

**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 Closing Docket to Consider Remaining  
Issues in New Investigative Docket**

**ORDER NO. 28,110**

**March 7, 2025**

On November 18, 2024, the Commission issued Order No. 27,074, which ruled on a number of recommendations from the parties to this docket related to the net metering program in New Hampshire based on evidence adduced at a hearing in August 2024. That same day, the Commission issued a Supplemental Order of Notice, in which it informed the parties and the public that it would consider additional issues related to net metering in future stages of this docket. Since November, the Commission has received data responses from the three electric distribution utilities related to their net metering programs and has ruled on several motions for rehearing and clarification of its November orders. Based on these filings, the Commission concludes that the issues noticed would be best reviewed and resolved in a separate investigative docket as part of a holistic review of our state's net metering program pursuant to the Commission's ongoing obligation to review and develop alternative net metering tariffs under RSA 362-A:9, XVI(a) and our investigative authority under RSA 365:5 and RSA 374:4. Therefore, the Commission closes this docket and will issue an order of notice of a new investigative docket on our own motion under RSA 365:5 in due course.

In the Commission's view, closing this docket and considering the remaining issues in a new investigative docket as part of broader review of the net metering tariff is the fairest and most expedient method of resolving the remaining issues in the Supplemental Notice and achieving the Commission's intent when it issued Order No. 27,074 and the Supplemental Notice. Specifically, in the Supplemental Notice, the Commission stated that it would review additional issues related to net-metering in a three-phase process. With respect to the issues noticed as part of Phase I, the Commission has previously stated that these matters could be merged with Phase II in this docket. See Procedural Order dated January 3, 2025.

Taking the remaining two phases out of order, the largest and broadest in scope of the phases was Phase III. That phase included a data-collection effort and tariff development process recommended by a coalition of parties including the three electric distribution utilities pursuant to their settlement agreement. Based on the wording of that settlement agreement, the Commission had understood the parties to be recommending an eighteen-month data-collection effort that would gather information related to the benefits created for residential ratepayers through the utilities' net metering programs and culminate in a future proposal for a new, alternative net metering tariff based on this data. As the Commission understood, this process would include, but not be limited to, the development of a net metering time-of-use (TOU) rate.

In order to facilitate that process, the Commission requested that the three electric distribution utilities submit an outline of the data they intended to collect and their proposed process for collecting it, which the utilities filed on January 15, 2025. Having received the outline, it appears that the electric utilities had intended a far narrower data-collection effort than the Commission understood, one that was

essentially limited to the development of a future TOU rate. While the Commission agrees that an investigation into a TOU rate is appropriate, the Commission's intent in Order No. 27,074 and the Supplemental Notice was to create a process for a wider review of the net metering tariff, including an investigation into potential changes to compensation rates. See Supplemental Notice at 6. The Commission believes that such a review is appropriate at this time because no Commission has ever found the currently effective net metering compensation levels for small customer-generators to be consistent with the statutory standard. See Order No. 26,029 in Docket No. 16-576 (June 23, 2017) at 54–55 (noting that there was insufficient evidence to support the compensation levels and directing the commission of a study on the value of distributed energy resources); Order No. 27,074 at 15–16 (explaining why the final study on the value of distributed energy resources was unconvincing evidence in support of the compensation levels). Therefore, the Commission will convene a new investigative docket for that purpose.

In addition, the Commission finds that the utilities' proposal for an investigation and review of TOU rates should be included within the new investigation for several reasons. First, an investigation focused on TOU rates could implicate other aspects of the net metering program, and thus require additional changes to the tariff. Accordingly, it makes sense to consider potential TOU rates as part of a broader review of the tariff. Second, it would be more administratively efficient. Finally, it would avoid piecemeal alteration of the net metering tariff. Therefore, the Commission will no longer consider a potential TOU rate in this docket, but will do so in a new investigative docket.

The final phase (Phase II) included the consideration of several proposals submitted by the Community Power Coalition of New Hampshire (CPCNH) before the

August 2024 hearing. In Order No. 27,074, the Commission noted that CPCNH's proposals were not for the immediate implementation of changes to the tariff but rather requests for the Commission to create further process for the development and review of their proposals, many of which included quite extended timeframes. In the order, the Commission found that, on their face, CPCNH's proposals merited consideration and thus stated that it would consider them in future stages of this docket. However, because the Commission now intends to open a new investigative docket to provide for a broad review of the net metering tariff, the Commission finds it would be more efficient to include these proposals as part of that investigation for several reasons. First, it will provide a mechanism to investigate the merits of CPCNH's recommendations. Second, it will ensure that any future changes to the net metering tariff are implemented on a similar timeframe, and thus prevent piecemeal alteration of the tariff. Third, the Commission finds that this is generally consistent with CPCNH's recommendations for the further review and development of their proposals and the Commission's intent in Order No. 27,074. Therefore, Commission will no longer consider the issues in Phase II in this docket.

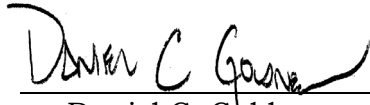
As all issues in the Supplemental Notice have either been resolved or will be considered in a new investigative docket, there are no remaining issues in this docket and it can now be closed.

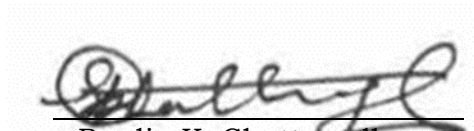
**Based upon the foregoing, it is hereby**

**ORDERED**, that this docket is closed; and it is

**FURTHER ORDERED**, that the Commission will issue notice of a new investigative docket in due course. The Commission will wait at least thirty-one days prior to issuing said notice to provide sufficient time to resolve any potential motions related to this order and the closing of this docket.

By order of the Public Utilities Commission of New Hampshire this seventh day  
of March, 2025.

  
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Daniel C. Goldner  
Chairman

  
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Pradip K. Chattopadhyay  
Commissioner

# Service List - Docket Related

Docket#: 22-060

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Email Addresses

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ClerksOffice@puc.nh.gov  
nhregulatory@eversource.com  
denise@colonialpowergroup.com  
HerbArcher3@gmail.com  
bargetsinger@keyesfox.com  
pasbury@kearsargeenergy.com  
Christopher.aslin@doj.nh.gov  
robertbackus05@comcast.net  
sabaker@trccompanies.com  
tomb@crossborderenergy.com  
andrew.belden@eversource.com  
Clifton.Below@CommunityPowerNH.gov  
eborden@synapse-energy.com  
lbourgoine@revisionenergy.com  
mbrown@consumerenergyalliance.org  
eburgess@strategen.com  
rburke@nhla.org  
brian.callnan@communitypowernh.gov  
brian.callnan@communitypowernh.gov  
Mark@colonialpowergroup.com  
glenn@scenicnursery.net  
carroll@unitil.com  
clyde.carson@gmail.com  
pchernick@resourceinsight.com  
jessica.chiavara@eversource.com  
dclapp@revisionenergy.com  
samuel.crawford@navigant.com  
ariel.crowley@navigant.com  
edward.davis@eversource.com  
debski@unitil.com  
Deana.Dennis@CommunityPowerNH.gov  
Energy-Litigation@energy.nh.gov  
paul.b.dexter@energy.nh.gov  
james.diluca@eversource.com  
downesm@unitil.com  
eisfeller@unitil.com  
joshua.w.elliott@energy.nh.gov

eemerson@primmer.com  
sam@cleanenergynh.org  
sfeigenbaum@kearsargeenergy.com  
kfiori@nexamp.com  
kfriend@nexamp.com  
furino@unitil.com  
sandra.gagnon@eversource.com  
Robert.Garcia@libertyutilities.com  
erik.gilbert@navigant.com  
aglaserschoff@synapse-energy.com  
golding@communitychoicepartners.com  
cgordon@revisionenergy.com  
egreen@clf.org  
austin.perea@arcadia.com  
harringt1@metrocast.net  
nhaslett@revisionenergy.com  
bhavumaki@synapse-energy.com  
b.hayden@standardpower.com  
isabelle.hazlewood@eversource.com  
greg@clearpath.energy  
alex.hill@dunsky.com  
steveh@revisionenergy.com  
steveh@revisionenergy.com  
dholt@consumerenergyalliance.org  
mhorne@hcc-law.com  
jameskw@nhbfa.com  
jkennerly@seadvantage.com  
jack.kenworthy@waldenrenewables.com  
david@clearpath.energy  
bking31415@gmail.com  
nkrakoff@clf.org  
donald.m.kreis@oca.nh.gov  
anirudh.kshemendranath@dunsky.com  
rlabrecque@agilitasenergy.com  
alexandra.k.ladwig@energy.nh.gov  
clane@synapse-energy.com  
alesko@preti.com  
dlittell@bernsteinshur.com  
Business.Agent@ibew490.org  
t.macdowell@standardpower.com  
manzelli@nhlandlaw.com  
alexmarquez146@gmail.com  
pmartin2894@yahoo.com  
smaslansky@nhcdfa.org  
erik.mellen@eversource.com  
Erica.Menard@libertyutilities.com

tmichelman@seadvantage.com  
mmineau@essexhydro.com  
clayaz23@gmail.com  
info@mainstreetbookends.com  
elizabeth.r.nixon@energy.nh.gov  
amanda.o.noonan@energy.nh.gov  
ran@essexhydro.com  
jim\_obrien@tnc.org  
ocalitigation@oca.nh.gov  
joliver@vermontlaw.edu  
sormsbee@colonialpowergroup.com  
ipahl@icloud.com  
palma@unitil.com  
austin.perea@arcadia.com  
katherine.peters@eversource.com  
nathan@votesolar.org  
melissa.price@eversource.com  
katherine.provencher@eversource.com  
kim.quirk@gmail.com  
brian.rice@eversource.com  
Katherine.roberge@eversource.com  
Jacob.Roberts@LibertyUtilities.com  
bross@consumerenergyalliance.org  
Melissa.Samenfeld@libertyutilities.com  
michael.sheehan@libertyutilities.com  
sshensstone-harris@synapse-energy.com  
david.j.shulock@energy.nh.gov  
karen.sinville@libertyutilities.com  
michael.j.sisto@energy.nh.gov  
chris@cleanenergynh.org  
jsohn@safarienergy.com  
sprague@unitil.com  
stettenheim@norwichtech.com  
anthony.strabone@libertyutilities.com  
taylorp@unitil.com  
teamnh@energyservicesgroup.net  
mark.p.toscano@energy.nh.gov  
stower@nhla.org  
mulin@revisionenergy.com  
Charles.J.Underhill@oca.nh.gov  
jvanrossum@clf.org  
jpvitello@gmail.com  
tanya.p.wayland@energy.nh.gov  
dweeks@revisionenergy.com  
david.wiesner@eversource.com  
twoolf@synapse-energy.com



Adam.Yusuf@Libertyutilities.com  
Amanda.R.Zhang@energy.nh.gov