

SUPPLEMENTAL

ORIGINAL	
N.H.P.U.C. Case No.	DG 14-380
Exhibit No.	#37
Witness	Panel #1
DO NOT REMOVE FROM FILE	

Liberty Utilities (EnergyNorth Natural Gas) Corp. d/b/a Liberty Utilities

DG 14-380

Petition for Approval of a Firm Transportation Agreement with the Tennessee Gas Pipeline Company, LLC

Pipeline Awareness Network of the Northeast ("PLAN") Data Requests – Set 2

Date Request Received: 4/1/15
Request No. PLAN 2-28

Date of Response: 6/9/15
Respondent: Francisco C. DaFonte

REQUEST:

In its Order of Notice, the NHPUC stated: "Although not mentioned in the filing, EnergyNorth's affiliate, Algonquin Power and Utilities Corp ("APUC") announced on November 24, 2014, that it plans to invest in the development of the NED pipeline project through Liberty Utilities (Pipeline and Transmission) Corp., a wholly owned subsidiary of APUC and Kinder Morgan Operating L.P." The Order of Notice referenced the Company Release (11/24/15) at link: <http://investors.algonquinpower.com/file.aspx?IID=4142273&FID=26297428>. With respect to the NHPUC statement and the Company Release, please provide the following:

- a) An organizational chart showing corporate structure of and the relationship between APUC, Northeast Expansion, LLC, Liberty Utilities (Pipeline and Transmission) Corp and Liberty Utilities (EnergyNorth Natural Gas) Corp and Liberty Energy Utilities (New Hampshire) Corp. (the "Affiliated Entities") (to the extent not provided in Staff 1-17).
- b) A list of key corporate officers and the Board of Directors for each entity listed in 28 a. above.
- c) Any and all agreements between Liberty Utilities (Pipeline & Transmission) Corp and/or APUC and/or Northeast Expansion LLC, and/or Kinder Morgan and/or any of their subsidiaries or affiliates with respect to pipeline capacity including the agreement (s) referenced in the Company Release, as well as any joint venture, development services agreement or other documentation related to the development, construction and ownership of the NED project.
- d) A listing of the local distribution companies referenced in the Company Release "with contracts" with the KM pipeline or that are in discussions regarding contracts for pipeline capacity with a description of their interests and a copy of each contract.
- e) the other customers or prospective customers referenced in the Company Release with contracts for pipeline capacity and a copy of each contract.
- f) An explanation of how this pipeline will "help ease constraints on natural gas supply in the northeast U.S. and help ensure much needed reliability to the power generation grid."
- g) The Operating Agreement for Northeast Expansion, LLC.

RESPONSE:

- a) Please see the response to Staff 1-19.
- b) The board of directors of Liberty Utilities (EnergyNorth Natural Gas) Corp. consists of Ian Robertson, Gregory Sorenson and Richard Leehr; the officers are Daniel Saad (President) and Sarah Knowlton (Secretary). The board of directors of Liberty Utilities (Pipeline and Transmission) Corp. consists of Ian Robertson, Gregory Sorenson and Richard Leehr; the officers are Richard Leehr (President) and Gregory Sorenson (Treasurer and Secretary). The board of directors for Algonquin Power & Utilities Corp. consists of Kenneth Moore, Christopher Huskison, Ian Robertson, Dilek Samil, Christopher Jarratt, Christopher Ball, George Steeves, and Masheed Saidi; the officers are Ian Robertson (Chief Executive Officer), David Bronicheski (Chief Financial Officer), and Linda Beirsto (General Counsel & Corporate Secretary).

OBJECTION:

The Company objects on the basis that the requests (c) through (g) seek information that is not relevant to the proceeding or reasonably calculated to lead to the discovery of admissible evidence to the extent it seeks contracts between Algonquin Power & Utilities Corp. and/or Liberty Utilities (Pipeline and Transmission) Corp. and third parties, or information about press releases or other business dealings of these entities which are not the subject of this docket or under the regulation of the Commission. The purpose of this docket is to determine whether EnergyNorth's Precedent Agreement with Tennessee Gas Pipeline Company, LLC is in the public interest, not an examination of APUC's or Liberty Utilities (Pipeline and Transmission) Corp.'s initiatives. The Company further objects on the basis that PLAN's intervention is limited to "the interests of its EnergyNorth-customer members in the prudence, justness and reasonableness of the Precedent Agreement and its associated costs, to EnergyNorth and its customers." PLAN's inquiry in this request regarding APUC's initiatives is also beyond the scope of its limited intervention.

SUPPLEMENTAL RESPONSE:

In follow up to the Commission's Order No. 25,789 dated June 5, 2015, there are no documents memorializing one or more obligations of EnergyNorth to one or more of the entities named in PLAN 2-28(c) concerning the Precedent Agreement's terms and conditions other than the Precedent Agreement itself.