



Section 1.0 – Application

April 15, 2024

NEW BRUNSWICK ENERGY AND UTILITIES BOARD

APPLICATION (Rule 2.2)

This is an Application by: Liberty Utilities (Gas New Brunswick) LP, as represented by its general partner, Liberty Utilities (Gas New Brunswick) Corp. ("Liberty").

In accordance with: sections 52 and 56 of the *Gas Distribution Act, 1999*, S.N.B. 1999, c. G-2.11, and sections 60 and 64 of the *Energy and Utilities Board Act*, S.N.B. 2006, c. E-9.18.

The Applicant applies to the Board for the following:

1. Liberty hereby applies to the New Brunswick Energy and Utilities Board (the "Board"), pursuant to sections 52 and 56 of the *Gas Distribution Act, 1999* (the "GDA") and sections 60 and 64 of the *Energy and Utilities Board Act* (the "EUB Act") for an order or orders approving (a) changes to its Small General Service, Mid-General Service, Large General Service, Contract General Service, Industrial Contract General Service and Off-Peak Service distribution rates; (b) Liberty's 2022 Regulatory Financial Statements; (c) a Weather Normalization Adjustment; (d) amounts related to the variance account for Payments from Natural Gas Distribution Fund ("SEUF Fees"); and (e) amounts related to the Revenue Requirement True-up Variance Account for the 2023 test year, as well as approval of the use of this account during the 2024 test year.
2. Liberty is the general franchisee under an Amended and Restated General Franchise Agreement dated October 1, 2019 ("GFA") with the Province of New Brunswick as represented by the Minister of Natural Resources and Energy Development. The GFA authorizes Liberty to distribute natural gas and provide customer services in the Province of New Brunswick.
3. By an Order dated September 29, 2023, the Board approved Liberty's current Small General Service, Mid-General Service, Large General Service, Contract General Service, Industrial Contract General Service and Off-Peak Service distribution rates.
4. Liberty is filing, at the same time as this Application, relevant supporting, or explanatory information to be tendered as evidence including Liberty's 2022 Regulatory Financial Statements; a proposal for a Weather Normalization Adjustment; Independent reports on Liberty's Rate Design and Corporate Allocations; amounts related to a variance account for SEUF Fees; amounts related to the Revenue Requirement True-up Variance Account; and new Rate Schedules.
5. Based on the foregoing, Liberty applies for the following orders, decisions or directions of the Board:
 - (a) approval, under sections 52 and 56 of the GDA and sections 60 and 64 of the EUB Act, of the changes to Liberty's distribution rates, with such changes to be effective September 1, 2024;
 - (b) approval of Liberty's 2022 Regulatory Financial Statements;
 - (c) approval of Liberty's Weather Normalization Adjustment;
 - (d) approval of amounts related to Liberty's SEUF Fees Variance Account;

- (e) approval of amounts related to Liberty's Revenue Requirement True-up Variance Account for 2023, as well as approval of the use of this account for the 2024 test year; and
 - (f) such further or other order, decision or direction relating to Liberty's Small General Service, Mid-General Service, Large General Service, Contract General Service, Industrial Contract General Service and Off-Peak Service distribution rates; 2022 Regulatory Financial Statements; Weather Normalization Adjustment; SEUF Fees Variance Account; or Revenue Requirement True-up Variance Account, as Liberty may request, and the Board may deem necessary or appropriate.
7. The authorized representatives of Liberty are:

(a) Liberty:

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(b) Liberty's counsel:

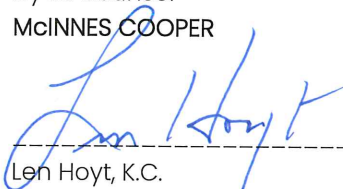
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8. Liberty intends to proceed in the English language.

DATED at Fredericton, New Brunswick this 15th day of April 2024.

LIBERTY UTILITIES (GAS NEW BRUNSWICK) LP, as represented by its
general partner, LIBERTY UTILITIES (GAS NEW BRUNSWICK) CORP.

by its counsel
McINNES COOPER



Len Hoyt, K.C.