

## Exhibit I - Historical Overview

### 1. Creation of Community Power Aggregation Committee

The Committee was commissioned by the Select Board on November 1st, 2021. Below is an excerpt from the minutes of the meeting (full minutes available at <https://www.wiltonnh.gov/common/pages/DisplayFile.aspx?itemId=18135716>):

Selectman Williams said the last time we met we talked about the Community Power Aggregation. The first step is to put a committee together - the Community Power Committee. He'd like to ask this Board to vote tonight to appoint a Community Power Committee. He thinks Mr. Germain should take the leadership piece of that. The law said it shouldn't just be members of the Energy Committee; he will volunteer to be part of the Committee. If we're going to put this on the March warrant, we need to get started. Chairwoman Boissonnault asked for clarification. Selectman Williams said 70% of people under Eversource have default power which means that they don't bother to look for the best supplier, they just take whatever Eversource gives them. The Eversource rate is just under 9 cents/kilowatt. He feels we will see significant increases and its time to think about doing something different. Chairwoman Boissonnault would like the Committee to remember that if a person is receiving assistance for their utilities, that typically is not accepted by any other provider but Eversource. **Selectman Williams moved that we create a Community Power Aggregation Committee and move forward with the potential of putting this on the warrant next year. Selectman Fish seconded.** Chairwoman Boissonnault clarified that she wanted to encourage the residents to participate; this should be posted for them to join. **All were in favor; motion passed.**

The town created a web page for the new Committee and asked for volunteers from the public to serve as Committee members. Seven members were seated, and the Committee held their first meeting on December 29, 2021.

The Committee reviewed presentations by the main providers of Community Power services in New Hampshire and chose to work with the consulting team of Standard Power and Good Energy based on their experience with municipal aggregation in New Hampshire and across New England, and their ability to help the Committee present a Plan to the Wilton Community in time for a vote at March 2022 Town meeting.

### 2. Creation of a Draft Plan with public hearings

The Committee's goal is to develop a Plan that will offer Wilton residents and small businesses attractive choices for lowest cost and more renewable energy. They are aiming for full participation in the program, but customers can join, change options, or leave the program at any time, that's in the law. Other potential benefits of a Community Power program the Committee considered are increased consumer protections and more energy planning awareness and savings for the community in the face of volatile utility electricity prices and climate change.

An online community survey was released on the Town's website on January 8th, and advertised on posters and through social media. The survey was also published in the local newspaper (the Monadnock Ledger-Transcript) on January 11th and 13th. Paper copies were also made available at the Town Hall and Library. The deadline for survey responses was set for January 18th with the

possibility of extending the deadline if warranted.

The Committee reviewed a template draft Plan created by Standard Power and Good Energy based on the requirements of RSA 53-E, and customized it to include local goals, community survey results, and all public input.

Public Hearing dates were set for January 24th at noon and 5:30 at Town offices, the latter during the regularly scheduled Select Board's meeting. The hearings were advertised widely along with the survey, through an email campaign to over 400 opt-in Wilton Community members, social media, posters, and a press release picked up in local newspaper articles in the Monadnock Ledger-Transcript (January 11th) and the Milford Cabinet (January 13th.)

Other public presentations included the local Lions Club organization on January 11th, 2022.

### **Draft Plan: Public Hearings & Comments**

The draft Plan was posted on the Town website on January 19th, and was advertised through an email campaign, posters, and social media, along with a reminder to attend public hearings on January 24 at noon and 6pm at Town offices. The public hearing at 6pm was held at the beginning of the regular Selectboard meeting, and was televised for participants unable to attend in person. Recording of both hearings are available on the Town website. At each hearing a short presentation was followed by questions from the public and the Selectboard, and answers from Consultants, Committee members and Town Administration. Participants asked about a variety of program details. Concern was expressed for participants in the utility Electric Assistance Program, and the Consultants provided additional documentation from the utility program materials and tariff. The Committee agreed that the Plan was ready to move forward as drafted.

### **3. Approval of Plan by Community Power Aggregation Committee**

The Committee met and voted to approve the Plan on February 11, 2022.

### **4. Adoption of Plan by Select Board and Town Meeting**

The Selectboard approved the Community Power Aggregation Plan February 28th, 2022, excerpt below and full minutes available here:

<https://www.wiltonnh.gov/common/pages/DisplayFile.aspx?itemId=18393429>.

- The Community Power Aggregation Committee did vote on the plan to go to the Voters at Town Meeting. The Partners recommended that the Select Board formally vote to adopt it. **Selectman Williams moved that we approve the Community Power Plan as written as a final plan. Selectman Fish seconded. All were in favor; motion passed.**

Town meeting was held March 10, 2022, and Warrant Article 22 was regarding approval of Wilton Community Power Aggregation Plan, full text here ([https://cdn5-hosted.civiclive.com/UserFiles/Servers/Server\\_13599840/File/Government/2022%20Warrant.pdf](https://cdn5-hosted.civiclive.com/UserFiles/Servers/Server_13599840/File/Government/2022%20Warrant.pdf)). The Warrant article passed and the Plan was adopted. (All 2022 warrant articles other than Article 23 regarding becoming an SB2 Town were adopted, see: [https://www.wiltonnh.gov/news/what\\_s\\_new/2022\\_town\\_meeting\\_results\\_](https://www.wiltonnh.gov/news/what_s_new/2022_town_meeting_results_))

Committee members attended Town Meeting to provide information and answer questions.

#### **5. Revision of Plan**

The Town amended the Plan in October 2022 to better address questions of data security and to incorporate appropriate references to the Public Utility Commission's newly approved Community Power rules (PUC 2200 Municipal and County Aggregation Rules). The Amended Plan was approved by the Select Board on October 24, 2022.

#### **6. Submission of Final Plan to Public Utilities Commission**

The Plan was submitted to the PUC and all required parties on October 27, 2022 and assigned Docket #22-071. The Commission approved the Wilton Community Power Aggregation Plan on December 22, 2022 in Order No. 26,753.

## **Exhibit II - Education & Outreach Plan**

The following describes the Town's Education & Outreach plan to fully inform and educate potential participants about their opportunities, options and rights for participation in the Program.

The costs and implementation of the Education/Outreach Plan will be handled by the Community Power Consultant, under the direction of the Select Board or their designee.

### **1. Program Launch**

The Town has prepared a preliminary marketing plan and timeline that identifies the steps the Town may take to implement the broad-based public education efforts and send out the opt-out notification ("Customer Notification Documents"). The schedule is designed to work towards the estimated date when the Customer Notification Documents are scheduled to arrive in retail electric customer's mailboxes.

<b>Action</b>	<b>From estimated date Customer Notification Documents arrive in customer mailboxes</b>	
	<b>Days before</b>	<b>Days after</b>
A. Create or Update Webpage and shopping comparison websites	15	-
B. Work with local media resources	15	30
C. Active social media outreach	15	30
D. Initial person presentations	15	30
E. Distribute marketing materials	15	30
F. Customer help line	15	Ongoing
G. Mail postcard to all retail electric customers	5	-
H. Customer Notification Letters arrive	0	0

#### **1.A. Create or Update Webpage and shopping comparison websites**

Timeframe: Shortly after signing the ESA (~15 days before the estimated date that the Customer Notification Documents arrive).

The Program will maintain an informational webpage with features that include Program details, an online savings calculator and enrollment, opt-up and opt-out forms for the convenience of participants.

The Program page will be maintained on the Town's website. After executing an ESA, the Program will update the Program page with a description of the Program and its products, the implications to the Town, and the rights and responsibilities that the participants will have under the Program.

The shopping comparison website is maintained by the Department of Energy to enable consumers to shop for electricity supply products. The Program will post its product information for residential and small commercial customers on the shopping comparison website. Such information will be posted on the website in advance of mailing the Customer Notification Letters.

### **1.B. Press Release and Work with Local Media Resources**

Timeframe: 15 days before to 30 days after the estimated date that the Customer Notification Documents arrive.

The Town will develop press releases to provide to local media resources, including newspapers and public access TV

- Area Newspapers: The Town will work with the Milford Cabinet and the Monadnock Ledger-Transcript to disseminate accurate and timely information about the Program. As part of this targeted outreach to these papers, the Town may seek a meeting with the editorial board to establish a good foundation for continued dialogue over the course of the contract. Other newspaper outlets may include other local publications.
- Local Public Access Television: The Town Select Board meetings are broadcast. Town may choose to record presentations about the program and PSAs for upcoming meetings.
- Municipal Staff Interviews: Develop Q&A Scripts and prepare municipal staff or volunteers for interviews.

### **1.C. Active Social Media Outreach**

Timeframe: 15 days before to 30 days after the estimated date that the Customer Notification Documents arrives.

Boost all traditional media coverage on social media platforms, with the goal of driving traffic to the Program webpage . In concert with the communication leads of the Town, develop a campaign of planned tweets and Facebook posts, timed to coincide with important milestones in order to keep ratepayers informed, particularly those that may not interact with traditional media on a regular basis. Draft content and graphics to accompany the posts, to be made by Town staff. These accounts may include: <https://www.facebook.com/townofwilton/>. The Town of Wilton also maintains an active Town email list.

Monitor various channels such as Facebook and Instagram for relevant conversations and questions about the Program. Draft responses to comments and questions and utilize social media as a critical tool in engaging with members of the community. These accounts may include: <https://www.facebook.com/townofwilton/>  
<https://www.facebook.com/wiltonlibrarynh/>

<https://www.facebook.com/groups/366530003518019/>

<https://www.facebook.com/wiltonmainstreetnh/groups>.

### **1.D. Public Presentation**

Timeframe: 15 days before to 30 days after the estimated date that the Customer Notification Documents arrive. This will include, as required in RSA 53:E-7, a public information meeting within 15 days of the mailing of the Customer Notification Documents.

- Local Groups: Connect with local groups and associations to see if representatives of the Town can participate in an upcoming meeting or offer to host a dedicated event. Seek their assistance in identifying how to best connect with customers with limited-English capabilities or disabilities that may prevent them from accessing Program information. Some of the Community-based groups identified to date which the Town may choose to work with include: [Inset local groups to connect with].

Reaching the business community will be important. Presenting to the Chamber of Commerce can start this dialogue and lead to additional outreach to and connection with businesses.

- Selectboard Meetings: Present or provide materials for the Selectboard meetings and any constituent meeting they may have.

### **1.E. Distribute marketing materials**

Timeframe: 15 days before to 30 days after the estimated date that the Customer Notification Documents arrive.

Many groups may have a natural interest in promoting awareness about the Program and can be provided with electronic and hard-copy materials with reference information for the Program.

Distribute in key locations, such as Municipal Offices and Public Libraries.

### **1.F. Customer Help Line**

Timeframe: At least 15 days before the estimated date that the Customer Notification Documents arrives and ongoing thereafter.

Establish customer helplines with the Competitive Supplier and Community Power Consultant to answer customer inquiries.

### **1.G. Mail Postcard to all Eligible Customers**

Timeframe: 5 days before the estimated date that the Customer Notification Documents arrives.

A postcard with municipal branding establishes that there is a community-sponsored Program and increases the likelihood that recipient engages with the more detailed Customer Notification Documents.

### **1.H. Customer Notification Letters arrive**

The Customer Notification Letters will be sent via standard mail to the billing address of

each retail electric customer per Section VI.b.ii of the Plan. The Program will have two versions of this letter, one for Eligible Customers and one for other customers. The Competitive Supplier shall bear all expenses regarding the Customer Notification Letters.

***1.H.i. Customer Notification Letter for Eligible Customers***

Per Section III.b of the Plan, all retail electric customers receiving Default Service supply will be eligible for automatic enrollment in the Program (“Eligible Customers”). The notification envelope will be designed to appear as an official Town communication and it will be clearly marked as containing time sensitive information related to the Program. The notification will contain a letter describing the Program.

The letter will inform Eligible Customers:

- a) about the Program, implications to the Town, and provide information regarding participation and participants’ responsibilities and rights;
- b) that they have the right to opt-out of the Program without penalty;
- c) of all charges, prominently stated, with a comparison of price and primary terms of the Competitive Supplier and the current Default Service offering;
- d) that any savings under the Program compared to Default Service cannot be guaranteed because the Default Service rate is subject to changes
- e) about the opt-out process; and
- f) in languages other than English for appropriate customer groups (i.e. toll-free telephone number).

The letter will also contain an opt-out reply card with a simple check off and signature line for eligible customers who do not wish to participate. The envelope will be pre-stamped for return of the opt-out reply card in order to protect customer privacy.

Eligible customers will have 33 days from the date of the mailing to mail back the opt-out card in a pre-addressed postage-paid envelope and the customer notification shall identify the specific date by which the envelopes containing the opt-out card must be postmarked. Automatic enrollment of customers will not start until three days after the date specified for the postmark of the return envelopes to allow for receipt of the opt-out cards prior to the start of automatic enrollments. New Eligible Customers will be enrolled in the Program in accordance with applicable Local Distributor Company rules. Upon initiation of service, these new Eligible Customers will receive the same customer information as all other Eligible Customers.

***1.H.ii. Customer Notification Letter for Other Customers***

The Customer Notification Letter for other customers will, at a minimum, contain a description of the aggregation Program, the implications to the Town, and instructions for how to enroll in any of the Program products if desired.

## **2. Ongoing Outreach and Education**

The Town intends to continue outreach and education for customers after enrollment in the Program. The costs and implementation will be handled by the Community Power Consultant, under the direction of the Town. These efforts will include:

- **Program impact:** Key metrics relating to cost performance, renewable energy purchases and program enrollment. Particularly as the program accomplishments relate to progress towards the Town's ambitious short- and long- term goals for renewable energy and greenhouse gas emission reduction. This will also include the Energy Source Disclosure labels for the electricity supply;
- **Opt up campaigns:** On-going campaigns to recruit participation into its optional product(s) that contain more renewable energy than required by law ("Opt up campaigns"). Increasing participation in these products will serve the Town's goals to expand new renewable energy and reduce greenhouse gas emissions;
- **Customer awareness:** Rights, responsibilities and procedures for Program participants; contact information for customer inquiries, responses to frequently asked questions, and details regarding the Program's electric supply and renewable attributes.
- **Public input:** As the program considers changes to further its progress toward a 100% renewable future and other goals, Town will manage outreach to solicit input and feedback from the community.
- **Program changes and evolution:** Any changes in offerings and prices, which will be posted on the Program website that is linked to the website of the Town.

The program will utilize similar mediums for on-going education and outreach as for the initial launch education and outreach, including but not limited to: social media, traditional media, in-person meetings and presentations, outreach to local groups, video, and mail.

Translation of all materials will be provided as necessary to reach communities with limited English proficiency.

### 3. Approach to Overall Education & Outreach

#### 3.1 Outreach to Persons with Limited English Proficiency or Disabilities

The Program will be consistent with Town policies to provide access to Program materials for all Eligible Customers. Materials will be provided in English, and translation of materials will be provided as such needs are identified. Outreach efforts will be communicated in print and audio formats to provide access to both the hearing and visually impaired. The Program will also work with local organizations on accessibility issues as needed, see Section 1.D, above.



## Exhibit III: Wilton Community Survey 2022 Results

The Wilton Community Power Survey was made available on the Community Power page of the Town's website January 6, 2022, and was published in the Monadnock Ledger-Transcript on January 11 and 13. The Ledger-Transcript and the Milford Cabinet ran stories about the planning process and survey on January 11 and 13, respectively. 185 responses were received before the published deadline of January 18. Responses were compiled by the consulting team Standard Power and Good Energy, and are reported here, with implications for next steps for a Community Power Program.

### Wilton Community Power Survey

This survey was created by the Town of Wilton to assess the needs and interests of the community to design our own Community Power program. Community Power allows towns to choose where their electricity comes from on behalf of residents and businesses with the goal of reducing electric bills and increasing independence and energy options. The survey should take about 10 minutes to complete and all responses are anonymous. You may complete the survey online at [www.surveymonkey.com/r/WiltonCP](http://www.surveymonkey.com/r/WiltonCP)

**\* 1. Is your HOME or BUSINESS located in Wilton? If both, please complete the survey as a resident first, then complete a separate survey for your business.**

☐ Home ☐ Business

**Electricity Supply**  
Eversource is our electric utility, providing emergency services, poles and wires and billing services. This will not change with Community Power. Eversource also provides default electricity supply for most of our community members. This will change with Community Power, but you will always have the choice to stay with Eversource supply.

**\*2. Who is your electricity supplier? Check your electric bill to see who is your electricity supplier.**

☐ Eversource ☐ I don't know ☐ Other /third party supplier

**\*3. Why did you stay with Eversource? Select all that apply.**

☐ I didn't know I had a choice  
☐ I see no need to switch  
☐ I tried, but I could not find good rates  
☐ Other \_\_\_\_\_

**\*4. Why did you choose a supplier other than Eversource? Select all that apply.**

☐ More renewable content  
☐ Better rate  
☐ Other \_\_\_\_\_

**\*5. Do you have solar panels?** ☐ Yes ☐ No

*Return the completed survey to*  
Wilton Town Offices  
Attention: Community Power  
42 Main Street  
P.O. Box 83,  
Wilton, NH 03086

**\*6. Wilton is considering Community Power due to volatile and increasing electric costs. What would you want the Community Power program to bring to our community? Check all that apply:**

☐ Local control of electricity costs  
☐ Lower energy bills  
☐ Increased renewable energy, including local sources  
☐ Consumer protections  
☐ Local jobs  
☐ Increased knowledge about energy & how to reduce costs  
☐ Other \_\_\_\_\_


**\*7. Are you interested in adding extra renewable energy in our electricity supply?**

☐ I would like extra renewable energy, if I can still pay about the same I pay today;  
☐ I would like extra renewable energy and I am willing to pay a little more than I pay today;  
☐ I would like all (100%) renewable energy and I am willing to pay more;  
☐ No, I would not like more renewable energy.

**\*8. We will provide updates about this program. How would you like to be updated on the program? Check all that apply.**

☐ Mail  
☐ Email: \_\_\_\_\_  
☐ Town website / Facebook  
☐ Ledger-Transcript, Milford Cabinet, Shopper  
☐ Other: \_\_\_\_\_

Scan the QR code with the camera of your mobile phone to go directly to the online survey.



**Energy Efficiency**  
Community Power programs can reduce energy costs and emissions. Another really important way to achieve those benefits is energy efficiency.

**\*9. Have you implemented any of the following energy efficiency steps at your home or business (check all that apply):**

☐ Performed an energy audit  
☐ Improve insulation  
☐ Purchase energy efficient appliances  
☐ Install LED light bulbs  
☐ Install energy efficient windows  
☐ Install a programmable thermostat  
☐ Other: \_\_\_\_\_  
☐ None of the above

**Tell Us About Yourself**  
To help us ensure a diversity of perspectives that reflects our entire community, please provide the following information. All responses are anonymous.

**10. Do you** ☐ Own? ☐ Rent?

**11. Which best matches your age?**

☐ Under 18  
☐ 18-40  
☐ 41-65  
☐ 66+

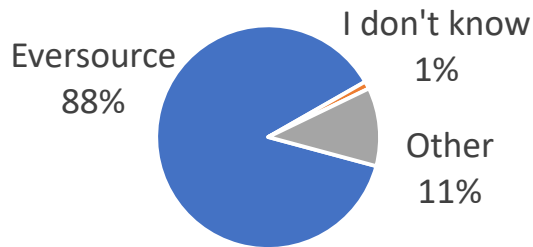
**12. Which best matches your household income level?**

☐ Under \$50,000  
☐ \$50,000 to \$99,000  
☐ 100,000+

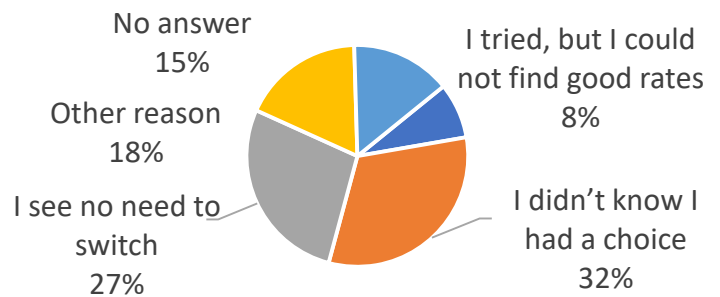
**GoodEnergy** Learn about Community Power programs at [cp.standardpower.com](http://cp.standardpower.com) **STANDARD POWER**

Questions 1 to 5 of the survey asked about the electricity supply of Wilton residents and businesses. Of the 185 responses, 175 were residential customers and 10 were businesses. The majority of respondents were served by Eversource default electricity supply, 88%, with 11% on competitive electric supply. One third of respondents said they didn't know they had a choice of supplier, and 22% saw no reason to look for an alternative. Of the 21 respondents that chose a competitive supplier, 19 did so for a better rate, and two wanted more renewable energy. 21 respondents produce at least a portion of their own electricity using onsite solar panels, and five indicated intention to do so in the future.

### Who is your electricity supplier?



### Why did you stay with Eversource?



#### Why did you stay with Eversource? Best choice/No choice/solar:

I did not want to lose electric assistance that Eversource provides to low-income households.

Hubby is employed there

Current lowest rate, we switch periodically and now have solar.

Have solar array and have net metering with them. Not sure how to change!

I am interested in solar panels; cost is an issue.

I installed solar panels and it's required to use Eversource

interconnection agreement (re: solar) with Eversource; figured it's too complicated to change

No need to switch. I have net metering with solar

Rent, supplier designated by owner.

We have solar, was an easy switch, didn't want to deal with wildly fluctuating rates and intro hooks that shift after 6 months.

#### Avoiding scams/Utility has better rates:

Afraid of scams

Have tried other programs but Eversource rates have been better the last few years in comparison

I had an alternate supplier for a few years, but often Eversource was cheaper...gave up trying to chase the best rate.

I tried another company about 10 yrs ago. It was a total rip off. I would never trust another one.

Most others seem to be scams

The supply rate for Eversource is exactly what Eversource pays for the power. There is no mark up. Unlike third party suppliers who are hoping that you forget when the contract expires so they can jack the rates.

To get the best rate one must always research what supplier has the best rate because it changes. And I don't have time to do the research and make the switch before the deadline to do so.

#### Inertia:

I had another supplier but then the contract expired, and the default was Eversource. Am thinking about switching.

I have bigger problems

Because I'm foolish.

They will end up just as high as ever source

#### Reliability/Uncertainty:

Concerned about the quality and responsiveness of alternate service when initially offered

Emergency repair

I don't know if others are trustworthy

lethargy and the fear that when in need a secondary source would not be as efficient in correcting problems

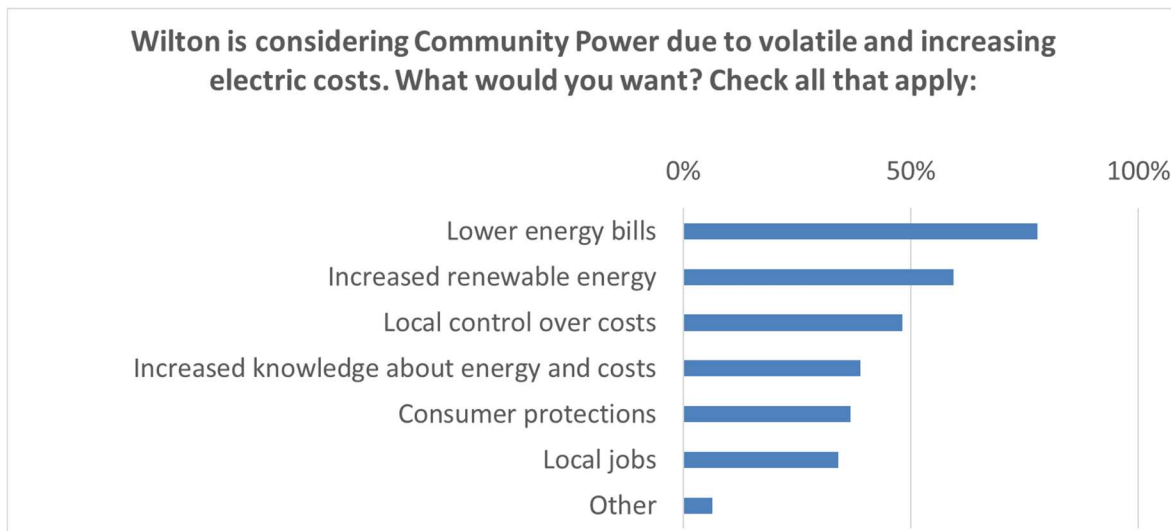
Reliable and a 'name brand' not a middleman

Unsure if good outage service would go away/change if didn't stay with Eversource.

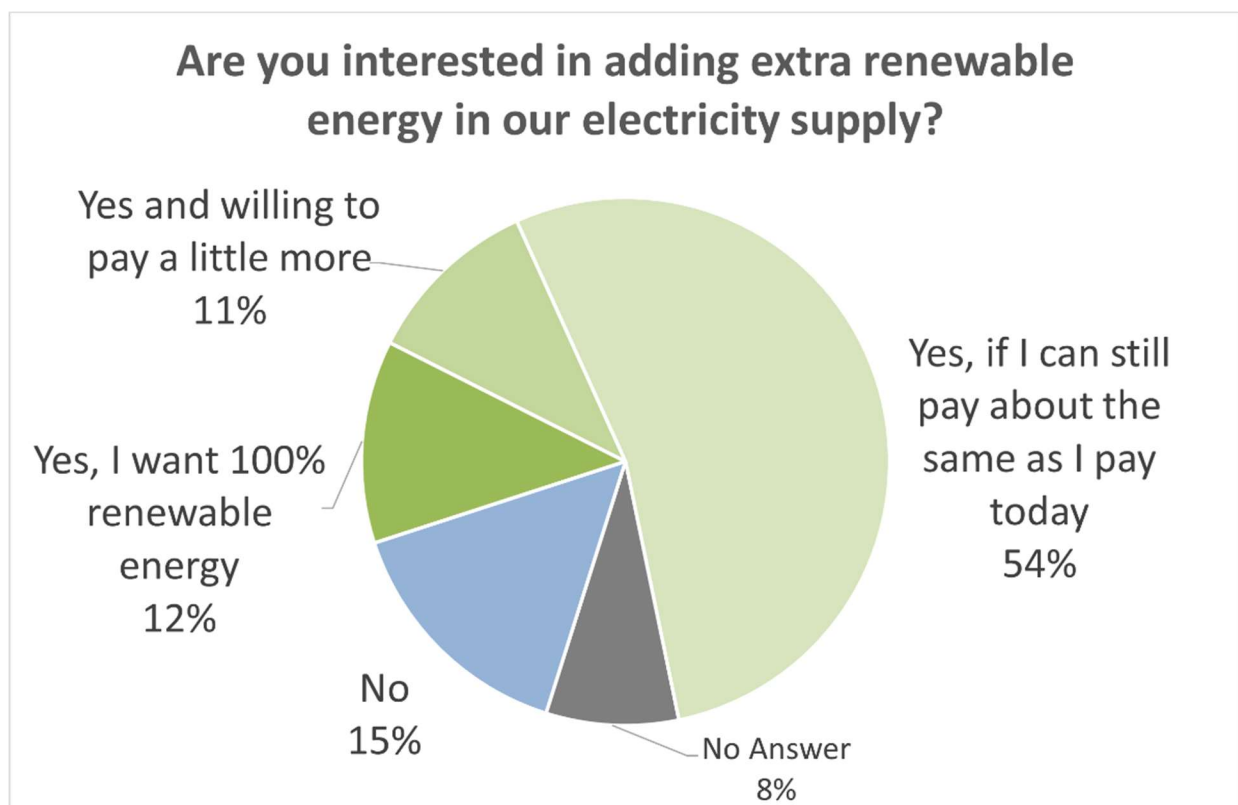
Who owns the trucks gets fixed first

33 comments were received responding to the question ‘Why did you stay with Eversource?’

**Questions 6** asked about general support for Community Power goals, with the strongest support for lower energy bills and then increased renewable energy. Wilton Community Power will increase community knowledge of how a Community Power Program supports each of these benefits.



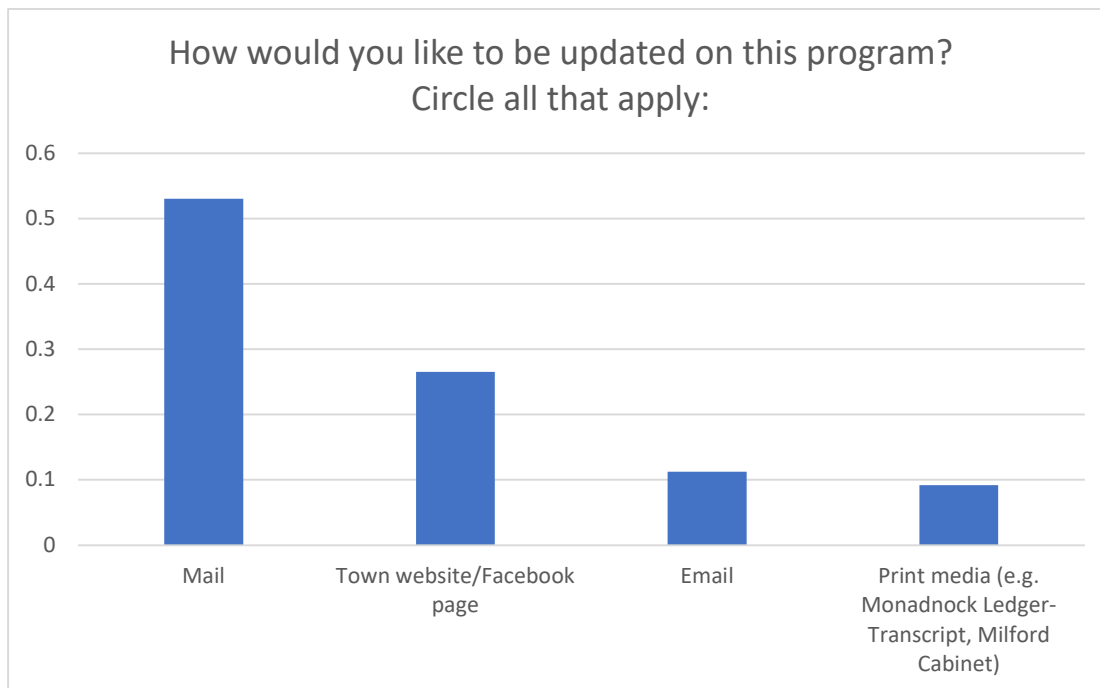
**Question 7** asked about preference for more renewable energy in our electricity supply. The state minimum, called the Renewable Portfolio Standard (RPS), was 21.6% in 2021 and is scheduled to level off at 25% in 2025. The community response was strongly in support of additional renewable energy, 77% of respondents support extra renewables in their energy supply, and 23% said they were willing to pay more for it. 15% responded they did not want more renewable energy. 8% did not answer the question.



The results of Question 7 support a default option with extra renewable energy and competitive price with the utility default. The default is the option most customers choose and/or are automatically enrolled into by not choosing another option.<sup>1</sup>

The responses to Questions 6 and 7 also indicate 2-3 optional products. A lowest cost option, with no additional renewable energy above the state minimum, meets the needs of community members who need maximum cost savings and/or feel that the current RPS is sufficient renewable energy. 1-2 options with additional renewable energy support the renewable energy goals of customers for themselves and for the community. Having a variety of attractive options helps the program meet individual needs, encourages high participation that boosts buying power, and increases the overall collective renewable energy performance of the program based on personal choices.

**Question 8** asked about communications and program updates. The dedicated Community Power page on the Town’s website is the principal means of providing Program details and updates. The program will be launched with a direct mail campaign. These are supplemented with emails, printed and posted notices, flyers, informational meetings and presentations, and social media campaigns.

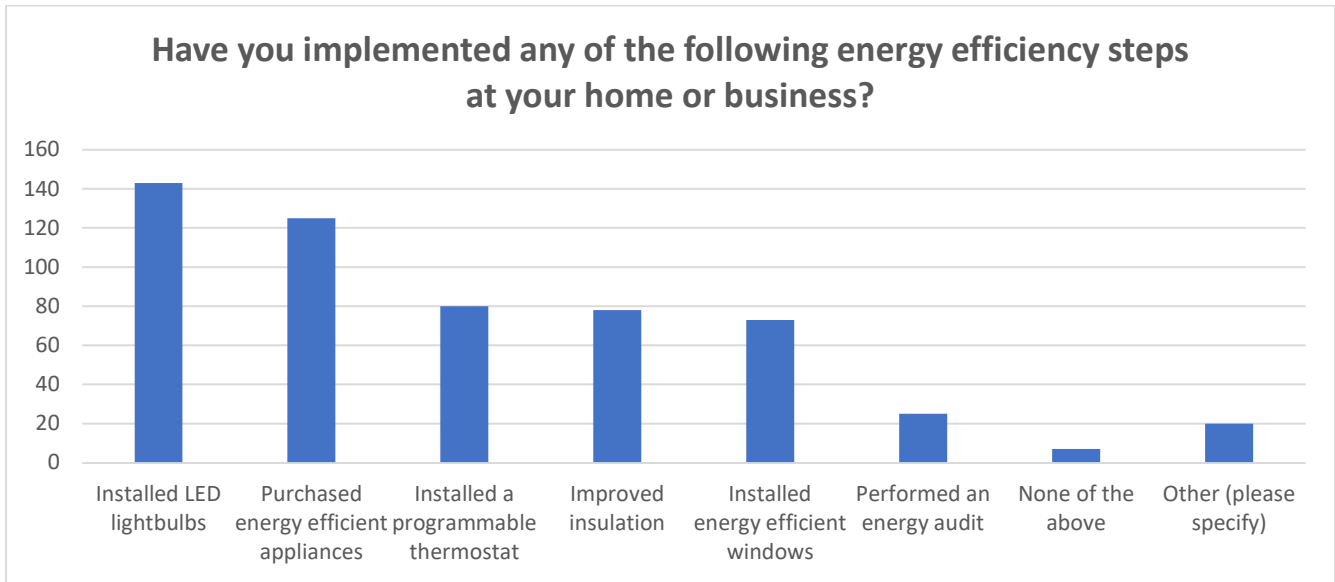


**Questions 9** asked about awareness and use of Energy Efficiency to reduce energy use and costs. Energy efficiency is not a required part of a Community Power program, but it is compatible with Community Power goals of cost savings and increasing the renewable energy portion of individual and community energy supply. While only 25 respondents have done an energy audit on their home or business, a strong majority have implemented efficiency measures, especially LED lighting and purchasing energy efficient appliances. Several respondents reported taking additional measures: line drying laundry, geothermal heating/cooling, passive

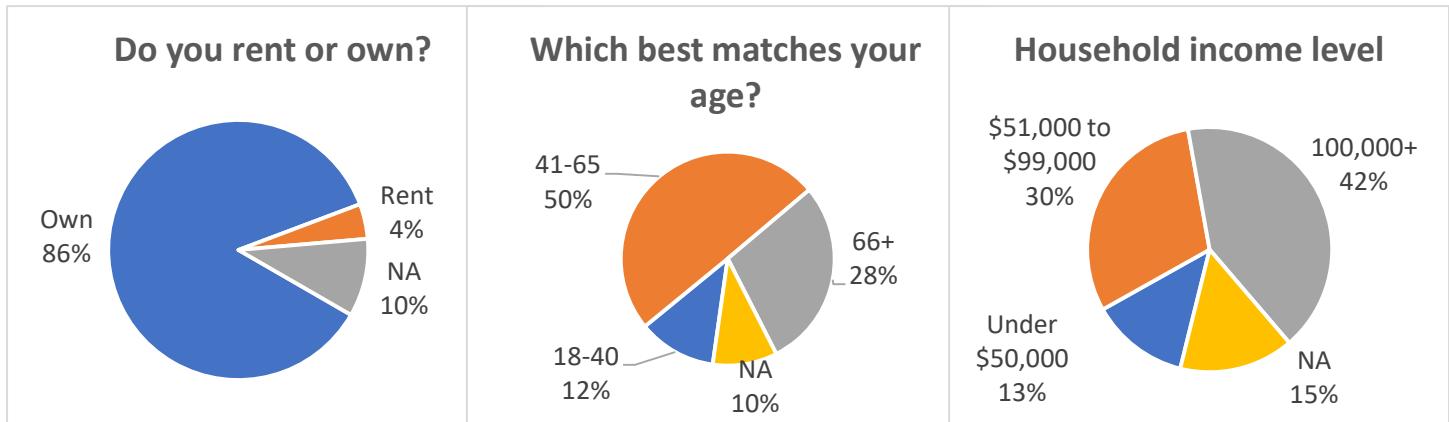
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<sup>1</sup> A green default has a substantial impact on community renewable energy supply. Adding just 5-10% extra renewables increases renewables in the default supply by almost 25-50%, from the RPS of 21.6% to 26.6% or 31.6%. The impact is even more dramatic for 100% option customers, whose impact on increasing the renewable supply is 10-20 times higher than that of the default customer.

solar or new efficient construction (7), heat pumps for heating/cooling or hot water (2), heating with wood (2), and installation of solar panels (6).



**Questions 10 to 12** asked three demographic questions to ensure that the Committee was reaching a demographically diverse group of community members. 90% of respondents answered the first two questions, and 80% chose to provide an income category. Multiple responses from each category, rent/own, age and household income were received, indicating a successful community survey.



Wilton Community Power can provide attractive options for community members of diverse backgrounds and opinions, including homeowners, small business owners, renters and landlords, low-income customers, customers who do not want additional renewable energy, as well as those that want more renewables up to 100% local renewable energy for themselves and their community.

## **Exhibit IV - Data Protection Plan**

### **I. Introduction**

The Town of Wilton (the “Municipality”) is developing a Community Power program (the “Program”), pursuant to RSA 53-E. A municipality that implements such a program is known as an aggregator (“Aggregator”). RSA 363:38 and PUC 2004.19 require that service providers, including Aggregators, protect individual and confidential customer data (“Individual Customer Data”). Individual Customer Data, as defined in RSA 363:38 and expanded in PUC 2004.19, means information that is collected as part of providing electric services to a customer that can identify, singly or in combination, that specific customer, and includes the customer name, address, and account number and the quantity, characteristics, or time of consumption by the customer, and also includes specific customer payment, financial, banking, and credit information. Further, Aggregators must only use Individual Customer Data for the Program’s primary purpose, which may include 1) providing or billing for electric service, 2) meeting electric system, electric grid, or other operational needs, and 3) researching, developing and implementing new rate structures or demand response, customer assistance, energy management or energy efficiency programs. The Municipality’s aggregation consultants, Good Energy and Standard Power, have developed this Data Protection Plan to ensure that Individual Customer Data obtained as part of operation of the Program will be protected from disclosure and/or inappropriate use.

### **II. Elements of the Plan**

#### **1. Access to Customer Data**

As part of the Program, Good Energy, Standard Power, local designees of the Municipality, and competitive electricity suppliers (“Suppliers”) selected to provide electricity for the Program (collectively, “Data Administrators”) will receive access to certain information on file with a customer’s local distribution company (“LDC” or “electric distribution utility”), including, among other things, the customer’s name, mailing address, and energy usage history (“Customer Data”). In particular, depending on the status of implementation of the Program, LDC’s may provide four types of Customer Data to Data Administrators: a) aggregated customer data, b) eligible customer data, c) retail electric customer contact information, and d) enrolled customer information. Each type of Customer Data is described more fully below.

- a. Aggregated Customer Data – contains certain information for all electric customers within a municipality, aggregated by rate class or other grouping. This may include data such as the number of customers by rate class, counts of customers participating in net energy metering by rate class, counts of customers



participating in electric assistance program by rate class, the aggregated energy (kWh) for electricity consumption by month for the past 12 months or more by rate class, and revenue, receipts and past-due accounts receivable.

b. Eligible Customer Data – contains certain information for each electricity customer currently receiving utility-provided default service within a municipality. This may include data such as capacity tags for current, prior and next power years, energy (kWh) for electricity consumption for the past 12 months or more, meter reading cycle, whether customer net meters and under which terms, and group net metering data including whether customer is a group net metering host or member of a net metering group, whether a group net metering customer-generator operates as a low-moderate income community solar project, the size of any such net metered generation and the year and month it was placed into service.

c. Retail Electric Customer Contact Information – comprises certain customer contact information for the provision of Program communications, such as Customer Notification Letters to retail electric customers. This may include such data as the customer of record's name, mailing address, account number, meter number, rate class, and email address.

d. Enrolled Customer Data – contains certain information for all individual customers who elected not to opt-out of the Program during the opt-out period. This may include such data as Name of customer and customer contact, Mailing address, Service address, Account number and related meter numbers, Name key, Contact information such as phone numbers, email address, Billing account number, Preferred billing and communication method, Billing cycle, Meter read date or cycle, Form or type of meter reading, Capacity tag information for past two years, current power year and forecasted next power year, Most recent 24 months of usage data, Current and historic status of net metering, distributed generation, Preferred billing and communication method, payment plans and electric assistance program participation, and Rate class.

## 2. Data Security

All Customer Data that is not anonymized (i.e. presented or aggregated in such a way that removes information that can be used to identify the individual customer that it pertains to, such that it does not constitute individual customer data as defined by RSA 363:37, I or PUC 2002.09) shall be considered Individual Customer Data.

Data Administrators will utilize industry standard physical, technical, and administrative controls and procedures to safeguard Individual Customer Data collected as part of the Program and to prevent unauthorized or accidental access, destruction, loss, alteration, or disclosure of, to protect against anticipated threats or

hazards to the security, confidentiality, or integrity of, and to permit only the appropriate use of, such customer information.

To protect the confidentiality, integrity, and availability of Individual Customer Data, Data Administrators will utilize a variety of industry standard physical and logical access controls, firewalls, password protections, intrusion detection/prevention systems, network and database monitoring, and backup systems. These systems will be designed to cover all networks, servers, computers, notebooks, laptops, PDAs, mobile phones, or other devices that contain Individual Customer Data, or through which Individual Customer Data is made available.

Data Administrators will limit access to Individual Customer Data to those persons and entities having a specific business purpose for maintaining and processing such information. Those granted access to Individual Customer Data will be trained on their responsibilities to protect the confidentiality, integrity, and availability of such information.

Data Administrators will work cooperatively with the LDC(s), as necessary, to implement this Data Protection Plan, and will at a minimum, implement the following actions:

- a. Conduct a risk assessment to identify and assess reasonably foreseeable internal and external risks to the security, confidentiality, and integrity of electronic, paper, and other records containing Individual Customer Data and evaluate and improve, where necessary, the effectiveness of their safeguards for limiting those internal and external risks;
- b. Timely notify the LDC(s) of any important modifications of this Data Protection Plan within a reasonable amount of time;
- c. Review and, as appropriate, revise this Data Protection Plan: (i) at least annually or whenever there is a material change in their business practices that may reasonably affect the security or integrity of Customer Data; (ii) in accordance with prevailing industry practices and applicable law; and (iii) as reasonably requested by the LDC(s). If the Data Administrators modify this Data Protection Plan following such a review, the Data Administrators will promptly notify the LDC(s) of such modifications and will provide the modifications to the LDC(s) in writing upon a LDC's request. The Data Administrators will at no time alter or modify this Data Protection Plan in such a way that will weaken or compromise the confidentiality, security, or integrity of Individual Customer Data;
- d. Maintain and enforce this Data Protection Plan in all locations where Individual Customer Data is processed by the Data Administrators;
- e. Conduct security testing using a third party to provide monitoring penetration and intrusion testing with respect to Data Administrators systems and promptly provide a copy of the results to the LDC(s), provided that the third party may redact IP addresses and other client names and information;



- f. Provide annual security awareness training to all individuals having access to Individual Customer Data and maintain a record of such training; and
- g. Implement a standard process for identifying, assessing, and mitigating security risks.

### 3. Confidentiality

Data Administrators will not sell Individual Customer Data to others unless such sale is specifically authorized by the customer, or is required by law or court order. Data Administrators will not share, disclose, or provide Individual Customer Data to others, including their affiliates, unless such disclosure, or provision is required to operate the Program (i.e., the Program's "primary purpose", per RSA 363:38), is specifically authorized by the customer, or is required by law or court order. If Data Administrators request customer authorization to disclose Individual Customer Data, Data Administrators will first describe to the customer the information they intend to release and provide details concerning the recipient of such information.

Data Administrators will hold all Customer Data in strict confidence and except as otherwise needed for provision of the Program, required by law, or permitted as below, (a) not disclose Individual Customer Data to any other person or entity (including but not limited to Suppliers, subcontractors, and affiliates or members of Good Energy and Standard Power); (b) not process Individual Customer Data outside of the United States; (c) not process Individual Customer Data other than in connection with the Program; (d) not process Individual Customer Data for any marketing purposes other than in connection with the Program; (e) limit reproduction of Individual Customer Data to the extent required for the Program; (f) store Individual Customer Data in a secure fashion at a secure location in the United States that is not accessible to any person or entity not authorized to receive the Individual Customer Data; and (g) otherwise use at least the same degree of care to avoid publication or dissemination of the Individual Customer Data as Data Administrators employ (or would employ) with respect to their own confidential information that they do not (or would not) desire to have published or disseminated, but in no event less than reasonable care.

### 4. Disclosure of Individual Customer Data

Notwithstanding the provisions of Section 3 above, the Data Administrators may disclose Individual Customer Data to their representatives who have a legitimate need to know or use such Individual Customer Data for the sole and limited purposes of administering and/or conducting the Program. Such representatives will first be advised of the sensitive and confidential nature of such Individual Customer Data and agree to comply with the provisions of this Data Protection Plan. Pursuant to PUC 200.19, Data Administrators may also provide Individual Customer Data to third parties for the purposes of 1) billing for electric service, 2) meeting electric system, electric grid, or other operational needs, and 3) implementing demand response, customer assistance, energy management or energy efficiency programs. Any such third parties will be required by contract to comply with the provisions of this Data Protection Plan.

In the event that Data Administrators or any of their representatives receive notice that they have, will, or may become compelled, pursuant to applicable law or regulation or legal process, to disclose any Individual Customer Data (whether by receipt of oral questions, interrogatories, requests for information or documents in legal proceedings, subpoenas, civil investigative demands, other similar processes or otherwise), Data Administrators will, except to the extent prohibited by law, immediately notify the LDC(s), orally and in writing, of the pending or threatened compulsion. To the extent lawfully allowable, the LDC(s) will have the right to consult with the Data Administrators and the parties will cooperate, in advance of any disclosure, to undertake any lawfully permissible steps to reduce and/or minimize the extent of Individual Customer Data that must be disclosed. The LDC(s) will also have the right to seek an appropriate protective order or other remedy reducing and/or minimizing the extent of Individual Customer Data that must be disclosed.

Data Administrators and their representatives will disclose only such Individual Customer Data which they are advised by legal counsel that they are legally required to disclose in order to comply with such applicable law or regulation or legal process (as such may be affected by any protective order or other remedy obtained by LDC) and Data Administrators and their representatives will use all reasonable efforts to ensure that all Individual Customer Data that is so disclosed will be accorded confidential treatment.

#### 5. Return/Destruction of Individual Customer Data

Upon the expiration of the Program, or as otherwise required by law or Commission order, the Data Administrators will destroy all copies of any Individual Customer Data (including any and all extracts, compilations, studies or other documents based upon, derived from or containing Individual Customer Data) within their or their representatives' possession (including destroying Individual Customer Data from all systems, records, archives and backups), and all subsequent use and processing of the Individual Customer Data by the Data Administrators and their representatives will cease.

Notwithstanding the foregoing, the Data Administrators and their representatives will not erase Individual Customer Data contained in an archived computer system backup maintained in accordance with their respective security or disaster recovery procedures. The Data Administrators will not provide access to or recovery of Individual Customer Data from such computer backup system and will keep all such Individual Customer Data confidential in accordance with this Data Protection Plan.

#### 6. Data Security Incidents

The Data Administrators are responsible for any and all security incidents involving Individual Customer Data that is processed as part of the Program. The Data Administrators will notify the LDC(s) in writing immediately (and in any event within twenty-four (24) hours) whenever the Data Administrators reasonably believe that there

has been a data security incident involving Individual Customer Data. After providing such notice, the Data Administrators will investigate the incident, and immediately take all necessary steps to eliminate or contain any exposure of Individual Customer Data. The Data Administrators will provide the LDC(s) with reasonable assistance and cooperation in the furtherance of any correction, remediation, or investigation of any such data security incidents and/or the mitigation of any damage, including any notification required by law or that LDC(s) may determine appropriate to send to individuals impacted or potentially impacted by such data security incident(s), and/or the provision of any credit reporting service required by law or that LDC(s) deems appropriate to provide to such individuals.

Unless required by law, the Data Administrators will not notify any individual or any third party other than law enforcement of any potential data security incidents involving Individual Customer Data without first consulting with, and obtaining the permission of, the LDC(s). Within 30 days of identifying or being informed of a data security incident, the Data Administrators will develop and execute a plan, with the cooperation of the LDC(s), which reduces the likelihood of a recurrence of such data security incident(s).

## 7. Additional Protections

The Data Administrators will comply with all applicable privacy and security laws to which it is subject, including this Data Protection Plan.

The Data Administrators will safely secure and/or encrypt all Individual Customer Data during storage and transmission.

The Data Administrators will have in place appropriate and reasonable processes and systems, including this Data Protection Plan, to protect the security of Individual Customer Data and to prevent a data security incident, including, without limitation, a breach resulting from or arising out of the Data Administrators' internal use, processing, or other transmission of Individual Customer Data, whether between or among their representatives, subsidiaries and affiliates, or any other person or entity acting on behalf of the Data Administrators.

The Data Administrators will work cooperatively with the LDC(s) to implement this Data Protection Plan, including: establishing policies and procedures to provide reasonable and prompt assistance to LDC(s) in responding to any and all requests, complaints, or other communications received from any individual who is or may be the subject of a data security incident involving Customer Data to the extent such request, complaint or other communication relates to the Data Administrators' processing of such individual's Individual Customer Data; and establishing policies and procedures to provide all reasonable and prompt assistance to LDC(s) in responding to any and all requests, complaints, or other communications received from any individual, government, government agency, regulatory authority, or other entity that is or may have an interest in the Individual Customer Data, data theft or other

unauthorized release of Individual Customer Data, disclosure of Individual Customer Data, or misuse of Individual Customer Data to the extent such request, complaint or other communication relates to Data Administrators' processing of such individual's Individual Customer Data.

#### 8. Use of Individual Customer Data

The Data Administrators will only use Individual Customer Data for the primary purposes, as defined in RSA 363:37, which may include 1) providing or billing for electric service, 2) meeting electric system, electric grid, or other operational needs, and 3) researching, developing and implementing new rate structures or demand response, customer assistance, energy management or energy efficiency programs.

## **II. Conclusion**

The Data Protection Plan meets all of the requirements of RSA 363:38, RSA 363:37 and PUC 2004.19.