

**THE STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DE 13-021

ELECTRIC RENEWABLE PORTFOLIO STANDARD

**RSA 362-F:4, V and VI, Adjustments to Class I and Class III Renewable Portfolio
Requirements**

SUPPLEMENTAL ORDER OF NOTICE

On January 18, 2013, the Commission issued an order of notice in the instant docket scheduling a prehearing conference on February 14, 2013 for purposes of hearing comment on whether it is appropriate for the Commission to adjust Class III renewable portfolio requirements. The petition and subsequent docket filings, other than any information for which confidential treatment is requested of or granted by the Commission, will be posted to the Commission's website at <http://www.puc.nh.gov/Regulatory/Docketbk/2013/13-021.html>.

The Commission has determined that, in lieu of a prehearing conference, the Commission will hold a public comment hearing on February 14, 2013 at 10:00 for purposes of receiving public comment regarding the appropriateness for the Commission to adjust Class III renewable portfolio requirements.

On January 31, 2013, the Commission determined that it is necessary to also address whether it is appropriate to accelerate or delay by up to one year, any given year's incremental increase in Class I renewable portfolio requirements pursuant to RSEA 362-F:4, V and to receive public comment on that issue. The background is as follows.

In 2012, the Legislature enacted SB 218 (2012 N.H. Laws Ch.272 (SB 218) which amended the N.H. Electric Renewable Standard Act (RSA362-F) by creating a new Class I

category of useful thermal energy. Under SB 218, providers of electricity would have to purchase 0.2 percent of the delivered electricity with useful thermal renewable energy certificates (REC), or make a payment of \$25 per megawatt hour in alternative compliance payments to the renewable energy fund.

SB 218 also required the Commission to adopt rules to “adopt procedures for the metering, verification, and reporting of useful thermal output.” RSA 362-F:13, VI-a. The Commission has determined that due to technical challenges with thermal metering standards the rulemaking required by the statute will not be completed in time to certify facilities to qualify for the production of useful thermal energy RECs in 2013. As a result, providers of electricity will have to make alternative compliance payments to the renewable energy fund to comply with the new requirement for 2013. The Commission is, therefore, expanding the public comment hearing scheduled for February 14, 2013 to hear public comment as to whether it is reasonable to delay the implementation of the new useful thermal REC requirement for one year until 2014 to allow sufficient time to develop implementing rules.

This supplemental order of notice raises, inter alia, issues related to whether it is appropriate for the Commission to adjust Class III renewable portfolio requirements pursuant to RSA 362-F:4, VI, and if so, what calendar years should be adjusted and how should the adjustments be calculated; and whether there is good cause for the Commission to delay by up to one year the incremental requirement of Class I useful thermal energy, pursuant to RSA 362-F:4, V.

Each party has the right to have an attorney represent the party at the party’s own expense.

Based upon the foregoing, it is hereby

ORDERED, that a Public Comment Hearing shall be held on February 14, 2013 at 10:00 a.m., at which the Commission will hear public comment on the matters addressed in this order of notice pursuant to N.H. Code of Administrative Rules Puc. 203.18; and it is

FURTHER ORDERED, that pursuant to N.H. Code Admin. Rules Puc 203.12, the Executive Director shall notify all persons desiring to be heard at this hearing by posting a copy of this Order of Notice to the Commission website no later than February 1, 2013.

By order of the Public Utilities Commission of New Hampshire this thirty-first day of January, 2013.



Debra A. Howland
Executive Director

Individuals needing assistance or auxiliary communication aids due to sensory impairment or other disability should contact the Americans with Disabilities Act Coordinator, NHPUC, 21 S. Fruit St., Suite 10, Concord, New Hampshire 03301-2429; 603-271-2431; TDD Access: Relay N.H. 1-800-735-2964. Notification of the need for assistance should be made one week prior to the scheduled event.

SERVICE LIST - EMAIL ADDRESSES - DOCKET RELATED

Pursuant to N.H. Admin Rule Puc 203.11 (a) (1): Serve an electronic copy on each person identified on the service list.

Executive.Director@puc.nh.gov	ian@raymondphoto.com
alexander.speidel@puc.nh.gov	ips1@verizon.net
amanda.noonan@puc.nh.gov	Jack.ruderman@puc.nh.gov
barbara.bernstein@puc.nh.gov	jack@seasolarstore.com
bohan@unitil.com	jcreddy@sullivancountynh.gov
bram.claeys@state.ma.us	jknight@thepelletco.com
carlo-pvt@northeastgeo.com	john.warshaw@libertyutilities.com
cbeebe@beamgrp.com	joseph.fontaine@des.nh.gov
Christina.Martin@oca.nh.gov	jreed@warwickmills.com
cniebling@pelletheat.com	jstock@nhtoa.org
cwilliams@heatspring.com	karen.rantamaki@nh.gov
david.lamothe@gza.com	keith.mcbrien@gdsassociates.com
debra.hale@libertyutilities.com	kingsley@inrslc.com
dhenry@jordaninstitute.org	knelson@elementmarkets.com
dhowland@warwickmills.com	laurent@capitolsolarenergy.com
dkyle@yeatonassociates.com	levesque@inrslc.com
dmoon@ebcnc.org	lglen@wm.com
dnute@jordaninstitute.org	lmccreery@fs.fed.us
dossoff@suncook.com	lrichardson@jordaninstitute.org
dwayne.breger@state.ma.us	manypennyh@nhec.com
elizabeth.nixon@puc.nh.gov	martin.orio@negpa.org
eriley@nexant.com	marty@esaverenabler.com
geo@usasolarstore.com	matthew.fossum@nu.com
gwjtstengr@aol.com	

Docket #: 13-021-1 Printed: January 31, 2013

FILING INSTRUCTIONS:

- a) Pursuant to N.H. Admin Rule Puc 203.02 (a), with the exception of Discovery, file 7 copies, as well as an electronic copy, of all documents including cover letter with:
DEBRA A HOWLAND
EXEC DIRECTOR
NHPUC
21 S. FRUIT ST, SUITE 10
CONCORD NH 03301-2429
- b) Serve an electronic copy with each person identified on the Commission's service list and with the Office of Consumer Advocate.
- c) Serve a written copy on each person on the service list not able to receive electronic mail.

mdavis@groundenergysupport.com
mes@concordsteam.com
michael.fitzgerald@des.nh.gov
negeol@hotmail.com
pat.stanton@csgroup.com
peter@concordsteam.com
pjaesd@comcast.net
pmacgregor@nexant.com
ppabor@wm.com
prichard@lacapra.com
ranade@gridless.com
rayalbrechtpe@gmail.com
richard.lebrecque@psnh.com
richard_polonsky@brown.edu
roanolson@gmail.com
scondon@revisionenergy.com
sconnolly@dupontgroup.com
sgalowitz@broadrock.com
skaufman@cleanassetpartners.com
stephanie.hamilton@csgroup.com
Stephen.R.Eckberg@oca.nh.gov
steve.mullen@puc.nh.gov
susan.chamberlin@oca.nh.gov
suzanne.amidon@puc.nh.gov
tim@wellspringgeo.com
tjacobsen@elementmarkets.com
tom.frantz@puc.nh.gov
tony.delano@westonsolutions.com
tony@amenico.com
twilson@wilsonengineeringservices.com
wood-j@na.marubeni.com
wshort@ridgewoodpower.com