

THE STATE OF NEW HAMPSHIRE
BEFORE THE
PUBLIC UTILITIES COMMISSION
**PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE
D/B/A EVERSOURCE ENERGY**
DOCKET NO. DE 19-142
JOINT MOTION FOR
EXPEDITED APPROVAL OF SETTLEMENT AGREEMENT

Pursuant to N.H. Code Admin. Rule Puc 203.07 and Puc 203.20, Public Service Company of New Hampshire, d/b/a Eversource Energy (“PSNH” or “Eversource”); the Staff of the New Hampshire Public Utilities Commission (“Staff”); the Office of the Consumer Advocate (“OCA”); and Burgess Biopower, LLC (“Burgess”), (collectively, the “Settling Parties”), hereby jointly move for the Commission’s approval of a Settlement Agreement dated December 31, 2019 (the “Agreement”) relative to the implementation of 2018 N.H. Laws, Chapter 340 (“Ch 340” or “SB 577”).

In support of this motion for multiple approvals, the Settling Parties state the following for consideration:

1. On November 19, 2019, Eversource and Burgess entered into a “First Amendment to the Amended and Restated Power Purchase Agreement” (the “Amended PPA” on file with this Commission under this docket) to effectuate SB 577. On that same date, Eversource filed a Motion seeking the Commission’s approval of that Amended PPA. On December 12, 2019, the Commission issued a Supplemental Order of Notice in this docket, setting forth various

procedural milestones and hearing dates.

2. To fully resolve all issues raised by this Commission in the Supplemental Order of Notice the Settling Parties have entered into the attached Settlement Agreement (*see* Attachment ‘A’).

This Settlement Agreement, if approved by this Commission, will settle all legal issues raised in this proceeding and therefore moot the need for briefs ordered by page 3 of the Supplemental Order of Notice.

3. Under the Settlement Agreement, the costs of implementing SB 577 will be recovered from Eversource’s retail customers by a uniform cents per kilowatt-hour charge that will be included as part of the company’s Stranded Cost Recovery Charge (“SCRC”). Revised Tariff pages that implement the terms of this Settlement Agreement can be found as Attachment ‘A’ to that same Settlement Agreement.

4. The Settling Parties request the following actions from the Commission:

a. Approval of the Settlement Agreement;

b. Approval of the Amended PPA

c. Approval of the revised Tariff provision

d. A finding that PSNH’s decision to enter into the Amended PPA was reasonable and in the public interest (see RSA 374:57);

e. A finding that Eversource shall be allowed to recover all costs of the Amended PPA from customers via the non-bypassable rate mechanism set forth in this Agreement and revised Tariff provision;

4. Rule Puc 203.20 (b) provides that “the commission shall approve a disposition of any contested case by stipulation, settlement, consent order or default, if it determines that the result

is just and reasonable and serves the public interest.” The Settling Parties aver that the actions requested above are just, reasonable, and serve the public interest.

5. Finally, the Settling Parties respectfully request that the Commission act expeditiously so that the rate recovery of the costs of the Amended PPA can begin on February 1, 2020 concurrent with the new SCRC being considered in Docket No. DE 19-108. Specifically, the Settling Parties request that the hearing for adopting the rate and cost recovery mechanisms be added to the existing scheduled SCRC hearing for Eversource, currently set for January 21, 2020.

WHEREFORE, the Settling Parties respectfully request that the Commission:

- a. Approve the Settlement Agreement;
- b. Approve the Amended PPA
- c. Approve the revised Tariff provision
- d. Find that PSNH’s decision to enter into the Amended PPA was reasonable and in the public interest;
- e. Find that Eversource shall be allowed to recover all costs of the Amended PPA from customers via the non-bypassable rate mechanism set forth in this Agreement and revised Tariff provision;
- f. Expedite the approvals and findings requested above to allow the rate impacts of the Amended PPA to be included in the revised SCRC scheduled to take effect on February 1, 2020; and,
- g. Grant such other relief that is just and equitable.

Respectfully submitted this 31st day of December, 2019, by the Settling Parties:

PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE D/B/A EVERSOURCE ENERGY

By: 
Robert A. Bersak, Esq.
Chief Regulatory Counsel

Date: 12/31/2019

NEW HAMPSHIRE PUBLIC UTILITIES COMMISSION STAFF

By: _____
F. Anne Ross, Esq.
Staff Attorney

Date: _____

NEW HAMPSHIRE OFFICE OF THE CONSUMER ADVOCATE

By: _____
D. Maurice Kreis, Esq.
Consumer Advocate

Date: _____

BURGESS BIOPOWER, LLC

By: _____
Carol J. Holahan, Esq.
Counsel

Date: _____

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Consumer Advocate

Date: Dec. 31, 2019

BURGESS BIOPOWER, LLC

By: _____
Carol J. Holahan, Esq.
Counsel

Date: _____

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Chief Regulatory Counsel

Date: _____

NEW HAMPSHIRE PUBLIC UTILITIES COMMISSION STAFF

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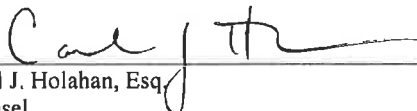
Date: _____

NEW HAMPSHIRE OFFICE OF THE CONSUMER ADVOCATE

By: _____
D. Maurice Kreis, Esq.
Consumer Advocate

Date: _____

BURGESS BIOPOWER, LLC

By:  _____
Carol J. Holahan, Esq.
Counsel

Date: 12/31/19