

**TATE OF NEW HAMPSHIRE
BEFORE THE
PUBLIC UTILITIES COMMISSION**

NEW HAMPSHIRE ELECTRIC COOPERATIVE, INC.

Petition for Extension of Deadline to file Purchase of Receivables Program

NOW COMES, New Hampshire Electric Cooperative, Inc. (“NHEC”), by and through its undersigned attorney, and respectfully petitions the New Hampshire Public Utilities Commission (“the Commission”) pursuant to Admin. Rules Puc 2201.03(b) and Puc 201.05 to waive the deadline for the filing of a purchase of receivables program (“POR program”) as required by Puc 2205.16(e). In support of this petition NHEC states the following:

1. NHEC is a non-profit, member-owned electric cooperative for which a certificate of deregulation is on file with the Commission pursuant to RSA 301:57; the certificate was filed on June 6, 2000. *See also* RSA 362:2,II and RS 374-F:4, XII. NHEC supports the development of Community Power Aggregations (“CPAs”) and believes that they can be a powerful tool for providing “access to competitive markets for supplies of electricity and related services” and for encouraging “voluntary, cost effective and innovative solutions to local needs” as articulated in the statement of purpose in RSA 53-E:1. NHEC was an early adopter of retail choice in New Hampshire.

2. NHEC utilizes software products and systems provided by National Information Solutions Cooperative (“NISC”) for member billing, information management, meter data management (“MDM”), accounting, engineering, and operational support. NISC provides similar services to over 900 electric cooperatives and public power members, five of which, including NHEC, have customized their account management and billing software and enabled

Electronic Data Interchange (“EDI”) processing to accommodate retail choice, but none of which provide municipal aggregation.

3. Puc 2201.03(b) states: “The commission shall waive the application of any particular rule in this part to a rural electric cooperative for which a certificate of deregulation is on file with the public utilities commission pursuant to RSA 301:57 if it finds upon petition of such a cooperative that compliance is not reasonably practical at a reasonable cost to the cooperative or CPA or CPAs requesting information or services from the cooperative.” The Commission also has the authority pursuant to Puc 201.05 to waive the provision of any of its rules if it finds that the waiver serves the public interest and that it “will not disrupt the orderly and efficient resolution of matters before the commission.”

4. Puc 2205.16(e) requires that “each electric distribution utility shall propose to the commission for review and approval through an adjudicated proceeding a program for the purchase of receivables of CPAs functioning as load serving entities and CEPS serving CPA customers consistent with the provisions of RSA 53-E:9” within 90 days of the effective date of the Puc 2200 rules. That effective date was October 12, 2022. By NHEC’s calculations the date for POR proposals to be submitted would be January 10, 2023.

5. The requirement that electric distribution utilities propose POR programs is a statutory requirement. *See* RSA 53-E:9,II. The deadline for the filing of a POR program, however, is a requirement imposed by the Puc 2200 rules. Thus, the Commission has the authority to waive or extend the deadline.

6. In the Summary of Comments and Reply Comments on Initial Proposal with Responses filed in DRM 21-142 on July 26, 2022, at page 29, the Senior Advisor to the Commission suggested that: “NHEC could be carved out for additional time to file a POR

proposal, as it does not have prior experience with POR, did not participate in prior Commission dockets related to POR, and may benefit from the time to review the other utility POR proposals and study the issue before filing.” In the Petition for Waiver which it filed in DE 22-080, NHEC said that it may require additional time to file a POR program, as NHEC has no prior experience with such a program.

7. While NHEC has made a good faith effort to comply with all of the provisions of the Puc 2200 rules and to develop a POR program, it has not been able to complete its work on such a program due to staffing changes, unanticipated storms, and other complications. In addition, given NHEC’s lack of experience with a POR program, NHEC would benefit from being able to review and consider the POR programs which are filed by the other electric distribution utilities before submitting its proposal. At this time NHEC anticipates that it will need at least three more months to prepare and submit a POR proposal. NHEC would recommend to the Commission, however, that it be required to provide an update on where it stands with the development of a POR proposal within 60 days of this filing so that a more realistic deadline could be implemented.

8. NHEC submits that compliance with the deadline for the POR program and the rule cited above would not be reasonably practical at a reasonable cost to NHEC and would not be in the public interest. Moreover, granting the requested waiver will not disrupt the orderly and efficient resolution of matters before the Commission. NHEC is making a good faith effort to comply with as many of the Puc 2200 rules as quickly as it possibly can. NHEC submits that the cost and practicality of developing the POR program by the January 10, 2023 deadline would be unreasonable. The Commission should therefore grant its request for a waiver from the POR deadline.

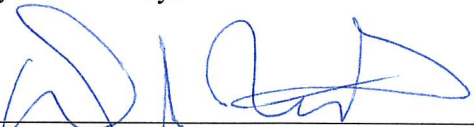
WHEREFORE, New Hampshire Electric Cooperative respectfully requests that the Commission:

- A. Grant a waiver of the deadline for submission of a POR program contained in Puc 2205.16(e);
- B. Require NHEC to submit an update on where it stands with the development of a POR program within 60 days of this filing; and
- C. Grant such other relief as the Commission deems appropriate.

Respectfully submitted,

New Hampshire Electric Cooperative

By Its Attorneys

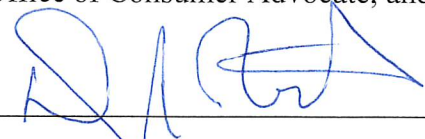


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Dated: January 9, 2023

Certificate of Service

I hereby certify that a copy of the foregoing petition has on this 9th day of January, 2023 been provided to the Department of Energy, the Office of Consumer Advocate, and the service lists in DRM 21-142 and DE 22-080.

By: 

Douglas L. Patch

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