

STATE OF NEW HAMPSHIRE



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September 25, 2024

Chairman Daniel C. Goldner
New Hampshire Public Utilities Commission
21 South Fruit Street
Concord, New Hampshire 03301

via e-mail to: ClerksOffice@puc.nh.gov

Re: Docket No. DE 24-104
Town of Dunbarton
Dunbarton Community Power Electric Aggregation Plan

Dear Chairman Goldner:

As provided for in the Commission's Order of Notice, entered in the above-referenced docket on September 24, 2024, the Office of the Consumer Advocate ("OCA") offers the following comments on the Dunbarton Community Power Electric Aggregation Plan that is the subject of this proceeding.

Page 6 of the Plan describes four tiers of service the Town of Dunbarton intends to offer via its community power aggregation program: Dunbarton Basic, Dunbarton Default, Dunbarton 50%, and Dunbarton 100%. According to the Plan, Dunbarton intends to place electric customers within the municipality on its Dunbarton Default plan unless customers opt into one of the other tiers or opt out of the program altogether. The Dunbarton Basic tier is comparable to the default energy service offered by the investor-owned utilities; Dunbarton Default adopts as a "target" an additional five to ten percent of renewable content beyond the minimum requirements of the state's Renewable Portfolio Standard. The renewable content of the other two tiers is self-explanatory.

We do not believe this approach to opt-out community power aggregation is appropriate. In our view, municipalities participating in community power aggregation should automatically place customers on an aggregation plan that is comparable (in terms of renewable content) to utility default service and then, as appropriate, allow customers to opt into premium offerings that include higher percentages of renewable energy. Here, Dunbarton is making a big assumption about electric customers within its borders – that they prefer electricity that is more renewable than is required by state law. It is not a reasonable assumption.

Data from the Community Power Coalition of New Hampshire – arising out of the fact that three of its participating municipalities are doing what Dunbarton now proposes to do – reveals that, when a community aggregation program defaults customers into a premium plan, roughly 98 percent of customers do not opt for something else, whereas in a town that relies on basic power as its default option the same percentage stick with that option. This strongly suggests that electric customers, for

whatever reason, do not pay attention to these details. In our view, community power aggregation programs should not be allowed to take advantage of this inattention by manipulating customers into taking more renewable power than is required by state law. Rather, it is more consistent with notions of customer agency and empowerment – well enshrined in state law – to allow customers to make affirmative choices to become more virtuous electricity customers than that which is required through the Renewable Portfolio Standard. Our opinion might be different if New Hampshire were not the only state in the region that has declined to adopt a mandatory decarbonization goal.

We note, as well, that page 11 of the Plan provides for an opt-out period of 37 days – three days for initial mailing, 30 days for customer consideration, and three days for returning reply cards. In our opinion, given the current service record of the U.S. Postal Service, it is more appropriate to allow six days on either end for delivery of first class mail. Therefore, an opt-out period of 42 days is more appropriate. Moreover, the Commission should require that reply cards be furnished to customers on a postage-paid basis.

Subject to the above-referenced changes, the OCA recommends approval of the Dunbarton Community Power Electric Aggregation Plan.

Sincerely,

A handwritten signature in blue ink, appearing to read 'DKreis', written in a cursive style.

Donald M. Kreis
Consumer Advocate

cc: Service List (via e-mail)