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STATE OF NEW HAMPSHIRE

PUBLIC UTILITIES COMMISSION

February 2, 2023 - 9:01 a.m.
21 South Fruit Street
Suite 10
Concord, NH

RE: **IR 22-076**

ELECTRIC DISTRIBUTION UTILITIES:
Investigation of Whether Current
Tariffs and Programs are Sufficient
to Support Demand Response and
Electric Vehicle Charging Programs.
(Prehearing conference)

PRESENT: Chairman Daniel C. Goldner, *Presiding*
Commissioner Pradip K. Chattopadhyay
Commissioner Carleton B. Simpson

F. Anne Ross, Esq./*PUC Legal Advisor*

Tracey Russo, *Clerk*

APPEARANCES: **Reptg. Public Service Company of New**
Hampshire d/b/a Eversource Energy:
Jessica A. Chiavara, Esq.

Reptg. Unitil Energy Systems, Inc.:
Patrick H. Taylor, Esq.
Matthew C. Campbell, Esq.

Reptg. Liberty Utilities (Granite State
Electric) Corp. d/b/a Liberty Utilities:
Heather M. Tebbetts

Court Reporter: Steven E. Patnaude, LCR No. 52

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APPEARANCES: *(C o n t i n u e d)*

Reptg. ChargePoint:
Matthew Deal

Reptg. Clean Energy New Hampshire:
Chris Skoglund

**Reptg. Community Power Coalition of
New Hampshire:**
Clifton C. Below

Reptg. Conservation Law Foundation:
Nicholas A. Krakoff, Esq.

Reptg. ReVision Energy:
James Penfold

Reptg. Town of Peterborough:
Bruce Tucker

Reptg. Weave Grid:
Steven Bright

Reptg. Dept. of Environmental Services:
Philip W. LaMoreaux
Rebecca Ohler

Reptg. Residential Ratepayers:
Donald M. Kreis, Esq., Consumer Adv.
Michael Crouse, Esq.
Office of Consumer Advocate

Reptg. New Hampshire Dept. of Energy:
Paul B. Dexter, Esq.
Mary E. Schwarzer, Esq.
Elizabeth Nixon, Dir./Electric Group
Heidi Lemay, Electric Group
(Regulatory Support Division)

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P R O C E E D I N G

CHAIRMAN GOLDNER: Okay. Good morning, everyone. I'm Commissioner Goldner. I'm joined today by Commissioners Chattopadhyay and Simpson.

We're here this morning for a prehearing conference noticed by Order of Notice issued on November 15th, 2022, in Docket IR 22-076. The authority to convene an investigation is authorized by RSA 374:2, 3, and 7 [378:7].

On November 15th, 2021, the Infrastructure Investment and Jobs Act of 2021 amended Section 111(d) of the Public Utility Regulatory Policies Act of 1978, 16 U.S.C. 2621(d). The amendments directed all state electric ratemaking regulators, including this Commission, to consider establishing rate mechanisms and standards related to promoting electric utility demand response practices and electric vehicle charging programs.

So, let's take appearances, beginning with the utilities, and Liberty?

MS. TEBBETTS: Heather Tebbetts, for Liberty Utilities.

1 CHAIRMAN GOLDNER: Thank you. And
2 Unitil?

3 MR. TAYLOR: Good morning,
4 Commissioners. Patrick Taylor, on behalf of
5 Unitil Energy Systems, Inc. Also with me today
6 is Matthew Campbell, our Senior Counsel.

7 And I also have with me today Cindy
8 Carroll, who is our Vice President of Customer
9 Energy Solutions; Kevin Sprague, who is our Vice
10 President of Engineering; Karen Asbury, who is
11 our Director of Regulatory Services; and Tom
12 Palma, who's our Manager of Distributed Energy
13 Resources Planning and Design.

14 Thanks.

15 CHAIRMAN GOLDNER: Thank you.
16 Eversource Energy?

17 MS. CHIAVARA: Good morning,
18 Commissioners. Jessica Chiavara, here on behalf
19 of Public Service Company of New Hampshire, doing
20 business as Eversource Energy.

21 With me today are a bunch of folks. We
22 have got Marc Leménager, from Energy Efficiency;
23 Kevin Boughan, who you just saw on Tuesday,
24 representing EV Policy/Strategy; and Amy Findlay,

1 who is also in our EV group; Helen Gagnon, from
2 IT; Cathy Provencher, who supports us on the EDI
3 issues; and Scott Anderson, who is New Hampshire
4 Director of Rates.

5 CHAIRMAN GOLDNER: Thank you very much.
6 And our statutory party, the New Hampshire
7 Department of Energy?

8 MR. DEXTER: Good morning,
9 Commissioners. Paul Dexter and Mary Schwarzer,
10 on behalf of the Department of Energy. Joined
11 today by two members of the Regulatory group, Liz
12 Nixon and Heidi Lemay.

13 CHAIRMAN GOLDNER: Very good. And
14 then, we'll move through appearances of the rest
15 of the participants in alphabetical order,
16 beginning with Best Ford?

17 *[No indication given.]*

18 CHAIRMAN GOLDNER: Okay. ChargePoint?

19 MR. DEAL: Matthew Deal, on behalf of
20 ChargePoint.

21 CHAIRMAN GOLDNER: Thank you. Just a
22 moment. Clean Energy New Hampshire?

23 MR. SKOGLUND: Chris Skoglund, on
24 behalf of Clean Energy New Hampshire.

1 CHAIRMAN GOLDNER: All right. The
2 Community Power Coalition?

3 MR. BELOW: Clifton Below, on behalf of
4 the Community Power Coalition. Good morning,
5 Commissioners.

6 CHAIRMAN GOLDNER: Good morning. The
7 Conservation Law Foundation?

8 MR. KRAKOFF: Good morning, Chairman
9 and Commissioners. Nick Krakoff, with the
10 Conservation Law Foundation.

11 CHAIRMAN GOLDNER: All right. Just a
12 moment. Ferma -- sorry -- Fermata Energy?

13 *[No indication given.]*

14 CHAIRMAN GOLDNER: The New Hampshire
15 Department of Environmental Services?

16 MR. LaMOREAUX: Good morning,
17 Commissioners. Phil LaMoreaux, from Department
18 of Environmental Services. And with me today is
19 Becky Ohler.

20 CHAIRMAN GOLDNER: Okay. Thank you.
21 The New England Convenience Store and Energy
22 Marketers Association?

23 *[No indication given.]*

24 CHAIRMAN GOLDNER: And the Office of

1 Consumer Advocate?

2 MR. KREIS: Good morning, Mr. Chairman,
3 Commissioners. I'm Donald Kreis, the Consumer
4 Advocate. We represent the interests of
5 residential utility customers. With me today is
6 our brand-new Staff Attorney, Michael Crouse, a
7 graduate of the very finest law school in the
8 entire State of Vermont, Vermont Law & Graduate
9 School.

10 CHAIRMAN GOLDNER: Very good. ReVision
11 Energy?

12 MR. PENFOLD: Good morning,
13 Commissioners. James Penfold, on behalf of
14 ReVision Energy.

15 CHAIRMAN GOLDNER: Thank you. Ski New
16 Hampshire?

17 *[No indication given.]*

18 CHAIRMAN GOLDNER: The Town of Derry?

19 *[No indication given.]*

20 CHAIRMAN GOLDNER: The Town of
21 Peterborough?

22 MR. TUCKER: Bruce Tucker, Town of
23 Peterborough Energy Committee.

24 CHAIRMAN GOLDNER: Thank you. Vehicle

1 Grid Integration Council?

2 *[No indication given.]*

3 CHAIRMAN GOLDNER: And, finally,
4 Weaver Brid *[sic]*, Incorporated?

5 MR. BRIGHT: Good morning,
6 Commissioners. Steve Bright, on behalf of Weave
7 Grid, Inc.

8 CHAIRMAN GOLDNER: All right. "Weave
9 Grid". My apologies, we have a typo.

10 Okay. Very good. Did I miss anyone?

11 *[No indication given.]*

12 CHAIRMAN GOLDNER: Okay. Seeing none.

13 Because this docket is currently an
14 investigation, we do not require interventions.
15 In the event the nature of the proceeding changes
16 in the future, we'll consider interventions in
17 due course.

18 It bears mentioning that the Commission
19 intends to conclude this investigation with a
20 report of the various issues explored during this
21 investigation. The report will be issued by the
22 Commission, and will not constitute an order.

23 So, first matter, we invite each of the
24 participants to comment on the Joint Utilities'

1 filing, requesting that demand response, EV
2 charging, and EDI be split into three separate
3 dockets. So, we'll invite comments at this time.

4 I can go through the list
5 alphabetically perhaps, if that would be helpful.
6 Would the utilities like to comment or just hear
7 from the participants, the other participants?

8 MR. TAYLOR: I'm happy to, you know,
9 having -- being the one who filed the motion, I'm
10 happy to maybe give it a little bit of context
11 before we go forward, if that's all right?

12 I was going to work that into my
13 prehearing statement. But I can just address it
14 now.

15 CHAIRMAN GOLDNER: Sure. Thank you.

16 MR. TAYLOR: And what I wanted to note
17 to the Commission is that, you know, I want to
18 emphasize that Unitil and its fellow electric
19 distribution companies don't contest the
20 Commission's ability to investigate issues
21 related to demand response practices, electronic
22 data interchange standards, or EV programs. You
23 know, these are timely subjects for the
24 Commission's consideration. And we believe that

1 we can provide valuable input and insights for
2 the benefit of the Commission and other
3 participating entities.

4 Our intent in submitting the Motion is
5 to try to make these investigations as focused
6 and efficient as possible for the Commission and
7 the participants. A Commission investigation
8 into any one of these subjects will be, even in
9 isolation, a complex, technical, and potentially
10 lengthy undertaking. I think that's evident
11 simply from reviewing the list of potential
12 topics that are set forth in the Order of Notice,
13 which I took to be non-exclusive in nature.

14 Each subject will require a specific
15 expertise, and will likely require, in whole or
16 in part, different contributing personnel from
17 each company and participating entity. We think
18 the resources of the Commission, the EDCs, and
19 the other interested participants, can more
20 effectively and efficiently be used if the
21 investigations are separated and, ideally,
22 conducted on timetables that will allow for
23 meaningful contribution and discussion.

24 It will also be very helpful for the

1 Commission to clarify its objectives and any
2 intended outcomes of these investigations. And I
3 understand that you've just done that, to some
4 degree, discussing the report.

5 You know, at this point, candidly, it's
6 difficult to even work out a procedural schedule,
7 because it's not clear exactly what we're working
8 towards, how the Commission wants to receive
9 input, and what the nature of that input would
10 be.

11 And, so, you know, again, I believe,
12 and I think the other EDCs are in agreement on
13 this, you know, we're willing to provide
14 information that will be helpful to the
15 Commission. And we hope to work with the
16 Commission today, and throughout this proceeding,
17 to determine a reasonable and efficient way to do
18 that.

19 Thanks.

20 CHAIRMAN GOLDNER: Okay. Thank you,
21 Attorney Taylor.

22 Let's go through the participants in
23 alphabetical order, just to see if anyone would
24 like to comment on this topic, beginning with

1 ChargePoint?

2 MR. DEAL: No comments, Commissioner.

3 CHAIRMAN GOLDNER: Thank you. Clean
4 Energy New Hampshire?

5 MR. SKOGLUND: Yes. Clean Energy New
6 Hampshire would actually push back on the utility
7 proposal to split the docket. One of the things
8 that we would make note is that these issues that
9 have been presented are complex, and there is a
10 considerable amount of substance that we will
11 need to work through, as Mr. Taylor alluded to.

12 However, it is our belief and
13 contention that the issues are related enough
14 that they should be looked at in a holistic
15 fashion, and therefore kept as part of the same
16 investigative proceeding.

17 One of the benefits of keeping them
18 together is that there are certain parties in
19 this room that have an interest in all of those,
20 but have limited staff in comparison to the
21 utilities. Clean Energy New Hampshire is one.
22 There are also numerous parties that are here,
23 I'm just going to tap on Peterborough for one
24 second, they are -- the Town is represented, they

1 don't have the same resources, but they may have
2 issues. We have other towns that aren't here, to
3 the Town of Derry, that has also expressed
4 issues. They do not have staffing to put into
5 multiple proceedings.

6 And this -- dividing this into multiple
7 investigative proceedings would also be layered
8 upon several other investigations that the Public
9 Utilities Commission is engaged in, as well as
10 adjudicative proceedings. All of which many of
11 the parties in this room are trying to cover.

12 So, I think spending more time to look
13 at this would be worthy of keeping it together.
14 And also -- I'll pause there.

15 Thank you.

16 CHAIRMAN GOLDNER: Okay. Thank you
17 very much. The Community Power Coalition?

18 MR. BELOW: Thank you, Mr. Chairman.
19 The Coalition, which is a governmental
20 instrumentality of 28 subdivisions of the State
21 of New Hampshire, our 27 municipal members
22 comprise over a fifth of the state's population.
23 And I'm speaking on behalf of these communities
24 that want to really enable customers, retail

1 customers, to participate in a competitive market
2 where they're able to respond to appropriate
3 price signals, as New Hampshire policy has been
4 for over a quarter of a decade to try to move us
5 towards.

6 We are strongly opposed to trying to
7 split this and silo this into three separate
8 proceedings. As Clean Energy New Hampshire
9 points out, it spreads our resources over
10 multiple proceedings. And I would suspect that a
11 fair number of parties would drop out of one or
12 the other of the three proceedings if we split it
13 up.

14 But, more importantly, the three issues
15 are inextricably linked. Electric vehicles are
16 probably the single biggest, even today, but
17 certainly over the next decade, the single
18 largest source of retail load that is flexible
19 and capable of responding to appropriate price
20 signals as regards to temporal value and costs of
21 energy.

22 And, although a lot of work has been
23 done on EVs, there's still issues regarding
24 enabling EVs to participate in demand response

1 that remain unresolved.

2 For instance, we have barely begun to
3 broach the issue of EVs and their capability to
4 export power to the grid. The tariffs that have
5 been developed don't, you know, don't even
6 recognize that.

7 The New Hampshire Electric Co-op is
8 embarking on a pilot, a transactive energy pilot,
9 that would enable EVs to charge to the grid.
10 And, apparently, several major manufacturers are
11 very interested in this; Ford, GM, Nissan, are
12 all planning to design vehicles that can serve as
13 distributed storage resources that can help
14 export to the grid. That is demand response.

15 The EDI -- well, and another point is
16 Unitil has set a good example in terms of
17 providing time-of-use rates for both EV charging
18 and whole house. The other utilities don't do
19 that. Liberty has time-of-use rates, but they're
20 not available for the whole house.

21 So, for instance, my household owns two
22 plug-in electric vehicles. We'd love to be on
23 the time-of-use rate, but we also have net
24 metering, and we have surplus solar production

1 that we use to charge our vehicles. In order to
2 use the time-of-use rate, we would no longer be
3 able to use our on-site renewable energy to
4 charge our vehicle, we would have to buy it from
5 the grid, and just export our power to the grid,
6 when, in fact, it can all be used behind the
7 meter.

8 But, with regard to EDI, it is tied to
9 the same issues of "how do you enable demand
10 response?" A quarter of a century ago, the
11 Working Group on EDI contemplated an EDI
12 structure, and it's on the PUC website, that
13 would enable three-part time-of-use rates,
14 off-peak, on-peak, and a shoulder in between.
15 That's never been enabled, even though it was
16 part of the vision a quarter of a century ago.

17 And, unfortunately, as we're trying to
18 prepare to launch community power aggregation
19 programs, we are learning that the utilities do
20 not allow competitive suppliers or community
21 power aggregations to offer power supply rates
22 based on their existing time-of-use rate
23 structures. And their tariffs, either explicitly
24 or implicitly, indicate that, if you're using our

1 time-of-use rate time periods, you should be able
2 to use our consolidated billing to offer
3 time-of-use rates to customers. They're all
4 saying, well, I'm not sure about Liberty yet, but
5 they're saying that they can't actually do that.
6 That, if we want to enroll customers, and
7 Eversource has just said they're not going to
8 tell us whether the customer is on time-of-use
9 before we enroll them, they're just going to get
10 a flat rate, and we would take away what time of
11 use they have.

12 And that all seems to have something to
13 do with the inadequacy of the EDI to provide
14 temporal price -- load data. And I would point
15 out that other competitive markets, PJM, ERCOT,
16 California ISO, MISO, all enable interval data
17 through EDI using the 867 format, and it's
18 relatively easy to do. That's not possible --
19 that's not enabled in New England. So, it is an
20 obstacle to demand response, it's an obstacle to
21 time-of-use rates, and it's an obstacle for
22 competitors and community power aggregations to
23 serve in a innovative and a cost-effective way
24 customers with appropriate price signals.

1 CHAIRMAN GOLDNER: Thank you, Mr.
2 Below. Let's move to the Conservation Law
3 Foundation.

4 MR. KRAKOFF: Thank you, Commissioners.
5 I don't have a strong position on
6 Unitil's motion. But I do share some of the
7 staffing and resources concerns expressed by
8 Clean Energy New Hampshire and Community Power
9 Coalition.

10 Thank you.

11 CHAIRMAN GOLDNER: Thank you, Mr.
12 Krakoff. Let's move now to the New Hampshire
13 Department of Energy.

14 MR. DEXTER: Thank you, Mr. Chairman.
15 Department of Energy read the
16 Utilities' motion, and it made a lot of sense to
17 us. We're largely supportive of it. We see the
18 motion splitting into two parts. And I think
19 maybe the first part might be more important to
20 us than the second part, that's the request for
21 clarification.

22 It appears to us that there is a
23 federal requirement that needs to be met, that
24 was put out in the U.S.C. sections that were

1 quoted in the Order of Notice. And it appears to
2 us that the Commission, with respect to electric
3 vehicles, has determined that it has satisfied
4 that federal requirement. And, so, therefore,
5 with respect to the federal requirement, that
6 issue has been taken care of.

7 And the Commission came to the same
8 conclusion -- to the opposite conclusion with
9 respect to demand response. Well, I shouldn't
10 say that. The Commission didn't come to a
11 conclusion, as we read it, with respect to demand
12 response, and wants to, as I understand it, as we
13 understand it, use this proceeding to determine
14 whether or not the federal requirement has been
15 met.

16 Our position would be that we should
17 first look at what's out there for demand
18 response, and see if or why the Commission came
19 to opposite conclusions with respect to the two
20 issues in the federal requirement. Because it's
21 not clear to us, and, you know, we could recount
22 for the Commission, as could the utilities, the
23 various dockets and programs for demand response
24 that have been reviewed and approved over the

1 years, through hearing and so on and so forth,
2 mostly through the energy efficiency programs,
3 and, additionally, through Liberty's Battery
4 Storage Program.

5 So, to the extent that the Utilities'
6 motion asks for clarification on that, we support
7 that. And we think the Utilities' motion
8 characterized that question. In other words,
9 "Has the Commission's past practices" -- "Has New
10 Hampshire's past practices satisfied the federal
11 requirement?" They categorize that as a
12 "threshold question", and we agree with that. We
13 think that's the first question that should be
14 answered. And, in fact, the Commission has
15 already answered it with respect to electric
16 vehicles.

17 Having gotten past that, then, like the
18 Utilities said, all three of these issues are
19 certainly worthy of investigation. And then, it
20 becomes a question of practicality. I think the
21 Utilities were expecting that separating the
22 issues out would save time and expense on behalf
23 of, you know, those people that don't come to the
24 building here every day like we do, and that made

1 sense to us. In other words, if you're really
2 interested in electric vehicles, you know, maybe
3 you don't want to sit through a recount of the
4 past demand response programs. Of course, having
5 heard from Mr. Below, he makes a pretty good
6 point that they are pretty closely intertwined.

7 So, it's really a question of
8 resources. We support saving resources. Our
9 inclination is that the separate dockets would be
10 easier to manage, and more likely to, you know,
11 to produce results that were understandable.

12 So, that's where we stand with respect
13 to the motion. We do believe that some
14 clarification of the first threshold questions
15 that the utilities identified would help, you
16 know, set a clear path forward for this
17 proceeding.

18 CHAIRMAN GOLDNER: Thank you, Mr.
19 Dexter. Let's move to the New Hampshire
20 Department of Environmental Services.

21 MR. LaMOREAUX: Thank you.

22 New Hampshire DES does not take a
23 position at this time. But recognizes some of
24 the comments that were shared regarding the value

1 of discussing DER and EV charging in the same
2 context.

3 CHAIRMAN GOLDNER: Just a moment.
4 Okay. Let's move to the Office of the Consumer
5 Advocate.

6 MR. KREIS: Thank you, Mr. Chairman.

7 I have to confess, I don't really know
8 how to untangle the thicket that appears to be
9 the reason that we're all here today, based on
10 what I've already heard from various parties for
11 whom I have a lot of respect. I'm having
12 troubled with virtually every premise of this
13 whole proceeding.

14 The very first thing that happened this
15 morning is the Chairman walked into the room,
16 called everybody to order, and said we were here
17 for a "prehearing conference". But there is no
18 hearing in this docket, because this is not an
19 adjudicative proceeding. And I have to say, and
20 this should surprise nobody in the room, because
21 it reprises comments I made in writing to the
22 Commission several days ago in IR 22-042. That I
23 think freewheeling policy inquiries like this,
24 when conducted outside the adjudicative process,

1 are not actually consistent with the
2 investigative authority that the Legislature of
3 the General Court has vested in the Public
4 Utilities Commission since the creation of the
5 Department of Energy.

6 When the Legislature created the
7 Department of Energy in 2021, what I believe it
8 intended to do was to tell the PUC that its job
9 was to adjudicate stuff, and tell the Department
10 of Energy that its job was to conduct policy
11 inquiries and come up with policy proposals for
12 the state to consider and, hopefully, adopt.

13 So, with respect to the Utilities'
14 motion, I don't really have a position about
15 whether things should be in separate dockets or
16 not. That's, to some degree, a matter of
17 administrative formality. But I do think that
18 the Utilities make some very cogent points about
19 the fact that what really has to happen here is
20 adjudication. There are some very, very serious
21 questions here that need to be resolved in ways
22 that will affect the rights, obligations, and
23 privileges of various parties who have real
24 interests at stake here, and that requires a

1 hearing, and a record, and a formal adjudication
2 by the Commission.

3 I was very concerned to hear what Mr.
4 Below had to say on behalf of the Community Power
5 Coalition of New Hampshire. I have been around
6 the Public Utilities Commission for more than
7 20 years now, and a consistent theme I've noticed
8 over those years is the question of EDI, and the
9 extent to which utilities use EDI as a means of
10 thwarting efforts to divest them of their
11 hegemony.

12 And, you know, there's a long history
13 of them doing that to competitive energy
14 suppliers. And, if they are using their EDI
15 systems, and the lack of flexibility of their EDI
16 systems, so as to thwart the roll-out of
17 community power, that is a big problem that must
18 be adjudicated, and soon.

19 I hear the parties' concerns about
20 resources. And I would like to remind everybody
21 that there is a never-invoked provision of New
22 Hampshire law, RSA 365:38-a, that makes provision
23 for intervenor compensation in PUC proceedings.
24 So, if you are a struggling nonprofit, or a

1 ratepayer, or some other group or entity or
2 business that wants to participate meaningfully
3 in PUC proceedings, you have the right to request
4 compensation for your efforts. Now, it's not
5 going to be lavish compensation. But it does --
6 it does have the potential to ameliorate the
7 inconvenience and inefficiency when proceedings
8 get complicated, or when they get divided up into
9 multiple proceedings.

10 I guess that's all I have to say by way
11 of preliminary comments. I'm generally
12 supportive of the Utilities' motion. Again,
13 because I think it calls on the Commission to
14 understand that what it really needs to do here
15 is make some very binding determinations that
16 require adjudication.

17 CHAIRMAN GOLDNER: Okay. Thank you.
18 Let's move to ReVision Energy.

19 MR. PENFOLD: Yes. Hello.

20 So, ReVision Energy is New Hampshire's
21 leading clean energy systems company. We are a
22 20 year-old, all employee-owned company with 350
23 plus employees. We operate in three New England
24 states, with two branches in New Hampshire, and

1 have installed hundreds of EV charging projects.

2 Furthermore, we have begun to pilot
3 owning and operating our own stations. For
4 example, we own the only public charging stations
5 in Concord at the General Court lot, and this
6 continues to provide invaluable lessons.

7 We also own DC fast-charging stations
8 in Maine, and are actively involved with projects
9 associated with the VW RFP. I'm here to share
10 our experiences with challenges of owning and
11 operating charging stations in all of our service
12 territories, including various utility service
13 territories.

14 I've provided the Clerk with some
15 documents for all of you this morning. So, I
16 just wanted to draw your attention to that, and
17 that basically lays out -- demonstrates how
18 demand charges and the lack of utility make-ready
19 in the state makes for an extremely challenging
20 environment for owning and operating charging
21 stations in New Hampshire.

22 I would support Clean Energy New
23 Hampshire, in that we have extremely limited
24 resources. And I think my time and all of our

1 time is better used actually planning and
2 installing charging stations, so people can start
3 using their EVs, traveling into the state from
4 our surrounding states that all have much more
5 aggressive supportive policies for charging
6 station owning and operations.

7 So, thank you for your time. And I
8 look forward to assisting.

9 CHAIRMAN GOLDNER: Thank you. Let's
10 move to the Town of Peterborough.

11 MR. TUCKER: No comment on this
12 particular issue. But I have more comments
13 later.

14 CHAIRMAN GOLDNER: Okay. Thank you.
15 And then, finally, Weave Grid New Hampshire --
16 or, Weave Grid, Incorporated.

17 MR. BRIGHT: Weave Grid does not take a
18 strong position on the Motion. We are generally
19 supportive, and recognize the comments regarding
20 administrative efficiency in separating out the
21 investigation into separate proceedings. And
22 also echo the Motion's request for clarity about
23 the ultimate results of this proceeding, I know a
24 "report" was mentioned, but I think that would

1 help move things along in this investigation.

2 Thank you.

3 CHAIRMAN GOLDNER: Thank you. And just
4 to wrap up this section from the participants'
5 point of view, do Eversource or Liberty have any
6 additional comments to Mr. Taylor's comments
7 earlier?

8 MS. TEBBETTS: No. Liberty concurs
9 with the statements Mr. Taylor made earlier.

10 Thank you.

11 MS. CHIAVARA: Eversource also supports
12 the statements made by Mr. Taylor. Although, we
13 are sympathetic to the resource issue. I think
14 everybody in the room has finite resources, even
15 the utilities. So, we're not insensitive to that
16 subject.

17 CHAIRMAN GOLDNER: Okay. Thank you.
18 Let's move to any Commissioner questions on this
19 Motion.

20 Just a moment. I'm sorry, did somebody
21 have a question? Mr. Below.

22 MR. BELOW: If I may, I didn't comment
23 on the question of shifting from investigation to
24 adjudication. And I might like to speak to that.

1 I do think the Consumer Advocate and
2 the Utilities have a good point here. And I want
3 to speak a bit from experience, if I may, because
4 it goes to one of your questions that you asked
5 "what are relevant Commission decisions?"

6 And, back in 2006 and '07, I sat in
7 your seat as a commissioner. And the Energy
8 Policy Act of 2005 similarly enacted a number of
9 new standards to the Public Utilities Regulatory
10 Policy Act, and directed states to make
11 determinations around them. And one of the
12 standards, under Section 1252 of EAct concern
13 time-based metering and communications, or smart
14 metering. And it actually specifically called
15 for whether "it was appropriate for electric
16 utilities to provide and install time-based
17 meters and communications devices for each of
18 their customers which enable such customers to
19 participate in time-based pricing rate schedules
20 and other demand response programs."

21 And, so, that was opened in April of
22 2006. And after a round of comments, reply
23 comments, and discovery, the Commission
24 ordered -- issued an order, and I think you've

1 learned that maybe it shouldn't be done as an
2 order, if it's an investigation, just a report,
3 but it was intended to provide directionality, in
4 terms of setting the stage for moving to an
5 adjudication of issues.

6 However, what happened in that
7 proceeding is that the utilities protested the
8 results of the investigation, saying that "Yes,
9 we should move towards enabling AMI. We should
10 move towards giving customer choices about
11 time-based rates and access to AMI." And, so,
12 the Commission had to reconsider, and concluded
13 that, "Yes, there are implications that are of
14 either general application or issues that
15 regarded implicating rights, duties, privileges,
16 and all that, such that we needed to turn it into
17 an adjudication."

18 So, a considerable amount of time was
19 spent in trying to develop an investigative
20 record, and then we had go back and turn it into
21 an adjudicative proceeding.

22 And, ultimately, what resulted was
23 directionality, saying "As a general statement of
24 policy, we should plan on moving towards AMI and

1 enabling time-based rates, which would enable
2 demand response."

3 And one of my biggest regrets over my
4 six years plus as a commissioner was that we
5 didn't ride herd on it and follow through.
6 Because what happened is we got to the Staff and
7 the utilities to come back with proposals on how
8 to move this forward. And what ended up
9 happening is Eversource went off and did AMR,
10 without telling PUC Staff, much less the
11 Commissioners, made a major investment that did
12 not enable the policy direction that the
13 Commission had clearly set forth. And here we
14 are today, 25 years after, you know, the
15 Legislature said "enable retail markets, enable
16 appropriate price signals, enable market
17 innovation", and we're still not there.

18 So, I just would caution that it --
19 what might make sense, if I may, is an initial
20 investigative stage that explores the issues,
21 that then transitions to an adjudicative
22 proceeding, that looks at -- that, because there
23 has been substantial work on enabling EV
24 charging, that that just be subsumed in the

1 broader issue of demand response, and just look
2 at any issues relating to EVs in the context of
3 demand response.

4 And, quite honestly, the EDI issues
5 kind of can be dealt with sequentially. It kind
6 of comes after there's an understanding. A lot
7 of your questions asked "How do you enable this?"
8 You know, what -- "is it the EDI or is there some
9 new standard that should be used?" Those are
10 questions that could be developed in the context
11 of exploring how we can do demand response
12 better. And then, there could be a stage that's
13 focused on the EDI, so that -- so that the issue
14 of resource of staff having to be there for
15 something that they're not really contributing
16 towards can be handled through a procedural
17 schedule that sequences things in such a way that
18 there's focus on particular parts as the
19 proceeding progresses.

20 So, thank you for your indulgence of my
21 additional comment there. Thank you.

22 CHAIRMAN GOLDNER: Thank you, Mr.

23 Below.

24 Let's move to Commissioner questions,

1 beginning with Commissioner Simpson.

2 CMSR. SIMPSON: A follow-up for
3 Mr. Below.

4 Can you reiterate the docket number
5 that you referenced from 2006?

6 MR. BELOW: Yes. 06-061.

7 CMSR. SIMPSON: And you said that this
8 initially started as an investigation, and then
9 was converted into an adjudication?

10 MR. BELOW: Yes.

11 CMSR. SIMPSON: And when you say that,
12 within this proceeding, it might be appropriate
13 to consider an "investigatory phase at the
14 beginning", where might you suggest that the
15 decision point exists for the Commission to
16 convert that effort to an adjudication?

17 MR. BELOW: Possibly -- there's a lot
18 of good questions here, and I think there may be
19 some preliminary positions on them today. But I
20 think sort of running down the field, in terms of
21 the request by the Utilities to have more
22 clarity, "what's the goal here?" "What is the
23 potential actions that come out of this?"

24 Sort of developing some basic

1 understandings, in fact, even sort of having an
2 initial sort of discovery, so that people can get
3 questions and understand what the current
4 situation is and what the possibilities are, then
5 I would think that maybe, with some groundwork
6 laid, the Commission could then transition to an
7 adjudicative proceeding, which it frames more
8 specifically, its request for proposals or
9 request for options for how EDI might evolve, or
10 not.

11 So, the thought is, there's a whole
12 bunch of issues here. And, if this initial stage
13 might help frame it, so that an adjudicative
14 proceeding could be focused and people would know
15 what to testify about, in essence, and that's
16 sort of what happened before. But, without going
17 into it that way, you know, I think we, back in
18 the '06/07/08 timeframe, the last order wasn't
19 issued until January of 2008. So, it's almost a
20 two-year process.

21 I think, because we started that not
22 thinking we needed an adjudication, we somewhat
23 wasted a certain amount of time in the
24 investigatory stage and had to repeat some of

1 that.

2 CMSR. SIMPSON: Okay. Thank you.

3 I don't have any specific questions at
4 this time, since we're right commencing this
5 investigation.

6 I just would note that, speaking on --
7 speaking for myself, I know that there was a
8 mention that there are current EV tariffs in
9 place already. And, in our Order of Notice, we
10 noted that we felt that the Commission had met
11 the minimum burden as promulgated by the recent
12 federal statutory change.

13 But, at least from my perspective, we
14 viewed -- or, I viewed the link between demand
15 response and electric vehicle programs as still
16 ripe for consideration.

17 Furthermore, with respect to demand
18 response programs, I recognize that there's been
19 some pilots and maybe approved programs in the
20 past. It's frankly unclear to me what those are,
21 and how customers might sign up for them. I
22 looked on the New Hampshire Saves [NHSaves]
23 website, I couldn't find where you could sign up
24 for those.

1 So, it seems that there's still
2 opportunity to engage customers with respect to
3 demand response. And, as we look at
4 electrification more broadly, more and more
5 technology could be enabled for customer
6 responsiveness.

7 I recognize the debates that exist
8 around investigation and adjudication. And I'm
9 very mindful of the procedural questions that
10 have arisen around that. I think that some of
11 the comments today are helpful in framing the
12 topics that we are looking to learn more about,
13 and to better understand, as a Commission, and
14 understand the vast array of stakeholders that
15 are interested in these topics. And I'm very
16 happy to see the stakeholders that are here
17 today, and the public process that's embarking on
18 this investigation, and all the participation. I
19 look forward to hearing more from all of you,
20 both in the investigatory phase and in any future
21 adjudicative phase.

22 So, that's all I have to say at this
23 time, Mr. Chairman. Thanks.

24 CHAIRMAN GOLDNER: Thank you. And

1 we'll move to Commissioner Chattopadhyay, to see
2 if there are any other Commissioner questions on
3 the motion?

4 CMSR. CHATTOPADHYAY: Yes, I do.

5 I think it would help for me to
6 understand, I mean, this is a decision point for
7 me, but it's really I'm trying to gather more
8 information here.

9 So, if -- I clearly see the point that
10 all of these three elements, EDI, demand
11 response, and EV, they're kind of intertwined.
12 And, if we want to have responses from ratepayers
13 or customers, to bring value and take advantage
14 of the value, that is -- those three things are
15 related. So, it's very hard to separate them.

16 Yet, I just want to -- I'm also mindful
17 of the administrative difficulties. And you
18 might say that that can happen in both
19 approaches, you know, depends on who you are
20 talking about.

21 So, to me, I would kind of like to
22 understand, if, let's say, we have three separate
23 dockets on these three topics. How do we ensure
24 that the synergies that some of the parties have

1 talked about can still be brought into the
2 picture? I mean, is it even possible that we
3 have three different dockets, and you can still
4 have a cohesive process where something that's
5 happening in the other docket is understood in
6 this docket as well?

7 So that it's just a question, if
8 anybody wants to respond to that.

9 MR. KREIS: Commissioner, I think I
10 could respond in the first instance.

11 I think maybe that there's some
12 temptation to make this issue, that question,
13 more complicated than it really needs to be.
14 Because you have to remember that, ultimately,
15 it's the same actual human beings in all three of
16 the dockets, right? So, and you don't, like,
17 turn, you know, we don't have blinkers on so that
18 we don't remember what happens in between
19 dockets. A docket itself, just in its historical
20 sense, is really just a file folder in the
21 Commission's file room.

22 So, in a legal sense, I think the
23 Commission can take administrative notice in any
24 particular docket of stuff that is going on in

1 other dockets. So, I think this question of
2 "dividing things up into separate dockets or not"
3 is really just a matter of efficiency and
4 administrative convenience, and it doesn't really
5 matter a lot. What I think matters a lot is
6 adjudication versus something else, chocolate
7 versus strawberry.

8 But I don't think this "separate
9 dockets" question is as consequential as maybe
10 some other people think it is.

11 CMSR. CHATTOPADHYAY: Any other
12 comments? Please.

13 MR. SKOGLUND: Thank you, Commissioner
14 Chattopadhyay. Chris Skoglund, Clean Energy New
15 Hampshire.

16 I'm going to step out on a rare limb
17 and disagree with the Consumer Advocate, not
18 something I like to do.

19 But I am thinking back to the time that
20 we had a grid mod. investigation at the same time
21 as we had the net metering docket. If memory
22 serves, we were looking at a vast array of
23 interrelated topics. But any time we strayed
24 into net metering or a topic related to that,

1 there was a firewall that was put up in
2 discussion, saying "No, we are not talking about
3 that. That's in a different proceeding."

4 My concern is, in splitting these
5 dockets up, and I do appreciate Mr. Below's
6 suggestion that perhaps we do a brief
7 investigation before moving to adjudication, is
8 that, if they are three separate dockets, and
9 ultimately are adjudicated, we could be having
10 different timelines that topics are moving under,
11 orders that are being issued in one docket that
12 then influence or have to influence a discussion
13 in another docket, so that, ultimately, we have
14 three separate orders that may not be fully
15 aligned on topics that, as we're hearing from
16 individuals here today, actually do resonate with
17 one another and influence one another.

18 So, keeping them together does make
19 sense from an insurance standpoint, making sure
20 that the final decisions are all nested within
21 one another and supportive of the energy
22 transition.

23 Thank you.

24 CMSR. CHATTOPADHYAY: Any other?

1 Please.

2 MR. TAYLOR: Thank you, Commissioner.
3 I think I just want to note, as I said in my
4 initial comments, or I think at least I nodded to
5 it, we really put in this Motion in the interest
6 of efficiency and trying to assist the Commission
7 and the other parties in looking at these issues
8 in a way that is focused and will be productive.

9 You know, I've heard what the other
10 parties have said today. And I certainly would
11 not be dismissive of the concerns that some of
12 the other parties have raised today. I
13 understand those.

14 I don't think -- I wouldn't want to
15 suggest that either way is the perfect way to do
16 it. The Commission has identified a very broad
17 swath of issues that it wants to take a look at.

18 I do think, on balance, it does make
19 more sense to focus the investigations or,
20 Commissioner, or adjudication, however the
21 Commission decides to proceed, into separate
22 tracks. As the Consumer Advocate noted, there is
23 the ability to take administrative notice.

24 But what you won't have is the overlap

1 that will happen, if you do everything in one
2 docket, and you have a lot of people in a room,
3 many of which -- and many of whom may not have
4 any reason or interest in participating for
5 particular parts of it.

6 I think that, if you want to get
7 information, and have it delivered to you in a
8 focused and efficient way, I do think separating
9 the dockets is the better way to do it.

10 I also want to note that, as Mr. Below
11 had pointed out, in 06-061, that was a docket
12 that took several years to work its way through.
13 I wasn't involved in that docket. That was
14 before my time before the Commission. But, you
15 know, I did take a look at some of the procedural
16 events in that case. And I would want to point
17 out to the Commission that, if it is going to
18 make a decision on the federal question, "whether
19 New Hampshire has met federal requirements or if
20 it's going to adopt the standard?", I believe it
21 has to do that by November of this year under the
22 federal statute. And, so, there is a clock
23 ticking on that particular issue.

24 And I think that, given the scope of

1 what's put before you, and, you know, just the
2 amount of information you're going to have to
3 receive and process, if you do this docket as one
4 piece, you're going to have a very hard time
5 doing that before November 15th.

6 CMSR. CHATTOPADHYAY: Any other
7 thoughts?

8 *[No verbal response.]*

9 CMSR. CHATTOPADHYAY: So, I mean, as an
10 economist, I mean, I think probably differently.
11 Yes, we can take administrative notice of stuff.
12 But, based on my experience, the 21 years that
13 I've worked on these issues, that may meet the
14 legal requirement, but it still kind of makes it
15 harder for me to wrap up the linkages between
16 these three elements in the most optimal manner.

17 And that's what is extremely important,
18 if we're going to try and make it easier for the
19 customers to be able to, you know, extract
20 economic value and be part of this, this sort of
21 almost like a ratemaking paradigm that is
22 different. And you're essentially allowing the
23 customers to be part of this mix much more than
24 it has been. So, I mean, I'm still thinking

1 through this.

2 So, I heard about doing it
3 "sequentially". And, so, I would like
4 to understand, is there a way to do this
5 sequentially, so that, you know, it leads to a
6 better outcome than just having them done three
7 separately at the same time, you know?

8 So, any thoughts on that? Please.

9 MR. BELOW: If I may?

10 I think DE 06-061 actually provides
11 something of a model for that. That case was
12 actually considering five different PURPA
13 standards that were new, and they were somewhat
14 separately tracked. You know, some of them, you
15 know, were easy to conclude, because the state
16 had already taken action, but not entirely.

17 So, you could have a proceeding where,
18 after this initial investigation to better scope
19 it, and, you know, the Commission has a chance to
20 learn what's been out there and what the issues
21 are, then frame, in particular, to meet the
22 November deadline around demand response. And
23 then, you know, issues about how the EDI works
24 with that can follow.

1 And even the conclusion that, you know,
2 is sort of desired in federal law by November,
3 that just can be -- set the stage for the next
4 step. It doesn't mean there has to be fully
5 developed tariffs in order to actually implement.
6 It can set the framework, as a matter of policy,
7 and then set the stage for the next steps to
8 follow through. And I would expect one of those
9 is going to be "how to, you know, exchange
10 information, interval data?" Because, in some
11 way, shape, or form, some level of time-based
12 metering is sort of integral to demand response.
13 It's primarily a temporal issue.

14 So, that's my thoughts.

15 CMSR. CHATTOPADHYAY: Anyone else?

16 MS. CHIAVARA: I'd just say that I
17 think maybe, whether a sequential approach is
18 advisable or not, might have to hinge on what the
19 Commission's goals are in each of the three
20 policy areas. I'm saying "three", with EDI being
21 a separate one.

22 I think, if we had a little bit more
23 guidance on what the objectives are in each area,
24 we could assess whether sequential or concurrent

1 approaches are best. But they're -- again, these
2 are all areas of pretty broad complexity. And,
3 so, I guess it depends on the angle that you're
4 looking at each of those issue areas from.

5 CMSR. CHATTOPADHYAY: Thank you. That
6 is helpful. I mean, even I haven't thought
7 through the entirety of it, of course. So, what
8 you just mentioned is useful.

9 That's all I have at this point.

10 MR. KREIS: I think I could just point
11 out that, if you do everything everywhere all at
12 once, you might win an Academy Award.

13 *[Laughter.]*

14 CMSR. CHATTOPADHYAY: If that is the
15 only way I can get it, I may try that.

16 CHAIRMAN GOLDNER: Okay. Just
17 administratively, we'll move next to inviting
18 each participant to give their preliminary
19 comments on the issues identified in the Order of
20 Notice. So, that's coming.

21 Before we do that, I'll provide one
22 last opportunity to comment on the Joint
23 Utilities' Motion before we move on. Does anyone
24 else -- would anyone else like to comment before

1 we move to the next section?

2 [No indication given.]

3 CHAIRMAN GOLDNER: Okay. Excellent.

4 And then, also administratively, I'll note that,
5 after all the participants have given their
6 preliminary comments on the Order of Notice, the
7 Commission will take a break to check in to see
8 if we can provide further direction before
9 suggesting a procedural -- before you have to go
10 work a procedural schedule. So, we'll take a
11 break to see if there's anything we can provide
12 today to expedite that, that process.

13 So, let's begin, as we have today, in
14 alphabetical order, and invite everyone to make
15 their comments, their preliminary comments, on
16 the issues identified in the Order of Notice,
17 beginning with ChargePoint.

18 MR. DEAL: Thank you. At this time,
19 you know, ChargePoint doesn't have any specific
20 comments or responses to the questions.

21 I will just note, as a way for -- to
22 have a little bit more efficiency and expediency,
23 to try and coordinate as much as possible with
24 Clean Energy New Hampshire. So, a lot of our

1 comments will kind of be subsumed over the course
2 of this proceeding with them. But we did want to
3 have a separate notice of appearance, just in
4 case.

5 CHAIRMAN GOLDNER: Thank you. Just a
6 moment.

7 *[Chairman Goldner and Cmsr. Simpson*
8 *conferring.]*

9 CHAIRMAN GOLDNER: With that in mind,
10 does Clean Energy New Hampshire have any
11 additional comments?

12 MR. SKOGLUND: Thank you,
13 Commissioners. And thank you, Mr. Deal, for
14 putting us on the spot.

15 At this time, we do not have
16 significant comments beyond what we've already
17 noted, in that we feel that this is an important
18 docket to be considered in a holistic fashion,
19 due to the interconnective nature of the topics.

20 One thing that I would add that was not
21 mentioned to my knowledge was the fact that some
22 of these issues are already being addressed by
23 non-regulated utilities. The New Hampshire
24 Electric Co-op, which is not represented here

1 today, is moving forward with its transactive
2 energy rate, and has a pilot where they are
3 looking for vehicle-to-grid operation of a pair
4 of Leafs, I believe, on the Plymouth State
5 University campus. I'm also actually
6 investigating whether or not there may be other
7 manufacturer platforms that are being brought
8 into that utility.

9 These are important considerations,
10 because the connection between demand response
11 and electric vehicles, it's already here. And as
12 we see electrification increase across the entire
13 grid, whether it's heat pumps or on electric
14 vehicles, making sure that we are flattening the
15 load curve and making better utilization -- or,
16 better utilizing the existing distribution and
17 transmission infrastructure, without expanding it
18 any more than is necessary, is really important.
19 So, looking at all of these topics at the same
20 time, we would reiterate, we feel it's very
21 important to ensure that we get right.

22 Also would note that a considerable
23 amount of time by many parties in this room was
24 spent on the grid modernization docket. We feel

1 that this investigation usefully picks up
2 numerous topics that were addressed there. If my
3 recollection is correct, the Commission closed
4 the PUC's investigation into grid mod. in 2022,
5 but it was never adjudicated. And, so,
6 therefore, it issued guidance, and how that
7 guidance might be incorporated into the Least
8 Cost Integrated Resource Plan.

9 If this does move forward into an
10 adjudication, we feel that that would be
11 beneficial to clarify how these questions and
12 their answers can become part of utility
13 regulation.

14 Thank you.

15 CHAIRMAN GOLDNER: Thank you. And I'll
16 say that I appreciate ChargePoint and Clean
17 Energy New Hampshire offering to consolidate.
18 There's a lot of folks in the room. So, we would
19 encourage, I would encourage a consolidation
20 wherever possible to simplify the process, and
21 appreciate that proactive step.

22 Let's move to the Community Power
23 Coalition.

24 MR. BELOW: Thank you. I'm going to

1 jump around a little bit on your questions. But
2 we do have a preliminary view or position on a
3 lot of your questions.

4 So, starting with relevant state
5 statutes, I just want to back up and recall that
6 New Hampshire, in 1996, made a major policy
7 decision in enacting Chapter 374-F, Electric
8 Utility Restructuring, becoming actually the
9 first state legislature in the nation to call for
10 restructuring of the industry to harness the
11 power of competitive markets, and move the
12 generation of electricity and related services
13 into a market framework, rather than a monopoly
14 function. And this is, in part, in New
15 Hampshire's constitutional DNA, in terms of the
16 aversion to monopolies, and the preference for
17 free and fair competition.

18 And that law specifically calls for
19 competitive markets that should open markets for
20 new and improved technologies, and provide
21 electric -- electricity -- provide electricity
22 buyers and sellers with appropriate price
23 signals. And, you know, what is an "appropriate
24 price signal" wasn't defined in the statute. But

1 it certainly makes sense, if you're thinking
2 about markets, that appropriate price signals,
3 not rates, but price signals are connecting
4 supply and demand.

5 And sort of a basic tenet of economics
6 is you get more optimal -- you get optimal price
7 formation when both supply and demand can respond
8 to price signals. That's where the two curves
9 intersect to get the right price. We have had
10 tremendous effort over two or three decades now
11 to develop a competitive wholesale market, in
12 which suppliers are the main participant. There
13 have been efforts, starting back when I was a
14 commissioner, advocating on behalf of states, to,
15 as a workaround for, in part, the fact that we
16 did not have the AMI and the structures in place
17 to provide those wholesale market prices to
18 retail load, to try to enable demand response to
19 some extent to participate in the bulk wholesale
20 market.

21 But -- and it's worked, I mean, to some
22 extent, for large C&I customers, because they
23 have interval metering, there have been demand
24 response programs that have been effectively

1 used.

2 But, more broadly, the vast majority of
3 smaller customers, including C&I, don't have
4 anywhere close to access to, I think, appropriate
5 price signals. And part of the huge -- I think
6 we're leaving a large amount of value unlocked
7 and unaccessible.

8 And let me just explain, in two
9 respects, how this works. Over the past several
10 decades, New Hampshire has -- New Hampshire and
11 New England have had declining load factors or
12 asset utilization rates. Meaning, once upon a
13 time, something like two-thirds, you know, our
14 total capacity, on average, we were using about
15 two-thirds of that. And that's dropped into the
16 50s percent. What we all know is that the vast
17 majority of the costs in the electrical system,
18 or embedded cost, their sunk cost, it is the
19 capacity to meet peak demand, plus a safety
20 margin, in generation, transmission, and
21 distribution.

22 And more than two decades ago, there
23 was a policy decision, in part, driven by FERC,
24 to encourage competitive markets, that

1 conceptually relate to how competitive markets
2 work, even though it's a highly regulated market.

3 So, for instance, with transmission,
4 the decision was made that transmission in New
5 England should be charged based on share of
6 coincident peak, because it's the coincident peak
7 that drives the need to invest in and build
8 capacity in transmission.

9 And, so, we have a very strong marginal
10 cost price signal, which is what you want to see
11 in competitive markets, at the wholesale level.
12 And, in New Hampshire, we translate that to a
13 flat per kilowatt-hour rate, which gives
14 consumers, at the retail level, no ability to
15 respond to that marginal cost price signal.

16 I brought this up on behalf of the City
17 of Lebanon in the last net metering proceeding,
18 and proposed that we do a transactive energy
19 pilot, where net metering could both buy and
20 sell, at real-time prices, get credit for actual
21 avoided capacity costs, and get credit for
22 reducing coincident peaks that reduce
23 transmission cost allocation. We worked with
24 Liberty, and they said "Yes, that would be an

1 interesting pilot to try." And, so, the
2 Commission ordered Liberty and the City of
3 Lebanon to work together to implement such a
4 pilot.

5 The first obstacle -- oh, and we were
6 actually going to do it through opt-in community
7 power aggregation. It was just going to be a
8 small, limited opt-in pilot. And we had interest
9 in the local community in doing that.

10 We jointly issued -- or, not "jointly",
11 "in collaboration", I should say, and the City
12 issued a request for information, in terms of
13 what were the elements that we needed to
14 construct this approach. Which inherently sort
15 of incorporated the idea of demand response to
16 net-metered resources.

17 And what we found out in the process of
18 that was that interval metering options do exist,
19 that, you know, Itron responded. And, at that
20 time, I don't know, I don't recall, I don't think
21 Liberty was planning necessarily, or maybe they
22 were, working with Itron. But what we found is
23 that, with a cloud-based data resource, they can
24 collect data from meters on a near real-time

1 basis, same day, multiple times per day, move it
2 to a cloud. The utility could securely download
3 that through an API, and they could give third
4 parties real-time or near real-time access to
5 that data through APIs.

6 Around that time, I also installed
7 interval metering, revenue-grade interval
8 metering, secondary to the utility, at my home,
9 you know, both in front of -- behind the meter,
10 and also for the PV production and at my
11 business.

12 And today, you know, I can -- it has to
13 restart. I can turn on my phone, except it's
14 asking for a new pin, and see, in near real-time,
15 my -- not just my load, but all sorts of things:
16 Voltage, frequency, power factor. All of these
17 revenue-grade data elements are being moved at a
18 very low cost. I spend about 130 bucks for each
19 of these. And it includes lifetime data
20 collection and storage in the cloud, and gives me
21 real-time access to that data.

22 It's just the point that the technology
23 exists to enable this, but the regulatory and
24 policy structure -- the policy structure is here,

1 but it doesn't quite exist.

2 But part of what I'm trying to get at
3 is, there is a huge amount of value if we can
4 shift loads from coincident peaks demand into
5 off-peak periods. And part of the reason for
6 that is that the supply curve, the price curve is
7 a very low slope at low loads of demand, and it
8 gets very steep as demand goes up. So, an
9 increment of new demand -- load on the system, at
10 high demand periods, coincident peaks, raises the
11 price quite a bit, whereas shifting that same
12 load to low-demand periods only changes the price
13 very little.

14 So, by shifting load from peak times,
15 high-demand times, to low-demand times, we not
16 only improve our asset utilization rate, so, over
17 time, all those fixed costs are being spread over
18 more kilowatt-hours rather than less
19 kilowatt-hours, we actually are lowering the
20 price in pretty much real-time in the short term.
21 That requires access to granular interval data.
22 And, in point of fact, so granular that both FERC
23 and ISO-New England said "We need to go beyond
24 one-hour intervals." So, supply is now settled

1 in the real-time market at 5-minute intervals,
2 and the price changes every five minutes.

3 And, today, we see some very high
4 prices, 25 cents a kilowatt-hour, but we also saw
5 some prices down as low as zero, earlier this
6 morning, or just before midnight. The point
7 being is, if you don't have access to that
8 interval data, and those prices, those
9 appropriate price signals, demand can't respond
10 in the way that supply is, and we have less than
11 optimal price formation.

12 So, fundamentally, what we need, I
13 believe, and this is the concept of "transactive
14 energy", which is the idea of using price signals
15 as a key factor in helping supply -- balance
16 supply and demand. Which, in the electric
17 system, is more critical than perhaps any other
18 system, because of the technical nature, supply
19 and demand has to be almost perfectly balanced,
20 in real-time, constantly.

21 And, so, what we need is access to
22 granular interval data. And as two of our major
23 utilities, Eversource and Liberty, have yet to
24 invest in AMI, we need to think about the

1 standards for that. We had a lot of argument in
2 the grid mod. document [docket?], the utilities
3 sort of said "Oh, half hour or 15 minutes should
4 be good enough." And, yet, if supply is settling
5 at 5-minute prices, and we have storage devices,
6 we have flexible loads, we have potentially EVs
7 that can export to the grid. If they could
8 respond to those 5-minute price signals, they
9 could help, you know, for generators, raise those
10 zero or negative prices, which continue to occur,
11 even in this time period, and help shave those
12 really high spikes at high-demand periods.

13 And, you know, so, I'll just go ahead
14 and say, you know, we don't have timetables for
15 AMI for Eversource or Liberty, for a variety of
16 reasons. But what we do know is they continue to
17 invest in new meters every year, and I'll call
18 those "legacy" meters, because, by and large,
19 most of those new meters don't have ability to
20 collect and communicate interval data. And, so,
21 they could be replacing meters with
22 forward-looking meters that can have that
23 capability, even if their EDI and other systems
24 don't support it at this time, at least we're not

1 continuing to invest in old legacy meters that
2 don't support where we need to go.

3 Those are some of our initial thoughts
4 about the large value proposition. And, you
5 know, I'll just reiterate, the concern, to the
6 extent we've started to see some progress on
7 developing time-of-use rates, whether intentional
8 or totally inadvertent, we have essentially very
9 anti-competitive behavior, which says "We're
10 going to do time-of-use rates", or, in the case
11 of one utility, it says "We can do the demand
12 response programs, but we're not going to make
13 the investment or take the trouble to enable
14 competitive suppliers, community power
15 aggregations to be able to access those same
16 kinds of options", time-of-use rates, or even
17 necessarily get the interval data that the new
18 rules seem to require, but we have generally yet
19 to receive.

20 So, you can probably hear a degree of
21 frustration coming from me, because I feel like
22 I've been working at this for a quarter of a
23 century, and we're still not there. And, yet,
24 New Hampshire's preference for markets just

1 indicates, and we see this flourishing in
2 other -- in other markets, where there's a huge
3 amount of innovation going on in harnessing
4 flexible load, in harnessing distributed energy
5 resources. And there's a huge promise for
6 savings and value to our economy from enabling
7 that.

8 So, that's where the Community Power
9 Coalition is coming from, and part of what has
10 animated the interest of so many communities in
11 joining this effort, because those are the kinds
12 of value streams we want to unlock.

13 CHAIRMAN GOLDNER: Thank you, Mr.
14 Below. Let's move to the Conservation Law
15 Foundation.

16 MR. KRAKOFF: Good morning again. CLF
17 appreciates the opportunity to make this opening
18 statement today.

19 The issues that are raised in the Order
20 of Notice, they are very important for New
21 Hampshire. Demand response programs have
22 significant potential to reduce electricity
23 consumption during periods of high demand. And,
24 so, they're appropriate for investigation here.

1 Similarly, with respect to EV charging,
2 has already been raised in several other dockets,
3 including DE 20-170, DE 21-030, and DE 21-078, as
4 well as an investigatory docket that proceeded
5 those.

6 There are significant barriers to
7 investments of EV charging that exist in the
8 state, including high demand charges and
9 make-ready costs. And these barriers discourage
10 investments in EV charging. So, it's appropriate
11 to investigate them further in this docket.

12 And, in those prior dockets, they also
13 considered ways in which time-of-use rates can be
14 employed to reduce the electricity demand during
15 peak load times. And the Commission actually
16 adopted time-of-use rates for two of the
17 utilities already, and are considering them for
18 the third utility. And, so, as the Commission
19 has recognized, in this docket, time-of-use rates
20 have significant potential to ensure that EV
21 charging does not contribute to an increase in
22 peak loads.

23 With that being said, I would encourage
24 the Commission to provide additional

1 clarification on the scope of this docket, as
2 well as the outcome and outputs it expects here.
3 As I just mentioned, many of the EV-related
4 issues were already addressed in those prior
5 dockets. And, given the orders from those
6 dockets, the Commission should really clarify the
7 extent to which this investigatory docket will
8 address issues that are different from the issues
9 already addressed in those prior dockets.

10 You know, we already have an order
11 adopting TOU rates for Unitil and Liberty, and
12 just earlier this week there was a hearing on a
13 proposal by Eversource on TOU rates. And,
14 similarly, you know, those dockets already
15 considered demand charge alternatives, and there
16 have been demand charge alternatives adopted for
17 all three utilities now.

18 And, so, the Commission should clarify
19 the extent to which this docket is going to
20 differ from that, and whether, you know, to what
21 extent it's going to readdress any of those
22 issues.

23 I do appreciate the clarification
24 provided today, you know, at the beginning by the

1 Commission, that it plans to issue a report here.
2 And, you know, as well as some other
3 clarification provided by Commissioner Simpson on
4 sort of the links between DR and EV charging.
5 But I think the Commission should provide
6 additional clarity on this report.

7 And, as we saw in the investigatory
8 docket for energy efficiency, DE [IR?] 22-042,
9 there the Commission produced a report without
10 any advance notice, which provided sort of a
11 blueprint of the Commission's view on energy
12 efficiency in New Hampshire.

13 And, so, I think it would benefit all
14 the parties here for the Commission to provide
15 more clarity on sort of what the outcomes of this
16 report are, and sort of where it sees this
17 investigation heading.

18 And, given that the Commission plans to
19 issue a report at the end of this proceeding, the
20 Commission should also provide an opportunity for
21 parties to provide comments on a draft report
22 prior to issuance of a final report, which has
23 been past practice in previous dockets, where
24 there was an opportunity for parties to provide

1 comments on a draft report.

2 So, again, I appreciate the opportunity
3 to make this opening statement. And look forward
4 to working with the Commission and other
5 stakeholders in this docket. And happy to
6 address any questions from the Commission.

7 Thank you.

8 CHAIRMAN GOLDNER: Thank you, Mr.
9 Krakoff. Let's move to Eversource.

10 MS. CHIAVARA: Thank you,
11 Commissioners.

12 So, I'll say, from a high level, the
13 consideration of EV charging initiatives and
14 demand response programs are both in a state of
15 dynamic growth, as has been reflected in recent
16 dockets that have been discussed by some of the
17 participants today. As recent as just a couple
18 days ago, when the Company was here discussing
19 the implementation of separately-metered EV
20 time-of-use rates.

21 There was also the recent successful
22 launch of Eversource's EV Make-Ready Program.
23 And, currently, the Company is working through
24 the first couple of public charging station

1 projects, in partnership with the Department of
2 Environmental Services.

3 But the Company believes that there is
4 plenty more that can be done in this arena, both
5 in the near and long term, and assembling the
6 relevant stakeholders to discuss both kinds of
7 approaches is a good first step.

8 But Eversource doesn't necessarily
9 agree at this time with the suggestion that EV
10 issues should be considered through the lense of
11 demand response, or even subsequently to
12 consideration of demand response, as this could
13 limit the potential of the full range of EV
14 charging programs from a load flexibility
15 perspective.

16 However, Eversource looks forward to
17 participating in the development of strategies
18 that will foster both greater adoption of EVs in
19 New Hampshire, and increased EV interstate travel
20 into New Hampshire.

21 Demand response has also been wildly
22 popular, with pilot programs in New Hampshire
23 fully subscribed, and, in certain instances,
24 turning customers away for being at capacity,

1 which is likely why Commissioner Simpson couldn't
2 find anything on the *NHSaves* site. The programs
3 aren't promoting, since enrollment isn't
4 available right now.

5 A possible expanded role for these
6 programs, and the policy considerations involved,
7 is also a timely discussion for all interested
8 parties. And Eversource is encouraged to see
9 that the Commission is one of those interested
10 parties.

11 But what has been discussed at some
12 length already, these important and salient
13 topics are equally complex in design, and have
14 related, but also distinct, policy
15 considerations. To give each of these topics the
16 appropriate focus and due consideration,
17 Eversource does stand by the recommendations in
18 the pending Joint Utility Motion that this docket
19 be divided into separate proceedings. And I'd
20 like to speak to that for -- or, revisit that for
21 just a moment.

22 As Attorney Taylor stated, three
23 separate dockets may seem to be a larger effort.
24 But Eversource believes that it will ultimately

1 be a more efficient effort, as each inquiry can
2 take a deeper dive into the complexity of these
3 topic areas, as warranted, and task the staff
4 with the appropriate expertise to address the
5 nuances, some of the nuances that were
6 illustrated this morning.

7 Keeping the investigation in a single
8 docket could get unwieldy. And it could result
9 in many of the issues not getting the attention
10 or full discussion they deserve, and that would
11 be needed to result in a thoroughly vetted
12 strategy moving forward.

13 While I absolutely appreciate and
14 sympathize with the concerns expressed about
15 finite resources, and can also see the merit of a
16 comprehensive approach of a single docket,
17 ultimately, the Company still believes that the
18 topics at issue, because of their importance, and
19 while they are related to a certain degree, can
20 and should be considered in separate matters, to
21 produce the most clear and effective results for
22 the next steps in these areas.

23 I would perhaps caution against
24 proceeding in one consolidated docket, as moving

1 forward in this fashion could result in important
2 considerations of implementing any of these
3 policy next steps being less than fully fleshed
4 out, which could subsequently result in
5 difficulties in moving any policy initiatives
6 forward. And I don't think any of the
7 participants, the utilities included, would want
8 that to be an end result or an unintended
9 consequence.

10 So, to reiterate Attorney Taylor's
11 point, that there is no -- probably no perfect
12 approach here, there may also be the issue of the
13 perfect being the enemy of the good. To the
14 extent that one unified docket, that tries to
15 reach for all things at one time, ends up
16 stalling out and fraught, because of the
17 intertwining of major topic areas paralyzes the
18 discussion of advancing any one of those areas,
19 or wins an Oscar.

20 Separate dockets could let these
21 important topics get moved down the field in a
22 sufficiently comprehensive way.

23 And then, I just wanted to make one
24 more note on Commissioner Chattopadhyay's

1 question of the "merit of subsequent
2 proceedings". There could be some value in -- to
3 an EDI proceeding following the consideration of
4 EV charging and demand response proceedings,
5 because then the EDI docket would have an
6 articulated directive that any considered
7 modifications or updates would be moving towards.
8 So, that would help focus, I think, that portion
9 of the proceeding.

10 Eversource looks forward to
11 contributing to the advancement of all of these
12 policy issues. And we thank the Commission for
13 creating this opportunity.

14 CHAIRMAN GOLDNER: Thank you. Let's
15 move to Liberty.

16 MS. TEBBETTS: Good morning,
17 Commissioners.

18 Liberty doesn't have too much to add to
19 this. I think that, based on the comments we've
20 heard from the other utilities, we are in
21 agreement that separation of this docket could be
22 beneficial. I go back to the 2015 docket, where
23 we opened up grid mod., and didn't get a report
24 put together through the parties until 2017. And

1 that docket I don't even think ended until maybe
2 2022. So, it took a full seven years to get us
3 through something, and I think, as someone
4 mentioned, we still I don't think have a
5 resolution on it. The net metering docket opened
6 in 2016. If I recall, that docket might still be
7 open, and that's call it seven years, six years
8 later, seven years later.

9 So, again, very complicated issues,
10 very complicated docket, if we were to embark on
11 with all of these issues in it. And, so, Liberty
12 does believe that separating these could be
13 beneficial. When we talk about "limited
14 resources", I'm the only person here from Liberty
15 today. So, we certainly have limited resources
16 as well. But, even with that, we do believe that
17 putting forward these issues separately does
18 allow for focus, and it does allow for
19 resolution.

20 The only thing I will add is that
21 Liberty has had some opportunities to look at
22 demand response through its Battery Pilot. And
23 also, we do have a EV charging program for our
24 residential customers. And we look forward to,

1 you know, utilizing data within those to possibly
2 help move demand response forward.

3 Thank you.

4 CHAIRMAN GOLDNER: Thank you. Let's,
5 just administratively, after the New Hampshire
6 Department of Energy goes, and before the New
7 Hampshire Department of Environmental Services,
8 we'll take a 15-minute break for the
9 Commissioners to confer, a stenographer break,
10 and let everyone else take a break as well.

11 So, Mr. Dexter, after you go, we'll
12 take a 15-minute break.

13 MR. DEXTER: Very good. Thank you, Mr.
14 Chairman.

15 So, the Department of Energy, and its
16 predecessor, the PUC Staff, has long been
17 supportive of policies that expand demand
18 response and electric vehicle use in the various
19 dockets that have been undertaken.

20 As I said at the outset, it seems to us
21 that the question that should be addressed first
22 in this docket is answering the federal
23 requirements. And, as I said earlier, the
24 Commission has decided that it has met the

1 federal requirements with respect to electric
2 vehicles, and did not make a similar statement
3 with respect to demand response programs.

4 So, I would urge the Commission to
5 first answer that question, with respect to the
6 existing dockets that have gone on, and the
7 existing programs that are available for demand
8 response, and make that determination it needs to
9 make to comply with the federal law.

10 If that question requires adjudication,
11 as it seems to, and the Commission determines
12 that prior adjudications of demand response
13 programs have not satisfied the federal
14 requirement, then I think that issue ought to be
15 addressed first, and get that federal question
16 out of the way well in advance of the
17 November 15th deadline.

18 If the Commission proceeds in that
19 respect, and answers the federal question first,
20 then the various issues that were raised in the
21 Order of Notice could be addressed thereafter.

22 I don't have a position specifically on
23 the questions that were raised in the Order of
24 Notice today. I will say, though, that having

1 reviewed the standards set in the federal
2 statute, the Department is supportive of those
3 standards, and believes that the State of New
4 Hampshire has or could meet those standards based
5 on prior cases.

6 So, that concludes my comments.

7 CHAIRMAN GOLDNER: Okay. Thank you,
8 Mr. Dexter.

9 So, we'll take a 15-minute break,
10 returning at twenty of. Thank you.

11 *(Recess taken at 10:26 a.m., and the*
12 *hearing resumed at 10:56 a.m.)*

13 CHAIRMAN GOLDNER: Okay. Sorry for the
14 delay. Let's pick back up again with the New
15 Hampshire Department of Environmental Services.

16 MR. LaMOREAUX: I'm going to start by
17 thanking Mr. Deal for allowing me to use his
18 seat.

19 DES does support the development of EV
20 charging opportunities. In New Hampshire, the
21 transportation sector is the single largest
22 contributor of air pollution, which is primarily
23 responsible for the formation of ground level
24 ozone, which is a respiratory irritant that

1 negatively affects both young and elderly New
2 Hampshire residents.

3 Electrification of the transportation
4 sector is the most immediately available and
5 efficient way to reduce this pollution. The EV
6 market is already expanding, and EV charging
7 opportunities will continue to nurture this
8 growth.

9 Similarly, emissions from space heating
10 of buildings is also a contributor of emissions.
11 Much like the transportation sector, increases in
12 the efficiency of electric heat sources in this
13 sector are poised to increase electric loads on
14 our grid, but will also provide improved air
15 quality and reduced emissions of greenhouse
16 gases.

17 While we do recognize the impact of
18 additional load on generation sources, we believe
19 the development of demand response, integrated EV
20 charging, and time-of-use rates will minimize the
21 financial impact of additional load to New
22 Hampshire ratepayers. We encourage the
23 development net metered time-of-use rates that
24 allow customer assets, such as renewable

1 production and storage, to be deployed at
2 appropriate times, in response to price signal
3 informed time-of-use rates.

4 That's all. Thank you.

5 CHAIRMAN GOLDNER: Thank you. Okay.
6 Very good. Let's move to the Office of the
7 Consumer Advocate.

8 MR. KREIS: Thank you, Mr. Chairman. I
9 don't have very much to add to the comments that
10 I've already made.

11 I do want to say that, subject to all
12 of my procedural objections that I interposed
13 before, the OCA will participate in this, and in
14 any other proceeding opened by the Commission,
15 that deals with the important issues that are
16 described in the Order of Notice in this docket.

17 And I also want to say that I think
18 that the Commission should seriously consider the
19 idea that Mr. Krakoff proposed, that, if it
20 intends to issue a written report at the
21 conclusion of whatever investigation it's
22 conducting here, first of all, it's a great step
23 forward that the Commission is actually
24 announcing that that's its plan, that it would

1 make a lot of sense to circulate a draft edition
2 of the report for comment by the parties or the
3 stakeholders, and, indeed, the public.

4 I think that's all I have to say.

5 CHAIRMAN GOLDNER: Okay. Thank you,
6 Mr. Kreis. Let's move next to ReVision Energy.

7 MR. PENFOLD: Just to add, I'd like to
8 reiterate what I mentioned before, that I draw
9 your attention to the documents that I provided
10 that demonstrate how demand charges and the lack
11 of utility make-ready programs in the state make
12 the business case for EV charging deployment very
13 challenging.

14 And we are very supportive of this
15 being a single docket, because of how totally
16 intertwined demand response and demand charge
17 mitigation and EV charging, in general, are.

18 And I just want to point to, we
19 talked -- heard someone mention, Mr. Below talked
20 about Plymouth State University's vehicle-to-grid
21 pilot that they operate in the New Hampshire
22 Electric Co-op territory, that's with a company
23 called "Fermata", who are actually a participant
24 in this docket, and will be contributing at some

1 point. They are paying for all of the energy
2 that those EVs consume, plus the cost of the
3 lease, and I believe also contributing up to
4 about \$3,000 a year on top of all of that, with
5 selling back to the grid with the transactive
6 energy rate.

7 So, secondly, we are working with DC
8 fast charging manufacturers that have either
9 integrated battery storage or the slightly
10 off-site battery storage that mitigate demand
11 charges. But just mitigating demand charges
12 alone doesn't help these projects pencil. The
13 opportunity to be able to monetize demand
14 response from that same battery asset would make
15 these pencil, and allow us to be able to deploy
16 chargers in the rural low-traffic volume parts of
17 the state. So, potentially, we could mitigate
18 demand charge, or also deploy the asset in the
19 peak grid demand times.

20 Thirdly, we're working with electric
21 school buses in Maine, with Central Maine Power.
22 These are, you know, at over 200 kilowatt-hours
23 per battery, these are enormous grid assets that
24 are often just sitting idle during grid peak

1 times of the year. So, you know, during the
2 highest peaks of summer would be a fantastic time
3 to be able to deploy those with a price signal
4 for demand response.

5 So, that's all I have for you. Thank
6 you.

7 CHAIRMAN GOLDNER: Thank you, ReVision.
8 And let's next move to the Town of Peterborough.

9 MR. TUCKER: My name is Bruce Tucker,
10 and I'm a retired scientist residing in
11 Peterborough. I've been an electric vehicle
12 owner since 2003, and currently own two EVs that
13 I charge at a detached parking facility that
14 doesn't have the advantage of residential rates.

15 I'm also here as a member of the
16 Peterborough Energy Committee, which helped our
17 town navigate the economics of demand fees when
18 installing a voter-approved EV charging station
19 last spring. The demand fees for our small
20 four-charger station would have approached \$800
21 per month if we had not been made aware of the
22 issue by the experience of Derry, New Hampshire,
23 which had to remove its charging stations in
24 2021.

1 However, Peterborough has managed to
2 operate its new charging station by, among other
3 things, reducing the operating power to minimize
4 demand fees. This, unfortunately, increases the
5 charge time and reduces the availability of
6 charges to residents and visitors to our town.

7 I've come to believe that demand fees
8 are the single biggest deterrent to the expansion
9 of Level 2 charging in New Hampshire. No
10 apartment, condo, small business, municipality,
11 or large employer can justify hosting a fully
12 functional charging station burdened with demand
13 fees. It makes no sense for state and federal
14 programs to incentivize the installation of EV
15 chargers, when they are not affordable to operate
16 because of utility rate policy.

17 Another area of concern is the inherent
18 inequity of increasing the cost of charging for
19 those who must use public or workplace charging
20 relative to residential EV owners. Our goal
21 should be to remove barriers that prevent anyone,
22 regardless of their living and work conditions,
23 from enjoying the benefits of driving electric.

24 Creating an EV charging rate for

1 Level 1 and Level 2 charging without demand fees
2 would essentially create an "honorary"
3 residential rate that would allow EV charging to
4 be equivalent wherever it takes place. Which, to
5 me, is perfectly reasonable, since the power
6 needed for a small EV charging station is more or
7 less equivalent to a modern electronics-filled
8 house, something utilities add service to without
9 having to resort to "make-ready" infrastructure
10 improvements.

11 I'd also add that our Energy Committee
12 is also looking at EV school buses. They make
13 perfect sense to us, because they're used during
14 times when PV production is at its peak, and then
15 rests during the hump phase.

16 So, that's -- those are my comments.

17 CHAIRMAN GOLDNER: Thank you,
18 Mr. Tucker. Let's move to Unitil.

19 MR. TAYLOR: Thank you, Commissioners.

20 And I appreciate the opportunity to
21 have already weighed in on the Motion that we
22 submitted. So, I think that we've covered that
23 ground pretty well at this point, and I won't
24 reiterate my position on that. I'll just rest on

1 my earlier comments, as well as the Motion
2 itself.

3 With respect to the subjects identified
4 by the Commission, like the other parties, we
5 don't have an issue-by-issue response at this
6 time. We anticipate that those are items that
7 will be addressed during the course of the
8 proceeding or proceedings going forward.

9 But, as I noted previously, the
10 Commission's inquiries are timely. And we do
11 look forward to contributing our perspectives and
12 our ideas.

13 On the demand side -- on the demand
14 response side of things, I do note that the
15 Company is currently promoting, and has promoted,
16 the use of demand response, including by offering
17 incentives to commercial and industrial customers
18 in New Hampshire, and Massachusetts, through its
19 Connected Solutions Program. The Company could
20 leverage its experience with that program to
21 provide insights to the Commission. Though, I
22 understand the Commission's scope of interest is
23 fairly expansive.

24 As for electric vehicle charging,

1 Unitil did propose a comprehensive electric
2 vehicle infrastructure program proposal in its
3 last base rate case, 21 DE 030 [DE 21-030?], I
4 think that's already been referenced. Our
5 proposal in that case included a residential
6 behind-the-meter EV supply equipment installation
7 and incentive program, and a make-ready public EV
8 charging infrastructure program, as well as a
9 complementary marketing, communications, and
10 education plan.

11 The Settling Parties in that case had
12 presented a modified plan to the Commission,
13 which ultimately did not approve the proposed
14 program. Though, the Commission did not allow
15 the Company's proposal at that time, we're
16 pleased to have the opportunity to work with the
17 Commission and other interested parties to
18 further the deployment of EV charging
19 infrastructure in New Hampshire. We do think
20 it's important.

21 Thanks.

22 CHAIRMAN GOLDNER: Thank you, Mr.
23 Taylor. And, finally, we'll move to Weave Grid.

24 MR. BRIGHT: Thank you, Commissioners.

1 We appreciate the opportunity to provide our
2 brief comments.

3 By way of introduction, Weave Grid is a
4 software company that helps utilities support
5 increased adoption of electric vehicles through a
6 greater understanding of customer charging
7 behaviors, managed charging programs, and
8 distribution level optimization.

9 Weave Grid is very supportive of the
10 Commission's investigation of the issues in this
11 proceeding, as it is critical to ensure that
12 utilities have the ability to put structures and
13 programs in place to understand the impacts of
14 EVs on the distribution grid, and to help manage
15 and optimize electric vehicle load, especially as
16 EV adoption continues to accelerate.

17 We understand that the Commission is
18 exploring EV rates in separate proceedings,
19 including the establishment of EV TOU rates, and
20 Weave Grid is encouraged to see these
21 developments.

22 We are likewise supportive of
23 Eversource's comments regarding the exploration
24 of a wide range of EV programs, and echo the

1 recommendation that additional EV load management
2 strategies beyond the traditional demand response
3 structure can unlock the full potential of EVs to
4 the grid.

5 We believe additional exploration of
6 incentive-based programs to shift charging to
7 off-peak periods is warranted. And we're fully
8 supportive of this investigation.

9 Weave Grid looks forward to
10 participating in whatever procedural form this
11 proceeding takes, or other related proceedings.
12 And I thank the Commission again for exploring
13 these important issues.

14 Thank you.

15 CHAIRMAN GOLDNER: Thank you very much.
16 We'll move now to any Commissioner questions,
17 beginning with Commissioner Simpson.

18 CMSR. SIMPSON: Thank you.

19 A question for Mr. Tucker. You said
20 you were "an EV driver back in 2003". What did
21 you drive?

22 MR. TUCKER: I drove a home conversion
23 BMW 3 Series for a year or two. Then, a Toyota
24 RAV4 EV, which was a daily driver from 2005

1 through 2018.

2 CMSR. SIMPSON: Interesting. Well,
3 I've done an EV conversion myself. And it's a
4 fun project.

5 As an EV driver, and somebody on a
6 time-of-use rate today, I'm very interested in
7 how we can enable these types of services for
8 customers, more broadly speaking. I'm interested
9 in hearing more about the demand response
10 offerings that have been discussed.

11 Certainly, I recognize that there have
12 been and are demand response offerings here in
13 New Hampshire. I don't know if maybe the
14 utilities might be able to explain how those are
15 being offered. I think Attorney Chiavara said
16 that enrollment is limited right now.

17 So, if you could elaborate on who can
18 sign up for these, whether it's residential or
19 C&I? And maybe just a general explanation of the
20 nature of the program, that would be very
21 helpful.

22 MR. LEMENAGER: Sure. Well, I'll talk
23 a little bit about the program offerings we
24 currently have. And then, I'll see if Amy wants

1 to weigh in on more of the specifics that we are
2 currently offering.

3 Since 2019, we've had pilot programs in
4 New Hampshire through the NHSaves Programs for
5 ADR. 2019 was just for C&I customers, and it
6 expanded in 2020 to include residential customers
7 as well, a separate pilot program.

8 CMSR. SIMPSON: Uh-huh.

9 MR. LEMENAGER: And the C&I programs
10 are "technology agnostic", meaning we don't care
11 how or what technology you're using to reduce
12 load. But, when called upon, you're able to
13 reduce your load during an event. And then, the
14 residential programs are primarily Wi-Fi
15 Thermostat Programs. So, during hot summer
16 afternoons, we're able to call an event, and
17 customers are therefore responding and altering
18 the temperature to participate in the event.

19 CMSR. SIMPSON: Does the utility
20 exercise that temperature change or is it up to
21 the customer to do so?

22 MS. FINDLAY: So, for thermostats, they
23 are connected to our distributed energy resource
24 management platform, and they have enrolled. So,

1 we have the ability to connect directly with the
2 thermostats. When we call an event, there's a
3 whole sort of series of commands for that
4 thermostat that's executed.

5 So, we'll do a pre-cooling period,
6 where, you know, in advance of when this event
7 window is, it's usually around 4:00 to 7:00 p.m.
8 for the 3-hour event on a hot summer weekday.

9 CMSR. SIMPSON: Uh-huh.

10 MS. FINDLAY: In about the half-hour,
11 hour preceding, we'll take the customer's
12 thermostat down a couple of degrees, and then let
13 it float up during the event.

14 CMSR. SIMPSON: So, the customer
15 doesn't have to do anything?

16 MS. FINDLAY: No. But they have the
17 ability to opt out at any time.

18 CMSR. SIMPSON: Do you provide a
19 notification to them --

20 MS. FINDLAY: Yes.

21 CMSR. SIMPSON: -- that you're about to
22 change their ambient temperature?

23 MS. FINDLAY: Yes. And it depends on
24 the manufacturer, because the notifications come

1 through the actual thermostat manufacturers. So,
2 some of those manufacturers will send an
3 email, --

4 CMSR. SIMPSON: Uh-huh.

5 MS. FINDLAY: -- others might send a
6 push notification, others make it visible on the
7 device. So, that actual sort of notification
8 depends on the manufacturer.

9 CMSR. SIMPSON: Okay. What about
10 Liberty and Unitil?

11 MS. CARROLL: Cindy Carroll, from
12 Unitil. If this is on?

13 We have the same programs here in New
14 Hampshire that Marc just described, and the
15 Connected Solutions Program in Massachusetts that
16 Amy just described.

17 CMSR. SIMPSON: For residential
18 customers in New Hampshire?

19 MS. CARROLL: Yes. Thermostat control
20 with residential customers.

21 CMSR. SIMPSON: Okay.

22 MS. TEBBETTS: Excuse me, I apologize
23 for not being up to speed on exactly our demand
24 response programs under our energy efficiency

1 programs.

2 But we do have the Battery Pilot
3 Program, which is a peak demand reduction
4 program, whereby we have Tesla Powerwalls in
5 customer homes, and those operate every day, and,
6 during peak events, to offset the load on the
7 grid from the customer's home.

8 CMSR. SIMPSON: Okay. Thank you. And
9 I know that Liberty and Unitil have electric
10 vehicle specific rates, correct?

11 MS. TEBBETTS: Yes. That's correct.

12 MS. CARROLL: That's correct.

13 CMSR. SIMPSON: And you mentioned that
14 you offer programs, I don't know if you were
15 talking about EV or demand response, but also in
16 Massachusetts?

17 MS. CARROLL: That's correct.

18 CMSR. SIMPSON: That's correct?

19 MS. CARROLL: Yes.

20 CMSR. SIMPSON: Can you explain those
21 programs, and how they differ from what your
22 offerings are in New Hampshire?

23 MS. CARROLL: Our programs in
24 Massachusetts don't differ much from the programs

1 here in New Hampshire. I think Eversource might
2 have more devices.

3 We also have, in Massachusetts, we also
4 offer storage devices to participate in our
5 Connected Solutions Program. So, that's a
6 difference from New Hampshire as well. In New
7 Hampshire, it's just thermostats, and the C&I
8 Bring Your Own Device Program.

9 CMSR. SIMPSON: And what about electric
10 vehicles? And I'll follow up with Eversource on
11 the same question.

12 MS. CARROLL: We do not have electric
13 vehicle charging in our Connected Solutions
14 Program yet in Massachusetts. We are open to the
15 idea of including electric vehicle charging in
16 that program. But right now we don't have the
17 scale necessary to include that device in our
18 program in Massachusetts.

19 CMSR. SIMPSON: Is that the same for
20 Eversource?

21 MS. FINDLAY: So, we do -- we did
22 previously have an electric vehicle offering
23 within DR in Massachusetts. That offer expired
24 at the end of 2022. So, we need to go back to

1 the Department with a proposal to either continue
2 that EV program within demand response, or
3 propose an alternative program, that's more of a
4 managed charging or an off-peak program outside
5 of the demand response umbrella.

6 And we're at a position now where we've
7 made that request for clarification to the DPU in
8 Massachusetts, to ask them "would you like us to
9 propose any sort of load control or load
10 conservation for EVs within our DR portfolio, or
11 in a different sort of grid mod. docket, similar
12 to what we do in Connecticut?"

13 CMSR. SIMPSON: Okay. And then, we
14 received some comments about infrastructure. You
15 know, Eversource has a program within New
16 Hampshire focused directly on the Volkswagen
17 Settlement Trust. Outside of that, can you
18 discuss what programs you offer in Massachusetts,
19 with respect to electric vehicle infrastructure?

20 And I'll follow up on Unitil, and then
21 other electric jurisdictions for Liberty. If you
22 can speak to that?

23 MR. BOUGHAN: Yes. Sorry. In
24 Massachusetts, we just finished our Phase I

1 Electric Vehicle Infrastructure Program, which
2 ran from 2017 to the end of 2022. It was a
3 \$55 million C&I customer infrastructure program,
4 which provided funding for make-ready, from the
5 service drop, all the way up to stub hub of the
6 charger. And Eversource owned all of that
7 infrastructure, including the infrastructure on
8 the customer side of the meter.

9 Through that program, we installed
10 approximately 2,400 Level 2 chargers at
11 commercial installations at about 500 customer
12 sites. We just recently, in December of 2022,
13 got approval for the next phase of our
14 Massachusetts EV Infrastructure Program. Which
15 is a \$188 million program. And it's much more
16 comprehensive, touching incentives for
17 residential customers, commercial customers, and
18 fleet customers. It also has a comprehensive
19 environmental justice community component to it,
20 where we offer enhanced incentives for customers
21 who reside or who own businesses in environmental
22 justice communities as defined by the State of
23 Massachusetts. That program is a four-year
24 program, starting now through 2026.

1 CMSR. SIMPSON: Thank you.

2 MS. TEBBETTS: Yes. So, in the Lake
3 Tahoe area in California where we serve, I don't
4 believe at this time we have any commercial
5 charging available to customers. There is a
6 potential where other entities own them, but we
7 have not done make-ready work or own any out
8 there. In the Joplin, Missouri area, where we
9 serve electric customers as well, we actually do
10 have a program. And the program provides that we
11 own and operate charging stations within a
12 customer's home behind the meter. And the
13 customer pays for it almost like street lighting,
14 where it's a monthly fee. And then, they pay for
15 the energy associated with charging their
16 vehicle.

17 CMSR. SIMPSON: Is there a tariff
18 specifically for that, do you know?

19 MS. TEBBETTS: Yes. There is a tariff,
20 that was -- it was approved in 2021 by the
21 Missouri PUC.

22 CMSR. SIMPSON: Okay. Thank you.
23 Unitil?

24 MS. CARROLL: So, like Eversource, we

1 just received approval for an EV proposal in
2 Massachusetts in December of 2022. That proposal
3 had an infrastructure -- EV infrastructure
4 investment proposal for public charging. So, the
5 development of public charging sites, similar to
6 what Eversource did in its Phase I program. And
7 also, a residential component, where we will
8 provide incentives for residential customers for
9 the installation of smart chargers in their
10 homes. We also have approval there for a
11 marketing, communication, education program to
12 inform customers about EV charging and EVs. And
13 we also received approval for what we had
14 proposed as an EV time-of-use rate in
15 Massachusetts, also using some of that education
16 and communication plan to educate customers about
17 that EV time-of-use rate.

18 And this is our first program in
19 Massachusetts, and the scale is quite different.
20 The program is about a million dollars, in
21 Massachusetts, over five years.

22 CMSR. SIMPSON: Thank you. And then,
23 one final question for Eversource. Are you
24 embarking on an AMI roll-out in either

1 Connecticut or Massachusetts? And, if so, can
2 you explain it?

3 MR. BOUGHAN: I'm not prepared to talk
4 about the status of our AMI.

5 MS. CHIAVARA: Yes. In the other
6 states, no, I don't think we have anybody that
7 can speak to that today.

8 CMSR. SIMPSON: Okay. Well, it would
9 be good to learn more about that, if so. Thank
10 you.

11 I guess I would ask the New Hampshire
12 Department of Environmental Services, I know we
13 have an EV program with respect to the Volkswagen
14 Settlement Trust. Do you have anything that is
15 relevant for us to consider within the scope of
16 this proceeding or a future proceeding?

17 You can say "no." I don't want to put
18 you on the spot.

19 MS. OHLER: You might not want to, but
20 you are. Becky Ohler, with Department of
21 Environmental Services.

22 CMSR. SIMPSON: Can you just make sure
23 your microphone is on please?

24 MS. OHLER: It is on.

1 CMSR. SIMPSON: Okay. Thank you. I
2 can hear you better now.

3 MS. OHLER: Okay. You know, obviously,
4 we're working closely with Eversource on the
5 recently approved make-ready costs there. We
6 are -- beyond the VW funding, we do not have any
7 funds specifically sort of in our budgets at this
8 point to do expanded EV charging infrastructure.
9 Although, through some of the federal funds
10 coming through now, we are looking at that.

11 We're also working closely with the
12 Department of Transportation, with the National
13 Electric Vehicle Infrastructure funding that they
14 got. But have not had specific conversations
15 about, you know, how the electric utilities might
16 interact with that program.

17 CMSR. SIMPSON: Do you think that there
18 could be synergies realized, if the Commission,
19 Department of Energy, OCA, DES, also worked
20 collaboratively with DOT on these issues, in
21 order to maximize the federal funding available?

22 MS. OHLER: Oh, absolutely.

23 CMSR. SIMPSON: Okay. I'd be
24 interested, as we proceed looking at these

1 issues, on how we might be able to do that.

2 MS. OHLER: Yes. And they have got
3 about \$17 million, which sounds like a lot. But,
4 when it comes to charging infrastructure, and the
5 requirements of that program, you're really
6 looking at probably 12 sites around the state, if
7 you're -- you know, because it requires a minimum
8 number of chargers at a maximum power rate.

9 So, any way we can stretch those
10 dollars is going to be important to this
11 industry.

12 CMSR. SIMPSON: Okay. Thank you, Ms.
13 Ohler.

14 I don't have any further questions at
15 this time. Thank you.

16 CHAIRMAN GOLDNER: Commissioner
17 Chattopadhyay.

18 CMSR. CHATTOPADHYAY: Going back to
19 demand response, can you give me a sense of the
20 level of penetration, meaning, you know, how much
21 are you really getting at this point? And you
22 can -- if it's Eversource, for example, you can
23 also talk about how different Massachusetts and
24 Connecticut might be from New Hampshire right

1 now, if you have the information?

2 MS. FINDLAY: Sure. I can say that
3 it's not really a surprise that we are
4 budget-constrained in New Hampshire. And how
5 this is a bit different than our typical energy
6 efficiency programs is that, once a customer is
7 enrolled in a demand response program, we pay
8 them for participation year over year. So, we
9 are, you know, limited to the customers who are
10 already enrolled in the program, and continuing
11 to pay them year after year, rather than to be
12 able to accommodate new enrollments.

13 And we do have, you know, customers
14 contacting us probably a few times a week from
15 New Hampshire, residential customers and
16 commercial customers that are interested in
17 participating in our programs. And we have to
18 say that we can't accommodate them.

19 MR. LEMENAGER: And part of the size of
20 the pilot program is, it's a balancing act, since
21 it's part of our suite of offerings through the
22 NHSaves Programs. And we do have, as part of
23 those programs, we have the statutory requirement
24 for maintaining a 65 percent planned kWh portion

1 of our energy savings. And these ADR pilot
2 programs currently do not help, nor harm, in that
3 65 percent.

4 So, as part of that calculus of how to
5 size those programs, or what should be the right
6 size, one is these have been pilot programs. So,
7 therefore, the size of them should be considered
8 smaller than some of our main program offerings.

9 But, in addition to that, as data now
10 has been coming in since 2019 from the programs,
11 and we do our '24 to '26 Plan filing coming up
12 later this year, we have been contemplating "What
13 should we be doing, if anything, differently with
14 those programs?"

15 MS. FINDLAY: I just have one more
16 quick point to add about the effectiveness of our
17 demand response programs across the three states.
18 So, we have Connecticut, Massachusetts, and New
19 Hampshire. Obviously, Connecticut and
20 Massachusetts are the larger drivers of this.
21 But we were able, on the peak day, this past
22 summer, August 4th, on that peak hour, we were
23 able to take 187 megawatts off the grid through
24 the programs across the three states. So, it's a

1 significant impact.

2 CMSR. CHATTOPADHYAY: How much is it
3 from New Hampshire, do you know?

4 MS. FINDLAY: It's a very small
5 contribution, I have to say, with the customers
6 we have. We don't have exact performance results
7 from this year, but I think Marc has a --

8 CMSR. CHATTOPADHYAY: Is it 10? Is it
9 100?

10 MS. FINDLAY: It would be about 10
11 megawatts, I'm sure.

12 CMSR. CHATTOPADHYAY: Okay.

13 MS. FINDLAY: Yes.

14 CMSR. CHATTOPADHYAY: The other thing
15 is, and it's just out of curiosity, so, this is,
16 you just give them some sort of an incentive
17 every month, they are in the program. And when
18 you want to activate them, you just let them
19 know, and you do whatever you have to do, right?

20 You're still talking about
21 thermostat-based interventions, or I'm just
22 trying to get a sense?

23 MS. FINDLAY: Yes. So, the
24 technologies that we have for the different

1 measures, for the larger programs in Connecticut
2 and Massachusetts, for the residential measures
3 that we have, thermostats, like I mentioned, EVs
4 are being moved over to managed charging, rather
5 than demand response, and residential batteries.
6 And then, on the commercial side, we have the
7 curtailment measure, which Marc talked about
8 earlier, and the large commercial batteries as
9 well.

10 And the participation criteria differ
11 based on the device type or the asset class. So,
12 for example, those curtailment events, and that
13 was the one that I was referencing, those are
14 large C&I customers, that we only call those
15 events maybe three to eight times in a season,
16 really trying to hit that ICAP hour, or the ISO,
17 like, peak hour.

18 Thermostats, we call about 15 events
19 per season. Batteries we'll call on every day.
20 So, there's a 30 to -- every day in July and
21 August, to provide some load shed. So, that's
22 about 30 to 60 events per season. But the
23 strategy, you know, sort of depends on the device
24 type and the amount of load shed that they can

1 bring to the table.

2 CMSR. CHATTOPADHYAY: So, for the -- if
3 I remember, you said 187 megawatts, right?

4 MS. FINDLAY: Yes.

5 CMSR. CHATTOPADHYAY: So, how much is
6 of that residential, do you know it?

7 MS. FINDLAY: It's about a
8 one-to-three. So, it's about three times the
9 commercial.

10 CMSR. CHATTOPADHYAY: How about the
11 other utilities? I'm just --

12 MS. CARROLL: I do not have the kind of
13 data at my fingertips that Eversource has. But I
14 can tell you that our program here in New
15 Hampshire, similar to Eversource, is constrained
16 by the budget. We could add more -- more
17 customers are interested in participating in the
18 program currently than we can add to the program.

19 CMSR. CHATTOPADHYAY: And are these
20 programs, and I think what I understood was,
21 these are still like they're ready to be
22 deployed, it's not necessarily -- the customers
23 aren't directly responding to the price signals,
24 you are sort of the middleman or, you know,

1 taking care of it?

2 MS. CARROLL: We are calling the
3 events.

4 CMSR. CHATTOPADHYAY: You're calling
5 the events.

6 MS. CARROLL: Correct.

7 CMSR. CHATTOPADHYAY: Okay.

8 MS. CARROLL: Yes.

9 CMSR. CHATTOPADHYAY: How about
10 Liberty? And, again, sorry, before I go to
11 Liberty. So, you don't even have a sense of how
12 much it is, like, total, right?

13 MS. CARROLL: I don't have the total
14 load that we're curtailing.

15 CMSR. CHATTOPADHYAY: And do have the
16 split, residential and commercial? I'm just --

17 MR. PALMA: I think we're around three
18 megawatts. And it's probably one-to-four,
19 residential to commercial. But one thing I want
20 to make a little clarity on, this isn't a price
21 signal program. It's a capacity program. So,
22 whatever the prices are doing doesn't affect
23 anything we're doing. We're looking for the peak
24 day of the peak -- peak day of the year,

1 obviously, but also there's other things, as Amy
2 had mentioned.

3 CMSR. CHATTOPADHYAY: Okay. Let's go
4 to Liberty.

5 MS. TEBBETTS: Yes. As I mentioned
6 earlier, I don't have information on energy
7 efficiency programs for demand response. But,
8 with regard to our Battery Program, back in 2021,
9 between 2021 and 2022, about a twelve-month
10 period, even though our program is only about a
11 megawatt of installed batteries, we reduced about
12 51 megawatts from our system. And that's just
13 due to the fact that we have to dispatch those
14 batteries a few times every single month, just to
15 make sure that we are hitting that monthly peak
16 and that annual peak. So, even with only one
17 megawatt, it's a significant reduction on our
18 system.

19 CMSR. CHATTOPADHYAY: Thank you.

20 CMSR. SIMPSON: Can I ask a follow up
21 on that?

22 CMSR. CHATTOPADHYAY: Oh, absolutely.

23 CMSR. SIMPSON: Fifty-one (51)
24 megawatts?

1 MS. TEBBETTS: Yes. So, you have to
2 understand that, every time we dispatch, we may
3 not hit that peak hour, because it doesn't end up
4 being that peak hour for the month.

5 CMSR. SIMPSON: Uh-huh.

6 MS. TEBBETTS: And, so, we dispatched
7 73 separate times in that one-year period. And
8 of that 73 times, we reduced 51 megawatts. We
9 have about a megawatt installed. So, a little
10 less than a megawatt into dispatch.

11 CMSR. SIMPSON: So, all of those events
12 added together to --

13 MS. TEBBETTS: Yes.

14 CMSR. SIMPSON: Okay. That would have
15 been a lot of batteries.

16 MS. TEBBETTS: Yes.

17 CMSR. SIMPSON: With respect to that,
18 I'd love to hear from the utilities on a interest
19 in enabling more technologies, like energy
20 storage, more demand-side management. Are there
21 forums through which the utilities view that that
22 might be possible in New Hampshire or desirable?

23 MS. CHIAVARA: I don't know that we're
24 prepared to make comments on that right now.

1 It's something I'm sure we can take back and we
2 could examine. But I know we've got the 2024 and
3 2026 Plan underway.

4 And I think, you know, this was a
5 pretty broad Order of Notice. So, we didn't have
6 quite everything prepared. And I don't know that
7 we're ready to speak to that today.

8 CMSR. SIMPSON: Okay. That's fine.

9 MS. CHIAVARA: Thank you.

10 CMSR. SIMPSON: I don't know if the
11 other utilities have anything they'd like to add?

12 MS. TEBBETTS: I think Liberty can say
13 we've already embarked on this. And we're
14 definitely interested in it. And I look forward
15 to having a longer conversation with you on
16 Tuesday, when we have our hearing in that docket.

17 But we do think it's an exciting
18 program. And we look forward to moving forward
19 at some point beyond just a small pilot.

20 MR. TAYLOR: And similarly, we don't
21 have any specific comments to make or to respond
22 to your question today. Other than to say that
23 we are responsive -- we are supportive of demand
24 response, demand management, and things of that

1 nature. So, we look forward to exploring those
2 with you.

3 CMSR. SIMPSON: Okay. Thank you. I
4 don't have any other follow-ups.

5 CMSR. CHATTOPADHYAY: No further
6 questions.

7 CHAIRMAN GOLDNER: Okay. Do any of the
8 participants have any follow-up on the
9 Commissioner questions or anything they would
10 like to add?

11 *[No verbal response.]*

12 CHAIRMAN GOLDNER: Okay. Seeing none.
13 So, the Commission will take about a 10-minute
14 break to confer. And the purpose of that is to
15 provide some guidance on a procedural schedule,
16 so that you hopefully can walk out of here with
17 some direction. And we should be able to take
18 care of that fairly quickly, now having heard
19 from all the participants.

20 So, we'll return at fifteen of, and
21 we'll be back shortly. Thank you.

22 *(Recess taken at 11:33 a.m., and the*
23 *prehearing conference resumed at 11:52*
24 *a.m.)*

1 CHAIRMAN GOLDNER: Okay. Thank you.
2 Welcome back, everyone. Back on the record.

3 The Commission appreciates the comments
4 provided by the participants today. The
5 Commissioners have conferred, and see the merit
6 of converting this investigation into a single
7 adjudicative proceeding. We are mindful of the
8 efforts that existed within previous Commission
9 dockets, and are compelled to reach final
10 decisions with respect to demand response,
11 electric vehicle programs, and EDI.

12 We believe that the issues presented
13 today are inexorably linked, and administrative
14 efficiency will be maximized through a single
15 adjudicative proceeding, as the Commission
16 conducted in DE 06-061, based on similar federal
17 statutory directives.

18 In the interim, within this
19 investigation, and prior to conversion to an
20 adjudicative proceeding, we ask the participants
21 to confer, and provide scoping recommendations
22 based on three separate inquiries -- based on
23 these three separate inquiries of EV, demand
24 response, and EDI. The Commission will consider

1 these recommendations and the information
2 gathered at a final status conference for this
3 investigation at the end of April.

4 In lieu of issuing a report summarizing
5 this investigation, the Commission plans to issue
6 an order closing the investigation following the
7 status conference, and opening a new adjudicative
8 proceeding in due course.

9 Okay. Are there any other issues that
10 participants wish to raise before we adjourn?

11 MR. TAYLOR: Commissioner, will the
12 Commission be issuing something in the nature of
13 a procedural order are something in writing
14 following this conference that essentially sums
15 up the directions that you just gave us?

16 CHAIRMAN GOLDNER: Just a moment. Let
17 me confer.

18 *[Chairman Goldner, Cmsr. Simpson, and*
19 *Cmsr. Chattopadhyay conferring, and*
20 *then Chairman Goldner conferring with*
21 *Atty. Ross.]*

22 CHAIRMAN GOLDNER: The author of such a
23 procedural order nodded "yes". So, we will
24 proceed accordingly, Mr. Taylor.

1 MR. TAYLOR: Thank you.

2 CHAIRMAN GOLDNER: Yes. Anything else
3 today?

4 *[No verbal response.]*

5 CHAIRMAN GOLDNER: We'll just say that,
6 while everyone is collected here today, it would
7 be our encouragement to meet on this topic while
8 everyone is here today.

9 Okay. Well, I'll thank everyone for
10 joining today. We are adjourned.

11 ***(Whereupon the prehearing conference***
12 ***was adjourned at 11:55 a.m., and a***
13 ***technical session was held***
14 ***thereafter.)***

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