

**STATE OF NEW HAMPSHIRE
BEFORE THE
NEW HAMPSHIRE PUBLIC UTILITIES COMMISSION**

UNITIL ENERGY SYSTEMS, INC.)
)
) **DOCKET NO. DE 23-073**
)

**MOTION FOR WAIVER AND/OR DETERMINATION OF SUBSTANTIAL
COMPLIANCE WITH NOTICE REQUIREMENTS**

Unitil Energy Systems, Inc. (“Unitil” or the “Company”) hereby requests that the New Hampshire Public Utilities Commission (the “Commission”) waive its publication deadline and/or find that the Company has substantially complied with the terms of the Commission’s Commencement of Adjudicative Proceeding and Notice of Hearing (“Notice”) issued on August 25, 2023 in this proceeding. As detailed below, Unitil has substantially complied with the Notice’s requirements and provided ample notification of the September 21, 2023 hearing, and there has been no prejudice to any party or participant in the docket. In support of this motion, Unitil states as follows:

1. On August 25, 2023, the Commission issued the Notice and set a hearing for September 21, 2023. The Notice required that Unitil publish a copy of the Notice on its website within two business days of its issuance, i.e., by Tuesday, August 29, 2023. Due to an internal oversight, the Notice was not published on the Company’s website until Thursday, August 31, 2023. That publication is confirmed by the affidavit of Ashley Hovatter, which is filed concurrently with this motion. By this motion, and for the reasons below, Unitil requests that the Commission waive the requirement regarding publication by August 29th and/or that it conclude that Unitil has

substantially complied with the requirements of the Notice and provided ample notice of the hearing in this matter.

2. Representatives from Liberty Utilities (Granite State Electric) Corp. d/b/a Liberty, New Hampshire Electric Cooperative, Inc., Public Service Company of New Hampshire d/b/a Eversource Energy, the Department of Energy, the Office of the Consumer Advocate, and The Community Action Program Belknap-Merrimack Counties, Inc. were all included on the Commission's distribution of the Notice on August 25, 2023. Accordingly, the current parties to the docket have been afforded ample and adequate notice of the proceeding and the hearing and have not experienced any prejudice as a result of the delayed publication on Unital's website.

3. With respect to the general public, the Notice has been published on the Commission's public website since the time of its issuance and has thus been widely available to any interested persons. Additionally, the Notice was published on Unital's website on August 31, 2023, which was two days after the Commission's deadline, and three weeks prior to the scheduled hearing. Accordingly, adequate notification has been made and there is no indication that the delayed publication has resulted, or will result, in any prejudice to the public.

WHEREFORE, for the reasons stated above, the Company respectfully requests that the Commission waive the requirement for publication by August 29, 2023, and/or that it find that the Company has substantially complied with the Notice and afforded the public and other interested persons ample notice of the September 21, 2023 hearing.

Respectfully submitted

UNITIL ENERGY SYSTEMS, INC.
NORTHERN UTILITIES, INC.

By their Attorney:



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Dated: August 31, 2023

CERTIFICATE OF SERVICE

I hereby certify that on August 31, 2023, a copy of the foregoing was electronically served upon the Service List in this proceeding.



Matthew C. Campbell