

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DE 24-091

TOWN OF LONDONDERRY

**Request for Approval of Londonderry Community Power Plan
Commission Approval of Community Power Aggregation Plan**

ORDER NO. 27,051

August 26, 2024

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

I. BACKGROUND

On July 16, 2024, Londonderry 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 Londonderry pursuant to RSA chapter 53-E. In addition to the request for approval, the Town submitted the proposed Plan with attachments.

On July 18, 2024, the Commission issued an order of notice establishing a deadline for comments on the Plan.

On August 5, 2024 the Commission received a comment from Lizabeth Nielsen.

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/2024/24-091.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.

In her August 5, 2024 comment, Ms. Nielson expressed concern that the Plan would operate on an Opt-Out basis, which means that her electricity provider would be changed without her express approval. We note that the law concerning community power aggregation was amended in 2021 to allow for commencing aggregation plans on an Opt-Out basis, so the Commission cannot reject a plan based solely on an Opt-Out provision. Prior to the change in law, community aggregation plans could only be implemented on an Opt-In basis. The Plan provides Ms. Neilson with the ability to exercise her right to Opt-Out and continue her electric service with her current electricity provider or switch to any other provider servicing her Town as required by law. Therefore, even though we understand Ms. Nielson's concerns, the Opt-Out provision is not grounds for denial of the Plan by the Commission.

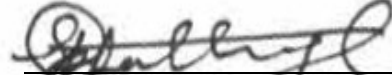
Based on our review of the Plan, we have determined that the Plan does not substantially fail to meet applicable requirements of RSA chapter 53-E or applicable rules. The Plan contains an adequate level of detail of RSA 53-E:6's statutory criteria, other applicable statutory requirements, and applicable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

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

By order of the Public Utilities Commission of New Hampshire this twenty-sixth day of August, 2024.



Daniel C. Goldner
Chairman



Pradip K. Chattopadhyay
Commissioner

Service List - Docket Related

Docket#: 24-091

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