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DEPARTMENT OF ENERGY
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November 19, 2024

Chairman Daniel Goldner
New Hampshire Public Utilities Commission
21 South Fruit Street, Suite 10
Concord, New Hampshire, 03301

Re: Docket No. DG 24-103 Northern Utilities, Inc. Petition for Approval of Revenue Decoupling Adjustment Factor and “Waiver” of Revenue Decoupling Adjustment Cap, *DOE’s Assented-To Request for Extension of Position Statement Deadline from November 20 to November 26*

Dear Chairman Goldner:

In this docket, Northern Utilities Inc. (“Northern” or “the Company”) proposes to unilaterally waive a material term of the parties’ settlement in Docket No. DG 21-104, i.e., it seeks to “waive” the cap and immediately recover (or plan to recover) the revenue decoupling deferred balance, notwithstanding that the settlement agreement explicitly provides that “[i]n the Company’s next distribution rate case, parties to that proceeding may propose specific treatment of any carried balances remaining at that time.” *See* Dkt. DG 21-104 Exhibit 13, Settlement Agreement (May 2022).

On October 29, 2024, the Commission issued a *Supplemental Order of Notice*, explicitly identifying Northern’s request for “waiver” and directing the New Hampshire Department of Energy (“DOE” or “the Department”) and other parties to file a position statement on or before November 20, 2024. *Supplemental Order of Notice* at 3. This provided the Department with an approximate 30-day period prior to hearing instead of the 90-day period the Department requested on October 15, 2024. There are no other deadlines; hearing is scheduled for December 11, 2024. *See Supplemental Order of Notice* at 2-4.

On November 5, 2024, the Department issues a second set of data requests to prepare for the November 20 filing. Responses were due on November 15, 2024. The Department and the Company met to discuss the Company’s responses on November 18, 2024. The Department has requested supplemental responses from the Company and the discussion raised additional issues.

In order to allow for a full review of discovery, and pending supplemental responses, the Department requests an extension of time for four more business days, moving the November 20 deadline to November 26, 2024. The December 11, 2024 hearing date is maintained. Northern and the Office of the Consumer Advocate (OCA) do not object to the relief requested in this motion.

The Department's request for an extension of time is consistent with Commission requirements. *See* N.H. Code of Admin. Rules Puc 202.04. Without changes to the timeline as requested, the existing circumstances "would cause undue hardship or inconvenience unless the request is granted." *See id.* That is because without additional time to fully review and receive the Company's data responses, the Department's position will not be fully informed and thus the Commission would not have the full benefit of the Department's Analysts' review in this complex docket. In the opinion of the Department, the extension would not unduly delay the proceeding or adversely affect the rights of any party. *See id.*

The Department has sought consent of the other parties to this docket. *See id.* As stated above, Northern and the OCA do not object to the relief requested in this motion.

Consistent with the Commission's current practices, this letter is being filed only in electronic form.

Sincerely,

/s/ Mary E. Schwarzer

Mary E. Schwarzer
Staff Attorney/Hearings Examiner
Department of Energy

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