

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DE 23-047

**TOWN OF HARRISVILLE
May 8, 2023**

***Complaint by the Town of Harrisville Against
Public Service Company of New Hampshire d/b/a Eversource Energy***

Harrisville's Reply to Eversource's 5/1 Response to Complaint:

On April 13, 2023, the Public Utilities Commission ("PUC") issued Order No. 26,801 in respect to the Complaint submitted by the Town of Harrisville, NH (the "Town"). In its letter to the PUC dated May 1, 2023, Eversource responded to the Town's Complaint. Per the PUC's Order, the Town was directed: "[f]ollowing the receipt of Eversource's written response, Harrisville shall notify the Commission within five business days whether it is satisfied with Eversource's response." If not, the PUC indicated that it "will issue a subsequent order."

Harrisville is not satisfied with Eversource's response. The Town trusts that the PUC will find there is a basis for our complaint and will further investigate and take action to enforce its Puc 2200 rules, which have the "force and effect of law." (RSA 541-A:22, II)

We maintain that it is self-evident that the State of New Hampshire considers advances in net metering to be a public good, that the Legislature required Community Power aggregators to offer net metering to customer-generators, and that the Commission (contrary to Eversource's claim) duly obligated utilities to provide Community Power aggregators with the straight-forward data and billing services necessary to fully serve net metering customer-generators.

The Legislature required every Electric Aggregation Plan ("EAP") to "detail [h]ow net metered electricity exported to the distribution grid by program participants, including for group net metering, will be compensated and accounted for." (RSA 53-E:6, II, f). Upon the submission of our EAP to the PUC we also copied Eversource, which then had an opportunity to comment on our EAP. No objection to or concern about Harrisville Community Power's plan to offer service to net metered customers was made. The PUC approved our plan on February 6, 2023. Last week, and only in response to our complaint, Eversource finally conceded to the PUC that the utility hasn't put the work in to provide the data and billing services we need to offer net metering.

The Legislature would be surprised to learn that (one-thousand, three-hundred and seventy-five days after Governor Sununu signed the Community Power Act into law) Eversource has prevented Harrisville Community Power from successfully enrolling net metered customers, simply because it has fallen short of its basic service obligations as a distribution utility. Here, the utility concedes that providing "individual net-metered customer import and export data, both as sales and kWh" to CPAs "would be most relevant to providing net metering offerings to aggregation customers." (Eversource Response, p. 1)

The Town agrees, since net metering is defined as offering to "credit...or purchase the generation output exported to the distribution system from CPA customers with customer-sited

distributed generation”, as the PUC succinctly conveyed in Puc 2205.15(a). Since Eversource is refusing to tell us how much electricity net metered customers export to their distribution grid, we have no way of compensating them for their excess generation on an operational basis.

Similarly, several weeks ago, we had no way of knowing whether any individual net metering customer would save money or lose money on Community Power service (i.e., whether the supply rate discount would outweigh their foregone excess generation supply credit), which forced us to mail customer notifications stating that Harrisville Community Power would not automatically enroll any net metering customer.

We find it difficult to explain to our net metering residents the reason why their initiative in placing solar panels on their houses would cause Eversource to render them ineligible for automatically benefiting from the 20% supply rate discount their neighbors are now enjoying, contrary to the Electric Aggregation Plan approved at Town Meeting. We find ourselves in the disadvantaged and unfortunate position of discouraging our residents from installing solar panels if they also want to participate in the Plan they helped to vote into existence.

In what we cannot think of as anything other than ‘classic misdirection’, Eversource’s response indicates that it, and the other utilities, have apparently chosen to expend their recent efforts on providing Community Power aggregators with “individualized net-metered customers import and export data in kWh and sales on the 2204.03 and 2205.05 reports”, and concludes by focusing on this exercise as though it addresses the real issue. (Eversource Response, pp. 5-6)

The Commission will no doubt recall here that Puc 2204.03 and 2205.05 are intended to ensure utilities provide Community Power aggregators with the names, addresses, and other information necessary to mail notifications to and successfully enroll customers. Puc 2204.03 reports are provided prior to the launch of a Community Power program, to enable notifications to be mailed to all utility customers, whereas Puc 2205.05 reports are provided after the launch of a Community Power program and contain information regarding the (residual) “customers that are then currently on utility default service” so that they can be properly notified and enrolled.

In other words, Eversource’s proposal here is — expressly — to not provide Harrisville Community Power with the data and billing services necessary to offer net metering to our customers. Rather, the utility is only offering to provide us with the data that we could analyze to identify which net metered customers on Eversource’s default service *might* save money by being enrolled onto Community Power (i.e., the customers for whom the savings from a lower supply rate might outweigh the net metering supply credit for excess generation they’d be forced to forego after becoming a Community Power customer).

Unbelievably, Eversource apparently expects the PUC to reward the utility for their continued disservice: “[Eversource] is currently developing cost estimates... [and] will update the Commission when the cost estimate/scope of work/estimated timeline is finalized and it is fully prepared to perform that work to implement this additional functionality at the direction of the Commission.” (Eversource Response, p. 5-6)

Eversource should be told to send these cost estimates to the investors who own the utility, and who presumably have some say in who runs their monopoly enterprise.

Regarding the particulars of how the utility has managed to interpret the PUC's 2200 rules in a manner that categorically fails to fully implement RSA 53-E — and their corresponding, dependent claim of being “compliant” while simultaneously foreclosing net metering service for Community Power aggregators — the Town defers to our power agency, the Community Power Coalition of New Hampshire (CPCNH), which has written the response appended below.

The Town submitted its Complaint on its own behalf and, more particularly, on behalf of residents in Harrisville who do or will want to participate in Community Power as net metered customers able to gain value for their export of excess power to the grid. We think this reflects policy as already expressed in laws and regulations, and it is in the public good. We are most interested in seeing this authority enabled at the very earliest time possible.

We continue to rely on our power agency, CPCNH (of which the Town was one of twelve founding members, and which now operates with the combined authority of thirty-two municipalities) for information as to why this feature could not be provided at the launch of our Community Power program. Generally, we understood that was because Eversource would not agree to provide meter data showing exports to the grid (‘negative usage’) and related billing services for net metered customers of Community Power on a monthly basis.

Going forward, we will rely on CPCNH for any further input to the PUC about dealings with Eversource regarding this information and/or other delays or impediments to Community Power. To that end, the attached addendum references formal complaints being filed by CPCNH with the PUC and NH Department of Energy on this and related matters concerning Eversource's noncompliance and Harrisville hereby asks the PUC to incorporate the addendum into this reply to Eversource's response to our complaint in this matter.

We request that the PUC treat this matter as one of great importance, where any unreasonable delays will interfere with our Town's authorized Electric Aggregation Plan, which is so widely supported by our residents. For administrative efficiency, and with the aim of providing the PUC with ‘all the facts’ relevant to Eversource's violations prior to passing judgment upon the utility, the Town of Harrisville will not object to the record in this complaint and its ultimate resolution being subsumed and transferred to the broader complaint being brought by CPCNH.

Thank you very much for the PUC's prompt and decisive attention to this matter.

Respectfully submitted,

/s/ *Andrew Maneval*

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Addendum: CPCNH Reply to Eversource's 5/1 Response

HARRISVILLE
NEW HAMPSHIRE
EST. 1870



New Hampshire's First Community Power Town



May 8, 2023

RE: DE 23-047 Reply to Eversource's 5/1/23 Response to Town of Harrisville Complaint

Introduction

As the Town of Harrisville has indicated, CPCNH is separately finalizing complaints against Public Service Company of New Hampshire, d/b/a Eversource ("Eversource"), documenting substantive noncompliance with RSA 53-E and Puc 2200 rules, for imminent submission to the Commission and Department of Energy.

One such area of substantive noncompliance, and the focus of Harrisville's complaint, relates to ensuring equitable access to and nondiscriminatory provision of competitive supply to customer-generators. In brief:

- ⚡ The utility has failed to provide rate-ready ('complete') consolidated billing services permitting Community Power aggregators ("CPAs") to credit customer-generators for the supply component of the electricity they export to the distribution grid, in excess of their onsite usage, each month.
- ⚡ The utility has also refused to acknowledge its obligation to provide such excess generation data, both prior to initiation of supply service (in the provision of Puc 2204.02 data), for the purposes of forecasting and the design of net metering programs, and after CPAs become operational, by enabling the financial accounting, crediting, billing, and customer engagement services that a net metering program entails.
- ⚡ The failure on Eversource's part to provide excess generation data also:
 - Forecloses the ability of CPAs to elect the utility's passthrough billing services, which would otherwise permit the issuance of separate supply bills to net metered customers directly — thereby circumventing the current limitations of the utility's 'complete' consolidated billing service; and
 - Precludes the option of electing bill-ready consolidated billing (were Eversource to enable this service, as required by Puc 2205.16(d)(1), which would allow CPAs to calculate customer charges for the utility to present on customer bills, thereby maintaining the customer convenience of receiving a single bill while enabling CPAs to offer more innovative rates and services to customers (without the inherent limitations that come with being required to rely on the utility to compute charges using a single rate).

CPCNH concurs with Harrisville that resolving the Town's complaint via incorporation into our forthcoming complaint, brought on behalf of our Membership (of which the Town is a founding municipality), would be both administratively efficient and allow for more holistic consideration of the challenges that CPAs are encountering vis-à-vis Eversource.



Summary of Eversource's Reply

Turning to Eversource's response to the Town's complaint:

- ⚡ The utility correctly surmises that “the crux of the Town’s complaint is that Eversource is not providing information to aggregations that it is required to provide” and then asserts, in its defense, that the utility is “complying with all rules requiring the provision of net metering data and is not in violation of any rule or statute regarding the provision of net metering data...” (Eversource Response, p. 2).
- ⚡ As a general explanation, the utility asserts that Puc 2200 rules “have relatively limited requirements for providing net metered data” which do not, in Eversource’s view, require the utility to provide “individual net-metered customer import and export data” to CPAs (Eversource Response, p. 1)
- ⚡ Most specifically, Eversource explains that it is currently limiting the provision of “import and export data of customer-generators” required pursuant to Puc 2203.02(d) in response to requests submitted under “Puc 2203.02” — note here that utility should have properly cited to Puc 2203.02(a), the rule which allows Electric Aggregation Committees to request aggregate class-level usage and account data, typically prior to drafting Electric Aggregation Plans, from utilities). (Eversource p. 6)
Eversource further observes that “Puc 2203.02(d) does not indicate that it applies outside the aggregated data supplied under Puc 2203.02” and explains that this is the basis for “the Company’s interpretation that the provision of net metering [import and export] data is limited to [responding to committee requests submitted pursuant to 2203.02(a)].” (Eversource Response, p. 6)

Eversource's Defense has No Merit

Eversource's defense appears to be that the Commission fell short of its statutory obligation, pursuant to RSA 53-E:7, X, to adopt rules to implement RSA 53-E.

As this relates to Eversource's refusal to provide the data and billing services to CPAs to enable them to fully serve net metered customers, the utility is suggesting that the Commission failed to ensure equitable access to and nondiscriminatory provision of Community Power service to customer-generators — which is now causing financial harm, through foregone rate savings, for this customer group.

Relevant here is that the utility's justification for limiting a CPA's access to “import and export data of customer-generators” is entirely predicated on their interpretation that Puc 2203.02(d) is only applicable as one of the data fields required in reports requested by Electric Aggregation Committees (which, as context, has no practical use outside of generally informing the early stages of drafting an Electric Aggregation Plan).

The utility's interpretation is without merit. As detailed below, during the rulemaking this issue was explicitly discussed:

1. Eversource, Unitil Corporation, and Liberty Utilities proposed modifying the definition of Puc 2203.02(d), to align with reporting requirements pursuant to Puc 2203.02(a).
2. CPCNH's comments in response opposed the change on the basis that modifying Puc 2203.02(d) as the utilities had proposed would conflict with and foreclose data access for CPAs under Puc 2204.02(2) and Puc 2205.13(a)(7) — explicitly because Puc

2203.02(d) was being relied upon to provide the description of what constituted “usage data” for all Puc 2200 rules.

3. The Commission disregarded the joint utilities and adopted CPCNH’s proposed description of usage data in Puc 2203.02(d) — which explicitly reinforced and served to further clarify the requirement that all “usage data” provided by utilities to CPAs necessarily included “exports to the grid from customer generators”.

The Commission’s intent here was clear and served to ensure that Puc 2200 rules implemented RSA 53-E requirements.

It is Eversource that has fallen short of their obligations — and this is now the second time that CPCNH has explained to Eversource, in front of the Commission, how to comply with Puc 2203.02(d) reporting requirements.

Overview of Puc 2203.02

As general context, Puc 2203.02, “Request for Usage Information from Utilities”, contains seven rules that either (1) enable Electric Aggregation Committees to request high-level usage data by customer class from utilities, or (2) describe key terms concerning the provision of all utility data under Puc 2200 rules generally — as follows:

- ⚡ The process for a committee to request data of the utility is provided for under Puc 2203.02(a), with related provisions pursuant to Puc 2203.02(b), (e), (f) and (g).
- ⚡ The requirements applicable to utility provision of data under Puc 2200 rules generally are Puc 2203.02(c), which defines “rate class”, and 2203.02(d), which expressly requires that “all usage data provided by the utility shall include consumption power delivered to customers and exports to the grid from customer generators in kWh for each reported interval.”

Additionally relevant here is that:

- ⚡ Puc 2203.02(b), (e), (f) and (g) clearly make explicit reference as being applicable only to the committee data request process under Puc 2203.02(a) or (b).
- ⚡ Puc 2203.02(c) and (d) do not reference or limit their application to the Puc 2203.02(a) data request process.
- ⚡ Both “rate class” and “usage data”) are key terms used in multiple places throughout the rules but are only described or defined in Puc 2203(c) and (d).

The apparent reason why both terms were described under section Puc 2203.02 is simply because this section happens to be where these terms are first used in the body of Puc 2200 rules. There is no description of what constitutes “usage data” anywhere else in the rules, except with regard to which periods of time usage data is to be provided such as for the number of months and for each reported interval.

Puc 2203.02(d): Explanatory Comments and Commission Decision

During the rulemaking, it was explicitly understood that all references to “usage data” in Puc 2200 rules included excess generation usage data for customer-generators, in accordance with the description provided under Puc 2203.02(d). This was apparent and assumed throughout the deliberative process held amongst stakeholders.



The comments submitted by CPCNH, in response to the utilities, that addressed this issue, along with the Commission's adoption of CPCNH's proposed language, are excerpted and explained in context below:

Eversource, Unital, and Liberty propose changes to Puc 2203.02(d)

The joint utilities initially proposed modifying the text of Puc 2203.02(d) as shown below (NH Utilities, Opening Comments, Attachment, p. 3)¹:

2203.02[d] ² All customer usage data provided by the utility shall include consumption and exports to the grid in kWh for each reported **monthly** interval.

Here, the utilities' proposed change would have been acceptable only if Puc 2203.02(d) were solely applicable to the data provided to committees under Puc 2203.02(a) — because the usage data provided to committees is aggregated by month in accordance with Puc 2203.02(b)(1), which requires utilities to provide a high-level report containing:

"The most recent 24 months of monthly usage data if available, or 12 months otherwise, for each customer rate class, aggregated and sorted by whether the customers were taking competitive electric power service or utility default service for each such month."

CPCNH explains that Puc 2203.02(d) describes what constitutes "usage data" under all Puc 2200 rules

In response, CPCNH directly addressed and recommended against adopting the NH Utilities proposed change (CPCNH Reply Comments, p. 15)³:

2203.02[d] The NH Utilities suggest inserting the word "monthly" before interval. For this section of the rules that is not necessary as 2203(b)(1) clearly states that the usage data is "monthly usage data," though just to be sure the word "reported" could be inserted in front of "monthly usage data in 2203(b)(1). Referencing the "reported interval" more generically is important for 2204.02[a](2) and 2205.13(o) (in the initial proposal, or 2205.13(a)(7) in a recommended revision detailed below) where hourly interval data that is used for load settlement is very important in cost effective pricing of power due to load shape impacts and as a potential billing determinant for customers and to inform demand side management and rate innovation offerings. NHEC raises a concern because of how they uniquely define "consumption." To clarify and make more generic we suggest amending this section to read:

¹ Found at Tab 25 in the docketbook for DRM 21-142: under "Initial Proposal Redline Comments" at <https://www.puc.nh.gov/Regulatory/Docketbk/2021/21-142.html>

² Note that the language of Puc 2203.02(d) in the final adopted rules was previously under Puc 2203.02(c) in the PUC's initial and final draft proposed rules,

As such, prior references to "Puc 2203.02(c)" in the rulemaking citations and excerpts herein are written as "Puc 2203.02[d]" for the sake of clarity.

³ At Tab 36 in [DRM 21-142](#). These reply comments were joined by the Office of Consumer Advocate and Clean Energy New Hampshire.

(c) All customer usage data provided by the utility shall include **consumption power delivered to customers** and exports to the grid **from customer-generators** in kWh for each reported interval.

As explained above, the description of what constitutes “usage data” in Puc 2203.02[d] applies wherever the term “usage data” was employed in Puc 2200 rules, which is why the description couldn’t be limited to “monthly usage data” as the utilities proposed — because doing so would have inadvertently conflicted with and constrained the data reporting requirements provided for by Puc 2204.02(2) and Puc 2205.13(a)(7), both of which require utilities to report “usage data” to CPAs for each reported interval (which can be hourly or time-of-use periods, not just monthly intervals as the utilities recommended here). Note also Puc 2204.02(2), under which utilities provide CPAs with anonymized customer-specific “usage data in kWh for each reported interval” prior to launch; and

The Commission adopts CPCNH’s proposed description of what constitutes “usage data” for Puc 2203.02(d)

As seen in the final adopted rule, the Commission disregarded the utilities in favor of adopting CPCNH’s proposed description of what constitutes usage data in Puc 2203.02(d):

Puc 2203.02(d) All customer usage data provided by the utility shall include consumption power delivered to customers and exports to the grid from customer generators in kWh for each reported interval.

In so doing, the Commission explicitly reinforced and served to further clarify the requirement that “**all customer usage data provided by**” utilities to CPAs was to include both “power delivered to customers” as well as “exports to the grid from customer generators”.

Eversource’s “Cost Proposal” is Imprudent

During the rulemaking process, NHEC detailed their limitations and concerns regarding the provision of various data and billing services required to enable net metering for CPAs and the fact that they were exempt from the provisions of RSA 362-A:9 generally and RSA 362-A:9, II specifically. The issues were resolved with the Commission’s subsequent adoption of CPCNH’s proposed language for Puc 2201.02(b) and Puc 2201.03(b) in final rules.

The utilities did raise system configuration and cost concerns (in a broad fashion, i.e., without useful explication) as a potential barrier to the full provision of data required in the initial proposed draft rules — particularly pursuant to Puc 2205.13 (regarding the individual customer data provided to CPAs on an operational basis after the program launches). However, the Commission adopted final rules — based on language proposed by CPG, CPCNH, OCA, and CENH — that only required utilities to provide data that was clearly necessary to implement RSA 53-E requirements, and which the utilities properly should be expected to provide, while allowing for provision of additional data types “when known and if readily available” from the utility.



At the time, the Commission and stakeholders understood that the utilities' concerns had been addressed. The Department of Energy's Reply Comments reflect this understanding:

"The DOE also acknowledges the many comments submitted jointly by the three regulated electric distribution utilities and separately by New Hampshire Electric Cooperative, Inc. that question the relevance and need for certain data and information sought by CPCNH and others, as well as the current feasibility of providing that data and information without **potentially expensive and time-consuming system upgrades and process modifications**. Those concerns **are mitigated to a significant extent by the "if known and readily available" qualifying language that appears in many of the rules provisions requiring utility data releases**. See, e.g., Puc 2203.02(b)(3), Puc 2204.02(a), and Puc 2205.13." (DOE Reply Comments, pp. 1-2)

CPCNH therefore considers Eversource's inability to provide basic data and billing functions to support CPA net metering to be inexplicable, and their expectation of seeking future cost recovery thereof to be unacceptable.

At no point did Eversource — the largest distribution company in NH — disclose that it was going to completely foreclose net metering for CPAs, by refusing to provide the data in its possession or non-discriminatory access to the billing services required for CPAs to successfully enroll and provide net metering credits for customer-generators. Nor has the utility sought a waiver in the intervening months — during which time, CPCNH has already launched and enrolled customers in eleven of its member's CPAs — for anything other than a minor rule (because they can only provide customer arrearages on a current month rather than historical month basis) that is utterly inconsequential in comparison to their disregard of significant portions of Puc 2200 rules. These and other areas of substantive noncompliance will be further documented in our forthcoming formal complaints.

CPCNH appreciates the fact that Eversource has recently been able to flag customers who net meter in their Puc 2204.03 reports and will do so with Puc 2205.05 reports that are used to mail notices and enroll customers, along with providing meter read cycle, which allows enrollment of large blocks of customers to be spread out based on meter read dates. However, that only occurred after we explained that the utility would be responsible for causing financial harm to their net metered customers if they didn't flag them for us so we could avoid automatically enrolling them as a work around given the utility was for lack of necessary meter data to serve them.

The fact that Eversource, as the Town of Harrisville has already explained, is now proposing to focus their efforts on incorporating net metering excess generation data onto the customer contact list reports that are used to mail notices and enroll customers (2204.03 & 2205.5) — instead of working on actually complying with extant requirements that are intended to actually enable net metering data and billing services for operational CPAs — is plainly imprudent.

Eversource is Attempting to Relitigate the Puc 2200 Rulemaking

As the Puc 2200 rulemaking record herein makes clear:

- ⚡ Eversource previously attempted to change the text of Puc 2203.02(d), in a way that would have aligned it specifically with the data reporting requirements to committees pursuant to Puc 2203.02(a).
- ⚡ CPCNH previously explained to Eversource why this was improper, given that Puc 2203.02(d) obligates the utility to include excess generation data for customer-generators when reporting usage data to CPAs pursuant to Puc 2204.02(a)(2) and Puc 2205.13(a)(7) as well.
- ⚡ The Commission previously disregarded Eversource's recommendation and adopted CPCNH's proposed description of what constitutes usage data as Puc 2203.02(d).

Eversource is now trying to relitigate the Puc 2200 rulemaking on an issue the Commission has already settled.

Conclusion

Eversource's reply to Harrisville's complaint contains various citations and claims that CPCNH may incorporate into its forthcoming complaint. We do not address all of them here, in part because explaining why most of them appear to be beside the point would require significant explication, but primarily because our response has demonstrated that Eversource's singular assertion in their complaint response, upon which their broad claim of "full compliance" is based, is entirely without merit.

However, there are additional aspects of Eversource's failure to support net metering for CPAs that are relevant to the Commission's resolution of this complaint, which CPCNH will bring forward shortly in our complaint.

As a former legislator and PUC Commissioner, I take strong exception with how the company has attempted to shift fault to the Legislature and Commission for the utility's acts of noncompliance, (bordering on open defiance at this stage), underscored by the fact that their best argument was apparently to play dumb on what the description of "usage data" entails — as though the Commission, CPCNH, and other stakeholders in the rulemaking, had somehow spent many months informally drafting and then formally finalizing rules while somehow forgetting that net metering data was needed for CPAs to exercise their statutory right and obligation to provide terms and conditions for serving net metered customers.

While it is true that the terms "rate class" and "usage data" might have been better placed under the definition section of the rules (perhaps a consequence of a complex negotiation and drafting process), I feel compelled to point out here, because of the gravity of Eversource's assertion, that this is the second time I have sent a response to the same company staff explaining that Puc 2203.02(d) defines "usage data" wherever the term is used throughout Puc 2200 rules, because Eversource's reply to Harrisville, and the utility comments proposing to amend Puc 2203.02(d) during the rulemaking, came from the same person.

After reviewing the record of the Puc 2200 rulemaking, and given the matter at hand, I think it more than fitting to draw upon CPCNH's conclusion from our Reply Comments in DRM 21-142 here:



Extending the benefits of competition to the ‘mass market’ of residential and small commercial customers — and animating New Hampshire’s broader retail choice market in the process — is a relatively straight-forward process from our perspective.

Community Power Aggregations represent a ready means to break the regulated utilities’ monopoly over the provision of default supply. **Provided that the utilities are made to disclose sufficient data in a timely fashion**, CPAs will be able to arrange for the credit support and services required to structure and actively manage diversified portfolios of financial and physical energy products on a competitive basis while structuring rates for default service and **net metered customers** reflective of cost causation. . . .

Past this point, the ability of CPA programs to effectively innovate and create new value— in regard to time varying rate structures and new billing options, enabling services that assist customers in adopting and utilizing intelligent energy technologies and services, and a wave of capital investments in customer- and community-sited distributed energy resources of every kind — **hinges upon the ability of CPAs to be afforded fair and “open access” to the retail customer network functions (chiefly metering, data management and billing) that New Hampshire’s distribution utilities own and operate on behalf of all ratepayers.**

New Hampshire is at a fork in the road: we are confident that our proposed rules will fulfill the Legislature’s intent and secure a more resilient, locally determined, and cost-effective clean energy future for the state as a whole, whereas **the distribution utilities’ recommendations will perpetuate their apparent disregard of complying with long-standing state policy and PUC precedent.**

We petition the Commission to adopt our recommendations, in order to secure our communities’ energy future in alignment with the Electric Utility Restructuring Act (RSA 374-F).

We additionally urge the Commission to consider taking proactive steps — which are long overdue, from our perspective, such as reconvening the EDI Working Group — **to modernize the competitive market and ensure that Community Power Aggregators and Competitive Electricity Powers Suppliers are able to create new value for customers** in the context of the increasingly-rapid pace of technological change and market disruptions taking shape across all organized electricity markets.

Respectfully submitted,

Community Power Coalition of New Hampshire

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