



The Commonwealth of Massachusetts

DEPARTMENT OF PUBLIC UTILITIES

NOTICE OF FILING, PUBLIC HEARING, AND REQUEST FOR COMMENTS

D.P.U. 22-129

December 15, 2022

Petition of Liberty Utilities (New England Natural Gas Company) Corp. d/b/a Liberty for review and approval of its five-year Forecast and Supply Plan for its Fall River and North Attleboro Service Area and its Blackstone Service Area for the forecast period 2022/2023 through 2026/2027.

On October 3, 2022, Liberty Utilities (New England Natural Gas Company) Corp. d/b/a Liberty (“Liberty” or “Company”) filed with the Department of Public Utilities (“Department”) a petition for approval of the Company’s Long-Range Forecast and Supply Plan (“Plan”) for the five-year forecast period 2022/2023 through 2026/2027. On November 17, 2022, Liberty filed a revised Plan. Pursuant to G.L. c. 164, § 69I, the Department must ensure a necessary energy supply for the Commonwealth at the lowest possible cost. Accordingly, the Department will review the Company’s revised Plan to ensure that the forecast accurately projects the gas sendout requirements of the utility’s market area. The Department has docketed this matter as D.P.U. 22-129.

The Attorney General of the Commonwealth of Massachusetts (“Attorney General”) filed a notice to intervene in this matter pursuant to G.L. c. 12, § 11E(a). Further, pursuant to G.L. c. 12, § 11E(b), the Attorney General filed a notice of intent to retain experts and consultants to assist in her investigation of the Company’s filing, and has requested Department approval to spend up to \$150,000 in this regard. Pursuant to G.L. c. 12, § 11E(b), the costs incurred by the Attorney General relative to her retention of experts and consultants may be recovered in the Company’s rates. Any person interested in commenting on the Attorney General’s notice of intent to retain experts and consultants may submit written comments to the Department no later than the close of business (5:00 p.m.) on **Friday, January 20, 2023**.

Due to certain ongoing safety measures and precautions relating to in-person events as a result of the COVID-19 pandemic, the Department will conduct a virtual public hearing to receive comments on the Company’s filing. The Department will conduct the hearings using Zoom videoconferencing on **Thursday, February 2, 2023**, beginning at **2:00 p.m.** Attendees can join by entering the link, <https://us06web.zoom.us/j/84156304519>, from a computer, smartphone, or tablet. No prior

software download is required. For audio-only access to the hearings, attendees can dial in at **(646) 558-8656 (not toll free)** and then enter the **Meeting ID# 841 5630 4519**. If you anticipate providing comments via Zoom during the public hearing, please send an email by **Monday, January 30, 2023**, to sarah.smegal@mass.gov with your name, email address, and mailing address. If you anticipate commenting by telephone, please leave a voicemail message by **Monday, January 30, 2023**, at (617) 305-3653 with your name, telephone number, and mailing address.

Any person interested in commenting on the Company's filing may also submit written comments to the Department no later than the close of business (5:00 p.m.) on **Thursday, February 2, 2023**. At this time, all filings will be submitted only in electronic format consistent with the Commission's June 15, 2021 directive related to modified filing requirements. Ordinarily, all parties would follow Sections B.1 and B.4 of the Department's Standard Ground Rules (D.P.U. 15-184-A, App. 1 (March 4, 2020)); however, until further notice, parties must retain the original paper version and the Department will later determine when the paper version must be filed with the Department Secretary.

Any person who desires to participate otherwise in the evidentiary phase of this proceeding shall file a petition for leave to intervene no later than 5:00 p.m. on **Friday, January 20, 2023**. A petition for leave to intervene must satisfy the timing and substantive requirements of 220 CMR 1.03. 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 the close of business (5:00 p.m.) on the second business day after the petition to intervene was filed.

All documents must be submitted to the Department in **pdf format** by e-mail attachment to dpu.efiling@mass.gov and sarah.smegal@mass.gov. The text of the e-mail must specify: (1) the docket number of the proceeding (D.P.U. 22-129); (2) the name of the person or company submitting the filing; and (3) a brief descriptive title of the document. The electronic file name should identify the document but should not exceed 50 characters in length. Importantly, all large files submitted must be broken down into electronic files that do not exceed 20 MB. All documents submitted in electronic format will be posted on the Department's website through our online File Room as soon as practicable (enter "22-129") at: <https://eeaonline.eea.state.ma.us/DPU/Flerom/dockets/bynumber>. In addition, one copy of all written comments and petitions to intervene should be emailed to the Company's attorneys, Ronald Ritchie, Esq., at r.j.ritchie@libertyutilities.com, Kevin Penders, Esq., at kpenders@keeganwerlin.com, and Steven Frias, Esq., at sfrias@keeganwerlin.com.

At this time, a paper copy of the filing will not be available for public viewing at the Company's offices or the Department due to certain ongoing safety measures and precautions relating to in-person events as a result of the COVID-19 pandemic. The filing and all

subsequent related documents, pleadings and/or filings submitted to the Department and/or issued by the Department will be available on the Department's website as referenced above as soon as is practicable. To the extent a person or entity wishes to submit comments or intervene in accordance with this Notice, electronic submission, as detailed above, is sufficient. To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), contact the Department's ADA coordinator at Gabriella.Knight@mass.gov.

For further information regarding the Company's filing, please contact the Company's attorneys, identified above. For further information regarding this Notice, please contact Sarah Smegal, Hearing Officer, Department of Public Utilities, at sarah.smegal@mass.gov.