

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DE 24-006

TOWN OF LANCASTER

Request for Approval of Lancaster Community Power Plan

Approval of Community Power Aggregation Plan

ORDER NO. 26,959

March 8, 2024

In this order, the Commission approves the Town of Lancaster's (Lancaster or the Town) Community Power Electric Aggregation Plan (Plan).

I. BACKGROUND

On January 11, 2024, Lancaster 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 Lancaster pursuant to RSA chapter 53-E. In addition to the request for approval, the Town submitted the proposed Plan with attachments.

On January 12, 2024, the Commission issued an order of notice establishing a deadline for comments on the Plan. **Racheal Stuart (Ms. Stuart) filed a public comment on January 19, 2024.**

All docket filings, other than information for which confidential treatment is requested of or granted by the Commission, are posted to the Commission's website at <https://www.puc.nh.gov/Regulatory/Docketbk/2024/24-006.html>

II. COMMISSION ANALYSIS

The Commission has reviewed the 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, 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. The Town's submission complied with these procedural requirements.

Ms. Stuart's comments concern the name of the group tasked by the Town to develop the community power program. Specifically, the select board authorized the creation of the Lancaster Energy Committee to develop the community power program. However, the plan proposed, and subsequently submitted, references the Lancaster Energy Commission. Ms. Stuart believes that the change in the name from Committee to Commission invalidates the authority of the group that drafted the Plan and therefore, the Plan does not comply with the requirements of RSA chapter 53-E.


The Commission has reviewed the Plan as submitted. In addition to the Plan, the Commission reviewed the attachments submitted for review with the Plan. The Commission notes that the Plan does refer to both the Lancaster Energy Committee (page 2) and the Lancaster Energy Commission (multiple references beginning on page 3). The attachment references only the Lancaster Energy Committee. The issue concerning the name of the group tasked to develop the plan for the Town is not material in our review of the plan submitted by the municipality as required by N.H. Admin R. Puc 2204.01

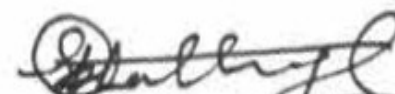
Lancaster's Plan assumes, but does not require, that Lancaster will participate fully in the Community Power Coalition of New Hampshire (CPCNH) to provide electric energy supply and related program services. CPCNH is a joint powers agency authorized under RSA chapter 53-A, where member-municipalities utilize joint resources with each other, including shared third-party services, staff support, power solicitations, local project development, information sharing, and public advocacy.

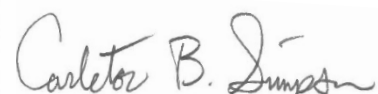
Based on our review of the Plan, we have determined that the Plan does not substantially fail to meet applicable requirements of RSA chapter 53-E or applicable rules. The Plan contains an adequate level of detail of RSA 53-E:6's statutory criteria, other applicable statutory requirements, and applicable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

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

By order of the Public Utilities Commission of New Hampshire this eighth day of March, 2024.


Daniel C. Goldner
Chairman


Pradip K. Chattopadhyay
Commissioner


Carleton B. Simpson
Commissioner

Service List - Docket Related

Docket#: 24-006

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