



The Commonwealth of Massachusetts

DEPARTMENT OF PUBLIC UTILITIES

NOTICE OF FILING AND EVIDENTIARY HEARING

D.P.U. 20-07

February 4, 2020

Petition of Liberty Utilities (New England Natural Gas Company) Corp. d/b/a Liberty Utilities for Approval of Modifications to Money Pool Agreement, pursuant to G.L. c. 164, § 17A.

On January 17, 2020, Liberty Utilities (New England Natural Gas Company) Corp. d/b/a Liberty Utilities (“Liberty Utilities” or “Company”) filed a petition with the Department of Public Utilities (“Department”) seeking authorization to: (1) add Enbridge St. Lawrence Gas Company known as Liberty Utilities (St. Lawrence Gas Company) Corp., which is a rate regulated utility, as a participating member to the Liberty Utilities Money Pool (“Money Pool”), and (2) amend the Money Pool agreement to reflect changes to the primary source of funding for the Money Pool in case excess cash is exhausted. The Money Pool is an arrangement that allows the Company and other subsidiaries of its parent company, Liberty Utilities Co., to aggregate their short-term cash surpluses and either invest such surplus funds to achieve a higher interest rate than the typical yield on short-term money market investments or borrow from the Money Pool at a lower borrowing cost than each could source on their own. The Company seeks approval to continue participation in the Money Pool with (1) the addition of a new regulated utility to the Money Pool and (2) the replacement of bank borrowing with a commercial paper program. The Company asserts that the first proposed change would enlarge the funds available to participating members of the Money Pool, and thus reduce the need for outside financing. The Company asserts that the second proposed change would reduce the costs to borrow funds from the Money Pool, as commercial papers have lower borrowing rate comparing to bank borrowing. The Department has docketed this petition as D.P.U. 20-07.

On January 23, 2020, the Attorney General of the Commonwealth of Massachusetts filed a notice of intervention in this matter pursuant to G.L. c. 12, § 11E.

The Department will conduct an evidentiary hearing on the Company’s petition. The hearing will take place on **March 6, 2020, at 10:00 a.m.** at the Department’s offices, One South Station, 5th Floor, Boston, Massachusetts 02110.

A copy of the petition and accompanying exhibits are available for inspection during regular business hours at the Department’s offices. In addition, the filing is also available

on the Department's website at

<https://eeaonline.eea.state.ma.us/DPU/Fileroom/dockets/bynumber> (enter "20-07").

To request materials in accessible formats (braille, large print, electronic files, audio format), contact the Department's ADA coordinator at DPUADACoordinator@mass.gov 617-305-3500.

Any person who desires to participate in the evidentiary phase of this proceeding must file a written petition for leave to intervene or participate in the proceeding no later than the close of business on **February 28, 2020**. 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.

Any person who desires to file a petition for leave to intervene shall file an original and two (2) copies of such petition for leave to intervene in the proceeding with Mark D. Marini, Secretary, Department of Public Utilities, One South Station, Boston, Massachusetts, 02110, and serve one copy on: (1) Ronald J. Ritchie, Esq., Liberty Utilities, 36 Fifth Street, Fall River, Massachusetts 02721; (2) John K. Habib, Esq., Keegan Werlin LLP, 99 High Street, Suite 2900, Boston, Massachusetts 02110; and (3) John J. Geary, Assistant Attorney General, Office of Ratepayer Advocacy, One Ashburton Place, Boston, Massachusetts 02108.

All documents should also be submitted to the Department in electronic format using one of the following methods: (1) by e-mail attachment to dpu.efiling@mass.gov and the hearing officer [malwina.burzec@mass.gov]; or (2) on a CD-ROM. The text of the e-mail or CD-ROM must specify: (1) the docket number of the proceeding (D.P.U. 20-07); (2) the name of the person or company submitting the filing; and (3) a brief descriptive title of the document. The electronic filing should also include the name, title, and telephone number of a person to contact in the event of questions about the filing. All documents submitted in electronic format will be posted on the Department's website.

For further information regarding the petition, please contact counsels for the Company, Ronald J. Ritchie, Esq., Liberty Utilities, 36 Fifth Street, Fall River, Massachusetts 02721, tel. 774-627-2910, and John K. Habib, Esq., Keegan Werlin LLP, 99 High Street, Suite 2900, Boston, Massachusetts 02110, tel. 617-951-1400. For further information regarding this notice, please contact Malwina Burzec, Hearing Officer, Department of Public Utilities, One South Station, Boston, Massachusetts, 02110, 617-305-3500.

Reasonable accommodations at evidentiary hearings for people with disabilities are available upon request. Include a description of the accommodation you will need, including

as much detail as you can. Also include a way the Department can contact you if we need more information. Please provide as much advance notice as possible. Last minute requests will be accepted, but may not be able to be accommodated. Contact the Department's ADA coordinator at DPUADACoordinator@mass.gov or (617) 305-3500.