

# ENERGY EFFICIENCY AND SUSTAINABLE ENERGY BOARD

RSA 125-O:5-a

21 South Fruit Street, Suite 10

Concord, N.H. 03301-2429

## Minutes for September 18, 2020

### Attendees:

Board Members: Donald Perrin (DAS); Madeleine Mineau (Clean Energy NH); D. Maurice Kreis (OCA); Becky Ohler (DES); Cindy Carroll (Unitil); Carol Woods (NHEC); Kate Peters (Eversource); Matthew Mailloux (OSI); Eric Stanley (Liberty Utilities); Jack Ruderman for Ben Frost (NH Housing Authority); Scott Maslansky (CDFA); Ray Burke (NH Legal Assistance); Matthew Siska (GDS Associates); Theresa Swanick (NH Municipal Association); Representative Bob Backus (NH House of Representatives); Tonia Chase (BIA); Bruce Clendenning (The Nature Conservancy).

Others: Kate Epsen (ISO-NE); Megan Ulin (ReVision Energy); Brianna Brand (Clean Energy NH); Azanna Wishart (PUC); Liz Nixon (PUC); Brian Buckley (PUC); Christa Shute (OCA); Dylan Voorhees (VEIC); Pat Martin; Chris Skoglund (DES); Kim Dragoo (Liberty Utilities); Mark Lemanger (Eversource); Steven Eckberg (PUC); Kelly Buchanan; Chris Skoglund (DES).

### 1. Welcome and Introductions

- Madeleine Mineau called the meeting to order at 9:03 a.m.

### 2. Approval of the August 14, 2020 EESE Board Meeting Minutes.

- Becky Ohler moved. Matt Mailloux seconded.
- Approval of the August 14, 2020 minutes. All in favor with four abstentions.

### 3. Discussion of EERS Committee – Review of planning process, and discussion of future planning process structure and EERS Committee’s role.

- VEIC sent out a survey. Today’s EESE Board discussion does not replace the survey, but instead will complement it.
- The EESE Board Chair led the discussion by posing the following questions:
  - What worked well from the EERS Committee collaborative planning process for the triennium plan recently submitted to the Commission?

- The stakeholder engagement process, which was to drive stakeholders toward consensus resulting in a unanimous positive vote by the EERS Committee.
- It was helpful to have VEIC facilitate sessions because of their technical expertise. VEIC's facilitation made the process more efficient.
- Understanding what other states do was very useful.
- At the beginning of the stakeholder process, there were some detailed program discussions with the consultants and other experts. These discussions provided some good ideas regarding program design.
- What could we do better?
  - The administration of the VEIC contract. Discussion of whether it is appropriate for the PUC to administer the EERS consultant contract whose purpose is to provide the EESE Board and stakeholders with technical assistance as the EERS committee works through the plan development process. Would it be more appropriate for another state agency, or division of the PUC, to be the contract administrator?
  - Discussion of how the EERS Committee and its members can meet as a committee, and individually, with the goal of reaching consensus while complying with right to know rules. For example, the program administrators can caucus and present a unified front, but other parties cannot because they might convene a majority of the committee, which is not permitted under the right to know law.
  - The OCA believes that the stakeholder collaborative process is a valuable one. New Hampshire's process should become more like Massachusetts. The consulting help, which the plan says, should begin in October 2022 should be perpetually available to the EESE Board and the EERS Committee.
  - The EERS Committee should not wait until October of the year before the plan is due to start meeting. The process should be continuous, perhaps with quarterly meetings.
- What is the role of the EERS Committee in between planning periods? Should the committee have a more active role in posting, or more actively participating in, quarterly updates?
  - During the previous planning cycle, it seemed there was not a lot for the EERS Committee to do prior to October. It was different this planning cycle. The utilities have requested a true three-year plan with a mid-term modification process. The mid-term process will provide minimal modifications for PUC review and approval.
  - The quarterly meetings are not as informative and productive as they could be because the entire plan is covered in one meeting. We should instead prioritize and discuss selected, discrete, topics.

- This Board and the EERS Committee provide valuable opportunities for consensus building and education around energy efficiency issues. Keep in mind that the Commission regulates the utilities and the programs. How should the EERS Committee build consensus and provide education to the EESE Board to enable the EESE Board to provide feedback on the plan. How can this be accomplished in a way that does not create a duplicative process? It has been a challenge to integrate the more formal procedures of the Commission and the more collaborative role of the EERS Committee.
- If EERS Committee members can commit to read all of the materials before the meeting, it would help.
- The EESE Board has one representative on the EM&V working group. The EM&V group discusses many important issues. Maybe one representative is insufficient for the EESE Board to have a real influence in the EM&V working group.
- Who should be the proper counter party for the consulting contract? In general, it is difficult to understand what PUC staff's role is; management of the consultant was ambiguous and it added a lot of complexity to the planning process. It puts the consultant in an uncomfortable position. Even though the funding for the consultant comes through the PUC, perhaps the PUC could be administer the contract, but not direct the consultants work.
- Perhaps a different division of the PUC should manage the EERS consultant contract. If the PUC wanted to maintain oversight of the contract, maybe the sustainable energy division could manage it rather than the electric division.
- Don will make this argument and if the change being discussed is not in the settlement, he will not sign the settlement agreement.
- Are there any thoughts on parties that were missing from the planning process?
  - Additional parties could have been included but it is difficult to engage parties if they are busy or not interested. Should PUC staff be voting committee members? The “observer” status presents a conflict that is not always helpful to the process.
  - Organizations may have been engaged in Covid-19 related issues and not able to participate.
- Was the interaction between the EESE Board and EERS Committee what you had hoped?
  - The EESE Board should think about the directional feedback that the committee and the board are giving to the programs. The Committee can design a process where Board members are able to provide that feedback even if they do not have a lot of time to participate in

committee meetings. It was noted that is difficult for some Board members to take positions and make statements regarding their support or non-support. It was also noted, that set the EERS targets need to be determined sooner in the process.

- The committee could define specific milestones in the planning timeline.
  - In the current triennial plan, the PUC is going to approve savings goals and program budgets. Three years from now, the legislature will legislate any system benefits charge (SBC) increases. Meaning that if the PUC approves the next triennial plan and increasing the SBC is necessary to meet the targets, then legislation will be necessary to increase the SBC.
  - Relating to the SBC and the current law, it continues to be the position of OSI that the authority to increase the SBC should rest with the legislature.
  - Current law is that after the next three-year EERS plan, SBC increases will require legislative approval. This law should be considered when we develop the timeline for the planning process. If future EERS programs/plans require a vote by the legislature or fiscal committee, those steps will have to be taken into account and a longer planning process will be necessary.
  - Perhaps the programmatic details could be ironed out while the legislature is active.
  - The EESE Board's purpose and intent is greater than the EERS Committee. How do we keep the board relevant in the big picture energy issues statewide?
- Should the EESE Board make a recommendation to the Commission or provide some input into what the EERS committee should be and how the process should look for the next go around? Should a member, or members, of the Board draft a recommendation?
    - A member suggested that the Board not file a recommendation.
    - Ray Burke and Madeleine Mineau volunteered to draft a recommendation for discussion at the next EESE Board meeting.

#### 4. Legislative Updates – Representative Bob Backus

- The veto override session was last week. Neither the House nor the Senate had the necessary votes to override any vetoed bills.
- There is a concern as to the number of potential bills being filed next session and the legislatures assumed inability to meet in person. We ask that thought be given before proposing bills in an attempt to consolidate efforts.

- Commission to Study a State Department of Energy update – The Study Commission will file its report by November 1<sup>st</sup> and will not recommend establishing a state department of energy.
- Relative to building codes, a question was raised as to whether the amendments to the energy code were officially ratified by the legislature. The code adopted in SB562 has language that references RSA 155, which does require bills to be ratified. HB1714 sought to ratify the code amendments and was included in one of the vetoed Omnibus bills. Matt Siska will be talking with the Chairperson of the Building Code Review Board and Home Owners Association about this issue. There is a concern that buildings currently under construction are not building up to code.

The EESE Board thanks Representative Backus for his service to the legislature and this Board.

#### 5. ISO-NE Update – Kate Epsen

- The ISO-NE Board elected a new member, Mark Vannoy, the former Chair of the Maine Public Utilities Commission.
- Through the NEPOOL Stakeholder process, there are discussions about the transition to a future grid, decarbonizing the grid and working with states to achieve their clean energy goals. There have been some good presentations about market structures.
- ISO-NE issued an RFP soliciting a solution to a transmission reliability need. The project selected was a backstop solution that the two transmission owners had proposed.
- A question was asked about how ISO\_NE has dealt with the Covid-19 situation. To read more: <http://isonewswire.com/updates/2020/8/31/iso-new-england-implements-actions-in-response-to-the-corona.html>

#### 6. Board & Program Updates

- OSI – Matt Mailloux
  - The first meeting of the Offshore Wind commission is scheduled for Monday afternoon.
- DES – Becky Ohler
  - The electric vehicle infrastructure commission will be holding its last two meetings next Friday and the Friday after. It was the intent of Senator Waters to extend the length of that commission through an amendment. The amendment was not enacted. The commission’s work will wrap up and the final report will be filed on November 1<sup>st</sup>. The group identified a couple of other commissions to discuss other issues as there is more work to be done on the EV charging front.

- Drive Electric Week <https://www.driveelectricnh.org/drive-electric-week>.
- EM&V – Christa Shute
  - The final draft of the technical reference manual was completed. The lighting draft study is in review. The group is in the process of reviewing four RFP responses for the next two evaluations: the first New Hampshire large C&I Impact study, the second New Hampshire baseline practice study.

7. Meeting adjourned at 10:38 a.m.