

NEW BRUNSWICK ENERGY AND UTILITIES BOARD

IN THE MATTER OF an application by Liberty Utilities (Gas New Brunswick) LP for approval of its 2019 regulatory financial statements, for approval to change its distribution rates effective January 1, 2021, for approval of an excess earnings sharing mechanism, and for approval of variance accounts for income tax, pension and COVID-19.

ORDER

WHEREAS Liberty Utilities (Gas New Brunswick) LP (Liberty Utilities) has applied to the New Brunswick Energy and Utilities Board (Board) for approval of its 2019 Regulatory Financial Statements. In addition, given the 2019 earnings have resulted in an actual return on equity in excess of 12.9%, Liberty Utilities has filed its proposed allocation methodology (excess earnings sharing mechanism) pursuant to subsection 52.03(2) of the *Gas Distribution Act, 1999*;

AND WHEREAS Liberty Utilities is also seeking approval to change its distribution rates effective January 1, 2021;

AND WHEREAS Liberty Utilities is also seeking approval of variance accounts for income tax, pension and COVID-19.

NOW THEREFORE IT IS ORDERED THAT:

1. The Board will hold a Pre-Hearing Conference, for this Matter, by video conferencing, on **Tuesday, September 1, 2020, beginning at 10:00 a.m.** Interested parties may attend and make representations about the procedure to be followed and any other relevant matters. Guidelines for the video conferencing will be provided to all parties 48 hours prior to the scheduled Pre-Hearing Conference.
2. Parties who intend to intervene should register by visiting the *Rules of Procedure* section of the Board's website at www.nbeub.ca and complete the "Intervener Request" form. The form should be completed and filed with the Board no later

than Friday, August 28, 2020, at general@nbeub.ca or by calling 1-866-766-2782. Parties are to indicate the official language in which they wish to be heard.

3. Notice shall be published in either the English or French language, as may be appropriate having regard to the principal language of publication, once in each of the following newspapers on or before Wednesday, August 12, 2020:
 - The Daily Gleaner
 - The Telegraph Journal
 - Times & Transcripts
 - L'Acadie Nouvelle
4. A copy of the Notice, attached hereto and marked "A", is to be provided by Liberty Utilities to:
 - (i) each certified gas marketer;
 - (ii) all parties involved in Liberty Utilities' 2019/20 Rate Application (Matter No. 453) and Liberty Utilities' Application for Approval of its 2018 Regulatory Financial Statements (Matter No. 453); and
 - (iii) anyone who requests it.
5. A copy of the Notice, attached hereto and marked "A", is also to be available on Liberty Utility's website at <http://www.naturalgasnb.com> by no later than Wednesday, August 12, 2020.

DATED at the City of Saint John, New Brunswick, this 11th day of August, 2020.

BY THE BOARD

A handwritten signature in cursive script that reads "Kathleen Mitchell".

Kathleen Mitchell
Chief Clerk

New Brunswick Energy and Utilities Board
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