

STATE OF NEW HAMPSHIRE  
BEFORE THE PUBLIC UTILITIES COMMISSION  
Docket No. DE 07-064  
June 30, 2008

_____	)
Investigation into	)
Energy Efficiency	)
Rate Mechanisms	)
_____	)

MOTION FOR SCHEDULING ORDER

Conservation Law Foundation ("CLF") hereby requests that the Public Utilities Commission ("Commission") promptly issue a scheduling order in Docket No. DE 07-064.

In accordance with the Commission's Practice Guide, a draft of this Motion for Scheduling Order ("Motion") was circulated to the parties in a good-faith effort to obtain their assent. New Hampshire Sustainable Energy Association and Environment Northeast both assent to the Motion. The following parties take no position on the Motion: the Office of Consumer Advocate; the Office of Energy and Planning; the Department of Environmental Services; Public Service of New Hampshire; Campaign for Ratepayers Rights; Unitil; and National Grid. New Hampshire Legal Assistance objects to the Motion.

As grounds for the Motion, CLF states as follows:

1. The docket was opened on May 14, 2007.
2. Over the past thirteen months, a pre-hearing conference, a technical session, presentations by utilities, and presentations by experts have all taken

place. The Commission also sought and received comments on the scope of the proceeding, the utility and expert presentations, and rate treatments.

3. There is an urgent need to reduce greenhouse gas ("GHG") emissions that cause global warming. See, e.g., Intergovernmental Panel on Climate Change Fourth Assessment Report (2007), available at [http://www.ipcc.ch/pdf/assessment-report/ar4/syr/ar4\\_syr\\_spm.pdf](http://www.ipcc.ch/pdf/assessment-report/ar4/syr/ar4_syr_spm.pdf); James E. Hansen et al., Target Atmospheric CO2: Where Should Humanity Aim? (2008), available at <http://arxiv.org/abs/0804.1126>; The New England Governors/Eastern Canadian Premiers, 2001 Climate Change Action Plan (2001), available at <http://www.negc.org/documents/NEG-ECP%20CCAP.PDF>. Recognizing this need, Governor Lynch established, in 2007, a Climate Change Task Force to make specific policy recommendations on priority actions for the State of New Hampshire to reduce GHG emissions.
4. Substantial investments in energy efficiency by utilities will facilitate immediate, significant reductions in GHG emissions in the State of New Hampshire and regionally.
5. All utilities that submitted comments in response to the Commission's March 13, 2008, Secretarial Letter

requesting comments regarding energy efficiency mechanisms (National Grid, Public Service of New Hampshire and Unitil), agree that existing rate treatment poses an obstacle to investment in energy efficiency. See, National Grid, Comments of National Grid, at 8 (April 11, 2008); Public Service of New Hampshire, Comments on Decoupling Ratemaking Treatment, at 2 (April 11, 2008); Unitil, Responses to March 13, 2008 Request for Comments, at 8 (April 11, 2008).

6. Those utilities also agree that a different rate treatment would promote enhanced investment in energy efficiency. See, National Grid, Comments of National Grid, at 9 (April 11, 2008); Public Service of New Hampshire, Comments on Decoupling Ratemaking Treatment, at 2 (April 11, 2008); Unitil, Responses to March 13, 2008 Request for Comments, at 9 (April 11, 2008).

7. This docket provides the most efficient means of addressing at least the broad structure and design of a different rate treatment, such as a decoupling mechanism, and any accompanying demand-side management measures that may be implemented.

WHEREFORE, CLF requests that the Commission issue, as soon as practicable, an order setting a schedule for:

1. Receiving comments from parties regarding the optimal structure and design of a different rate treatment to promote energy efficiency, such as a decoupling mechanism, appropriate for gas and electric utilities providing services in New Hampshire and any proposed accompanying energy efficiency measures;
2. Holding any necessary proceedings to facilitate development of that rate treatment and any related measures; and,
3. Issuing a final order in this matter.

Respectfully submitted,  
CONSERVATION LAW FOUNDATION

By: Melissa A. Hoffer *kan as authorized*

Dated: June 30, 2008

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