



# The Commonwealth of Massachusetts

## DEPARTMENT OF PUBLIC UTILITIES

### MEMORANDUM

TO: Service List in Liberty Utilities (New England Natural Gas Company) Corp.,  
D.P.U. 25-85

FROM: Elizabeth McNamara

RE: Postponement of Procedural Schedule

DATE: December 29, 2025

CC: Peter Ray, Department Secretary

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#### I. INTRODUCTION

On June 13, 2025, Liberty Utilities (New England Natural Gas Company) Corp. d/b/a Liberty ("Company" or "Liberty") filed a petition with the Department of Public Utilities ("Department") for an increase in gas base distribution rates. The Department has docketed this matter as D.P.U. 25-85 and has suspended the effective date of the proposed rate increase until May 1, 2026, to investigate the propriety of the Company's request.

On June 24, 2025, the Attorney General of the Commonwealth of Massachusetts ("Attorney General") filed a notice of intervention pursuant to G.L. c. 12, § 11E(a). On July 30, 2025, the Department granted the petition to intervene of the Department of Energy Resources ("DOER"). On August 13, 2025, the Department granted the petitions to intervene of: (1) Conservation Law Foundation ("CLF"); and (2) The Low-Income Weatherization and Fuel Assistance Program Network and The Low-Income Energy Affordability Network, and Citizens for Citizens, Inc. (collectively, "LEAN").

The Department issued a Procedural Schedule on July 30, 2025, an Amended Procedural Schedule on August 21, 2025, and another Amended Procedural Schedule on December 16, 2025, scheduling evidentiary hearings from January 5 through January 29, 2026. On December 23, 2025, the Company requested, with assent from the Attorney General, DOER, LEAN, and CLF, that the Department suspend the latest procedural schedule to allow the Parties

to finalize a possible settlement. The Company and the Attorney General anticipate that they will require until Thursday, January 15, 2026 to finalize and execute the settlement agreement amongst the Parties.

## II. DISCUSSION

The Department, as an administrative agency, has broad discretion over procedural aspects of matters before it. Zachs v. Department of Public Utilities, 406 Mass. 217, 227 (1989); New Boston Garden Corp. v. Assessors of Boston, 24 Mass. App. Ct. 122, 125 (1987); NSTAR Electric Company, D.P.U. 17-05, Interlocutory Order on Attorney General's Appeal of the Procedural Schedule and Ground Rules and Motion to Phase and Bifurcate at 6 (2017). Pursuant to 220 CMR 1.02(5) and 1.06(5), the Hearing Officer shall establish a procedural schedule and may, for good cause shown, extend any time limit prescribed.

The Department appreciates the efforts made by all Parties to achieve settlement of this matter. Based on the Parties' representations in the December 23, 2025 request, I find that an extension of the current procedural schedule would enable further productive negotiations among the Parties. Therefore, good cause exists to postpone the procedural schedule by one month, such that the evidentiary hearings scheduled from January 5 through January 29, 2026 are cancelled and any evidentiary hearings held in this proceeding, should a settlement not be reached, will not begin before Monday, February 2, 2026. The Department will address further procedural requirements as necessary and following receipt of the Parties' anticipated settlement filing on January 15, 2026.