



780 N. Commercial Street
P.O. Box 330
Manchester, NH 03105-0330

Jessica Chiavara
Senior Counsel

Phone: 603-634-2972
jessica.chiavara@eversource.com

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Via electronic mail only

Daniel Goldner, Chair
New Hampshire Public Utilities Commission
21 South Fruit Street, Suite 10
Concord, NH 03301-2429

RE: Docket No. DE 22-074 - Request for Approval of Marlborough Community Power Electric Aggregation Plan - Town of Marlborough
Comments of Public Service Company of New Hampshire d/b/a Eversource Energy

Chair Goldner:

Public Service Company of New Hampshire d/b/a Eversource Energy (“Eversource” or the “Company”) provides the following comments on the Community Power Aggregation Plan filed by the Town of Marlborough in this docket on October 21, 2022 (“Marlborough Plan”), consistent with the requirement of RSA 53-E:7, II requiring utility comments on such a plan be filed within 21 days of submission of that plan.

Eversource has reviewed the Marlborough Plan and found it to be consistent with the Puc Chapter 2200 rules. However, the Marlborough Plan contains an illustrative schedule of the Marlborough CPA’s deployment, and in that schedule on day 48 states “Competitive Supplier, at its expense, mails Customer Notification Letters to all retail electric customers, identifying the return date by which the reply card envelopes for Eligible Customers must be mailed and postmarked.” (Marlborough Plan at page 22). Eversource assumes that this refers to the opt-out notification letters required by RSA 53-E:7, III, which states that “*the municipality or county shall mail* written notification to each retail electric customer within the municipality or county service area” and that “*the electric distribution utility or utilities serving an adopting municipality or county shall provide to such municipality or county* a current list of the names and mailing addresses of all electric customers taking distribution service within the municipality or county service area” (emphasis added).

RSA 53-E:7, III places the responsibility of the notification letters with the municipality or county, and does not mention the ability to delegate that responsibility to a competitive supplier. Eversource would simply note that receiving the notification letter from a competitive supplier, rather than from the municipality or county under which the CPA was formed, could possibly create some confusion for customers who may think they are receiving some sort of marketing or advertisement from the supplier, rather than a notification from their CPA, and therefore may fail to put customers on proper notice. As RSA 53-E:7, III is silent as to who pays for the notification letters, the Company sees no issue with the Competitive Supplier paying for the costs of providing the notifications. The Company only just noticed this provision in the

Marlborough Plan, but after review, the same provision is also present in the Wilton, Swanzey, and Keene Plans.

The Company continues to work diligently to make the requisite modifications to its enterprise IT and billing systems to comply with all data request provisions in the Puc 2200 rules with which the Company is able to comply by the time such data requests are made by the aggregations. Due to the age and capabilities of these systems, the Company notes that it filed a petition for a waiver of Puc 2203.02(b)(5) with the Commission, as a portion of the data required is not captured by Eversource's systems and no modification can be made to comply with this provision of the rules. Consistent with current Commission policy these comments are being filed electronically only; paper copies will not follow. If you have any questions, please contact me. Thank you for your assistance with this matter.

Regards,



Jessica A. Chiavara

Senior Counsel, Eversource Energy

cc: 22-074 Service List