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December 17, 2021

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

Re: DG 21-008, Liberty Utilities (EnergyNorth Natural Gas) Corp. d/b/a/ Liberty Petition for Approval of Firm Transportation Contract with Tennessee Gas Pipeline Company, LLC; Department of Energy Objection to Motion for Rehearing by Conservation Law Foundation

Dear Chairman Goldner:

The New Hampshire Department of Energy, through this letter, objects to the Motion for Rehearing filed by the Conservation Law Foundation (CLF) on December 10, 2021 and recommends that the Commission deny CLF's Motion. The Commission's Order No 26,551, which approved a gas transportation contract between Liberty Utilities (EnergyNorth Natural Gas) Corp. (Liberty) and Tennessee Gas Pipeline Company, LLC (TGP), is sound, based on the complete record amassed in this docket and applies the appropriate legal standards for review. There exists no good reason for rehearing because the Order was not based on mistake or overlooked matters. *See RSA 541:3; Public Service Company of New Hampshire*, Order No. 25,239 at 8 (June 23, 2011).

Liberty demonstrated that the transportation contract would provide needed capacity using existing interstate pipeline capacity at a lower cost than identified alternatives, such as Granite Bridge, the vastly more expensive Liberty project that the TGP transportation contract replaced. Further, Liberty demonstrated that its capacity portfolio is flexible enough to shed unneeded capacity (and related costs) as time progresses and future gas demand becomes better known. Liberty's demand forecast used in its resource analysis reflected projected demand reductions from (then) approved energy efficiency (EE) programs. Liberty demonstrated that further demand reductions from then proposed (now rejected) expansions of EE programs would not offset the need for the TGP pipeline capacity.

CLF's concerns about the adequacy of Liberty's Least Cost Integrated Resource Plan (LCIRP) can be addressed in the ongoing LCIRP docket (DG 17-152), or perhaps more effectively in the LCIRP docket to be opened following Liberty's next plan filing, which, per RSA 378:38, will be made in 2022.

Accordingly, the Department of Energy respectfully requests that the Commission deny CLF's Motion and allow Order No, 26,551 approving this gas transportation capacity contract to stand.

Consistent with the Commission's *Temporary Changes in Filing Requirements* (March 17, 2020) this letter is being filed solely in electronic form.

Sincerely,

*/s/ Paul B. Dexter*

Paul B. Dexter  
Staff Attorney/Hearings Examiner

Cc: Service List (electronic only)