

Exhibit I - Historical Overview

1. Creation of Community Power Committee

The Marlborough Board of Selectmen voted to form an Electric Aggregation (Community Power) Committee on May 6th, 2021:

Marlborough Selectmen's Meeting Minutes

May 6th, 2021

Excerpt from Approved Minutes:

Selectman Pitt moved and Selectman Nelson seconded a motion to establish the Electric Aggregation Committee in accordance with NH RSA 53-E:6 and further to appoint Marge Shepardson, Jerry Burns, Jeannie Butler, Ted Mead and Chana Robbins members, roll call vote Chairman Paigt – yes and Selectman Pitt – yes and Selectman Nelson – yes, motion passed.

2. Creation of a Draft Plan with public input

The Committee was commissioned by the Selectboard May 6th, 2021, and their first meeting was July 6th. The Committee collected information on Community Power and met with representatives of the two main energy aggregation agencies: the Community Power Coalition of New Hampshire, which was formed October 1st, 2021 by a group of cities and towns for the purposes of securing shared Community Power services; and the consulting team of Standard Power and Good Energy. Standard Power is the Town's municipal energy broker and provider of renewable energy net metering benefits since 2013. Good Energy provides Community Power (also called municipal aggregation) services in New England since 2015 and nationally for over a decade. Standard Power and Good Energy are the Community Power consulting team for neighboring Keene and Swanzey.

The Committee recommended that the Selectboard engage Standard Power and Good Energy as Consultant. The town signed a non-binding Memorandum of Understanding at no cost to the town to allow the Committee to work with the Consultant in developing the draft Community Power Plan.

The Committee released a Community Power survey to get input on the community goals for the Plan. The Marlborough Community Power survey was available online beginning October 29th, 2021 and published in the Monadnock Shopper News on November 3rd. A total of 65 responses were received before the deadline, 10 returned from the print survey and the rest were completed online. Full survey results are available in Exhibit III.³

The Community Power Committee held a public information session on November 22nd at 7pm at Marlborough Elementary School to answer questions and receive public input.

³ Additional survey responses were returned to the Town Hall after the deadline and up until January 2nd, 2022. These were reviewed and found to be consistent with earlier results. Total participation including late responses was 73 responses, 18 paper responses and 55 online.

Outreach for the survey and informational meeting included the creation of a facebook page and event, public notifications and notices in local newspapers and calendars, posting and email distribution of a flier, as well as the print survey and associated article in the Monadnock Shopper News. Committee chair Marge Shepardson was interviewed about the program on local radio station WKBK's morning program. Committee members handed out dozens of flyers and answered questions at the Recycling Center (RTC) on Friday November 12th, and Saturday November 13th.

The Consultant provided a first draft of a Community Power Plan to the Committee for review at the November 16th Committee meeting. Survey results, input from the public information session, and input from the Committee were added to the draft, and a new draft was approved as amended for public review at the Committee meeting December 7th.

Draft Plan: Public Hearings & Comments

The Draft Plan was posted on the Community Power page of the Town website on December 29th for public review and comment. Two public hearings were held January 10th, 2022, at noon at Town Hall and online by zoom, and at 7pm in person at Marlborough school. A detailed press release was issued, and picked up in an article with photo by the Keene Sentinel December 29th. The Town Community Power Committee web page was updated with a voter information sheet, an informational poster for the hearings, and hearing notices were shared in local newsletters, to email contacts, and on social media including the Marlborough Alumni Association. Hearing notices were posted and distributed around town and at the Town Hall, Post Office and School. Calendar notices were submitted to local print and online calendars.

3. Approval of Plan by Community Power Committee

Following the public hearings, the Committee prepared a final draft Plan to approve. The Committee updated its mission statement and revised the product section of the Plan to more clearly state how products will be chosen to meet community goals of cost savings and increasing renewable energy toward 100%, as indicated strongly in the community survey and subsequent public input. The Committee voted to approve the Plan on February 22nd, and submitted it to the Board of Selectmen on February 23rd, 2022.

4. Adoption of Plan by Selectboard and Town Meeting

The Marlborough Board of Selectmen voted to approve the Community Power Plan on March 2nd, 2022. Committee members attended the Annual Town meeting March 8, 2022 at 7pm to present Community Power and answer questions as needed. Majority vote in the affirmative was received for Article 16: Community Power, and the Plan was adopted:

Article 16: Community Power To see if the Town will vote to adopt the Marlborough Community Power Plan, which authorizes the Board of Selectmen to develop and implement Marlborough Community Power as described therein. Recommended by the Board of Selectmen (Majority vote required, passed.)

5. Submission of Final Plan to Public Utilities Commission

The Plan was amended to comply with final Community Power rules, including adding a fourth exhibit governing customer data protection. The amendments were reviewed by the Board of Selectmen and approved on November 2, 2022, and the Plan was submitted to the PUC and all required parties on November 2, 2022.

Exhibit II - Education & Outreach Plan

This Exhibit refers to outreach following the selection of a competitive supplier and prior to Program implementation.

1. Initial Outreach and Education

The initial outreach and education will provide a description of the Program for retail electric customers and will be conducted via traditional print and TV channels, social media, the dedicated Community Power Program page on the Town's website, public presentations and personal communications to inform retail electric customers about the Program and will include a toll-free number. This effort will provide specific information about the Program and increase public awareness of the goals of the Program and the upcoming opt-out notification process.

1.1 Media Outreach

Prior to the launch of the Program, the Consultant, under the oversight of the Selectboard, will initiate media outreach that may include the use of local cable television shows, newspapers and social media to provide greater public education and to describe the Program, the opt-out process, the informational Program page, and the toll-free telephone number. Outreach may also include public service announcements (PSAs), scheduling interviews of Program spokespersons with local media outlets and securing a positive media presence.

A news release may be distributed to help achieve the aforementioned goals. Follow-up news releases may be used to update the media on the status of the progress of the Program.

1.2 Notices and Public Postings

Brochures/flyers will be distributed in Town offices describing the Program, the opt-out process and the toll-free telephone number in order to further reinforce the Program's details. Brochures/flyers may be placed in key gathering areas or buildings (e.g. library, post office, etc.) which will create the necessary repetition of messages required to motivate customer action and build awareness and understanding.

1.3 Customer Service

The Competitive Supplier will maintain a toll-free telephone number to address retail electric customers' questions regarding the Program, deregulation, the opt-out process, price information and other issues that may arise.

1.4 Community Power Program page on the Town's website

A dedicated Community Power Program page on the Town's website will be maintained to provide and coordinate customer communications and services. All information regarding the Program will be posted on the Program page including the toll-free number,

forms for enrollment, changing products and opting-out, and links to the websites of Eversource, the electric distribution utility, the New Hampshire Public Utilities Commission (NHPUC), the Competitive Supplier, and the Consultant for related information and services.

1.5 Public Presentations

Presentations will be provided as needed to municipal officials and to interested community groups.

1.6 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 to reach communities with limited English proficiency. 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 4.D below.

2. Customer Notification Letter

The Customer Notification Letters will be sent via standard mail to the billing address of each retail electric customer per Section IV.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.

2.1 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.

2.2 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.

3. Opt-Out Period Education & Outreach

After the Customer Notification Letters have been sent, the Consultant and Energy Committee, under the oversight of the Selectboard, will continue its education and outreach to afford residents and businesses the opportunity to learn more and find answers to key questions relating to their decision to opt out or enroll in one of the optional products of the Program. This process will include, at a minimum, a public information meeting within 15 days of the mailing of the Customer Notification Letter. It will also include a similar range of outreach activities as enumerated in section 1.1 to 1.6.

4. Timeline and Preliminary Marketing Plan for Launch

The timeline and preliminary marketing plan identifies the steps the Town may take to inform the community about the Program, as described in Sections 1 through 3 of Exhibit II. The schedule is designed to work towards the estimated date when the Customer Notification Letter is scheduled to arrive in customer mailboxes. The dates may be adjusted to ensure compliance with the minimum written notification timelines for the date of commencement of service to the Public Utilities Commission, the Office of Consumer Advocate, and the Department of Energy per Puc 2204.04.

The costs of the Education and Outreach Plan will be handled by the Community Power Consultant, and implementation will be shared by the Consultant and the Energy Committee, under the direction of the Town.

Proposed Timeline:		
Action	Days before*	Days after*
A. Update Program page and shopping comparison websites	15	Ongoing
B. Work with local media resources	15	30
C. Active social media outreach	15	30
D. Presentations	15	30
E. Distribute marketing materials	15	30
F. Customer help line	15	Ongoing
G. Mail postcard to Eligible Customers	5	-
H. Customer Notification Letter arrives	0	0
*From estimated date Customer Notification Letter arrives in customer mailboxes		

A. Program page and shopping comparison website update:

Timeframe: A dedicated Community Power Program page on the Town's website will be maintained by the Program to provide all customer communications and services starting on or before 15 days before the estimated date that the Customer Notification Letter arrives in customer mailboxes.

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.

B. Work with local media resources:

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

Area Newspapers: The Energy Committee will work with the Consultant and area print and online newspapers to disseminate accurate and timely information about the Program. As part of this targeted outreach to these papers, a meeting may be initiated 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.

- These papers include: The Keene Sentinel, the Monadnock Shopper News, and the New Hampshire Union Leader.

Television and Radio: The Energy Committee, with the assistance of the Consultant, may record interviews about the Program and PSAs for upcoming meetings and local broadcast, as available. Develop press releases to send to TV stations, possibly including WMUR, and radio stations, including WKBK and NHPR.

Interviews: Develop Q&A Scripts and prepare the Energy Committee for interviews.

C. Active Social Media Outreach

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

Boost traditional media coverage on social media platforms, with the goal of driving traffic to the dedicated Program page of the Town's website.

In concert with the Town, the Consultant will develop a campaign of planned 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 the Energy Committee.

- These accounts may include: Marlborough Community Power Facebook page and the Marlborough Bulletin (marlboroughnhbulletin@gmail.com).

Monitor various channels such as Facebook 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.

Identify key social media influencers in the Town, including lawmakers, advocates and reporters. Develop a spreadsheet of the email addresses and reach out to them to keep them informed about the Program.

D. Public Presentation

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

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.

- Example groups include: neighborhood associations, social service agencies, Business Focus Groups, and the Lions Club.

Reaching the business community is also 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.

E. Distribute marketing materials

Timeframe: 15 days before to 30 days after the estimated date that the customer Notification Letter arrives.

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 materials to key locations such as Municipal Offices and Public Library.

F. Customer Help Line

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

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

G. Mail Postcard to Eligible Customers

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

Post Card: Send out prior to the Customer Notification Letter. Establishes that there is a community-sponsored Program and increases the likelihood that recipient engages with the more detailed Customer Notification Letter.

H. Customer Notification Letters arrive

Sent to all retail electricity customers. See Section 2 for details.

5. Ongoing Outreach and Education

The Energy Committee 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 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, the Town, working through the Consultant, will manage outreach to solicit input and feedback from the community.
- **Program changes and evolution:** Any changes in offerings and prices will be posted on the Community Power Program page on the Town's website.

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.

Exhibit III. Marlborough Community Power Survey

The Marlborough Community Power Survey was made available on the Community Power page of the Town's website beginning October 28th, 2021, and was published in the Monadnock Shopper News on December 3rd. 66 responses were received before the published deadline, November 17th. 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.

Marlborough Community Power Survey

This survey was created by the Marlborough Community Power Committee 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. For more information, please visit the Community Power Committee page on the Town's website: MarlboroughNH.org/community-power-committee. You may complete the survey online at surveymonkey.com/r/MarlboroughCP

***1. Is your HOME or BUSINESS located in Marlborough? 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

Town of Marlborough - Community Power
P.O. Box 487
Marlborough, NH 03455

***6. What do you want the Community Power program to bring to Marlborough? 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. Keene and Peterborough have both passed resolutions to achieve 100% renewable electricity by 2030. Do you support this resolution for Marlborough?**

☐ Yes ☐ No ☐ I don't know

***9. How do you prefer to receive updates about the program? Check all that apply.**

☐ Mail
☐ Email: _____
☐ Town website / Facebook
☐ Keene Sentinel, Monadnock Shopper News
☐ 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.

***10. 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.

11. Do you ☐ Own? ☐ Rent?

12. Which best matches your age?

☐ Under 18
☐ 18-40
☐ 41-65
☐ 66+

13. Which best matches your household income level?

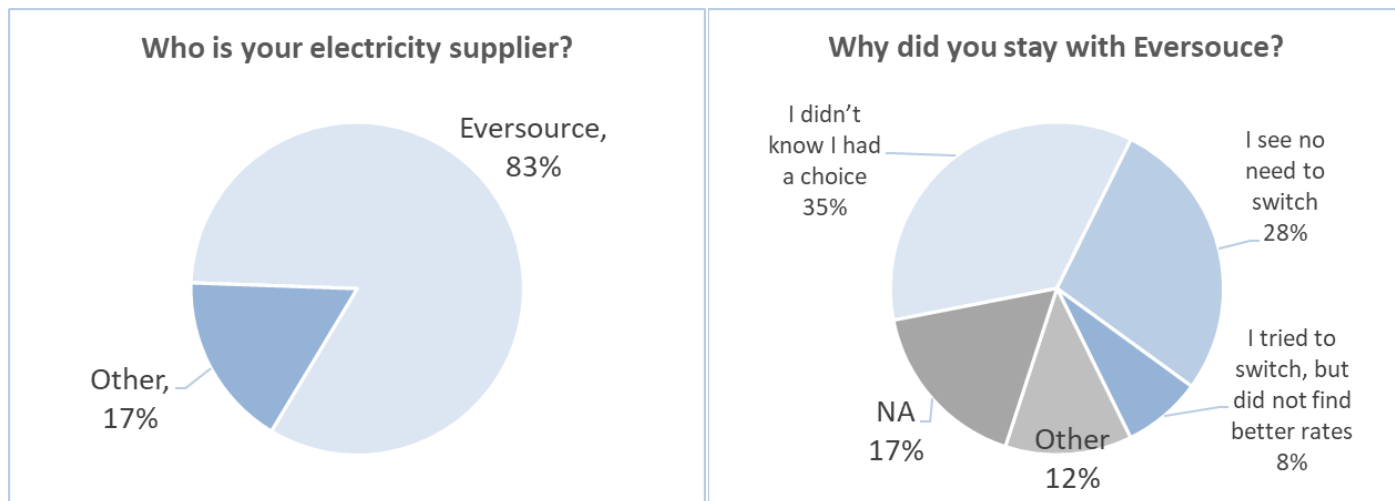
☐ Under \$50,000
☐ \$50,000 to \$99,000
☐ 100,000+

GoodEnergy

Learn about Community Power programs at cp.standardpower.com

STANDARD POWER

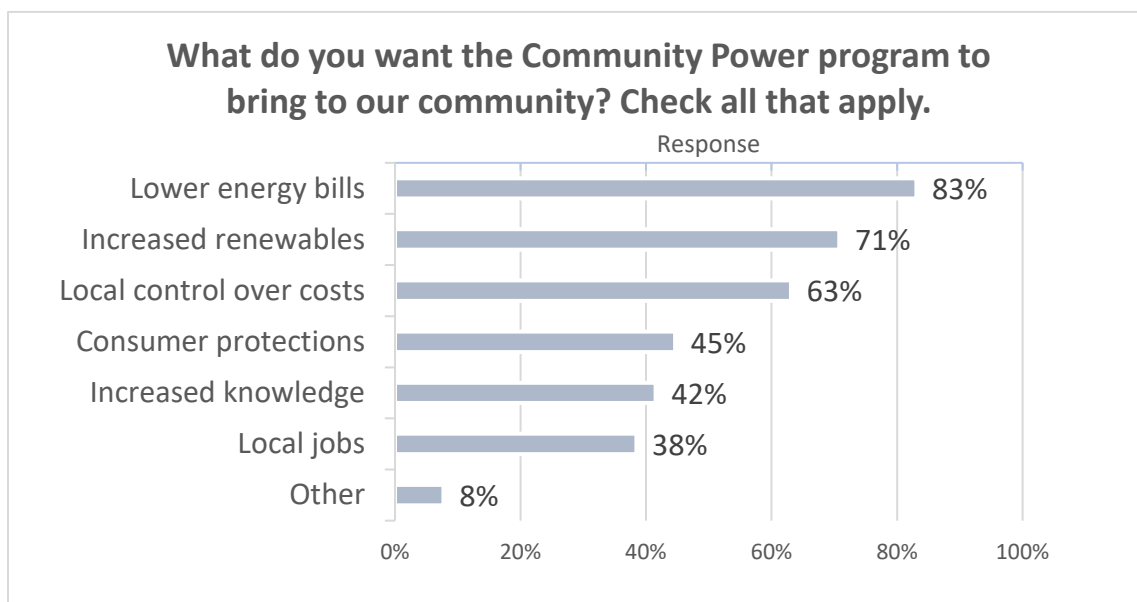
Questions 1 to 5 of the survey asked about the electricity supply of Marlborough residents and businesses. Of the responses, 63 were residential customers and 2 were businesses. The majority of respondents were served by Eversource default electricity supply, 83%, with 17% on competitive electric supply. One third of respondents said they didn't know they had a choice of supplier, and 28% saw no reason to look for an alternative. Of the 11 respondents that chose a competitive supplier, six did so for a better rate, and five wanted more renewable energy than the utility default. Seven respondents, or 11%, produce at least a portion of their own electricity using onsite solar panels.



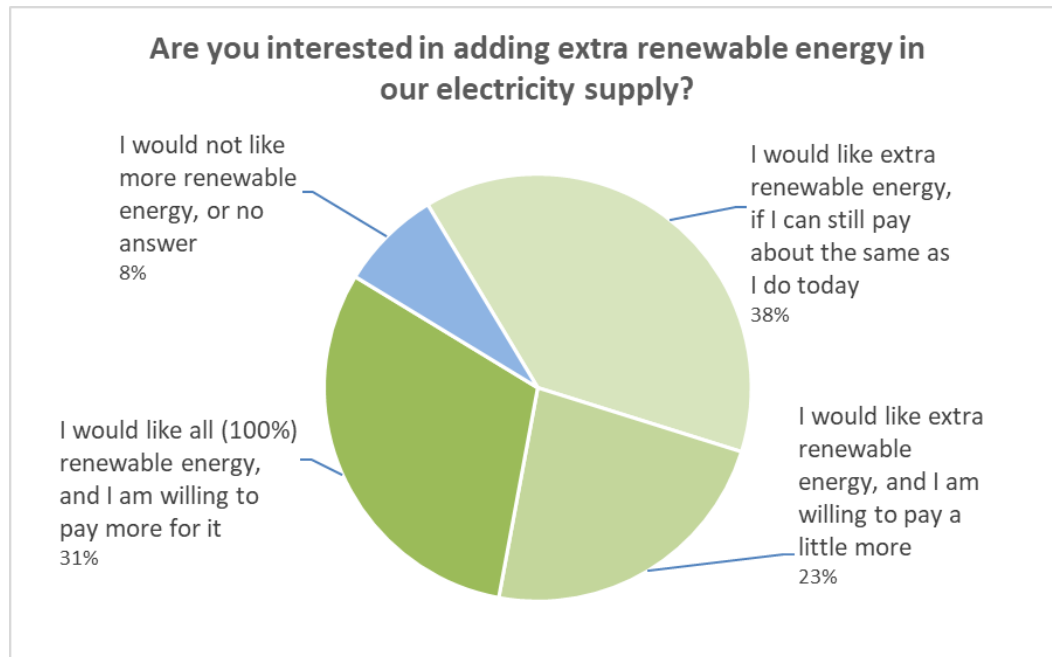
Why did you stay with Eversource? (Other):

- I previously had another company and Eversource was better
- I was turned off by some of the sales pitches from other sources
- (I've) been waiting for community aggregation
- I haven't looked at options recently
- Dependability
- Cost

Questions 6 asked about current community knowledge and support for the benefits and goals of Community Power. Support was expressed for each goal, with the strongest support for lower energy bills, increased renewable energy and local control. Marlborough Community Power will increase community knowledge of how a Community Power Program supports each of these benefits.



Question 7 asked about community support for renewable energy in electricity supply above the state minimum, or Renewable Portfolio Standard (RPS), which is currently 21.6% of all electricity consumed in New Hampshire and scheduled to level off at 25% in 2025. The response was very strongly in support for renewable energy. Adding the green slices of the following pie chart together, 92% of respondents supported extra renewables in their energy supply, and 54% said they were willing to pay more for it. 8% responded they did not want more renewable energy. One person did not answer the question.



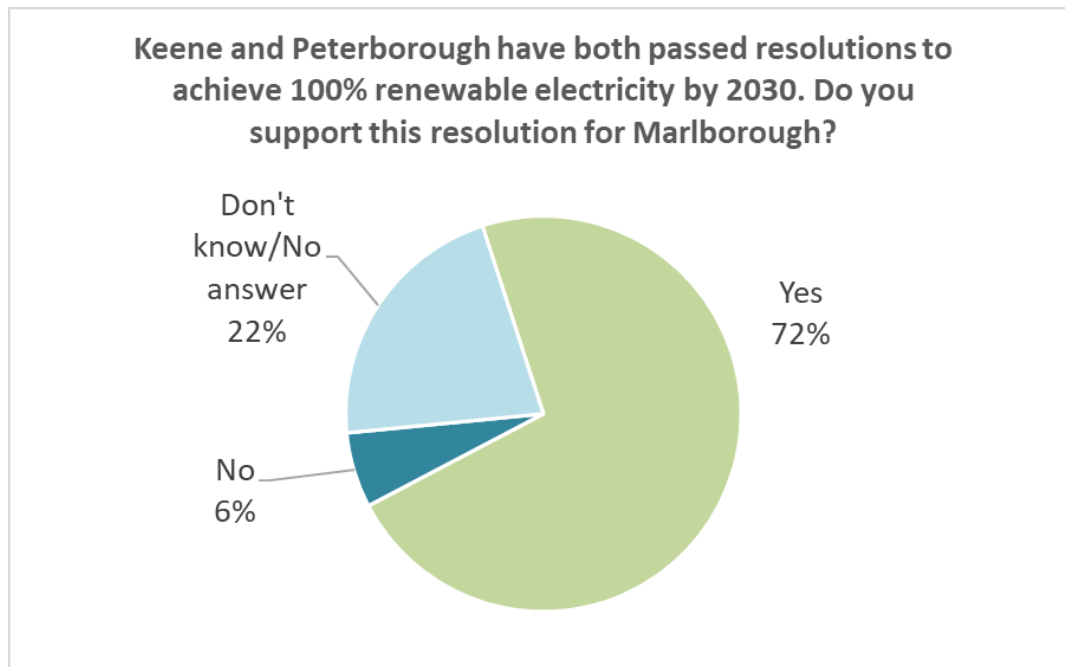
The results of Question 7 support the creation of a Community Power program with a default option that has extra renewable energy and is also competitive with the utility default for cost. The default is the option most customers choose and/or are automatically enrolled into by not choosing another option.

The responses to Questions 6 and 7 also strongly support 2-3 optional products, a lowest cost option and additional renewable options including 100%. The lowest cost option meets the needs of community members who need maximum cost savings and/or feel that the current RPS is sufficient renewable energy. An option with 100% renewable energy supports the choice of almost one third of survey respondents. While community survey results do not guarantee program results, these are attractive choices for Marlborough community members.

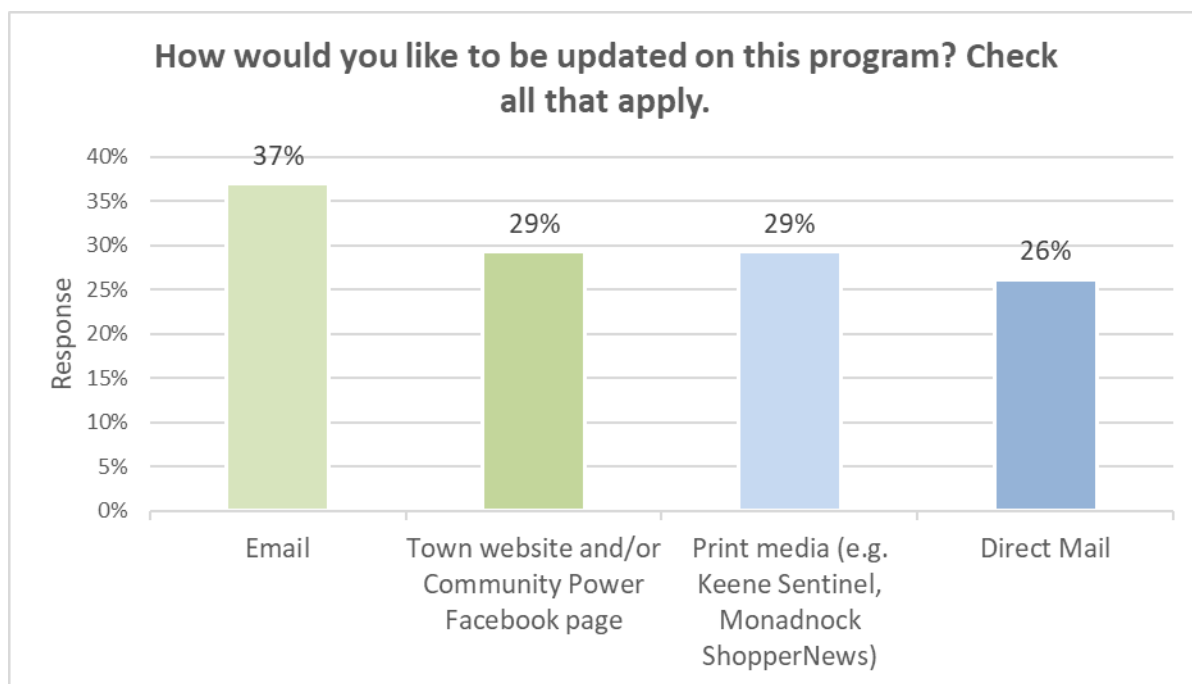
Renewable product choices have an additional benefit, contributing significantly to the Town's goal of sustainability. The more renewable products chosen by individual customers, including the renewable default, the higher the Program's overall impact on sustainability. The increase is significant even for the default, and grows dramatically with the uptake of opt up renewable products by individual customers.¹

¹ The sustainability benefits accrue quickly. 5-10% extra renewables in the default increase the 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% customers, whose impact is 10-20 times that of the default customer. Stated another way, one person opting up to 100% offsets the choice of 10-20 people who opt for the least-cost option with no additional renewables.

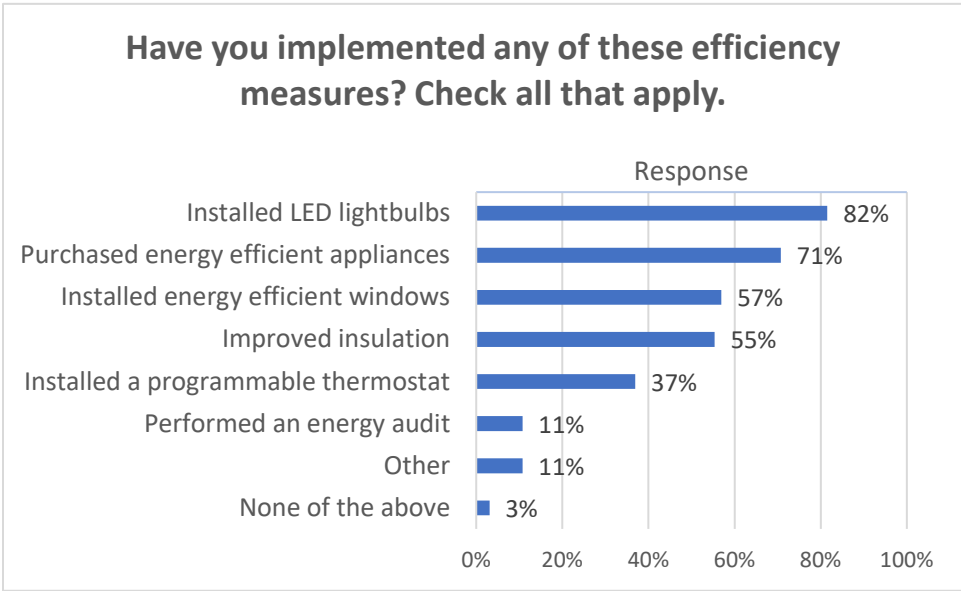
Question 8 was included at the request of the Marlborough Community Power Committee to gauge preliminary support for a Town-wide goal for 100% renewable energy. This type of resolution is decided independently of a Community Power program, but the survey response indicates strong support for exploring it in Marlborough, 72% yes, 6% responding no, and 22% undecided or no response.



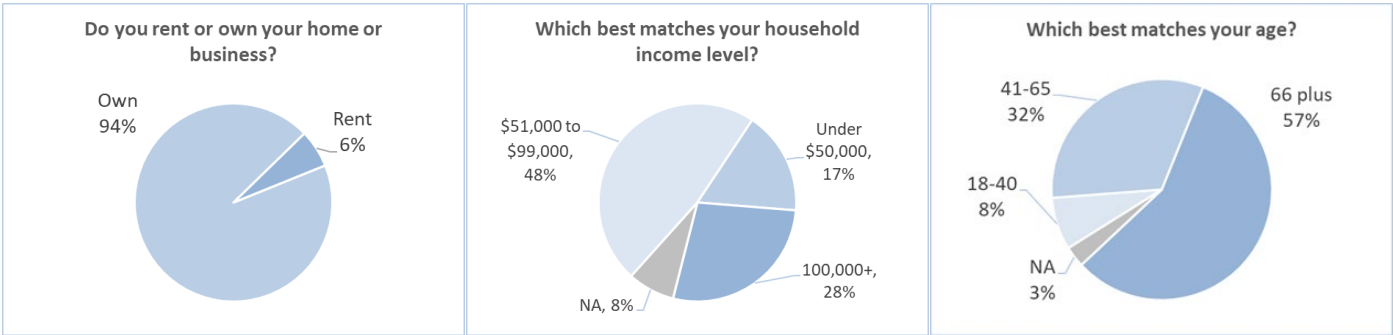
Question 9 asked about communications and program updates. The dedicated Community Power page on the Town’s website is the principal means of providing Program details and updates. It will be supplemented with printed and posted notices, flyers, informational meetings and presentations, social media campaigns, emails to community members requesting email contact and direct mail to all eligible customers.



Questions 10 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 and Marlborough’s goals for lowering costs and for sustainability.² While only 11% of respondents have done an energy audit on their home or business, a large majority have implemented efficiency measures, especially replacing their lights with LED lighting, 82% and purchasing efficient energy appliances, 71%.



Questions 11 to 13 asked three demographic questions to ensure that the Committee was reaching a wide variety of Marlborough community members. Multiple responses from each category, rent/own, age and household income were received.



Marlborough Community Power can provide attractive options for Marlborough community members of diverse backgrounds and opinions, including 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 supply, and those who want to work toward a goal of 100% renewable for the Marlborough community.

² In New England, the marginal source of electricity is natural gas, no matter when the energy is consumed. Energy efficiency is most impactful at peak times, when coal or oil-fired peaker plants are put into service, but virtually all efficiency measures reduce fossil fuel use and emissions.

Exhibit IV - Data Protection Plan

I. Introduction

The Town of Marlborough (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.