

**STATE OF NEW HAMPSHIRE  
PUBLIC UTILITIES COMMISSION**

**DE 22-060**

**ELECTRIC DISTRIBUTION UTILITIES**

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

**Order Granting in Part and Denying in Part the Parties' Motion to Stay and  
Scheduling a Prehearing Conference**

**O R D E R N O. 27,085**

**December 6, 2024**

On November 18, 2024, the Commission issued Order No. 27,074, which ruled on a number of issues related to the net-metering program. In that order, the Commission also ruled that it would continue the process of reviewing the net-metering program in this docket, including the consideration of issues raised by the parties. Consistent with that order, the Commission issued a supplemental order of notice the same day, which established a process for considering further changes to the program over the next few years in three phases. For Phase I, the supplemental order noticed four issues that the Commission will review and established a procedural schedule which included, among other events: (1) a deadline of December 20, 2024, for the electric distribution utilities<sup>1</sup> and Community Power Coalition of New Hampshire (CPCNH) to respond to certain record requests issued by the Commission; (2) a deadline of January 6, 2025 for any other party to issue record requests to the electric utilities with respect to the issues noticed in Phase I; and (3) a hearing on February 13, 2025 to consider whether any changes to the net-metering program related to the issues noticed in Phase I were appropriate.

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<sup>1</sup> Public Service Company of New Hampshire d/b/a/ Eversource Energy, Unitil Energy Systems, Inc., and Liberty Utilities (Granite State Electric) Corp. d/b/a Liberty.

Several parties to the docket—namely, the electric utilities, the New Hampshire Department of Energy, the Conservation Law Foundation, Clean Energy New Hampshire, and Standard Power of America—have now moved for a stay of certain provisions of Order No. 27,074 and the supplemental order of notice. These parties note that the statutory period to move for rehearing of these orders does not expire until December 18, 2024. They indicate that they intend to move for rehearing or clarification of these orders, at least to the extent that the orders noticed additional issues to be reviewed in this docket and established further process to do so. The parties argue that their motions may either obviate the need for further process or significantly alter the scope and issues to be reviewed. Therefore, they argue, it would be inefficient to proceed to Phase I before the Commission rules on their motions for rehearing and clarification and ask that the Commission stay all further process until after these motions are resolved. In an alternative request, the electric utilities represent that they will be unable to respond to several of the data requests issued by the Commission by December 20, 2024, and seek a three-month, across-the-board extension to respond to all record requests issued by the Commission.

As an initial matter, given that the first deadline for Phase 1 is relatively soon, the Commission will waive the ten-day objection period in New Hampshire Code of Administrative Rules, Puc 203.07(e) in order to provide a timely response to the parties' concerns. *See* Puc 201.05.

With respect to the substance of the parties' motion, the Commission DENIES the request to stay Order No. 27,074. It is not clear what particular provisions of Order No. 27,074 the parties are requesting to stay, but in any case, the parties appear to be requesting a stay to prevent the schedule for the continued process from playing out before the Commission resolves any motions for rehearing. Since Order

No. 27,074 did not establish any deadlines, there is no basis to stay the order for that reason.

With respect to the Supplemental Order of Notice, the Commission GRANTS the motion in part DENIES it in part. Concerning the responses to the data requests due December 20, the Commission notes that, regardless of the outcome of future motions for rehearing or clarification, the Commission both desires and has the authority to request this information from the utilities. See Order No. 27,018 (June 14, 2024). Therefore, the Commission will maintain the obligation that the utilities respond to these data requests. In addition, the Commission believes that many of the questions submitted to the parties can easily be answered by the existing deadline. For example, the Commission sees no reason the utilities cannot provide their existing policies for determining and categorizing a customer-generator by December 20. To the extent that other questions, or parts of questions, may require additional time, the electric utilities should identify those elements, explain why it is not possible to provide answers by December 20, explain their process to gather the necessary information, and provide a reasonable timeframe by which they will be able to provide responses to each element by December 12, 2024, noting that different elements will likely have different timeframes. The Commission will then consider whether extensions for the specified record requests are appropriate. Because CPCNH has not joined in the parties' motion to stay, this paragraph does not apply to that organization and thus the Commission's request that it respond to the Commission's record requests by December 20, 2024 remains unchanged.

Concerning the remaining aspects of the procedural schedule in the supplemental order, the Commission will alter them in part. Specifically, the Commission will suspend all deadlines in the supplemental order (except the deadline

for the utilities and CPCNH to respond to certain record requests as discussed in the preceding paragraph) and instead schedule a prehearing conference on January 6, 2025, at 1:00 p.m to refine the process outlined in the supplemental order of notice, consider adjustments to the issues and schedule recommended by the parties, and finalize a procedural schedule that will allow for the fair and efficient resolution of all issues noticed in the supplemental order of notice. At this time, while the Commission retains the scheduled February 13, 2025 hearing on Phase I, the information provided by the utilities on December 12, 2024 and further received in the prehearing conference on January 6, 2025 may impact that scheduling going forward.

Finally, given the Commission's resolution of the motion to stay, the electric utilities' alternative request for relief is moot.

**Based upon the foregoing, it is hereby**

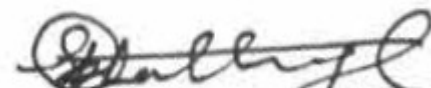
**ORDERED**, that the motion to stay is GRANTED in part and DENIED in part as laid out in this order; and it is

**FURTHER ORDERED**, that the Commission will hold a prehearing conference, pursuant to N.H. Admin. R., Puc 203.15, at its offices located at 21 S. Fruit St., Suite 10, Concord, New Hampshire, on January 6, 2025, at 1:00 p.m., at which each party should be prepared to address any of the issues set forth in N.H. Admin. R., Puc 203.15.

By order of the Public Utilities Commission of New Hampshire this sixth day of December, 2024.



Daniel C. Goldner  
Chairman



Pradip K. Chattopadhyay  
Commissioner

# Service List - Docket Related

Docket#: 22-060

Printed: 12/6/2024

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