

**STATE OF NEW HAMPSHIRE  
PUBLIC UTILITIES COMMISSION**

**DG 24-103**

**NORTHERN UTILITIES, INC.**

**Petition for Approval of Revenue Decoupling Adjustment Factor and Waiver of  
Revenue Decoupling Adjustment Cap**

**SUPPLEMENTAL ORDER OF NOTICE**

On October 28, 2024, the Commission issued Order No. 27,068, which approved on a *nisi* and provisional basis, pending further review and hearing, Northern Utilities, Inc.'s (Northern or the Company) Peak Revenue Decoupling Adjustment Factor (RDAF) rates, effective November 1, 2024. Order No. 27,068 continued the proceeding in this docket to a December 2024 hearing, in which the Commission will review the peak and non-peak rates as well as the Company's request to waive the Revenue Decoupling Adjustment Cap (RDA Cap) as requested.

All docket filings, other than any information subject to confidential treatment, are available on the Commission's website at [www.puc.nh.gov/regulatory/Docketbk/2024/24-103.html](http://www.puc.nh.gov/regulatory/Docketbk/2024/24-103.html).

**I. BACKGROUND AND PROCEDURAL HISTORY**

In response to the Company's Petition, the Department of Energy (DOE) filed a motion for logistic relief. One of the arguments contained in the motion was that the Commission could not waive the RDA Cap because it was a material term of the parties settlement in Docket DG 21-104 that established the revenue decoupling mechanism. On October 23, 2024, the Commission issued a procedural order addressing a deficiency in the original order of notice for this matter. Specifically, prior to going to final hearing on the merits, in addition to all the statutes and issues

identified in its September 24, 2024 orders of notice, RSA 365:28 needed to be noticed as an issue for review.

## **II. ADDITIONAL ISSUES PRESENTED**

The Company's Petition presents, *inter alia*, the following additional issues pertaining to RSA 365:28:

1. The Company's proposed waiver of the RDA Cap is a material term of the parties settlement in Docket No. DG 21-104 whereby sufficient notice must be provided of the waiver to the parties in DG 21-104. Have all Settling Parties from Docket DG 21-104 been provided sufficient notice of the proceedings in DG 24-103?
2. Is the waiver of the RDA Cap in this proceeding consistent with RSA 365:28.

These issues, along with all issues presented in the September 24, 2024 order of notice, will be addressed in the December hearing of this adjudicative proceeding.

The Commission will be conducting any hearings scheduled in this matter in person. The Commission will consider requests to conduct hearings using a hybrid format to permit remote participation by a specific individual only if the Commission has determined that a sufficient reason has been provided for why that individual would be unable to attend in person. Any party requesting that a specific individual be permitted to participate remotely should file a written request with the Commission's Clerk's Office no later than fifteen (15) days prior to the hearing date. If the Commission determines that one or more individuals will be permitted to appear remotely, then individuals in the Commission's hearing room, including the Commissioners, will be broadcast on a web-enabled platform.

**Based upon the foregoing, it is hereby**

**ORDERED**, that the Commission will hold a hearing in this matter at its offices

located at 21 S. Fruit St., Suite 10, Concord, New Hampshire, on **December 11, 2024, at 9:00 a.m.** Three hours shall be allotted for this hearing; and it is

**FURTHER ORDERED**, that this adjudicative proceeding will review and resolve the foregoing additional issues pursuant to RSA chapter 541-A, RSA 374:2, RSA 378:5, RSA 365:28, and RSA 378:7, and the Commission's procedural rules; and it is

**FURTHER ORDERED**, that the New Hampshire Department of Energy and other parties shall file their positions regarding the Company's petition to waive the RDA Cap and the proposed peak and non-peak rates, including the reasons for these positions, on or before November 20, 2024; and it is

**FURTHER ORDERED**, that any entity or individual may petition to intervene and seek to be admitted as a party in this proceeding. Each party has the right to have an attorney represent the party at the party's own expense; and it is

**FURTHER ORDERED**, that, consistent with N.H. Admin. R., Puc 203.17 and Puc 203.02, any entity or individual seeking to intervene in the proceeding shall file with the Commission a petition to intervene with copies sent to the Company and any other parties on the service list, on or before November 12, 2024. The petition shall state the facts demonstrating how the petitioner's rights, duties, privileges, immunities, or other substantial interests may be affected by the proceeding, consistent with N.H. Admin. R., Puc 203.17; and it is

**FURTHER ORDERED**, that any party objecting to a petition to intervene make said objection on or before November 18, 2024; and it is

**FURTHER ORDERED**, that parties shall file any proposed exhibits, written testimony, motions, or other documents intended to become part of the record in this proceeding with the Commission. Pursuant to the secretarial letter issued on March 17, 2020, which is posted on the Commission's website at


<https://www.puc.nh.gov/Regulatory/Secretarial%20Letters/20200317-SecLtr-Temp-Changes-in-Filing-Requirements.pdf>, all Commission rules requiring the filing of paper copies are suspended until further notice. Parties may elect to submit any filing in electronic form unless otherwise ordered by the Commission. Filings will be considered filed as of the time the electronic copy is received by the Commission; and it is

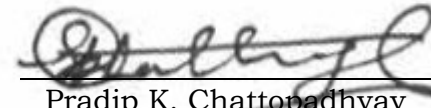
**FURTHER ORDERED**, that routine procedural inquiries may be made by contacting the Commission's Clerk's Office at (603) 271-2431 or [ClerksOffice@puc.nh.gov](mailto:ClerksOffice@puc.nh.gov). All requests to the Commission should be made in a written pleading filed with the Commission. Unless otherwise authorized by law, *ex parte* communications are prohibited; and it is

**FURTHER ORDERED**, that pursuant to N.H. Admin. R., Puc 203.12, Northern shall notify all entities and individuals desiring to be heard at this hearing by publishing a copy of this order of notice on its website no later than two business days after the date of issue, such publication to be documented by affidavit filed with the Commission on or before November 7, 2024, the Clerk shall publish this order of notice on the Commission's website no later than two business days after the date of issue; and it is

**FURTHER ORDERED**, that any hearings in this matter shall be conducted in accordance with the previously issued hearing guidelines.

So ordered, this twenty-ninth day of October, 2024.

  
\_\_\_\_\_  
Daniel C. Goldner  
Chairman

  
\_\_\_\_\_  
Pradip K. Chattopadhyay  
Commissioner

Individuals needing assistance or auxiliary communication aids due to sensory impairment or other disability should contact the NHPUC, 21 S. Fruit St., Suite 10, Concord, New Hampshire 03301-2429; 603-271-2431; TDD Access: Relay N.H. 1-800-735-2964. Notification of the need for assistance should be made one week prior to the scheduled event.

# Service List - Docket Related

Docket#: 24-103

Printed: 10/29/2024

Email Addresses

---

ClerksOffice@puc.nh.gov  
Ashraful.Alam@energy.nh.gov  
Bruce.L.Blair@energy.nh.gov  
gary.m.cronin@energy.nh.gov  
daveya@unitil.com  
demeris@unitil.com  
Energy-Litigation@energy.nh.gov  
paul.b.dexter@energy.nh.gov  
gouldingc@unitil.com  
donald.m.kreis@oca.nh.gov  
main@unitil.com  
nawazelski@unitil.com  
amanda.o.noonan@energy.nh.gov  
ocalitigation@oca.nh.gov  
mary.e.schwarzer@energy.nh.gov  
Charles.J.Underhill@oca.nh.gov