

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DE 23-005

**TOWN OF CANTERBURY
Aggregation Committee
10 Hackleboro Road, P.O. Box 500
Canterbury, NH 03224**

Request for Approval of Canterbury Community Power Electric Aggregation Plan

Commission Approval of Community Power Aggregation Plan

O R D E R N O. 26,785

March 17, 2023

In this order, the Commission approves the Town of Canterbury's (Canterbury) Community Power Electric Aggregation Plan (Plan). This approval is expressly limited to the Plan's terms, namely that the provision of electric energy supply on an opt-out basis shall be limited to customers of Public Service Company of New Hampshire d/b/a/ Eversource Energy and Unitil Energy Systems, Inc.

I. BACKGROUND

On January 17, 2023, Canterbury submitted a request for approval of a community power aggregation plan to provide electric power supply and services for residents, businesses, and other entities in Canterbury pursuant to RSA chapter 53-E. Accompanying its request, Canterbury submitted the text of its Plan with attachments.

On January 17, 2023, the Commission issued an order of notice establishing a deadline for comments on Canterbury's Plan.

One comment was received from the New Hampshire Electric Cooperative, Inc. (NHEC), which was generally supportive of Canterbury's Plan.

Canterbury's request, along with all subsequent docket filings, other than any information for which confidential treatment is requested of or granted by the Commission, is posted at: <https://www.puc.nh.gov/Regulatory/Docketbk/2023/23-005.html>.

II. COMMISSION ANALYSIS

The Commission has reviewed Canterbury's Plan pursuant to RSA 53-E:7, II, as amended, which states that

The commission shall approve any plan submitted to it unless it finds that it does not meet the requirements of this chapter and other applicable rules and shall detail in writing addressed to the governing bodies of the municipalities or counties concerned, the specific respects in which the proposed plan substantially fails to meet the requirements of this chapter and applicable rules.

RSA 53-E:7, II also provides specific direction on the process to be used for the submission of such plans, including the following requirements: 1) on the same day the plan is submitted to the Commission, copies shall be provided to the Office of the Consumer Advocate and any electric distribution utility providing service within the jurisdiction of the municipality; 2) the Commission shall accept public comments for 21 days thereafter; and 3) the Commission's review of the plan and comments shall not require a contested case. N.H. Admin R. Puc 2204.01 (a) also requires notification of aggregation plan filings be made with the New Hampshire Department of Energy. Canterbury's submission complied with these procedural requirements.

In evaluating the merits of Canterbury's Plan, the Commission first notes that the opt-out energy service provisions of the Plan apply only to customers of investor-owned distribution utilities within Canterbury. The Plan identifies approximately 75 customers within Canterbury that receive distribution service from NHEC that would not be subject to opt-out enrollment. Although the Plan is clear that this is a

deliberate decision accompanied by a communication plan to direct opt-in notifications to these customers, we observe that this is a unique Plan feature that treats some Canterbury residents differently from others based on their distribution service provider. This provision may become a source of confusion, and cannot be modified to expand opt-out service to NHEC customers without an amended community power plan being submitted to and approved by the Commission.

We further note that, in a similar manner as the Town of Durham's community power plan, *see* Order No. 26,742 (December 12, 2022), the Plan addresses future plans and intents related to customer generators that net-meter, while noting longstanding efforts within Canterbury to spur photovoltaic solar energy generation. Canterbury's Plan outlines various options, including offering service to such customers on an opt-in basis regardless of their distribution utility and dual billing for a subset of net-metering customers. We note that these options may treat similarly situated customers differently, may become a source of confusion, and will require collaboration with the utilities and recognition that different utilities may possess different capabilities with respect to the terms and conditions that they will be able to implement.

Finally, we note that Canterbury is a member of the Community Power Coalition of New Hampshire (CPCNH), a joint powers agency authorized under RSA 53-A, where members-municipalities would utilize joint resources with each other, including shared third-party services, staff support, power solicitations, local project development, information sharing, and public advocacy. Under the terms of the Plan, Canterbury may elect to either hire an electricity broker/consultant and contract with a Competitive Electric Power Supplier to provide electric energy and related program

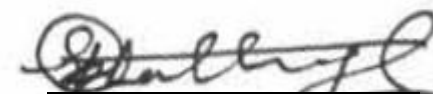

services or participate fully in CPCNH to provide electricity and related program services.

These observations are not intended as a comment on Canterbury's vision. We consider them worth noting to highlight potential sources of customer confusion and implementation challenges that Canterbury should consider addressing in its ongoing communications and informational presentations. Highlighting how Canterbury's Plan addresses unique circumstances and why certain customers might receive dissimilar treatment or have additional options may focus attention on these issues and aid in drawing the attention of customer subsets to individualized communications over generic messaging.

Based on our review of the Plan, we have determined that Canterbury's Plan does not substantially fail to meet the applicable requirements of RSA Chapter 53-E. Canterbury's Plan contains an adequate level of detail of RSA 53-E:6's statutory criteria, other applicable statutory requirements, and applicable rules including N.H. Admin R. ch. 2200.

Based upon the foregoing, it is hereby determined that the Town of Canterbury's Request for Plan Approval is GRANTED.

By order of the Public Utilities Commission of New Hampshire this seventeenth day of March, 2023.


Daniel C. Goldner
Chairman
Pradip K. Chattopadhyay
Commissioner
Carleton B. Simpson
Commissioner

Service List - Docket Related

Docket#: 23-005

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Email Addresses

ClerksOffice@puc.nh.gov
Energy-Litigation@energy.nh.gov
howard.m.moffett@gmail.com
ocalitigation@oca.nh.gov