

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DE 22-035

LIBERTY UTILITIES (GRANITE STATE ELECTRIC) CORP. D/B/A LIBERTY

Petition for Approval of Step Adjustment Filing

Procedural Order Re: Liberty Motion to Amend Order No. 26,836; Suspension of Proposed Tariffs; Scheduling of Hearing on September 11, 2024

On May 31, 2023, the Commission issued Order No. 26,836 in this instant docket, which granted the Liberty Utilities (Granite State Electric) Corp. d/b/a Liberty (Liberty or the Company) petition to increase its distribution revenue requirement by \$1,294,385 effective June 1, 2023, with an effective period of twelve (12) months, to terminate on May 31, 2024. Order No. 26,836 at 2. The Commission granted this request by the Company, after a hearing on May 30, 2023. *Id.* at 4. Contemporaneously, on May 5, 2023, Liberty filed its full distribution rate case, currently under review by the Commission in Docket No. DE 23-039.

Subsequently, on May 29, 2024, Liberty filed a motion to amend Order No. 26,836, with an accompanying Technical Statement by the Company's personnel Culbertson and Maston, and proposed Tariff pages, into this instant 2022 Step Adjustment docket. The Company asserts that the sun-setting of the \$1.29 million upward revenue requirement adjustment by the Commission was "improper" and "not correct," and further asserts that this revenue requirement upward adjustment figure should continue indefinitely. Liberty Motion at 3-4. Liberty further asserts that it is entitled to recovery of the "amount improperly refunded from August 1, 2022, through May 31, 2023," a figure claimed by the Company to be a further \$1.2 million. Liberty Motion at 4-5. Liberty further claims that it is entitled to some unknown figure that it "cannot calculate" at this time, but will be

provided at some unspecified time in advance of the Commission's hearing on the Company's motion. *Id.* at 5.

As a threshold matter, the Commission finds the Company's motion to be most concerning, as (1) Company personnel requested a one-year adjustment to the revenue requirement of \$1.294 million at the May 30, 2023 hearing, and the Commission issued its ruling in Order No. 26,836 without challenge by the Company for a full year, let alone the 30-day timely rehearing window; and (2) the Company presented this one-year adjustment as the full remedy for the "improper refund" (that the Company had originally requested in 2022) for the August 2022-May 2023 period. *See* Transcript of May 30, 2023 Public Hearing (Tr.), Docket No. DE 22-035: Company Witness Tebbetts: "So, we are asking to collect an additional [\$]1.294 million starting June 1st, 2023, over a 12-month period ending June -- May 31st, 2024." Tr. at 17. *See also* Hearing Exhibit 9, April 6, 2023 Technical Statement of Tebbetts, *esp.* Attachment HMT-1, "Revenue Requirement Calculation," Hearing Exhibit 9 at Bates Page 5.

In light of this, and the developments in the Company's full distribution rate case before the Commission in Docket No. DE 23-039, the Commission hereby SUSPENDS the Company's proposed Tariff pages pursuant to RSA 378:6, I(b), for a period not to exceed 3 months, or August 29, 2024, pending investigation and further order of the Commission. Furthermore, the Commission SCHEDULES a hearing regarding the Company's petition for September 11, 2024 at 9:00 a.m. Three hours are allotted for this proceeding. The New Hampshire Department of Energy, and any other interested party, is requested to file its statement of position regarding the Company's motion and the arguments presented therein by August 28, 2024. The Commission expects to issue a further procedural order in this proceeding in August to accommodate further suspension of the Company-proposed Tariffs related to this matter.

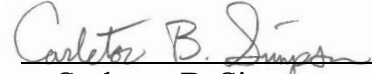
So ordered, this twentieth day of June, 2024.



Daniel C. Goldner
Chairman



Pradip K. Chattopadhyay
Commissioner



Carleton B. Simpson
Commissioner

Service List - Docket Related

Docket#: 22-035

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Email Addresses

ClerksOffice@puc.nh.gov
Michelle.Azulay@libertyutilities.com
Michael.J.Crouse@oca.nh.gov
Tyler.Culbertson@libertyutilities.com
Energy-Litigation@energy.nh.gov
paul.b.dexter@energy.nh.gov
jay.e.dudley@energy.nh.gov
thomas.c.frantz@energy.nh.gov
Alyssa.Maston@libertyutilities.com
Erica.Menard@libertyutilities.com
elizabeth.r.nixon@energy.nh.gov
ocalitigation@oca.nh.gov
mark.parker@libertyutilities.com
michael.sheehan@libertyutilities.com
karen.sinville@libertyutilities.com
anthony.strabone@libertyutilities.com
heather.tebbetts@libertyutilities.com
mark.p.toscano@energy.nh.gov
Adam.Yusuf@Libertyutilities.com

