various representatives from the utilities have
21 to go shuttle back and forth to, and others from
22 Staff and other parties, shuttle back and forth
23 to the hearing room and offices. There's
24 definitely value for ratepayers, I would say.

1 So, I'd just offer Staff's thanks as well.

2 But, to the more mundane matters, Staff
3 is still evaluating the issues presented in the
4 instant petition, but today can offer its initial
5 impression of what issues may be of import over
6 the course of this proceeding.

7 From the Staff's perspective, we plan
8 to review the various issues typically related to
9 least cost planning, including the Company's use
10 of a 20-year history for load forecasting
11 adjustments, rather than a 90/10 approach it had
12 previously agreed to; the Company's now revised
13 planning documents which appear to be missing a
14 previously agreed to distinction between a
15 planning criteria and planning guidelines; the
16 Company's planned capital investments; non-wire
17 solutions the Company has considered in
18 Appendices F and G of its filing; the reliability
19 review the Company has included as Appendix H of
20 its filing; and, of course, the plan for grid
21 modernization investments the Company has
22 included as Appendix E of its filing.

23 Now, with respect to the grid
24 modernization proposal at Appendix E, Staff would

1 draw the Commission's attention to Bates Page 069
2 of the LCIRP, which references the Commission's
3 now suspended least cost planning order, often
4 referred colloquially to as the "grid
5 modernization order". At Page 69, it states
6 "although this order is on hold while the
7 Commission addresses a motion for rehearing,
8 Liberty has attempted to incorporate the spirit
9 of the order into this LCIRP."

10 And what we see in the LCIRP is a
11 genuinely thoughtful attempt to move forward on
12 what the Company deems grid modernization through
13 the deployment of various capital investments,
14 many of which, to the Company's credit, appear to
15 present substantial benefits to customers at
16 costs that don't appear unreasonable when
17 compared to the magnitude of some of the other
18 major capital investments the Company has planned
19 in the near future. While a deliberate,
20 statewide, and commonly applied approach to such
21 investments would, in Staff's opinion, be
22 preferable for a number of reasons, in this
23 proceeding we must weigh that preference against
24 the opportunity cost of recommending delay to

1 those utilities ready to deploy advanced
2 technologies that may provide net benefits to
3 ratepayers through their normal course of capital
4 planning and cost recovery. These are companies
5 that, through no fault of their own, need to make
6 continued investments in capital assets to
7 survive financially in the present
8 low-to-no-to-negative load growth environment.
9 And this Company, to its credit, is contemplating
10 investments in capital assets that may provide
11 real value to customers, rather than relying on
12 planning criteria alterations to facilitate
13 investment in capital assets that chase N-1
14 reliability improvements far beyond the
15 economically justifiable point of diminishing
16 returns.

17 And, consistent with Liberty's
18 assertion at Page 69, this LCIRP does follow some
19 of the guidance provided by the Commission in
20 recent orders, including the now suspended
21 least-cost planning order and Order Number
22 26,209, the battery storage proceeding order.
23 Staff must observe, however, that what is missing
24 from this LCIRP is the level of transparency

1 associated with certain planned capital
2 investments, those "business as usual"
3 investments, which are coincidentally front and
4 center in Eversource's now pending rehearing
5 motion in IR 15-296. For example, the \$35
6 million investment in approximately 177 megawatts
7 of new capacity the Company appears to be
8 planning in the Salem area is discussed almost
9 nowhere in this plan, including in the grid needs
10 assessment the Company committed to filing in DE
11 17-189, which, to quote from the settlement
12 agreement this Company signed and the Commission
13 approved in Order Number 26,209, "shall describe
14 all forecasted grid needs related to distribution
15 system capital investments of \$250,000 or more
16 over a five-year planning horizon at the circuit
17 level." Period. Full stop.

18 The Company appears to have arbitrarily
19 exempted several types of projects, including the
20 Salem area projects from its grid needs
21 assessment, which is wholly inconsistent with the
22 plain language of that settlement agreement, and
23 inconsistent with the interpretation of that same
24 language by this state's other regulated electric

1 distribution utilities. Similar to how the
2 parties approached a less than complete grid
3 needs assessment in the Eversource LCIRP
4 proceeding, Staff plans to propose a procedural
5 schedule that includes the Company filing a
6 supplemental grid needs assessment that describes
7 all forecasted grid needs related to distribution
8 system capital investments of \$250,000 or more
9 over a five-year planning horizon at the circuit
10 level.

11 If the Company disagrees with such an
12 interpretation, Staff respectfully asks that the
13 Company make that position known at this
14 prehearing conference so that the Commission
15 could provide guidance on that disagreement today
16 pursuant to Puc 203.15(d)(4).

17 Thank you.

18 CHAIRWOMAN MARTIN: Thank you,
19 Mr. Buckley. That was very helpful.

20 Commissioner Bailey, you had questions.

21 COMMISSIONER BAILEY: Thank you. My
22 questions are probably related to what
23 Mr. Buckley is talking about, but I'm not sure.

24 I remember in the rate case there was

1 discussion about asset condition improvements
2 that Staff questioned, and I think we kind of put
3 it off until the LCIRP, some of that, you know,
4 the Salem projects and the substation upgrades,
5 and all around the Tuscan Village area. And I'm
6 wondering if all of the projects that you plan to
7 complete with respect to that are included in
8 this LCIRP, so that we can evaluate whether those
9 projects are, in fact, least cost and necessary?

10 MR. SHEEHAN: So, it would have been
11 nice to have had advance notice of this so we
12 could have been a little more prepared. But the
13 IRP covers the '22 planning period forward. The
14 bulk of the Salem investments have happened last
15 year, this year. They're already in the works.
16 We have provided the updated Salem Study report
17 that we discussed last summer. We have been
18 completely transparent with what we're doing, why
19 we're doing it. And, of course, that will be
20 thoroughly vetted when we propose to put those
21 costs into rates.

22 We are going forward with the Salem
23 projects. We know that Staff has not been on
24 board with them along the way, mostly because

1 they fear the demand would not come through to
2 support the projects. Well, the demand continues
3 to come through and, if anything, is getting
4 higher. So, we believe fully that, come time to
5 seek recovery of those costs, it will be clear
6 that they were absolutely necessary to serve the
7 dramatic growth, largely driven by Tuscan, but
8 certainly some surrounding things as well. There
9 was no attempt here to evade an issue or to not
10 be transparent.

11 Again, we spent tens of thousands of
12 dollars to update the Salem Study last summer,
13 and gave it to Staff, they have it, and they have
14 been able to ask questions about it.

15 So, we see the IRP as sort of the next
16 step, because the Salem projects, it's not done,
17 in the ground, but the planning part is done.
18 We've made the planning years ago that we're
19 executing now. This IRP is sort of the next
20 chunk of years' work for the Company.

21 COMMISSIONER BAILEY: So, all of the
22 capital investments necessary to do all of your
23 work will be completed this year in that area?

24 MR. SHEEHAN: I don't -- I don't know.

1 I think a lot of it is. I know that, you know,
2 I've had conversations now, yesterday, about the
3 transmission lines that are beginning
4 construction now. So, a lot of them are. I
5 can't tell you all of them will. But the bulk of
6 them, yes.

7 COMMISSIONER BAILEY: Well, to the
8 extent the bulk of them are, but there are some
9 that aren't, shouldn't they be in the LCIRP,
10 because it's part of "all capital investments
11 over the next five years"?

12 MR. SHEEHAN: You know, again, if I
13 knew this question was coming, I'd have a better
14 answer for you. So, I can't tell you where we'll
15 be at the end of 2021 with regard to the Salem
16 investments. And, certainly, Heather -- I
17 actually promoted Heather into this group just
18 for this reason. So, if you'd like, I think she
19 could probably pipe in and give some more
20 concrete answers. She's a lot closer to this, a
21 lot closer to this.

22 Heather.

23 MS. TEBBETTS: Sorry, I had to take
24 myself off double mute.

1 So, the plan is to have our Rockingham
2 substation in this year, in service, and that's
3 part of the Tuscan Village/Salem Area Study,
4 along with including one of the 115 kV lines in
5 service this year. I believe that the second 115
6 kV line will be in service I want to say it's
7 either next year or the year after, but I'm not
8 100 percent positive, don't have it in front of
9 me. But, again, it was part of the whole process
10 of building Tuscan out, the Tuscan area out, so
11 that we can serve that load.

12 We have provided updated load
13 information to Staff in the past few weeks after
14 our filing. And, as Mr. Sheehan said, it has
15 increased since the last time Staff had asked for
16 it last summer, I think it was.

17 We did provide our updated Salem Area
18 Study to Staff as part of a formal filing on
19 September 1st, 2020, as required in the order in
20 our last LCIRP.

21 COMMISSIONER BAILEY: Weren't there
22 three projects ultimately leading to the
23 discontinuation of one or two substations?

24 MS. TEBBETTS: So, the intention is to

1 retire some of our substations in the area due to
2 asset conditions, but also due to the fact that
3 we have this increased load.

4 COMMISSIONER BAILEY: So, that's my --
5 I guess my question goes to that, is are all the
6 capital investments necessary to improve your
7 asset condition included in the LCIRP, to the
8 extent that they're not going to be done in 2021?
9 And, if not, why not?

10 MS. TEBBETTS: So, I want to say maybe
11 the only piece of the project in total would have
12 been, that's not in the LCIRP, would have been
13 maybe that second 115 kV line. And we can also
14 address that through data requests.

15 With regards to retirements of those
16 substations, I just don't recall off the top of
17 my head if those are part of the LCIRP process,
18 as part of the plan that we filed. But it is
19 part of the Salem Area Study, which has been part
20 of what we talked about.

21 That was in our last LCIRP, by the way.
22 The one that we filed in 2016, all of this was
23 part of that -- the Salem Area Study was part of
24 that LCIRP, which was approved, and as including

1 the retirement of those substations. So, the
2 Salem Area Study, I guess what I'm trying to say
3 is, it already was part of our last LCIRP we had
4 filed in 2017.

5 COMMISSIONER BAILEY: But, if you
6 haven't spent the money and made the capital
7 investments, and they're going to happen in this
8 next five-year period, why wouldn't they be
9 included in this LCIRP? I mean, it's ratepayer
10 money that you're going to spend.

11 MS. TEBBETTS: Right. So, we have
12 invested a significant amount of money already,
13 things that went into capital -- I'm sorry, in
14 service in 2020. And the majority of those costs
15 through the whole Salem Area Study are actually
16 going to go in service in 2021. So, we've
17 already -- we're already getting ready to build,
18 going to have shovels in the ground very soon, if
19 not in the next couple weeks, within the next
20 month or so. So, to include it in this LCIRP
21 would have just -- we're already there. We're
22 already moving forward on it. And that is part
23 of our last LCIRP.

24 COMMISSIONER BAILEY: That's not the

1 capital investment I'm talking about. I'm
2 talking about the capital investment that needs
3 to happen after 20 -- 2022 and beyond that hasn't
4 happened yet, for these asset condition
5 replacements?

6 MR. SHEEHAN: We can certainly address
7 that. I think, to the extent that some of these
8 Salem Area Study projects leak into 2022, our
9 thinking was certainly it is part of a project --
10 overall project, where this is the last five
11 percent, say, and it's really not planning to
12 look at those, that the planning's been done, the
13 decisions have been made.

14 Certainly, if the Commission and Staff
15 want to see the tail-end of those projects
16 included here, that's not a big lift. We can do
17 that. I'm not sure how it advances the ball very
18 far, because, by the time even this docket is
19 adjudicated, those will likely be done.

20 So, it's more of a planning docket,
21 rather than a review. And, of course, the review
22 happens when we come back to put it in rates,
23 knowing full well that the advantage of this
24 whole process about Salem is we are very aware of

1 the Staff's concerns. And we're very mindful of
2 it and making sure that, when we come back to
3 you, we've got a compelling case for why we did
4 what we did.

5 COMMISSIONER BAILEY: Okay. I
6 appreciate that. I just ask that you work with
7 Staff in the tech session to sort it out.

8 MR. SHEEHAN: Sure.

9 COMMISSIONER BAILEY: I appreciate the
10 grid mod. -- the inclusion of the grid mod.
11 investments. And was wondering if, you know, in
12 the original order that's been suspended, the
13 idea was to provide a list of planned
14 investments, and then get a stakeholder group
15 together to review that. Is that your
16 expectation here or what are you -- or will it
17 just be part of this normal planning docket?

18 MR. SHEEHAN: I'll let Heather clean up
19 after. But we did some of that before, which was
20 some requirements out of our IRP orders. We just
21 mentioned that we've had some meetings with Staff
22 and the OCA about some projects. I think that
23 sort of was leading into this IRP.

24 My understanding is, we're fine with

1 that process going forward. I don't -- you know,
2 it's obviously going to require some Staff and
3 OCA support to figure out what it looks like.
4 But that's, you know, generally speaking, we were
5 supportive of the grid mod. order.

6 COMMISSIONER BAILEY: Okay. Thank you.

7 MS. TEBBETTS: And I'll just add to
8 that --

9 COMMISSIONER BAILEY: Go ahead.

10 MS. TEBBETTS: I'm sorry. I'll just
11 add to that.

12 Yes. So, I think, as part of this
13 docket, we weren't looking to open this up to
14 that broader grid modernization 15-296 group.
15 But, of course, you know, we're open to
16 participation in throughout this docket. So, if
17 we had those who wanted to participate through
18 this docket to go through this, we're more than
19 happy to work with them on it.

20 We, as Mike said, Mr. Sheehan said, we
21 were supportive of that whole process that Staff
22 had laid out in their recommendation.

23 COMMISSIONER BAILEY: Okay. Thank you.

24 CHAIRWOMAN MARTIN: Mr. Buckley, I saw

1 you had your hand up there for a minute. Did you
2 have something you wanted to add in response to
3 Commissioner Bailey?

4 MR. BUCKLEY: Yes. So, I would just
5 clarify that the Salem Area projects is an
6 example of projects that Staff had anticipated,
7 through its interpretation of the "grid needs
8 assessment" definition, would be included in the
9 grid needs assessment.

10 I think our real issue is with -- so,
11 if you look to Bates Page 065 of the LCIRP,
12 there's an excerpt of the language from the
13 previous settlement agreement. And, at the very
14 last sentence on Bates Page 065, it says "This
15 table excludes projects that are needed due to
16 asset condition", and then it has some other
17 pieces as well. And that is not -- I don't read
18 that those exclusions within the definition of
19 the "grid needs assessment".

20 Now, there's an argument the Company
21 might make that "Well, these exclusions should be
22 read into it, because the purpose of the grid
23 needs assessment is to pick candidates for
24 non-wires solutions. These things aren't

1 candidates for non-wires solutions."

2 And I think Staff disagrees with that.
3 And the purpose -- and we see the purpose of the
4 grid needs assessment is different. We see the
5 purpose of the grid needs assessment as providing
6 greater overall transparency as far as the
7 Company's planned capital investments.

8 These are all -- these exclusions, if
9 you look to the supplement that Unitil filed in
10 its most recent LCIRP, these exclusions which
11 Liberty has proposed here, are all actually
12 included in its grid needs assessment, has
13 blankets for new business, public requirements,
14 damage and failure, mandatory projects, I
15 believe.

16 I think that our real issue is the
17 exclusion related to asset condition. That
18 exclusion specifically gives any company a tool
19 to evade transparency related to its planned
20 investments. Asset condition is something that
21 is a somewhat subjective and fluid judgment. One
22 person's asset condition might be related to --
23 or, one reasonable and prudent engineer's asset
24 condition might be related to age of a

1 transformer, say, versus another reasonable and
2 prudent engineer's asset condition might only
3 relate to the readings from a dissolved gas
4 analysis for a transformer. So, that is probably
5 the primary concern here, is to not include
6 planned projects related to asset condition in a
7 grid needs assessment.

8 Now, we very much appreciate the
9 Company's offer to resolve this issue through the
10 possibility of a supplement to its grid needs
11 assessment. But we'll clarify that that is the
12 real issue here. And, if the Company disagrees
13 with that interpretation and is not open to that
14 type of a supplemental filing, I would ask that
15 it clarify that today.

16 CHAIRWOMAN MARTIN: Mr. Sheehan, I'm
17 going to give you an opportunity to respond to
18 that.

19 MR. SHEEHAN: Sure. You know, we're
20 not opposed to supplementing the filing. We
21 thought we did what we were supposed to do. And,
22 if there's a strong push for us to provide some
23 additional information, you know, we've got
24 nothing to hide here, we'll do that.

1 To suggest we're not being transparent
2 I think is incorrect. The Commission will recall
3 Mr. Strabone being on the stand for hours last
4 summer talking about asset condition, and giving
5 every reason why we were retiring the particular
6 substation, and that was part of the step
7 adjustment hearing we had last summer.

8 So, we've answered every question, and
9 we'll continue to do so. So that, if Staff wants
10 a supplement to our grid needs assessment, we can
11 pull that together.

12 I think the definition we applied to do
13 that is the correct one. But I don't really
14 think a fight over that definition is worth
15 anyone's time.

16 CHAIRWOMAN MARTIN: Okay. Thank you
17 for that.

18 Mr. Buckley raised the issue of the
19 business-as-usual investments, and noted that
20 that was one of the issues covered by Eversource
21 in its motion for rehearing, and then noted that
22 Liberty had covered those very little. Is there
23 some relation or some response to that that you
24 can provide?

1 MR. SHEEHAN: Yes. I think Mr. Buckley
2 properly characterized how we viewed the grid
3 needs assessment list, if you will, and that is a
4 list of candidates for NWS. And, to the extent
5 we put projects in the "business-as-usual"
6 category, that was our determination, these are
7 projects that are not candidates for that.

8 Now, again, the information is
9 available. We provide it in other contexts. So,
10 if there's a desire for us to put
11 business-as-usual projects on the list, we're
12 happy to do that. I think we'll end up at the
13 same point, that those aren't in the future
14 planning for the non-wires, it won't help that
15 process.

16 To the extent Staff wants to
17 investigate our business-as-usual process, again,
18 that's what this IRP is for is to explore those
19 issues.

20 CHAIRWOMAN MARTIN: Okay. Thank you.

21 I just have a couple of questions about
22 specifically the LCIRP statute, because I had
23 engaged Unutil when they were in recently on the
24 statutory requirements. I note that your plan

1 references the prior order, and says it was
2 "granted partial waiver". I'm assuming, based
3 upon what I read there, that just relates to the
4 timing, although it says it "requires a more
5 limited document".

6 Can you just quickly give me a
7 high-level on that? Basically, what I want to
8 understand from you at the end of all of this is
9 do you believe that the plan, as submitted,
10 complies with the requirements of 378:38? And,
11 if not, have you gotten a waiver in a prior order
12 or do you need one here?

13 MR. SHEEHAN: We believe it does.
14 You're correct that the 2020 order primarily
15 focused on the time limit, because of some
16 investigations, and I think it was the Staff
17 report on the Integrated Resource Plan, or it had
18 a different title, that a couple utilities asked
19 for an extension of their IRP to accommodate some
20 of that. And that order last year granted that
21 extension and asked the Company to make some
22 interim filing to sort of look at a few issues
23 that were raised from the last IRP, and we made
24 that filing. And the order you issued last

1 summer basically said "We accept your interim
2 filing as satisfactory, and we look forward to
3 the IRP in 2021." So, that's how I see the
4 process having played out.

5 And, yes, we do think the -- we are
6 still bound by the IRP statute. It may move
7 either by statutory change or with grid mod.
8 layers on top of it. But, yes, we do think it
9 meets the statute.

10 CHAIRWOMAN MARTIN: Okay. And I had
11 one more question.

12 So, for purposes of 378:39, you believe
13 that the Commission has what it needs in your
14 plan currently to conduct that evaluation of each
15 proposed option?

16 MR. SHEEHAN: Yes. Yes, we do.

17 CHAIRWOMAN MARTIN: Okay. Thank you.
18 I have no further questions.

19 Anything else before you go to the tech
20 session?

21 *(Atty. Buckley indicating in the*
22 *negative.)*

23 CHAIRWOMAN MARTIN: All right. Then,
24 thank you, everyone. We are adjourned. Have a

1 good weekend.

2 *(Whereupon the prehearing conference*
3 *was adjourned at 10:44 a.m., and a*
4 *technical session was held*
5 *thereafter.)*

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