

**BEFORE THE PUBLIC UTILITIES COMMISSION
STATE OF NEW HAMPSHIRE**

DE 22-060

Electric Distribution Utilities

**Consideration of Changes to the Current Net Metering Tariff Structure,
Including Compensation of Customer-Generators**

December 7, 2022

**COMMUNITY POWER COALITION OF NEW HAMPSHIRE
PETITION TO INTERVENE**

Now Comes the Community Power Coalition of New Hampshire (“CPCNH”) and petitions the New Hampshire Public Utilities Commission, in response to its Order of Notice, issued on September 20, 2022, in this docket and pursuant to NH Code of Administrative Rules Puc 203.02 and Puc 203.17, to allow CPCNH to intervene in the above-captioned matter for the following reasons:

1. CPCNH is a voluntary New Hampshire nonprofit corporation with a principal place of business of City Hall, 51 North Park St., Lebanon, NH 03766 and a mailing address c/o . Sustainability Director, Town of Hanover, 41 S Main Street, Hanover NH 03755
2. CPCNH is a governmental instrumentality of its 24 members comprised of 23 NH municipalities and one county and is organized pursuant to a joint powers agreement under NH RSA 53-A and 53-E:3, II(b). Two additional municipalities have just recently executed the JPA, but have not yet been admitted as members by the Board of Directors of CPCNH.
3. The 2020 census population of CPCNH’s 23 municipal members is more than 20% of the state’s total 2020 census population.
4. CPCNH is in the process of standing up as a functioning joint power supply agency to procure and supply electricity and related services to member community power programs.
5. CPCNH is planning to support the launch of initial member community power aggregations as alternative default energy service providers in the spring of next year pursuant to RSA 53-E and RSA 374-F:2, I-a.

6. All 3 NH investor-owned electric distribution utilities, plus the NH Electric Cooperative, serve member communities and each of CPCNH's member municipalities and county governments are themselves customers of one or more of these utilities.
7. The City of Lebanon, one of the founding members of CPCNH was an intervenor in DE 16-576, the previous proceeding on net metering tariffs, and provided expert testimony in that case.
8. The JPA authorizes CPCNH "to jointly exercise certain powers, privileges, and authorities granted to municipalities and counties pursuant to" a variety of statutes "in order to study, promote, develop, conduct, operate, and manage energy-related programs, and to exercise all other powers necessary and incidental to accomplishing this purpose." Article 7.16 of its Articles of Agreement, part of the JPA, specifically grants CPCNH the power to "[i]ntervene in germane regulatory proceedings on behalf of itself and its Members".
9. Pursuant to RSA 362-A:9, II "municipal or county aggregators under RSA 53-E may determine the terms, conditions, and prices under which they agree to provide generation supply to and credit, as an offset to supply, or purchase the generation output exported to the distribution grid from eligible customer-generators. The commission may require appropriate disclosure of such terms, conditions, and prices or credits. Such output shall be accounted for as a reduction to the customer-generators' electricity supplier's wholesale load obligation for energy supply as a load service entity, net of any applicable line loss adjustments, as approved by the commission."
10. Utility net metering tariffs and determinations in this proceeding regarding issues presented in the Commission's Order of Notice may have a direct bearing on CPCNH and its member aggregations' ability to exercise their authorities under RSA 362-A:9, II, and thus affect the rights, duties, privileges, and/or immunities of CPCNH and its members.
11. CPCNH has a substantial interest in the issues to be addressed by this proceeding, including, for example:
 - a. "whether and to what extent such [net metering] tariffs should be limited in their availability within each electric distribution utility's service territory";
 - b. "balancing the interests of customer-generators with those of electric utility ratepayers by maximizing any net benefits while minimizing any negative cost shifts

- from customer-generators to other customers and from other customers to customer-generators;”
- c. “the costs and benefits of customer-generator facilities;
 - d. the “avoidance of unjust and unreasonable cost shifting;”
 - e. “rate effects on all customers;” and
 - f. “the size of facilities eligible to receive net metering tariffs”.
12. CPCNH’s intervention will not impair the orderly and prompt conduct of the proceedings, will not result in undue delay, and will not prejudice the interest of any party.

WHEREFORE, CPCNH requests that the Commission grant this petition to allow CPCNH to be made a full intervenor in this proceeding and grant such other relief as is just and proper.

Respectfully submitted this 7th day of December 2022

Community Power Coalition of New Hampshire



by CPCNH Chair Clifton Below, duly authorized