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NHPUC 6DEC'19PM12:01

**Via Email and U.S. Mail**

*Executive.Director@puc.nh.gov*

Debra Howland, Executive Director  
New Hampshire Public Utilities Commission  
21 S. Fruit Street, Suite 10  
Concord, NH 03301

**Re: The Woods at RiverWoods Exeter; Master Metering Request**  
**DE 19-114**

Dear Ms. Howland:

On behalf of RiverWoods at Exeter, I respectfully submit this letter in response to the PUC Staff recommendation to deny RiverWoods' June 19, 2019 request (the "Request") for a waiver of restrictions on master metering. RiverWoods requires the waiver to install a new generator that is capable, during a power outage, of maintaining electricity, heat, and air conditioning service to elderly residents at the Woods Campus. Granting the Request would serve the public interest, and would not detract from the policies and objectives underlying Puc 303.02(b). In concluding otherwise, Staff misapprehended critical facts that militate strongly in support of the Request.

**Need For the Waiver**

Staff does not dispute that master metering is necessary in order for RiverWoods to install a new, more powerful generator at the Woods Campus. If the Request is granted, the 201 meters currently at each of the 201 independent living units ("ILUs") on the Campus will be replaced with four master meters that will serve the Campus's five buildings: four residential buildings (the Crawford, Dixville, Franconia, and Pinkham Buildings) and the healthcare facility (the Manadnock Building).

Staff appears to conclude that the benefits of the new generator do not justify a waiver. However, Staff misapprehends the facts demonstrating the justification and need for the new generator. On page 5 its November 22 recommendation letter, Staff stated that "*under existing metering configurations, if there is a loss of power, residents in each ILU do not lose heating and cooling of their unit.*" This statement is incorrect.

Under RiverWoods' present electrical configuration, ILUs *do* lose electricity, heat, and air conditioning in the event of a power outage. This is explained in RiverWoods' Request (page 2), and explained again in RiverWoods' responses to Staff's data requests (see, e.g., response to Staff 1-9(e)). Although there is a process whereby heating units can be opened manually in each unit, that process is not safe, as the heat cannot be regulated. The process is also inefficient and impractical, as it is time and labor intensive to open the heating valve in each of the 201 ILUs.

The average age of RiverWoods' residents is 84 years old. Many residents living in ILUs require use of a range of electrically-powered equipment and systems (including oxygen breathing devices; refrigeration units for medication; and devices for mobility assistance). As RiverWoods informed Staff (see, e.g., response to Staff 1-9(e) and Staff 2-4), the initiative to install a generator capable of maintaining heat, air conditioning, and electricity service in the ILUs was prompted by resident concern over recent incidents in other states (including Florida) where power outages and loss of air conditioning service at CCRCs had catastrophic consequences for the facilities' elderly residents. While RiverWoods does not suggest that its residents now face similar risk, these incidents justifiably prompted a desire to ensure that during a loss of power, its residents' health and safety needs are met to the fullest extent possible. In this regard, Town of Exeter officials have expressed their support for installation of the new generator.

#### The Purposes of Puc 303.02 Would Continue to Be Served

Staff notes that the "purpose of the master metering rule is to incentivize energy conservation and efficiency," and then concludes that granting a waiver in this case would not advance this purpose. This conclusion is misplaced.

To start, RiverWoods submits that waivers of master metering restrictions should not be limited to the narrow factual situations suggested by Staff. RiverWoods is *not* requesting a waiver to save costs, or for other reasons that, standing alone, have been found insufficient to justify a waiver. Instead, RiverWoods seeks a waiver for a reason that unquestionably serves the public interest – to allow for the installation of a generator that will better serve the health and safety needs of elderly residents. It makes no difference whether those residents constitute an "underserved population." The public interest is served when the State's growing elderly population is properly cared for.

Second, Staff declined to consider the extensive energy efficiency measures that RiverWoods recently implemented at the Woods Campus. The fact that these measures, some of which are ongoing, are not being performed in direct combination with the installation of a new and better generator is not a justifiable basis to deny RiverWoods' Request. Stated differently, it should not matter whether RiverWoods implemented these efficiency measures in stages, or delayed and performed in connection with the generator installation.

As explained to Staff (see response to Staff 1-6(b)(i) & Staff 2-1)), RiverWoods has demonstrated a strong commitment to implementing efficiency measures. For example, within the past two years, RiverWoods installed a Leviton utility monitoring system to measure

electricity and gas usage by each building at the Woods Campus. RiverWoods monitors usage data generated by the Leviton system on a regular basis. The Leviton system is permanent and would remain in place after master metering. Any excessive electricity usage by individual units would be reflected in the data captured by the system, and would be investigated (as it is now).

Additionally, over the past five years, RiverWoods has made substantial investments in other efficiency measures, to include:

- Installation of high efficiency domestic hot water boilers (2016);
- Installation of LED lighting upgrades in common areas (2016);
- Installation of high efficiency heating boilers (2017);
- Installation of a high efficiency main chiller and cooling tower (2018);
- Ongoing replacement of individual unit windows with energy star (2014-present);
- Installation of upgraded insulation in the attic of the Monadnock Lodge wing (2018);
- Replacement of all exterior lights with LED (2018).


Third, granting the requested waiver would not affect energy consumption by residents. As explained previously (see Request p. 2; response to Staff 1-8(b)(i)), residents are not charged individually for electricity and other utilities. These and other costs are included in set monthly service fees charged to residents. A resident's monthly service fee does not increase or decrease depending on the resident's electricity usage. Rather, the monthly service fees reflect the budgeted cost of electricity, and other services, on a campus-wide basis. Budgeted electricity costs currently are based on multi-year fixed price contracts that RiverWoods maintains with suppliers.

Monthly electric bills for each ILU are directed to RiverWoods Senior Facilities Director, who reviews each bill, and then RiverWoods pays the bills all at once on an aggregated basis. Any excessive usage by individual units, as reflected in those bills, is investigated.

As a final point, Staff implies that RiverWoods' waiver request should not be granted because it is contrary to the International Energy Conservation Code 2009, which is incorporated by reference in Puc 303.02. However, the IECC 2009 was incorporated into Puc 303.02 in 2014. Since that time, Staff has approved of and the PUC has granted several waiver requests. As such, Staff's reference to the IECC 2009 should not be determinative.

In sum, RiverWoods submits that the Staff recommendation misapprehends critical facts, and does not properly account for the compelling factors that support granting the waiver. For the reasons stated above and in RiverWoods' prior submissions, PUC should grant RiverWoods' requested waiver.

Sincerely,



Christopher H.M. Carter  
CHMC/smc

Debra A. Howland - NH PUC

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