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

Reptg. Clean Energy NH:

Madeleine Mineau, Exec. Director

Reptg. the City of Lebanon:

Clifton Below, Asst. Mayor

Reptg. the Town of Hanover:

April Salas, Sustainability Dir.

Reptg. Packetized Energy:

Charles Spence

Reptg. Utility API:

Devin Hampton, CEO

Reptg. Community Choice Partners:

Samuel V. Golding, President

Rep. Kat McGhee, *pro se*

Patricia Martin, *pro se*

Reptg. Sector Capital Resources:

Robert Cheney, Esq. (Sheehan...)

Reptg. Sector Energy Resources:

Mark Dell'Orfano, Esq. (Sheehan...)

Reptg. Residential Ratepayers:

D. Maurice Kreis, Esq., Consumer Adv.

Christa Shute, Esq.

James Brennan, Finance Director

Office of Consumer Advocate

Reptg. PUC Staff:

Brian D. Buckley, Esq.

Stephen Eckberg, Electric Div.

Jason Morse, Sustainable Energy Div.

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DISCUSSION RE: INTERVENTIONS

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P R O C E E D I N G

1
2 CHAIRWOMAN MARTIN: Well, it looks
3 like we have a pretty full house today. All
4 right. We're here this morning in Docket DW
5 19-197, for a prehearing conference regarding
6 the development of a statewide multi-use online
7 energy data platform. Sorry, that should have
8 been "DE 19-197".

9 Before we get started, let's take
10 appearances. If you'd like to start?

11 MR. MURRAY: Can you hear me?

12 CHAIRWOMAN MARTIN: Yes.

13 CMSR. GIAIMO: Yes.

14 MR. MURRAY: Good morning,
15 Commissioners and Chairwoman. Michael Murray,
16 from Mission: Data Coalition.

17 CHAIRWOMAN MARTIN: It looks like we
18 might have to share some microphones today.
19 And, if you are not sitting by a microphone,
20 and if you are going to speak, if you can come
21 forward and find a microphone, probably up here
22 at the front, that would be great.

23 MR. EISFELLER: Good morning. Justin
24 Eisfeller, VP of IT at Unitil.

1 MR. SIMPSON: I'm Carleton Simpson,
2 attorney for Unitil.

3 MS. CHIAVARA: Jessica Chiavara,
4 counsel for Eversource.

5 MR. PATCH: Doug Patch, counsel for
6 Direct Energy, with the law firm of Orr & Reno.

7 MS. MINEAU: Madeleine Mineau,
8 representing Clean Energy New Hampshire.

9 MR. SHEEHAN: Mike Sheehan,
10 representing Liberty Utilities.

11 MR. BELOW: Clifton Below, on behalf
12 of the City of Lebanon.

13 MR. SPENCE: Charles Spence,
14 Packetized Energy.

15 MR. HAMPTON: Devin Hampton, Utility
16 API.

17 MR. GOLDING: Samuel Golding,
18 Community Choice Partners.

19 MR. KREIS: Good morning,
20 Commissioners. I'm D. Maurice Kreis, the
21 Consumer Advocate. We represent residential
22 utility customers. With me today is our Staff
23 attorney, Christa Shute, and our Director of
24 Finance, James Brennan.

1 MR. BUCKLEY: Madam Chair, I think
2 there are at least two more intervenors in the
3 back row that we might want to prod, including
4 the Town of Hanover and Clean Energy New
5 Hampshire.

6 MS. SALAS: Good morning. April
7 Salas, Town of Hanover -- Good morning. April
8 Salas, the Town of Hanover.

9 REP. MCGHEE: And good morning.
10 Representative McGhee, from Hillsborough 40.

11 CHAIRWOMAN MARTIN: Thank you. I
12 think I see Patricia Martin back there?

13 MS. MARTIN: Patricia Martin,
14 ratepayer.

15 MR. BUCKLEY: Good morning, Madam
16 Chair and Commissioners. My name is Brian D.
17 Buckley. I'm a Staff attorney for the New
18 Hampshire Public Utilities Commission. To my
19 left is Mr. Steve Eckberg, and to his left is
20 Mr. Jason Morse.

21 MR. CHENEY: Good morning. Bob
22 Cheney, from Sheehan, Phinney, Bass & Green.
23 We're here for Sector Capital Resources. We
24 have not intervened at this point.

1 MR. DELL'ORFANO: Mark Dell'Orfano,
2 from Sheehan Phinney, Sector Energy Resources.

3 CHAIRWOMAN MARTIN: Okay. We do have
4 a number of pending motions to intervene, as
5 many -- oh. Go ahead, Mr. Buckley.

6 MR. BUCKLEY: If I may, Chair Martin?
7 Noting that we have, by Staff's most recent
8 count, approximately ten motions to intervene
9 pending, would it be helpful if Staff
10 summarized the standard for intervention in an
11 adjudicative proceeding, and provided an
12 assessment of whether the parties have reached
13 that standard based on their written petitions?

14 CHAIRWOMAN MARTIN: Sure.

15 MR. BUCKLEY: Thank you. The
16 Administrative Procedure Act sets forth two
17 standards for intervention in an administrative
18 proceeding; the first being mandatory and the
19 second being at the discretion of the
20 Commission.

21 First, pursuant to RSA 541-A:32 and
22 Rule Puc 203.17, the mandatory standard under
23 which the Commission reviews requests for
24 intervention is whether the petition for

1 intervention sets forth certain rights, duties,
2 privileges, immunities, or other substantial
3 interests that may be affected by the
4 proceeding, and, relatedly, whether the
5 interest of justice and the orderly and prompt
6 conduct of the proceedings would not be
7 impaired by allowing the intervention.

8 Alternatively, pursuant to RSA
9 541-A:32, II, the Commission may use its
10 discretionary ability to grant an intervention
11 in an adjudicative proceeding if it believes
12 doing so would be in the interest of justice
13 and not impair the orderly and prompt conduct
14 of the proceedings.

15 Staff has reviewed the various
16 requests for intervention, and concluded that
17 the Commission should use its discretionary
18 grant of intervention provided for in RSA
19 541-A:32, II, to grant all requests for
20 intervention in the instant proceeding. This
21 is because, regardless of the questions
22 relating to the rights, duties, privileges,
23 immunities, or other substantial interests that
24 may be affected by this proceeding, we believe

1 that each of the intervenors whose petitions we
2 have seen thus far offer a unique perspective
3 upon the form that a statewide multiuse
4 customer energy data platform might take, and
5 will contribute to the docket in a manner that
6 will be in the interest of justice and not
7 impair the orderly and prompt conduct of the
8 proceedings. We believe this is true for both
9 the timely intervenors and the late-filed
10 petition filed by Packetized Energy.

11 We note one caveat that the
12 Commission may want to clarify, and that
13 relates to the petition for intervention of
14 Representative McGhee. The Commission has
15 historically expressed some degree of hesitance
16 related to intervention of legislators who
17 claim to be intervening on behalf of their
18 constituents, for reasons relating to *res*
19 *judicata* issues, amongst other things.

20 As I understand it, Representative
21 McGhee offers a unique perspective in this
22 proceeding, due to her experience with software
23 platforms, and is an Eversource ratepayer. And
24 the Commission may want to clarify that it is

1 for those reasons that the Representative may
2 be seeking intervention and/or granted
3 intervention, rather than in her capacity as a
4 representative of her constituents.

5 That is all. Thank you.

6 CHAIRWOMAN MARTIN: Thank you for
7 that.

8 Is there anyone who would like to be
9 heard, either to object or otherwise be heard
10 on the motions to intervene?

11 And I will say that, because we have
12 so many pending and some recently received, I
13 am not aware that we've received any written
14 objections to those. And the plan for today
15 was to proceed -- have everyone proceed, for
16 sole purposes of today in the technical
17 session, assuming that all of those are going
18 to be granted.

19 So, there's no need to speak, unless
20 you have something that you want to say in
21 response to Staff's representations?

22 *[No verbal response.]*

23 CHAIRWOMAN MARTIN: Okay. All right.
24 And one other thing I'd like to add, we may

1 have people here from the public who want to be
2 heard or who have not moved to intervene. I
3 think what we'll do is take initial positions
4 first from anyone who is a party or who has
5 moved to intervene, and then we will hear from
6 anyone else who wishes to be heard.

7 Okay. With that said, let us start
8 with the preliminary position statements.

9 MR. MURRAY: Good morning. I'm
10 Michael Murray, with Mission: Data Coalition.
11 I run a nonprofit organization that has about
12 30 members that provide energy management
13 services of different types. I co-founded the
14 organization in order to further improve access
15 to customer energy data with the permission of
16 customers nationwide. And I am excited to be
17 here and offer our experience from working in
18 fifteen other states and the District of
19 Columbia concerning data access, privacy, smart
20 meter, and other issues for the Commission's
21 consideration.

22 Thank you.

23 CHAIRWOMAN MARTIN: Thank you.

24 Mr. Simpson.

1 MR. SIMPSON: Good morning. Once
2 again, I'm Carleton Simpson, regulatory counsel
3 with Unitil. Members of the Commission, thank
4 you for having this opportunity for us to
5 provide an opening statement.

6 Over the last several years, Unitil
7 has been involved with the Consumer Advocate's
8 Office on data sharing standards pursuant our
9 last electric rate case. We have also been
10 involved over the past year or so on the
11 legislative side of development of Senate Bill
12 284.

13 We support data sharing. We support
14 offering information to our customers. And we
15 look forward to this process to develop a set
16 of tools and standards that can effectuate that
17 purpose.

18 Thank you.

19 CHAIRWOMAN MARTIN: Thank you.

20 Ms. Chiavara.

21 MS. CHIAVARA: Good morning again,
22 Commissioners, and thank you. Jessica
23 Chiavara, counsel on behalf of Public Service
24 Company of New Hampshire, doing business as

1 Eversource Energy.

2 Eversource is here today to express
3 its commitment to robust participation in this
4 docket that explores the possibility of
5 implementing a statewide online platform
6 providing New Hampshire's energy customers data
7 to facilitate a number of programs and policies
8 as envisioned by SB 284.

9 Eversource has a long, documented
10 history of both managing and protecting its
11 customers' data and the inherent right to
12 privacy that that entails, consistent with the
13 duties to do so under RSA Section 363,
14 Subsections 37 and 38, and as a responsible
15 corporate entity.

16 While we acknowledge such a platform
17 for accessing customer data could advance
18 progressive energy programs and policies,
19 Eversource also asserts the paramount
20 importance of continuing to safeguard that
21 data, as the right to that data and decisions
22 on how it may be used resides with the
23 customers, and that principle cannot be
24 compromised.

1 That being said, Eversource is
2 committed to exploring the development of any
3 viable avenues to create a statewide online
4 data platform envisioned under this docket, and
5 welcomes the possibility to advance energy
6 policies, while remaining a steadfast and
7 responsible steward of its customers' personal
8 data.

9 Thank you.

10 CHAIRWOMAN MARTIN: Thank you. And
11 this is where I lose track of who is where.
12 So, if you can just introduce yourself again
13 for me, so I can keep track of who is speaking,
14 I would appreciate it.

15 MR. PATCH: Unless you want any other
16 utilities to go first, I'm Doug Patch. And I
17 could give you a brief statement of Direct
18 Energy's position?

19 CHAIRWOMAN MARTIN: That would be
20 great. We'll just work our way from left to
21 right and back to the front.

22 MR. PATCH: Okay. Direct Energy has
23 three different affiliates that are registered
24 to do business here in this state as suppliers;

1 one in the natural gas area, and two in the
2 electric area. And it's Direct Energy's
3 position that the sharing of data with the
4 market, including third party providers who are
5 specifically recognized in the statute, and of
6 which Direct Energy is one, can encourage
7 market competition for the provision of
8 advanced energy technologies.

9 In general, the use of standards and
10 protocols for data sharing can facilitate
11 interoperability, empower third parties, and
12 provide the opportunity for customers to reduce
13 their costs. Security, of course, is an
14 inherent risk related to the sharing of
15 customer data, and an issue that needs to be
16 addressed in this docket.

17 Interval data enables time-varying
18 rates, demand response, innovation, and can
19 allow third party service providers the
20 opportunity to offer ways to reduce system
21 costs, or for customers to reduce their own
22 costs.

23 Aggregated customer information can
24 be made available if certain protocols to

1 protect individual customer usage and identity
2 are adopted. Individual customer data should
3 be made available consistent with the
4 requirements and protections that are set forth
5 in RSA 363:38. An individual customer is
6 always free to share the customer's data with
7 third parties, but utilities and third parties
8 should take care to make customers aware of the
9 risks created by such sharing.

10 Third party access to granular
11 customer-centered energy data will enable new
12 and innovative advanced technology solutions
13 that educate and empower the consumer.

14 Thank you.

15 CHAIRWOMAN MARTIN: Thank you.

16 MS. MINEAU: Thank you, Madam
17 Chairwoman, for the opportunity to speak today.
18 Again, I'm Madeleine Mineau, with Clean Energy
19 New Hampshire.

20 Clean Energy New Hampshire is a
21 membership-based nonprofit. Our members
22 represent roughly 130 businesses, 22 local
23 governments, and a few hundred individuals.
24 Our mission is to promote clean energy and

1 technologies through education and advocacy for
2 a stronger economic Future.

3 Clean Energy New Hampshire supports
4 empowering customers and service providers with
5 better access to their data. Better access to
6 energy data will be beneficial for all energy
7 users, including businesses, cities and towns,
8 and individuals. Access to data and access to
9 information fosters competition and market
10 opportunities that can enable customer choice.

11 Enabling data exchange can foster
12 competition in retail energy markets.

13 Competition is referred to positively in our
14 state policies, and in the mission of the
15 Public Utilities Commission. Part of the
16 mission of the PUC is to foster competition
17 where appropriate. Open access to
18 information -- open access for information is
19 required for competitive markets.

20 Improved data access will enhance the
21 ability of customers to make informed
22 decisions, and take advantage of innovative
23 services to help them control their energy
24 costs as envisioned by New Hampshire's

1 restructuring statute.

2 Access to data is critical to
3 electric grid modernization, as made clear by
4 the New Hampshire Grid Mod Working Group
5 Report. The collaborative Grid Mod Work Group
6 Report of 2017 focused heavily on customer
7 engagement and the integration of distributed
8 energy resources. The Grid Mod Report
9 emphasizes the importance of data access to
10 enabling grid mod, and enabling customers to
11 adopt behaviors and technologies that can
12 reduce their energy costs, as well as
13 systemwide costs. Informed customers are
14 required to -- informed customers are required
15 to align customer behavior and distributed
16 energy resources with the bigger picture of
17 electricity system costs.

18 Community level access to customer
19 data would also be critically important to new
20 community power aggregations that plan to
21 launch in the near future. These aggregations
22 will better enable -- will be better enabled to
23 serve their communities if they have speedy and
24 robust access to data to inform their energy

1 risk management strategies, accurately
2 represent customer's load profile, and enact
3 and evaluate the effect of their own policies
4 and programs.

5 Finally, New Hampshire businesses, be
6 they DER installers or energy brokers should
7 have access to their customer's data in a way
8 that is easy to use and efficient.

9 I think that everyone here this
10 morning understands the potential benefits of
11 empowering customers with better access to
12 their energy data, however, we may not now, at
13 the outset of this docket, agree on the best
14 way to achieve that, the urgency with which to
15 facilitate it, or the reasonable costs
16 associated with such an endeavor. Clean Energy
17 New Hampshire hopes to work collaboratively
18 with all the parties to achieve a mutually
19 agreeable resolution that will enable the
20 potential of better informed customers.

21 Thank you.

22 CHAIRWOMAN MARTIN: Thank you.

23 MR. SHEEHAN: Good morning. Again,
24 Mike Sheehan, on behalf of Liberty Utilities'

1 electric distribution company, Granite State
2 Electric.

3 The prior utility speakers have
4 stolen most of what I was going to say. So,
5 briefly, this docket raises a number of
6 challenges, both legal -- or, including legal,
7 technological, and operational. The statute is
8 clear in what its ultimate goal is, and the
9 Company is committed to helping everyone here
10 get to that goal. And we look forward to a --
11 also a collaborative process to hopefully reach
12 an agreement on how we can do so.

13 Thank you.

14 CHAIRWOMAN MARTIN: Thank you.

15 MR. BELOW: Good morning,
16 Commissioners. I'm Assistant Mayor Clifton
17 Below, for the City of Lebanon. And with me
18 here today is Dr. Amro Farid, who is volunteer
19 technical advisor for the City. And I'd like
20 to have him make a few comments on behalf of
21 the City.

22 He is Associate Professor of
23 Engineering at the Thayer School of Engineering
24 at Dartmouth, where he operates the laboratory

1 for intelligent integrated networks of
2 engineering systems.

3 And, in general, I just want to say
4 that municipalities, cities, and towns have a
5 strong interest in energy data. It's sort of
6 where the rubber hits the road. Many towns and
7 municipalities have adopted energy policies and
8 climate action policies for which the state is
9 important.

10 We did work to amend the privacy
11 statute to make clear that customer data, with
12 appropriate privacy protections, can be used
13 for research and developing new rate
14 structures, and services and programs for
15 customers. And that's part of what we're doing
16 working with Professor Farid.

17 MR. FARID: Thank you, Clifton, for
18 the introduction.

19 I'd like to commend the PUC for its
20 initiation of this 19-197 data docket. I think
21 that the exchange of data in the electric power
22 system is necessary for the coordinated
23 integration of renewables and other distributed
24 energy resources. It serves or has the

1 potential to reduce system costs and costs for
2 ratepayers, enhanced reliability and
3 resilience.

4 Data sharing standards must and
5 should be developed in open collaborative
6 processes, rather than a process specific to a
7 specific organization or territory, in order to
8 enhance interoperability. There is the
9 opportunity to enable information,
10 communication technologies, and energy
11 management services that are relevant to New
12 Hampshire, but also bring in services and
13 technologies from well outside the state.

14 There is significant precedent of
15 developing data sharing standards within an
16 electric power system, and I refer everyone to
17 the common information model that has been
18 relevant to generation, transmission, and
19 distribution. And I very much see that this
20 data docket is an extension of that, to include
21 customer information and the interactions with
22 the various stakeholders in the electric power
23 system. Those types of standards have been
24 developed in collaborative, open processes,

1 with nonprofit entities, such as the IEC, the
2 IEEE, and others.

3 I would also like to mention that
4 there is a difference between the nature of the
5 data itself, its structure, and who owns it,
6 and questions of privacy. There are
7 fundamental questions, first of all, making
8 sure that the data is well-defined and
9 structured appropriately.

10 I would like to conclude by
11 commending the Office of the Consumer Advocate,
12 who I have been speaking to for some time now,
13 as I understand, they have gone a long way to
14 engage many stakeholders across the state of
15 all different types, to seek out the right type
16 of information and begin to organize that
17 information. So, I think that's a very
18 commendable process thus far.

19 MR. BELOW: Thank you.

20 CHAIRWOMAN MARTIN: Thank you. And
21 before we above across the rest of that row, he
22 I think I'll ask the two folks who have moved
23 to intervene in the back row, starting with
24 Representative McGhee, if you could come to the

1 front.

2 REP. MCGHEE: Yes. Thank you. Can I
3 submit this document also, as part of my
4 testimony for the record?

5 CHAIRWOMAN MARTIN: You can. Do you
6 have multiple copies?

7 REP. MCGHEE: I do. I do have
8 copies. Make sure I don't give you all my
9 other paperwork as well.

10 CHAIRWOMAN MARTIN: Why don't you
11 just bring it up here.

12 REP. MCGHEE: All right.

13 CHAIRWOMAN MARTIN: We'll take it,
14 and then we can make copies for others during
15 the technical session, if need be.

16 REP. MCGHEE: Thank you. Thank you,
17 Commissioners. Good morning. As stated, my
18 name is Representative McGhee. I was invited
19 to intervene, as I ended up in the unusual
20 position of helping to shepherd SB 284, once it
21 came over from the Senate through the House.

22 My background is as a program manager
23 in software engineering. And, when I first
24 read SB 284, I recognized it as a software

1 project, which was kind of in midstream.

2 I came over to the Consumer
3 Advocate's Office for an overview to
4 familiarize myself with what it was we were
5 attempting to do, before I attempted to reach
6 out to the utilities to bring them in to try
7 and get the bill where it needed to go. And,
8 during that process, I spent two hours in Jim
9 Brennan's office of the Consumer Advocate's
10 Office, having him explain the data model that
11 I submitted with my testimony, which came to
12 our committee with that bill.

13 And, so, basically, what I was to
14 understand was that the first 18 months, which
15 are close to 24 months now, of research on what
16 the State of New Hampshire data model standard
17 might end up entailing, was culminating in the
18 bill, and that -- that was basically phase one
19 of the project, was sort of gathering what
20 lessons learned had come from other states who
21 had attempted to do this, so that we had a
22 really solid framework to move forward from,
23 sort of a definitional framework of what this
24 could be.

1 And, so, what I understood to be
2 lacking when I read the bill, because of my
3 background in software engineering, was that
4 the bill was basically saying "Here, utilities,
5 here, competitors, take this and run with it",
6 which is not, I think, the intention of the
7 state, if you want to have the project succeed.

8 So, when I wrote my intervention
9 request, I tried to point out points of failure
10 that I see, based on the hierarchy of the
11 system, the bureaucracy that's trying to
12 initiate the project. And what I wanted to
13 bring out in this hearing is that there isn't
14 currently a Department of Energy, there isn't
15 really a home for this project within the
16 infrastructure of the state. And I think that
17 that begs for a technical working group that
18 can figure out whether we're going to be
19 partnering with an innovation lab at UNH or
20 with Dartmouth or, you know, if there is way
21 for us to have a technical collaboration that
22 takes the leap of the data model standard
23 detail that's already been defined and goes
24 from there.

1 The second major issue, I think, is
2 that the knowledge framework for what we're
3 attempting to do resides in someone who is not
4 in really a capacity to take the project
5 forward, which, again, is Jim Brennan, who has
6 been calling everybody and talking to all these
7 folks in other states, and going to the length
8 of even reading the minutes of the meetings, to
9 try and really figure out what other people
10 have been doing and what this model needs to
11 include.

12 So, again, my intervenor's request is
13 not very long. What I tried to do was raise
14 the fact that there are points of failure for
15 leadership from the state, which I think, in a
16 software project of this complexity, you have
17 to have. You can't just hand it off, without
18 having some oversight from the state. And,
19 from the beginning, the bill lacked that. It
20 didn't identify any owner who would take it
21 forward. So, that still exists.

22 And let's see. Oh. And I think
23 that's the other thing I wanted to really bring
24 to this hearing, is that, unlike other

1 collaborations between the state and the
2 utilities, the fact that there is a software
3 project, and a significant one, makes it
4 different. So, I think it begs the question
5 "How will it be different?" How will we move
6 forward with a technical working group? Or,
7 you know, what is going to be the methodology
8 for moving the software project itself forward?
9 Because I think that's distinct from the other
10 conversations that might normally take place at
11 the PUC, in terms of the collaboration.

12 And I think that's probably all I
13 have to say. Does that make sense? Do you
14 have any questions?

15 CHAIRWOMAN MARTIN: Questions?

16 *[No verbal response.]*

17 CHAIRWOMAN MARTIN: No.

18 REP. MCGHEE: Okay. Thank you.

19 MS. SALAS: Good morning. My name is
20 April Salas, again, for the --

21 CHAIRWOMAN MARTIN: Go ahead.

22 MS. SALAS: Good morning. My name is
23 April Salas, again representing the Town of
24 Hanover. I'm the part-time Sustainability

1 Director for the Town, it's an inaugural
2 position, the basis of our 100 -- Ready for 100
3 vote in 2017. I'm full-time the Executive
4 Director of the Revers Center for Energy at the
5 Tuck School of Business. Significance of which
6 is a grant that we won from the Arthur L.
7 Irving Institute for Energy and Society for the
8 development of a Community Energy Dashboard.

9 Prior to arriving here, I was in the
10 U.S. Department of Energy, where I was in
11 charge of a energy infrastructure mapping tool
12 called "Eagle-I", the environment for the
13 analysis of geo-located energy information,
14 upon which we developed a system infrastructure
15 mapping, as well as real-time integration of
16 data, data feeds specifically from electricity
17 utilities, but other industries, which we
18 overlaid for a number of different use cases.

19 Further, I was the Director of the
20 Quadrennial Energy Review Secretariat for the
21 White House within the Office of Electricity
22 Delivered Energy Reliability, looking at a
23 national review of the U.S. electricity system.

24 So, here representing the Town of

1 Hanover, and many of the other communities in
2 New Hampshire, while we were the first
3 community in the state to adopt a 100 percent
4 renewable energy commitment, Concord, Keene,
5 Cornish, and Plainfield have also followed
6 suit, with the adoption of Ready for 100 goals.

7 An additional subset of communities,
8 such as Lebanon, Nashua, Bedford, Warner,
9 Bristol, Harrisville, Cheshire County, and the
10 Monadnock energy hub also have commitments
11 towards clean energy.

12 So, as entities seek to move forward
13 with established local commitments, the
14 difficulty of accessing our own energy data,
15 most of which is from national, state, or
16 utility-specific datasets, creates an enormous
17 gap in our ability -- any ability of
18 communities to advance their deep
19 decarbonization and renewable energy goals in a
20 timely and cost-effective manner -- manner,
21 excuse me.

22 Having an energy data platform, in
23 fact, reduces costs to communities and the
24 utilities, lowering the number of data

1 requests, standardizing the format of the data,
2 and ensuring that certain data protections are
3 in place.

4 We feel that, with a strong utility
5 partnership, we could work together to ensure
6 customer privacy concerns are addressed and to
7 minimize, not increase, costs to ratepayers.
8 And, from an equity perspective, it ensures
9 equal and transparent access for all
10 communities, not just those who can afford to
11 pursue the costly and timely process that was
12 required by Hanover in order to access its
13 data.

14 Further, we feel that the benefits
15 for access to a open and transparent platform,
16 includes the likes of town planners, energy
17 committees, which are mostly volunteers, and
18 other local officials, state regulators,
19 regional planning commissions, the utilities
20 themselves, their customers, state and local
21 policy makers, implementers and vendors, energy
22 businesses, other organizations committed to
23 efficiency and renewable energy, and local and
24 regional community power programs.

1 Thank you.

2 CHAIRWOMAN MARTIN: Thank you. All
3 right. We'll go back to the back row.

4 MS. MARTIN: Thank you,
5 Commissioners. My name is Pat Martin. And I
6 participated in the Grid Modernization Working
7 Group. And I feel that one of the most
8 valuable results of that work was the concept
9 of an open, collaborative, robust, standardized
10 data platform.

11 I'm a member of Keene's -- a
12 volunteer of Keene's Clean Energy Keene. And
13 we are in the implementation and planning phase
14 of our Ready for 100 goal. We rely on
15 differentiated data to share with Cabots *[sic]*
16 Consulting. And we experienced a two-month
17 delay. They did -- the utility did their best,
18 but, without a standardized data platform,
19 these things moved very slowly. And the data
20 was not totally sufficient. It did break it
21 out by customer class and total consumption,
22 but not peak demand or other things that might
23 be of interest to us as we go forward with our
24 plan.

1 Thank you very much.

2 CHAIRWOMAN MARTIN: Thank you.

3 MR. SPENCE: Good morning. My name
4 is Charles Spence. I'm with Packetized Energy,
5 of Burlington, Vermont. We saw this docket
6 recently, so appreciate being allowed to come
7 in and speak for just a second. I'll keep it
8 brief.

9 Packetized is a company out of
10 Burlington, like I said. Our tagline is
11 "Building virtual batteries out of connected
12 things." So, you can imagine that this concept
13 of having a data platform would be immensely
14 helpful to us, as well as a number of other
15 companies that are in this space.

16 We do have a number of data-intensive
17 projects that are going to be going on in New
18 Hampshire. So, this would directly effect some
19 things that we are doing. And we believe that
20 our experience in this space can help develop
21 some important things around privacy, cyber,
22 and ensuring third party access to some of this
23 data and kind of keeping that balance.

24 Thank you.

1 CHAIRWOMAN MARTIN: Thank you.

2 MR. HAMPTON: Devin Hampton, with
3 Utility API. Utility API is a software
4 company, and we were founded to accelerate the
5 deployment and monitoring of distributed energy
6 resources and energy efficiency technologies.
7 Our web-based software allows DERs to easily
8 request and receive their customer's energy
9 usage, account and billing information will
10 come up in utilities across the country.

11 Our customers include DER providers,
12 such as rooftop solar providers, energy
13 efficiency companies, as well as the utilities
14 themselves. All who are increasingly required
15 to provide customer data in a standardized
16 application program interfaces, otherwise known
17 as APIs.

18 Several of our customers have
19 operations here in New Hampshire. The outcomes
20 of this present docket will affect our business
21 operations, as we intend to be a heavy user of
22 the statewide data sharing platform in order to
23 serve our customers.

24 Furthermore, Utility API is an active

1 participant in the Green Button Alliance, where
2 we serve on the board of the organization that
3 has built the international standard Green
4 Button Connects around the sharing of energy
5 usage data. We're also deeply involved in the
6 technical working group, even to the point
7 where we backdoored some of our learning by the
8 company into the standard itself.

9 On top of that, we have extensive
10 technical background in these practices around
11 the country. We have been giving technical
12 assistance to four of the five existing
13 implementations of these types of data sharing
14 platforms around the country. And as we saw in
15 this docket, as it's still moving through, in
16 an attempt to help out what is happening, we
17 wanted to be present to offer our insights into
18 some of the cyber security issues that have
19 been brought up, into the issues around data
20 privacy, issues around usability and user
21 experience. Basically, we saw a good
22 opportunity to bring some of our lessons
23 learned from the rest of the implementations
24 being built, in hopes that New Hampshire can be

1 the gold standard for how it should be done
2 going forward.

3 Thank you.

4 CHAIRWOMAN MARTIN: Thank you.

5 MR. GOLDING: Hello. Samuel Golding,
6 of Community Choice Partners. For the last
7 about six months, I've been working with
8 stakeholders here in New Hampshire on the
9 development of the community power market, and
10 encouraging them to adopt a collaborative joint
11 action approach to the design and
12 implementation of the market here. And I've
13 been doing that, because what most interests me
14 is how rapidly we can all collectively adapt to
15 fundamental change and challenges facing the
16 power sector, both in governance and
17 operations, decision making.

18 Because everywhere you look, states
19 have set in motion this kind of top-down and
20 bottom-up wave of technology change that the
21 current system just wasn't designed ever to
22 handle in a stable or cost-effective fashion.
23 And it's playing out at different rates around
24 the country and different organized electricity

1 markets around the world.

2 But what's clear is that we do need
3 to create the structures that allow us to take
4 a data-driven and more collaborative streamline
5 decision-making approach to managing technology
6 change, shifts in the market dynamics that
7 we're not used to, and new consumer preferences
8 and expectations, in terms of service quality
9 and cost, and the range of products that are
10 available.

11 So, in New England, here, looking at
12 over the next ten years, a rapid expansion of
13 renewable energy, 40 percent by 2030 by some
14 estimates. And, so, on the wholesale side,
15 your average prices are going to decline, but
16 there's going to be more price volatility, and
17 that will drive up risk premiums.

18 In that context, the most
19 cost-effective and nimble strategy to adopt is
20 one that allows the retail market to develop in
21 a manner where customers themselves can profit
22 off of that volatility, by leveraging all these
23 new technologies on the demand side in a rapid
24 fashion in response to price signals. And that

1 will create upstream benefits as well, if that
2 market is designed correctly. Lowering
3 upstream costs across the distribution,
4 transmission, and generation capacity in the
5 wholesale market as the price spikes. But that
6 takes time, because the reality is the regional
7 market is fairly fragmented right now. And,
8 so, the municipality is interested in large and
9 community power programs, for example. They do
10 have to grapple with the fact that there's 116
11 municipalities that have more than one
12 distribution company, for example. Some of
13 them have three or four.

14 So, I've been pretty impressed with
15 New Hampshire's thought leadership to date, in
16 terms of the big structural elements we need to
17 put in place to adapt and modernize the power
18 sector, both in governance and operations.
19 Don -- the work of Don's team, for example, the
20 way that the community power law was structured
21 actually to extend the authority of
22 municipalities and communities to put in meter
23 infrastructure even, it's very oriented around
24 this kind of bottom-up optimization paradigm.

1 I've enjoyed connecting stakeholders
2 here with stakeholders across other states.
3 And, as Devin and others have said here today,
4 you're in a position to really demonstrate to
5 leverage the collective experience of other
6 markets, and then go beyond what's been done,
7 at a critical moment, really, for the industry
8 as a whole.

9 And I guess the last thing I'll say
10 is, as a recent resident of New Hampshire, I
11 managed to misstate that my -- I was provided
12 service by Eversource and Unitil, and it's
13 actually Unitil and Liberty.

14 Thank you.

15 MR. KREIS: Good morning,
16 Commissioners. I'm not going to deliver a
17 lengthy peroration in the interest of time.

18 I think, pretty much on our own, and
19 as you've already heard, as a kind of a logical
20 extension of the OCA's work with Unitil coming
21 out of Unitil's 2016 and 2017 electric rate
22 case, we asked the General Court to adopt the
23 statute that triggered this docket, because we
24 believe that a statewide platform of this type

1 is a potentially decisive step in securing the
2 benefits of restructuring to customers,
3 especially the residential customers we
4 represent, through consistent access to and
5 ability to share data.

6 The big crowd that this event has
7 drawn, and the widespread interest in
8 implementing the statute, suggest that we are,
9 indeed, on the right track. I very much
10 appreciated the reference we heard to New
11 Hampshire possibly becoming the gold standard
12 when it comes to utility customer data sharing.
13 And I believe that, for a variety of reasons,
14 we truly are in a position to be that gold
15 standard.

16 The question of whether there should
17 be one platform, as opposed to having each
18 utility develop its own mechanism for sharing
19 data, is not on the table. That question has
20 already been resolved by the General Court.

21 As Representative McGhee mentioned,
22 this is an IT project, which means there are
23 pitfalls. A key question is developing the
24 right governance paradigm to assure that the

1 platform is developed and managed effectively,
2 in the public interest. I think that is very
3 doable, while still keeping both the PUC and
4 the OCA out of the business of deploying
5 software projects, because those kinds of
6 things are outside of our respective
7 bailiwicks.

8 Ultimately, it's quite likely there
9 are one or more contractors out there that can
10 get this right, given the appropriate
11 counterparties, and given the right amount and
12 degree of oversight. I'm confident that we can
13 use this docket to figure all of that out.

14 We know the PUC has the ability under
15 the statute to keep this project from going
16 forward, if the costs suggest the project is
17 not in the public interest. We will present
18 evidence on that question, among others.

19 At this stage, meaning the prehearing
20 conference stage, the challenge I think is to
21 hit the sweet spot between a docket that is
22 nothing but endless meetings in quest of a
23 consensus, that will always be one meeting
24 away, on the one hand, from getting an answer.

1 And, on the other hand, launching an
2 adjudicative process that is too hurried to get
3 all of these difficult questions right. We
4 will work in good faith with the other parties
5 to hit that sweet spot, while mindful that this
6 is, by statute, an adjudicative proceeding.

7 I'm very encouraged by everything
8 I've heard so far this morning. And I urge the
9 Commission to do as Staff has recommended and
10 grant all the intervention petitions, because
11 there's a lot of insight and capacity in the
12 room that the Commission should, indeed, take
13 advantage of.

14 Thank you.

15 CHAIRWOMAN MARTIN: Thank you. Mr.
16 Buckley, if you want to go, I don't think they
17 filed a motion to intervene. So, we'll take
18 them after.

19 MR. BUCKLEY: Thank you, Madam Chair.
20 As noted in the Order of Notice, the Commission
21 has opened this docket pursuant to SB 284,
22 which amended RSA 378 by adding a new
23 subdivision that relates to a multi-use energy
24 data platform.

1 Staff looks forward to working with
2 the parties to explore issues identified in the
3 Order of Notice, including, but not limited to,
4 those issues related to the development,
5 implementation, and maintenance of a statewide
6 multi-use online energy data platform, issues
7 relating to privacy policies for customer data,
8 and issues relating to the availability and
9 transmittal of aggregated community level data,
10 and issues related to whether certain platform
11 costs to be recovered from customers are
12 reasonable and in the public interest, or
13 whether instead implementation of the platform
14 and related costs should be deferred to a later
15 date.

16 We will touch upon these and other
17 issues, including the procedural schedule,
18 possible party consolidation and/or joint
19 filing, and the general scope of the docket in
20 the technical session that follows this
21 prehearing conference.

22 Thank you.

23 CHAIRWOMAN MARTIN: Thank you. Are
24 there other people who would like to be heard

1 on this today?

2 [No indication given.]

3 CHAIRWOMAN MARTIN: Okay. Seeing
4 none. Given the number of motions to
5 intervene, we would like to encourage
6 consolidation where interests are aligned. And
7 we would ask that, as part of your technical
8 session, you discuss that and submit a proposal
9 with the technical session report.

10 Is there anything else that we need
11 to address before you head off to the technical
12 session?

13 [No indication given.]

14 CHAIRWOMAN MARTIN: Okay. Thank you,
15 everyone, for coming. And we are adjourned.

16 **(Whereupon the prehearing**
17 **conference was adjourned at**
18 **10:51 a.m., and a technical**
19 **session was held thereafter.)**

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