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STATE OF NEW HAMPSHIRE



PUBLIC UTILITIES COMMISSION

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NHPUC 21MAR17AM9:49

March 21, 2017

John Gray
The Prospect Woodward Home
194-202 Court St.
Keene, NH 03431

Re: DE 17-009 The Prospect Woodward Home
Request for Waiver of Puc 303.02

Dear Mr. Gray:

The Commission Staff has completed an initial review of the master metering rule waiver request submitted on behalf of The Prospect Woodward Home, which was filed with the Commission on January 17, 2017. Based on that initial review, we ask that you please address the clarifying questions included on the attached list.

Please provide written responses to these questions at your earliest convenience in a letter addressed to the Executive Director, e-mailed to the docket service list, and filed at the following street address:

Debra A. Howland, Executive Director
N. H. Public Utilities Commission
21 South Fruit Street, Suite 10
Concord, NH 03301-2429

Very truly yours,

A handwritten signature in cursive script, reading "Rich Chagnon".

Rich Chagnon
Utility Analyst

Enclosure
cc: Service List

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.

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Docket #: 17-009-1 Printed: March 21, 2017

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
EXECUTIVE 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.**

DE 17-009
The Prospect Woodward Home
Request for Waiver of Puc 303.02

Questions for John Grey, Development Consultant, the Prospect Woodward Home

1. Are the planned 60 Assisted Living beds and 20 Nursing facility beds included within the proposed 145 apartments, or are the 60 Assisted Living beds and 20 Nursing facility beds within the Health Center, separate from and not included in the 145 self-contained residential units? Please explain in detail.
2. Was it necessary for the Hillside Village facility to include electricity service to the occupants of the 145 separate apartments in order to be granted (i) a Certificate of Authority by the New Hampshire Department of Insurance, and/or (ii) a Certificate of Need by the New Hampshire Department of Health and Human Resources? If so, then please describe in detail the statutes, rules, policies, and/or other basis of such requirement(s).
3. Is it a condition of either or both of the Certificate of Authority by the New Hampshire Department of Insurance, and/or the Certificate of Need by the New Hampshire Department of Health and Human Resources, for the Hillside Village facility to include electricity service to the occupants of the 145 separate apartments? If so, then please describe in detail the applicable condition(s).
4. Was it necessary for the Hillside Village facility to include electricity service to the occupants of the planned 60 Assisted Living beds and 20 Nursing facility beds in order to be granted (i) a Certificate of Authority by the New Hampshire Department of Insurance, and/or (ii) a Certificate of Need by the New Hampshire Department of Health and Human Resources? If so, then please describe in detail the statutes, rules, policies, and/or other basis of such requirement(s).
5. Is it a condition of either or both of the Certificate of Authority by the New Hampshire Department of Insurance, and/or the Certificate of Need by the New Hampshire Department of Health and Human Resources, for the Hillside Village facility to include electricity service to the occupants of planned 60 Assisted Living beds and 20 Nursing facility beds? If so, then please describe in detail the applicable condition(s).
6. The rule waiver request states that Hillside Village is contractually obligated to operate as a senior housing project for at least the full period of its 40-year financing term; please explain in detail how and why this fact should be considered by the Commission to grant

a waiver of N.H. Code Admin. Rules Puc 303.02 (reproduced below).

7. Hillside Village states that "it is in the public interest to ensure that the construction cost be kept as low as possible so the Resident entrance fee and monthly fee structure can be maintained at the lowest possible rate to allow the largest number of residents as possible to meet the financial requirements for entry into the community." Please explain what the additional cost would be to install meter sockets for the individual 145 apartments during the new construction phase and how that cost would be included in or covered by the Resident entrance fee and monthly fee structure.
8. Are you aware of any existing newly constructed facility in New Hampshire which is a Continuing Care Retirement Community that has separate apartments similar to the proposed Hillside Village? If so, are you aware whether or not these facilities have separate meters for each individual apartment or if any of these facilities is billed based on a "master meter" configuration? Please specifically identify any such other facilities.
9. Please explain how and why the 145 proposed apartments for Hillside Village can be distinguished from and should be evaluated differently from any other newly constructed apartment building which includes community spaces for its residents?
10. If the Commission were to grant the master metering rule waiver requested for Hillside Village, how would the Commission distinguish that waiver approval from any similar waiver request made for other new construction having separate apartments that may or may not be considered a Continuing Care Retirement Community (excluding hotels, motels, dormitories, boarding houses, and time-sharing interests in condominiums which are expressly excepted from the rule)? Please explain in detail.

Reproduced below are the applicable Commission rules regarding "master metering" (please note that these rules were updated on May 21, 2014):

Puc 302.14 "Master metering" means the use of a single meter to supply electric service at a building that contains 2 or more residential premises.

Source. #8448, eff 10-18-05; ss by #10603, eff 5-21-14 (from Puc 302.12)

Puc 303.02 Master Metering.

(a) No utility shall install master metering in a building with multiple dwelling units. The energy in each dwelling unit in such a building shall be separately metered.

(b) A utility shall only install master metering in commercial buildings and as consistent with the International Energy Conservation Code 2009 as adopted pursuant to RSA 155-A:1,IV.

(c) Hotels, motels, dormitories, boarding houses and time-sharing interests in condominiums as defined in RSA 356-B:3 shall not be considered a dwelling unit within the meaning of Puc 303.02(a) above.

Source. #2011, eff 5-4-82; ss by #2912, eff 11-26-84; ss by #4999, eff 11-26-90; ss by #6245, eff 5-14-96; ss by #6605, eff 10-21-97; ss by #8448, eff 10-18-05; ss by #10603, eff 5-21-14