



The Commonwealth of Massachusetts

DEPARTMENT OF PUBLIC UTILITIES

NOTICE OF FILING AND REQUEST FOR COMMENTS

D.P.U. 22-GSEP-04

November 9, 2022

Petition of Liberty Utilities (New England Natural Gas Company) Corp. d/b/a Liberty for Approval of its 2023 Gas System Enhancement Plan, pursuant to G.L. c. 164, § 145, for rates effective May 1, 2023.

On October 31, 2022, Liberty Utilities (New England Natural Gas Company) Corp. d/b/a Liberty (“Liberty” or “Company”) submitted to the Department of Public Utilities (“Department”) its calendar year 2023 gas system enhancement plan (“GSEP”) to replace aging natural gas pipeline infrastructure. Liberty states that its 2023 revenue requirement is \$20,234,054, which exceeds the three-percent revenue cap by \$3,575,114; the Company is not seeking a waiver of the cap for 2023. Thus, the Company seeks approval to collect \$16,658,940 through the gas system enhancement adjustment factors (“GSEAFs”) to recover the cost to replace eligible leak-prone infrastructure through the end of calendar year 2023 and proposes to defer recovery of \$3,575,114. In addition, the Company submitted changes to its local distribution adjustment clause tariff for approval by the Department to comply with the recent amendments to G.L. c. 164, § 145 relating to the definition of “eligible infrastructure.” The Department has docketed this matter as D.P.U. 22-GSEP-04.

According to the Company, its proposed 2023 GSEP is consistent with the requirements of G.L. c. 164, § 145, which allows gas distribution companies to accelerate the replacement of eligible infrastructure to improve public safety or infrastructure reliability and to reduce or potentially reduce lost and unaccounted for natural gas. The Company states that approval of the proposed GSEAFs will result in a monthly bill increase of \$5.36 or 2.07 percent for the average residential heating customer using 122 therms per month during winter months, and a monthly bill increase of \$1.29 or 1.93 percent for the average residential heating customer using 29 therms per month during summer months. Pursuant to G.L. c. 164, § 145, on May 1, 2024, the Company will submit to the Department the amount recovered through the GSEAFs for reconciliation with actual 2023 calendar year GSEP costs.

The Company proposes that the following GSEAFs for each customer class take effect on May 1, 2023:

Rate Class Sector	Proposed GSEAF (\$/Therm)
Residential	\$0.2903
Commercial and Industrial (“C&I”) - Low Load Factor	\$0.1884
C&I - High Load Factor	\$0.1357

The Department is providing an extended written comment period and any person interested in commenting on this matter may submit written comments no later than the close of business (5:00 p.m.) on Tuesday, December 20, 2022. Written comments from the public may be sent by email to dpu.efiling@mass.gov, carol.pieper@mass.gov, and the Company’s attorney at kpenders@keeganwerlin.com. At this time, the Department strongly encourages public comments to be submitted only in electronic format consistent with the Commission’s June 15, 2021 directive related to modified filing requirements. If, however, a member of the public is unable to send written comments by email, a paper copy may be sent to Mark D. Marini, Secretary, Department of Public Utilities, One South Station, 5th Floor, Boston, Massachusetts, 02110.

On November 1, 2022, the Attorney General of the Commonwealth of Massachusetts filed a notice to intervene in this matter pursuant to G.L. c. 12, § 11E(a). Any other person who desires to participate in the evidentiary phase of this proceeding must file a written petition for leave to intervene with the Department not later than the close of business (5:00 p.m.) on Wednesday, November 23, 2021. A petition for leave to intervene must satisfy the timing and substantive requirements of 220 CMR 1.03. All petitions for leave to intervene must be submitted by email only to dpu-efiling@mass.gov, carol.pieper@mass.gov, and the Company’s attorney at kpenders@keeganwerlin.com. Receipt by the Department, not mailing, constitutes filing and determines whether a petition has been timely filed. A petition filed late may be disallowed as untimely, unless good cause is shown for waiver under 220 CMR 1.01(4). To be allowed, a petition under 220 CMR 1.03(1) must satisfy the standing requirements of G.L. c. 30A, § 10. All responses to petitions to intervene must be filed by email by the close of business (5:00 p.m.) on the second business day after the petition to intervene was filed.

Documents provided to the Department must specify: (1) the docket number of the proceeding (D.P.U. 22-GSEP-04); (2) the name of the person or company submitting the filing; (3) a brief descriptive title of the document; and (4) the name, title, email address, and telephone number of a person to contact in the event of questions about the filing.

The Company’s filing and all related documents submitted to the Department or issued by the Department will be available on the Department’s website as soon as is practicable at <https://eeaonline.eea.state.ma.us/DPU/Fileroom/dockets/bynumber> (enter “22-GSEP-04”). A paper copy of the filing will not be available for public viewing at the Company’s offices or the Department. To request materials in accessible formats (Braille, large print, electronic files, audio format) for people with disabilities, contact the Department’s ADA coordinator at DPUADACoordinator@mass.gov.

Any person desiring further information regarding the Company's filing or a paper copy of the filing should contact the Company's attorney, Kevin F. Penders, Esq. at kpenders@keeganwerlin.com. For further information regarding this notice, please contact Carol Pieper, Hearing Officer, Department of Public Utilities, at carol.pieper@mass.gov.