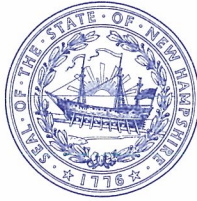


STATE OF NEW HAMPSHIRE

CONSUMER ADVOCATE  
Susan W. Chamberlin, Esq.

ASSISTANT CONSUMER ADVOCATE  
Rorie E.P. Hollenberg, Esq.



TDD Access: Relay NH  
1-800-735-2964  
Tel. (603) 271-1172  
Website:  
[www.oca.nh.gov](http://www.oca.nh.gov)

OFFICE OF CONSUMER ADVOCATE

21 S. Fruit St., Suite 18  
Concord, NH 03301-2429

December 5, 2012

Debra A. Howland, Executive Director  
New Hampshire Public Utilities Commission  
21 South Fruit Street, Suite 10  
Concord, New Hampshire 03301-7319



**RE: DG 12-001 EnergyNorth Natural Gas, Inc. d/b/a Liberty Utilities  
OCA Response to Staff Request to Withdraw Testimony and Close Docket**

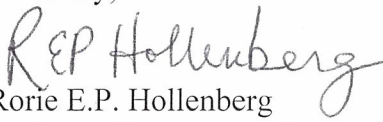
Dear Ms. Howland:

On November 30, 2012, Staff requested permission to withdraw its testimony in, and to close, the above-referenced docket. The OCA objects to the withdrawal of Staff's testimony because it contains information relevant to the Company's cost of gas adjustment and reconciliation and, as such, should be preserved, along with related discovery, for use in a future proceeding.

In its testimony, Staff alleged that the Company incurred uneconomic propane costs on 54 occasions between 2007 and 2012. Testimony of George McCluskey (September 28, 2012) at p. 7, lines 1-18; and Revised Testimony of George McCluskey (November 20, 2012), at p. 7, lines 1-18 (number of occasions increased to 55). Although Staff has responded to a few data requests, the OCA seeks to further explore the Staff's findings and conclusions concerning this issue in a future Company cost of gas reconciliation proceeding. Had this docket (DG 12-001) continued, the OCA would have had at least an additional round of discovery on Staff's testimony. If the Commission permits Staff to withdraw its DG 12-001 testimony, this issue of uneconomic propane costs may not be fully vetted.

Thank you for your consideration of the OCA's response to Staff's request to withdraw its testimony. Please contact me with any questions.

Sincerely,

  
Rorie E.P. Hollenberg  
Assistant Consumer Advocate

cc: Service List via electronic mail

NHPUC DEC05'12 PM12:54