

STATE OF NEW HAMPSHIRE

PUBLIC UTILITIES COMMISSION

October 24, 2012 - 1:37 p.m.
Concord, New Hampshire

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RE: DE 12-262
2013-2014 CORE New Hampshire
Electric and Gas Energy Efficiency
Programs.
(Prehearing conference)

PRESENT: F. Anne Ross, General Counsel
(Presiding as Hearings Examiner)

Sandy Deno, Clerk

APPEARANCES: Reptg. Public Service of New Hampshire:
Matthew J. Fossum, Esq.

Reptg. Granite State Electric Co. and
EnergyNorth Natural Gas, Inc., d/b/a
Liberty Utilities:
Sarah B. Knowlton, Esq.

Reptg. Unitil Energy Systems
and Northern Utilities, Inc.:
Rachel A. Goldwasser, Esq. (Orr & Reno)

Reptg. New Hampshire Electric Cooperative:
Mark W. Dean, Esq.

Court Reporter: Steven E. Patnaude, LCR No. 52

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APPEARANCES: (C o n t i n u e d)

Reptg. the Jordan Institute:
Dana Nute

Reptg. TRC Energy Services:
Tom Rooney

Reptg. The Way Home:
Alan Linder, Esq. (N.H. Legal Assistance)

Reptg. the Dept. of Environmental Services:
Rebecca Ohler

Reptg. the Office of Energy & Planning:
Brandy Chambers

Reptg. Residential Ratepayers:
Susan W. Chamberlin, Esq., Consumer Advocate
Stephen Eckberg
Office of Consumer Advocate

Reptg. PUC Staff:
Marcia A. B. Thunberg, Esq., Esq.
James J. Cunningham, Jr., Electric Division
Al-Azad Iqbal, Electric Division

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P R O C E E D I N G

1
2 MS. ROSS: Okay. We are here this
3 afternoon in Docket DE 12-262, which is the 2013-2014 CORE
4 New Hampshire Electric and Gas Efficiency Programs. My
5 name is Anne Ross. I will be serving as Hearings Examiner
6 today. And, I will report back to the Commissioners with
7 recommendations.

8 On September 17th, 2012, Granite State
9 Electric Company, doing business as Liberty Utilities, New
10 Hampshire Electric Cooperative, Inc., Public Service
11 Company of New Hampshire, Unitil Energy Systems,
12 EnergyNorth Natural Gas, doing business as Liberty
13 Utilities, and Northern Utilities, doing business as
14 Unitil, jointly filed with the Commission a proposal for
15 the 2013-2014 CORE New Hampshire Energy Efficiency
16 Programs of the electric utilities and the energy
17 efficiency plan of the gas utilities for the period
18 January 1st, 2013 through December 31st, 2014.

19 Let me begin by checking with Public
20 Service Company of New Hampshire for an affidavit of
21 publication of the order of notice? Is that available?

22 MR. FOSSUM: That was filed a few days
23 ago, yes.

24 MS. ROSS: Okay. Do you have it? Thank

1 you. For interventions, what I have a record of are the
2 following: New Hampshire Community Action Association,
3 Jordan Institute, The Way Home, the Office of Energy &
4 Planning, TRC, and the Department of Energy Services. Are
5 there any other intervenors -- oh, and the Office of
6 Consumer Advocate through a letter of participation. Are
7 there any other intervenors that I don't have a record of
8 here today?

9 MS. OHLER: Just to correct, that last
10 one I think is "Environmental Services"?

11 MS. ROSS: I'm sorry, what did I say?

12 MS. OHLER: "Energy".

13 MS. ROSS: I apologize, yes. Department
14 of Environmental Services.

15 MS. OHLER: Thank you.

16 MS. ROSS: I was just trying to get you
17 guys more in the energy realm. All right. Are there any
18 procedural issues that we need to address this morning,
19 before dealing with opening statements from the parties?

20 MS. THUNBERG: I'll take this
21 opportunity to deal with an administrative matter. We are
22 trying to make sure that the service list in this docket
23 is complete. And, I have handed out a list of -- a copy
24 of the service list to the people in this room today for

1 any corrections or additions that the Commission may have
2 as an oversight. So, I just wanted to let folks know that
3 the Clerk can take a copy -- or, take the service list
4 edits that you have at the end of the prehearing, and
5 we'll make sure that we have the service list correct, to
6 include the people who have intervened and are parties to
7 this docket. Thank you.

8 MS. ROSS: Thank you. Are there any
9 other matters that we need to deal with?

10 (No verbal response)

11 MS. ROSS: All right. In that case, I
12 think we'll begin with just brief statements for purposes
13 of the record, preliminary statements of position in the
14 docket. And, we'll begin with the lead Petitioner, which
15 would be Public Service.

16 MR. FOSSUM: Just to clarify, due you
17 wish to take appearances and statement?

18 MS. ROSS: As you give your statement,
19 yes, please.

20 MR. FOSSUM: Okay. In that case,
21 Matthew Fossum, on behalf of Public Service Company of New
22 Hampshire. To lead off then, for our statement, PSNH,
23 along with the other utilities in this state have worked
24 hard to prepare this filing on the CORE Programs, and have

1 done so in a manner consistent with the prior orders and
2 agreements for the CORE Programs. These are certainly
3 important programs that have led to substantial benefits
4 for consumers in New Hampshire.

5 And, as to this particular program, I
6 wanted to highlight just a few things. First, this is the
7 second time that the programs are being proposed to run
8 for a two-year period. So, they would be for 2013 and
9 2014. In addition, this is the first time that all of the
10 gas and electric programs are included together, making
11 this a somewhat more comprehensive filing than it had been
12 in the past.

13 In the body of this proposal, the
14 utilities have presented various fuel neutral programs, as
15 anticipated by the Commission's latest orders. And, we
16 also wanted to highlight that the proposal here
17 incorporates the use of the RGGI funds, as had been
18 anticipated both by the Commission and by the Legislature
19 in advance of this filing.

20 We are certainly prepared to work with
21 the other parties to this docket, and as collaboratively a
22 manner as possible, to discuss this proposal, and to move
23 it forward.

24 In the tech session to follow, we intend

1 to work on a procedural schedule and any other matters,
2 and hope that we can reach a resolution on at least the
3 schedule that would accommodate the needs and concerns of
4 everybody, and, in particular, the utilities need to vet
5 these programs fully, and yet still have them in place and
6 ready to go for January 2013. Thank you.

7 MS. ROSS: Could I ask a question on
8 clarification, and any of the Petitioners can answer. In
9 quickly looking at your filing, it appears that what is
10 done in this initial filing is to simply include the
11 additional funds that are coming through RGGI, but to
12 basically fund the normal course suite with those funds.
13 I did not notice new programs. Did I miss something or is
14 that the initial position of the filing parties?

15 MR. FOSSUM: It's my understanding there
16 are some new programs with the RGGI funds.

17 MS. ROSS: Okay. Thank you.
18 Appearances from the other parties who joined in that
19 Petition?

20 MS. KNOWLTON: Thank you, Hearing
21 Officer. Good afternoon. My name is Sarah Knowlton. I'm
22 here today on behalf of Granite State Electric Company and
23 EnergyNorth Natural Gas, both doing business as Liberty
24 Utilities. We're pleased today to be jointly proposing

1 these programs for both gas and electric utilities for the
2 programs year 2013 and 2014. We have a truncated period
3 of time to do a lot of hard work in this docket. So, we
4 do look forward to working in the most efficient manner
5 with the Staff and the OCA and all of the parties to this
6 docket. Otherwise, I would echo and join in the opening
7 comments offered by Attorney Fossum.

8 MS. GOLDWASSER: Good afternoon. My
9 name is Rachel Goldwasser, from the law firm of Orr &
10 Reno, here in Concord, here on behalf of Unitil Energy
11 Systems and Northern Utilities. With me is Tom Palma.
12 Unitil and Northern concur with the statements made by
13 Attorneys Fossum and Knowlton in support of the filing
14 that's been made regarding the CORE Energy Efficiency
15 Programs.

16 The Company looks forward to working
17 with the other parties to this docket and Commission Staff
18 in the tech sessions in the coming weeks ahead, to bring
19 this matter before the Commission so soon in December. We
20 would ask the Commission review the programs filed on
21 September 17th and approve them, so they can continue as
22 of January 1st, 2013.

23 For the record, I would like to note
24 that Page 3 of the order of notice indicates, and I'll

1 quote, that "The Electric and Gas Utilities state that
2 they will not include the non-electric energy savings
3 associated with the HPwES program in compliance with Order
4 Number 25,402, in Docket Number DE 10-188." And, for the
5 purpose of clarification, the gas utilities would seek a
6 performance incentive associated with non-electric energy
7 savings on the gas HPwES programs.

8 MS. ROSS: Thank you.

9 MR. DEAN: Good afternoon. Mark Dean,
10 on behalf of the New Hampshire Electric Cooperative.
11 Since I think the hallmark of this proceeding is going to
12 be a tightened schedule, I'll be brief and simply
13 reiterate what those other utilities have said before now.
14 Thank you.

15 MS. ROSS: Thank you.

16 MS. CHAMBERS: Brandy Chambers, New
17 Hampshire OEP. We don't have any position at this time.
18 But we look forward to participating in this docket.

19 MS. ROSS: Thank you.

20 MS. OHLER: Are we all --

21 MS. ROSS: Yes. I'm sorry. We're just
22 asking for appearances. If you don't have a position,
23 just give your appearance and we'll move on.

24 MS. OHLER: Okay. Rebecca Ohler,

1 Department of Environmental Services. And, we have no
2 position at this time.

3 MS. ROSS: Okay.

4 MR. NUTE: Yes. Dana Nute, on behalf of
5 the Jordan Institute. I'll be intervening here. And, I
6 believe a letter, I just want to speak up, was presented
7 from the Community Action Agency that Ryan Clouthier was
8 not going to be able to be here today.

9 MS. ROSS: Yes, we received that.

10 MR. NUTE: Okay. Thank you.

11 MR. ROONEY: Tom Rooney, with TRC Energy
12 Services.

13 MR. LINDER: Good afternoon. Alan
14 Linder, from New Hampshire Legal Assistance, and we
15 represent The Way Home. We have filed to intervene in
16 this proceeding, and we have reviewed most of the filing,
17 and are generally supportive of it, particularly the low
18 income section. We do have some questions that need a
19 little clarification, and we sent out our questions about
20 three weeks ago. And, I guess, really the main concern is
21 the rather tight timeframe for this proceeding. And, now,
22 whether an order can be issued so that the programs can
23 get off the ground running January 1st of 2013, the --
24 like to do our best to try to avoid disruptions in the

1 program delivery. Although, if the CAP representative was
2 here, they would probably say that the worst thing that
3 could happen would be to disrupt the program, because
4 contractors have been -- and employees have been laid off
5 during the year, they're in the process of rehiring.
6 Stopping again would be a real concern. So, thank you
7 very much.

8 MS. ROSS: Thank you.

9 MS. CHAMBERLIN: Susan Chamberlin,
10 Consumer Advocate for the residential ratepayers. With me
11 today is Steve Eckberg. We are delighted to be working
12 with Staff and the parties on these programs. We are
13 interested in continuing the move toward uniformity
14 throughout the state of the programs, and to increase
15 opportunities for residential participation.

16 In light of the compressed procedural
17 schedule, we understand that Staff has been doing an audit
18 of the programs. And, we were hoping that the results of
19 the audit could be given to all the parties before our
20 testimony is due, so that, if there are changes, if the
21 audit comes up with things that need to be addressed, then
22 we'll be able to incorporate them into the programs.

23 MS. ROSS: Thank you. Staff?

24 MS. THUNBERG: Good afternoon. Hearings

1 Examiner Ross. Staff has no objection to the
2 interventions that have been filed in this docket. We
3 don't need to reiterate too much, that we are under a
4 compressed time schedule with the late start of this
5 docket, and bumping up against a December 31st deadline
6 for Commission approval.

7 Staff, with the press of other business,
8 has not been able to start a thorough review of the filing
9 yet. We know that OCA and The Way Home are ahead of us,
10 and we're going to be reviewing their discovery requests
11 so that we're not duplicating in our efforts.

12 With the compressed schedule, Staff and
13 the parties are working on a proposed procedural schedule.
14 We hope to discuss this at the tech session. And,
15 hopefully, in a matter of days, we'll be filing that with
16 the Commission for approval.

17 Staff has gone ahead and grabbed -- put
18 a hold on December 21st as a hearing date. There was a
19 lot of activity going on, and that was the -- one of the
20 only dates that we could grab to secure for a hearing for
21 today -- or, not for today, but for this docket.

22 With the fact that the schedule is
23 compressed, we're having some disagreement over discovery
24 deadlines. And, Staff would just like to state at the

1 beginning, even -- whatever date we pick for discovery
2 responses to be due, we understand that there may be some
3 responses that are late. And, we'll just try to work with
4 that. But, also, I guess Staff is signaling to the
5 Commissioners that, with discovery being more fluid in
6 this particular proceeding, because of the compressed
7 time, that there may be some late filings, corrections to
8 testimony, *etcetera*. But we will do our best, Staff,
9 working with the parties, to make an efficient streamlined
10 presentation at the hearing.

11 So, with that, Staff looks forward to
12 working with the parties in the tech session and the
13 proceeding. Thank you.

14 MS. ROSS: Thank you. Are there any
15 objections to any of the interventions that are proposed
16 at this time?

17 (No verbal response)

18 MS. ROSS: Okay. Seeing none, I'll
19 assume that everyone's intervention requests are
20 unopposed.

21 I think, at this point, the prehearing
22 conference, the items that needed to be completed at the
23 prehearing conference are done. I have one question. I
24 did hear a party, now I can't recall who, mentioned

1 "December 1st" as a deadline in this docket, and then I
2 heard Staff proposing a hearing date of "December 21st".
3 I hope the parties can work in the technical session to
4 come up with a Commission schedule for this proceeding
5 that gets us to the end line as soon as possible. If the
6 date that you need an order is December 31st, you have
7 left the Commission ten days to deliberate and decide and
8 to draft an order approving the program.

9 So, I'd urge you to keep that in mind.
10 And, also, please, if you can, use this tech session not
11 only to come up with a procedural schedule, but to
12 actually make some progress on outstanding discovery
13 issues. And, if there are parties who wish to suggest
14 alternative programming that you get it on the table
15 early, because the -- this schedule is compressed.

16 Are there any other items that we need
17 to cover before I close the hearing? Does anyone got any
18 other concerns?

19 (No verbal response)

20 MS. ROSS: Okay. Thank you. In that
21 case, the prehearing conference is closed. And, I will
22 make a recommendation on the interventions. Thank you.

23 **(The prehearing conference ended at 1:54**
24 **p.m., and a technical session followed)**