

STATE OF NEW HAMPSHIRE  
PUBLIC UTILITIES COMMISSISON

Docket No.: DE 24-112

PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE  
d/b/a/ EVERSOURCE ENERGY

Petition for Adjustment of Stranded Cost Recovery Charge for  
Effect on February 1, 2025

**PETITON TO INTERVENE OF  
COMMUNITY POWER COALITION OF NEW HAMPSHIRE**

The Community Power Coalition of New Hampshire (the “Coalition” or CPCNH), by counsel, BCM Environmental and Land Law, PLLC, respectfully petitions the New Hampshire Public Utilities Commission (“Commission”), pursuant to Puc 203.02, Puc 203.17, and RSA 541-A:32, to allow CPCNH to intervene in the above-captioned matter, and states as follows:

**I. Relevant Background of Community Power Coalition of New Hampshire**

1. CPCNH is a duly formed New Hampshire nonprofit corporation in good standing with a principal place of business of City Hall, 51 North Park Street, Lebanon, New Hampshire 03766 and a mailing address of P.O. Box 840, Concord, NH 03302.

2. CPCNH is a Joint Powers Agency incorporated to procure and supply electricity and related services to member community power programs.

3. CPCNH is a growing governmental instrumentality currently comprised of its seventy (70) members, including sixty-six (66) New Hampshire municipalities and New Hampshire four (4) counties, each of which is party to the [Joint Powers Agreement](#) (JPA) enabled by RSA 53-A and RSA 53-E:3, II(b).

4. CPCNH’s municipal members and municipalities served on an opt-out basis in member county programs comprise forty percent (40%) of New Hampshire’s population.

5. CPCNH has supported the launch of sixty-one (61) Member Community Power Aggregations as an alternative default energy service provider pursuant to RSA 53-E and RSA 374-F:2, I-a.

6. Of the total customers CPCNH currently serves statewide, more than 140,000 are in Eversource's service territory spanning fifty-six (56) communities, including the cities of Concord, Dover, Franklin, Nashua, Portsmouth, and Somersworth; the Counties of Cheshire and Merrimack; and the Towns of Atkinson, Barrington, Bethlehem, Boscawen, Bradford, Campton, Canterbury, Charlestown, Chesterfield, Dublin, Durham, Enfield, Epping, Fitzwilliam, Franconia, Gilford, Gilsum, Grantham, Hanover, Harrisville, Hinsdale, Hopkinton, Hudson, Lee, Loudon, Lyme, Mason, Nelson, New London, Newmarket, Newport, Northfield, Pembroke, Peterborough, Plainfield, Randolph, Roxbury, Rye, Stratford, Sugar Hill, Tamworth, Temple, Troy, Warner, Webster, Westmoreland, Wilmot, and Winchester (some of which are being served on a default service basis by Cheshire or Merrimack County).

7. Most of those that CPCNH serves also have their own electric accounts with Eversource for distribution services.

8. In addition to the above services, the JPA authorizes CPCNH to "jointly exercise certain powers, privileges, and authorities granted to municipalities and counties pursuant to" a variety of statutes "to study, promote, develop, conduct, operate, and manage energy-related programs, and to exercise all other powers necessary and incidental to accomplishing this purpose."

9. Article 7.16 of CPCNH's Articles of Agreement, part of the JPA, specifically grants CPCNH the power to "[i]ntervene in germane regulatory proceedings on behalf of itself and its Members."

## **II. Legal Standard for Intervention at the PUC**

10. Pursuant to Puc 203.17, the “[C]ommission shall grant one or more petitions to intervene in accordance with the standards of RSA 541-A:32.”

11. In turn, pursuant to RSA 541-A:32, I(b), the “presiding officer shall grant” intervention if the “petition states facts demonstrating that the petitioner’s rights, duties, privileges, immunities or other substantial interests may be affected by the proceeding or that the petitioner qualifies as an intervenor under any provision of law;” and, pursuant to RSA 541-A:32, I(c), the presiding officer “may” grant intervention if the presiding officer “determines that the interests of justice and the orderly and prompt conduct of the proceedings would not be impaired by allowing the intervention.”

12. RSA 541-A:32 allows intervention to be conditioned, but limits “shall not be so extensive as to prevent the intervenor from protecting the interest which formed the basis of the intervention.” RSA 541-A:32, III–IV.

13. The presiding officer may alter conditions to intervention at any time. RSA 541-A:32, V.

14. Because of the ability to alter conditions at any time, the Commission has, at least in some instances, opted not to condition intervention at the outset. September 5, 2024 DE 24-070; Order No. 27,054.

## **III. CPCNH’s Interests Satisfy PUC Intervention Standards**

15. CPCNH concentrates the interests of dozens of municipalities and two counties that rely on Eversource as an electric distribution utility, all with interests in costs to their own accounts, their customer accounts, and a range of topics influencing and influenced by costs.

16. CPCNH's rights, duties, privileges, and other substantial interests that may be affected by this proceeding are many because of the broad range of interests possessed by its Member municipalities and counties that Eversource serves as an electric distribution utility and will be affected by Eversource's stranded cost recovery charge (SCRC).

17. In the broadest and most general terms, CPCNH's right to intervene in this case arises from CPCNH's authority "to conduct, operate, and manage energy-related programs, and to exercise all other powers necessary and incidental to accomplishing this purpose" on behalf of CPCNH's members.

18. The adjustment requested by Eversource to its SCRC, including the proposed Energy Service Reconciliation Adjustment Factor rate, will have a substantial impact on CPCNH's members and their customers.

19. CPCNH has substantial interest in whether Eversource's proposal shifts costs from Eversource's (utility) default service customers onto CPCNH's (alternative) default service customers, and therefore, whether such cost shifting would result in an unjust and/or unreasonable subsidy, anti-competitive rates, constraints on the free market, and/or an unlevel playing field.

20. Explaining their interests in this matter, in Docket No. DE 24-046, CPCNH and the NRG Retail Companies filed a Joint Motion for Rehearing of the Commission's Order No. 27,022, an Order that authorized Eversource to recover certain costs of power supply through energy service rates in effect during the six-month period of August 1, 2024 through January 31, 2025 and directed Eversource to: 1) place into a deferral account certain power supply costs of \$6.5 that were not previously collected in rates, with carrying charges paid to Eversource; 2) recalculate their proposed rate to exclude recovery of these costs; and 3) prepare a proposal for

the integration of the ES Reconciliation Adjustment Factor charges into collection through the SCRC to be filed thirty (30) days in advance of the Company's next SCRC petition filing.

21. CPCNH and the NRG Retail Companies also filed comments in DE 24-046 in response to the Commission's Order Nisi No. 27,034 Approving Energy Service Rates.

22. In Eversource's response to the CPCNH and NRG Retail Companies Joint Motion for Rehearing, Eversource noted that once the new docket for its SCRC proposals was issued, "potentially affected parties will have notice that the issue will be adjudicated in that docket, and they will have an opportunity to petition to intervene in that proceeding and protect their interests through their participation."

23. Subsequently, the Commission denied CPCNH and the NRG Retail Companies' joint rehearing request in DE 24-046, reasoning that the issues CPCNH and the NRG Retail Companies raised would be adjudicated in a forthcoming proceeding to consider Eversource's SCRC proposals, i.e., the instant DE 24-112, and therefore, the motion for rehearing was premature.

24. Now that the "forthcoming proceeding" has commenced in the "new docket," CPCNH makes this petition to intervene in accord with the prior history of DE 24-046.

25. CPCNH has rights, duties, privileges, and other substantial interests in the issues to be addressed by this proceeding, including, for example:

a. "whether the categories of costs and revenues included in Eversource's proposed SCRC rates are consistent with the requirements of RSA 374-F:3, XII(d) and/or are appropriately included consistent with prior Commission orders;"

b. "whether Eversource appropriately calculated the SCRC rates to reflect the actual and estimated costs and revenues that are appropriately included in the SCRC;"

c. “whether the costs Eversource seeks to recover through the proposed adjusted SCRC were prudently incurred;”

d. “whether the resulting SCRC rates are just and reasonable;”

and more, noting that the foregoing is an illustrative, not an exhaustive, list.

26. The interests of justice and the orderly and prompt conduct of the proceedings will not be impaired on account of CPCNH’s intervention.

WHEREFORE, CPCNH respectfully requests that the Commission grant this petition and grant such other relief as is just and proper.

Respectfully submitted,

**COMMUNITY POWER COALITION OF  
NEW HAMPSHIRE**

By Its Counsel,

BCM Environmental & Land Law, PLLC

Dated: December 27, 2024

/s/ Amy Manzelli, Esq.

By: Amy Manzelli, Esq. (NH Bar No. 17128)  
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**CERTIFICATION OF SERVICE**

I certify that a complete copy of the foregoing is being sent this day to all persons on the official service list for this proceeding.

Dated: December 27, 2024

/s/ Amy Manzelli, Esq.  
Amy Manzelli, Esq.