

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DE 20-092

ELECTRIC AND GAS UTILITIES

2021-2023 Triennial Energy Efficiency Plan

**Supplemental Notice of Adjudicative Proceeding and
Procedural Order re: Procedural Schedule**

March 16, 2022

On February 24, 2022, Governor Christopher T. Sununu signed HB 549 into law. HB 549 amended RSA 374-F:3, VI, relative to the structure and uses of the System Benefits Charge (SBC), a component of electric rates; added a new section to RSA 374:63, relative to the structure and uses of the Local Distribution Adjustment Charge (LDAC), a component of natural gas rates; and amended RSA 125-O:5-a, relative to the Energy Efficiency and Sustainable Energy Board. These legislative changes affect this docket in multiple ways, including by: 1) setting SBC and LDAC rates, on a per kWh and per therm basis respectively, from which a majority of the funding for the statewide energy efficiency program for the remainder of the triennium ending on December 31, 2023 will be derived; 2) requiring the “joint utilities”¹ to make an updated plan filing on March 1, 2022, relating to ratepayer funded energy efficiency programming to be implemented between May 1, 2022 and December 31, 2023; and 3) establishing standards to be applied to the joint utilities’ filing, including standards specific to: cost-effectiveness testing; evaluation, measurement, and verification; free-ridership; and the percentage of planned savings that must be electric system savings.

¹ The joint utilities, although not defined by HB 549, have been previously identified in this docket as: Liberty Utilities (Granite State Electric) Corp. d/b/a Liberty Utilities; New Hampshire Electric Cooperative, Inc.; Public Service Company of New Hampshire d/b/a Eversource Energy; Unitil Energy Systems, Inc.; Liberty Utilities (EnergyNorth Natural Gas) Corp. d/b/a Liberty Utilities; and Northern Utilities, Inc.

On March 1, 2022, the joint utilities filed a 2022–2033 Statewide Energy Efficiency Plan (Plan) and requested the Commission to approve the Plan in advance of the May 1, 2022 deadline. Pursuant to HB 549, the Commission is required to act on this filing by May 1, 2022.

I. Supplemental Notice of Adjudicative Proceeding

The joint utilities' Plan filing raises, *inter alia*, issues related to: 1) whether the proposed Plan programs offer benefits consistent with RSA 374-F:3, VI, as amended by HB 549, including whether the Plan programming and performance incentive levels are optimized to deliver ratepayer savings and whether changes to the performance incentive structure are warranted based on HB 549's energy savings criteria; 2) whether, pursuant to RSA 374-F:3, X, Plan programming targets cost-effective opportunities that may otherwise be lost due to market barriers; 3) whether market barriers have been appropriately identified and assessed; 4) whether the Plan's funding levels were accurately calculated based on the rates set by HB 549 and other anticipated revenue sources; 5) whether the proposed programs will properly utilize funds from the Energy Efficiency Fund as required by RSA 125-O:23; 6) whether, pursuant to RSA 374:2, the Electric Utilities' and Gas Utilities' proposed Lost Base Revenue recovery rates are just and reasonable and comply with Commission orders; and 7) pursuant to RSA 374-F:3, VI, as amended by HB 549:

- a. Whether changes to programming offerings are reasonable, including whether the applicable standards (Avoided Energy Supply Cost Study for New England, Granite State Test, and Total Resource Cost test) were applied correctly to ensure cost effective programming;
- b. Whether each electric utility's planned energy savings consist of at least 65 percent electric systems savings;

- c. Whether individual programming modifications including increases to program rebate caps are reasonable;
- d. Whether the percentage of the Plan budget proposed to be spent on Evaluation, Measurement and Verification falls within the five percent of Plan funding cap and is otherwise reasonable;
- e. Whether the Plan adequately address free-ridership;
- f. Whether the joint utilities adequately addressed alternative funding sources;
and
- g. Whether SBC funds used to promulgate the benefits of energy efficiency are utilized in accordance with guidelines developed as specified in RSA 125-O:5-a, I(c).

The parties should expect that the Commission will utilize the upcoming hearing to scrutinize these issues in determining how it will act on the plan. Each party has the right to have an attorney represent the party at the party's own expense.

II. Procedural Schedule

The existing procedural schedule in this matter was established by Commission Order No. 26,573 (January 31, 2022), and consists of the following events:

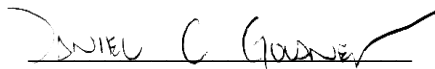
- 1) March 1, 2022 – Joint Utility filing report on cost-effective programming
- 2) March 11, 2022 – Data Requests to Joint Utilities on March 1 report
- 3) March 25, 2022 – Joint Utilities’ responses to March 11 Data Requests
- 4) March 31, 2022 – Joint Utility filing Program Proposal
- 5) April 5, 2022 – Technical Session, 9:00 a.m.
- 6) April 12, 2022 – Responses to Data Requests posed during the Technical Session
- 7) April 19, 2022 – Non-Utility Parties filing pre-filed written Testimony
- 8) April 21 and 22, 2022 – Hearing Dates

9) May 1, 2022 – Commission Order

The joint utilities' Plan was filed on March 1, 2022, responding to items one and four of the existing procedural schedule and the requirements of RSA 374-F:3, VI, as amended by HB 549, as well as to other deadlines set by prior Commission orders. Based on these consolidated filings, and the joint utilities' request for a Commission order in advance of May 1, 2022, the Commission has determined that amendments to the procedural schedule are in the public interest and, therefore, the procedural schedule in this matter is amended as follows:

- 1) Through March 25 – Rolling Data Requests to Joint Utilities on March 1 filings, with responses due within ten days of request
- 2) April 5, 2022 – Technical Session, 9:00 a.m.
- 3) April 12, 2022 – Responses to Data Requests posed during the Technical Session
- 4) April 19, 2022 – Non-Utility Parties filing pre-filed written Testimony
- 5) April 21, 2022 – Hearing Date (April 22, 2022, held for continued hearing, if necessary)
- 6) Prior to May 1, 2022 – Commission Order

So ordered, this sixteenth day of March, 2022.



Daniel C. Goldner
Presiding Officer
Chairman

Service List - Docket Related

Docket# : 20-092

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