STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION

DG 22-045

LIBERTY UTILITIES (ENERGYNORTH NATURAL GAS) CORP. d/b/a LIBERTY

Winter 2022/2023 Cost of Gas and Summer 2023 Cost of Gas

DG 22-057

**LIBERTY UTILITIES (ENERGYNORTH NATURAL GAS) CORP.
d/b/a LIBERTY-KEENE DIVISION**

Winter 2022/2023 Cost of Gas

**Second Supplemental Order on Cost of Gas and Local Distribution
Adjustment Charge Rates**

O R D E R   N O. 26,760

January 17, 2023

I.   PROCEDURAL HISTORY AND BACKGROUND

On October 31, 2022, the Commission issued Order No. 26,715 in Docket No.

DG 22-045, establishing Cost of Gas (COG) rates for the 2022–2023 winter period and

for the 2023 summer period for Liberty's customers exclusive of Keene division

customers, as well as Local Distribution Adjustment Charge (LDAC) rates for all

Liberty customers. On the same date, the Commission issued Order No. 26,716 in

Docket No. DG 22-057 establishing COG rates for the 2022- 2023 winter period for

Liberty's Keene division customers.

On November 15, 2022, in Docket Nos. DG 22-045 and 22-057, Liberty filed

compliance tariffs. On November 17 and 18, respectively, Liberty submitted updated

compliance tariffs in each docket. Among other changes, these compliance tariffs

identified that certain COG rates in Order No. 26,715 and applicable to Liberty's

commercial and industrial customers based on load factor were incorrectly and that

the LDAC rates established in Order No. 26,715 were too high due to application of an inaccurate energy efficiency charge.

On November 22, 2022, the Department of Energy (DOE) filed position statements in the respective dockets, agreeing that the changes identified in Liberty's tariff compliance filings contained the correct rates and stating that the rates approved by Order No. 26,715 should be clarified. The DOE also raised an additional issue regarding the definition of "prime rate." According to the DOE, Order Nos. 26,715 and 26,716 erroneously referenced the Federal Reserve Statistical Release of Selected Interest Rates, when applicable Commission rules require the prime interest rate reported by the Wall Street Journal be applied.

On November 30, 2022, the Commission issued Order No. 26,737, a supplemental order approving the correction of errors Order Nos. 26,715 and 26,716 as identified by Liberty and the DOE. This included directing Liberty to apply the prime interest rate reported by the Wall Street Journal instead of the Federal Reserve Statistical Release of Selected Interest Rates.

On December 15, 2022, Liberty filed a motion for rehearing of Order 26,737 in the respective dockets. Liberty sought rehearing of the order directing it to apply the prime interest rate reported by the Wall Street Journal instead of the Federal Reserve Statistical Release of Selected Interest Rates. Liberty argued that its tariff refences the Federal Reserve Statistical Release of Selected Interest Rates. Liberty also filed a letter of clarification on the same day.

No objections to Liberty's motion for rehearing were filed.

The Orders and subsequent docket filings, other than any information for which confidential treatment is requested of or granted by the Commission, are posted on the

Commission's website at https://www.puc.nh.gov/Regulatory/Docketbk/2022/22-045.html and https://www.puc.nh.gov/Regulatory/Docketbk/2022/22-057.html.

II.   COMMISSION ANALYSIS

Order No. 26,737 was issued to correct errors in the underlying COG and LDAC orders, not to resolve any disputes between the parties. Whereas Liberty disputes that the Federal Reserve Statistical Release of Selected Interest Rates was referenced in error based on its tariff, we find that good reason for rehearing has been stated. The third ordering clause in Order No. 26.737 is therefore withdrawn from Order No. 26,737 without prejudice to the DOE's ability to request that the interest rate reported by the Wall Street Journal be ordered to be applied in the future.
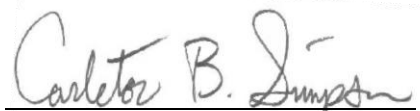
Based upon the foregoing, it is hereby

ORDERED, that Liberty's motion for rehearing is GRANTED; and it is

FURTHER ORDERED, that the third ordering clause in Order No. 26,737 directing that over- or under-collections accruing pursuant to Liberty's COG and LDAC rates shall accrue interest at the prime interest rate as reported by the Wall Street Journal on the first date of the month preceding the first month of the quarter is WITHDRAWN without prejudice to the DOE's ability to request that the interest rate reported by the Wall Street Journal be ordered to be applied in the future.

By order of the Public Utilities Commission of New Hampshire this seventeenth day of January 2023.

Daniel C. Goldner	Carleton B. Simpson
Chairman	Commissioner

Service List - Docket Related

Docket#: 22-045

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Docket#: 22-057

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