

**STATE OF NEW HAMPSHIRE  
PUBLIC UTILITIES COMMISSION**

**IR 22-042**

**ELECTRIC AND GAS UTILITIES**

**Investigation of Energy Efficiency Planning, Programming, and Evaluation**

**ORDER OF NOTICE**

In Order No. 26,621 (April 29, 2022) (Order 26,621), the Commission conditionally approved the 2022–2023 New Hampshire Energy Efficiency Plan (2022–23 Plan), including approval of energy efficiency programs to operate in 2022 and 2023, a utility performance incentive, and several lost base revenue adders. In Order 26,621, the Commission analyzed the 2022–23 Plan, examining each of the following topics: Electric System Savings; Energy Efficiency Program Optimization; Performance Incentives; the Impact on the New Hampshire Economy; Market Barriers; Low-income Customers; Evaluation, Measurement and Verification; and Lost Base Revenue Adders.

The Commission conditioned its approval of the 2022–23 Plan on future plans meeting the 65 percent electric energy savings threshold on both an annual and lifetime basis, and on the Joint Utilities<sup>1</sup> responding to new reporting requirements throughout 2022 and 2023 designed to probe these topics, ultimately aiding the Commission in overseeing ratepayer funded energy efficiency programming and incentives so they are: 1) optimized to deliver ratepayer savings as made possible by funding; 2) appropriately prioritize program offerings among and within customer

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<sup>1</sup> 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.

classes; and 3) adequately designed to address state policy principles related to market barriers. See RSA 374-F:3, VI-a(d), RSA 374-F:3, VI-a(d)(4), and RSA 374-F:3, X.

We therefore open this investigatory proceeding to review the responses to these reporting requirements, further probe these topics through follow-up questions, and examine the Joint Utilities development of the 2024–2026 triennial plan (2024–26 Plan). This investigation will aid the Commission in its role ensuring that the 2024–26 Plan comports with the standards and policy priorities of RSA 374-F. This docket will facilitate a transparent and open examination of the Joint Utilities’ existing energy efficiency programming, opportunities for changes and updates to existing programming, and may serve as a starting point for other dockets to address specific issues or areas of concern in advance of the Joint Utilities’ filing of the 2024–26 Plan on July 1, 2023.

This investigation is commenced pursuant to Order 26,621, as clarified by Order No. 26,642 (June 21, 2022), as well as the Commission’s other investigatory authorities: RSA 365:5, 365:6, 365:15, 365:19, 374:4, 374:7, and 374-F:4, X. This order of notice and subsequent docket filings, other than any information for which confidential treatment is requested of or granted by the Commission, are available on the Commission’s website at

<https://www.puc.nh.gov/Regulatory/Docketbk/2022/22-042.html>.

### **ISSUES PRESENTED**

This investigation will review the Joint Utilities’ responses to the Commission’s reporting requirements pursuant to Order Nos. 26,621 and 26,642, make additional inquiries, receive stakeholder input, and examine the development of the 2024–26 Plan. These topics of investigation will help inform whether changes to current energy

efficiency programming, planning, performance incentives, and evaluation are warranted; and if such changes are warranted, to help inform how such changes will be pursued. Accordingly, this docket will examine, *inter alia*, issues related to RSA 374-F:3, including current and future energy efficiency program offerings based on the Commission's inquiries into the following topics identified in Order 26,621:

1. The Granite State Test, Total Resource Cost Test, and Discount Rates;
2. Performance Incentive;
3. Impact on New Hampshire Economy;
4. Subsidized Services and Equipment;
5. Market Barriers;
6. Reporting on Spending by Category;
7. Reporting on Low-Income Program Offerings; and
8. Reporting made to other regional or regulatory organizations.

As a first step in this investigation, the Commission will review the Joint Utilities' August 1, 2022, filings in this docket and issue follow-up record requests to clarify these responses. The Joint Utilities shall participate in this investigation, and all other parties to Docket No. DE 20-092 are encouraged to participate. Each party has the right to have an attorney represent the party at the party's own expense.

The Commission hereby schedules a prehearing conference to occur on October 12, 2022 at 1:00 p.m. At the prehearing conference the Commission will hear preliminary comments from the Joint Utilities and stakeholders on these topics and consider a procedural schedule for the remainder of this investigation. The Joint Utilities and interested stakeholders are encouraged to pre-file comments on the procedural schedule and scope of this investigation.

**Based upon the foregoing, it is hereby**

**ORDERED**, that the Clerk's Office shall notify all persons of this investigation by publishing a copy of this Order of Notice on the Commission's website no later than two business days after the date of issue, [www.puc.nh.gov](http://www.puc.nh.gov), and by electronic mail to the electric and gas distribution utilities as well as all persons on the Commission's service list for DE 20-092; and it is

**FURTHER ORDERED**, that any entity or individual may petition to intervene and seek to be admitted as a party in this proceeding. Each party has the right to have an attorney represent the party at the party's own expense; and it is,

**FURTHER ORDERED**, that, consistent with N.H. Admin. R., Puc 203.17 and Puc 203.02, any entity or individual seeking to intervene in the proceeding shall file with the Commission a petition to intervene with copies sent to the electric and gas utilities and any other parties on the service list, on or before September 9, 2022. The petition shall state the facts demonstrating how the petitioner's rights, duties, privileges, immunities, or other substantial interests may be affected by the proceeding, consistent with N.H. Admin. R., Puc 203.17; and it is

**FURTHER ORDERED**, that any party objecting to a petition to intervene make said objection on or before September 23, 2022; and it is

**FURTHER ORDERED**, that the Commission will hold a prehearing conference, pursuant to N.H. Admin. R., Puc 203.15, at its offices located at 21 S. Fruit St., Suite 10, Concord, New Hampshire, on October 12, 2022, at 1:00 p.m., at which each party should be prepared to address any of the issues set forth in N.H. Admin. R., Puc 203.15; and it is

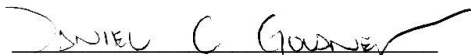
**FURTHER ORDERED**, that during the prehearing conference, the Commission will consider the matters listed in Puc 203.15(c) and (d), including the establishment

of a procedural schedule governing the remainder of the proceeding and further defining the scope of this investigation. The Joint Utilities and stakeholders are encouraged to pre-file comments on these topics so that the presiding officer can address any matters on which there is disagreement during the prehearing conference. Such comments shall be filed no later than September 30, 2022. Any procedural schedule, however, will not be approved until after the prehearing conference and after consulting the Commission's calendar; and it is

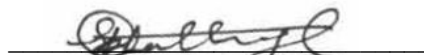
**FURTHER ORDERED**, that routine procedural inquiries may be made by contacting the Commission's Clerk's Office at (603) 271-2431 or [ClerksOffice@puc.nh.gov](mailto:ClerksOffice@puc.nh.gov). All requests to the Commission should be made in a written pleading filed with the Commission. Unless otherwise authorized by law, *ex parte* communications are prohibited; and it is

**FURTHER ORDERED**, that any hearings in this matter shall be conducted in accordance with the attached hearing guidelines.

So ordered, this tenth day of August, 2022.



Daniel C. Goldner  
Chairman



Pradip K. Chattopadhyay  
Commissioner

Individuals needing assistance or auxiliary communication aids due to sensory impairment or other disability should contact the NHPUC, 21 S. Fruit St., Suite 10, Concord, New Hampshire 03301-2429; 603-271-2431; TDD Access: Relay N.H. 1-800-735-2964. Notification of the need for assistance should be made one week prior to the scheduled event.

## Service List - Docket Related

Docket# : 22-042

Printed: 8/10/2022

Email Addresses

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ClerksOffice@puc.nh.gov  
nhregulatory@eversource.com  
asbury@unitil.com  
Scott.T.Balise@energy.nh.gov  
kelly@cleanenergynh.org  
rburke@nhla.org  
john.butler@eversource.com  
carroll@unitil.com  
brandy.chambers@eversource.com  
jessica.chiavara@eversource.com  
rclouthier@snhs.org  
gary.m.cronin@energy.nh.gov  
mdean@mdeanlaw.net  
demeris@unitil.com  
Energy-Litigation@energy.nh.gov  
julianne.m.desmet@oca.nh.gov  
paul.b.dexter@energy.nh.gov  
downesm@unitil.com  
kimberly.dragoo@libertyutilities.com  
jay.e.dudley@energy.nh.gov  
tracy.dyke-redmond@eversource.com  
stephen.r.eckberg@energy.nh.gov  
steven.elliott@eversource.com  
maromilee.emerick@eversource.com  
eemerson@primmer.com  
erin.engstrom@eversource.com  
sam@cleanenergynh.org  
joseph.fontaine@des.nh.gov  
fossumm@unitil.com  
thomas.c.frantz@energy.nh.gov  
josie.gage@oca.nh.gov  
sgeiger@orr-reno.com  
genestj@unitil.com  
dgoldberg@synapse-energy.com  
gouldingc@unitil.com  
dhill@energyfuturesgroup.com  
jarvis@unitil.com

maureen.karpf@libertyutilities.com  
nkrakoff@clf.org  
donald.m.kreis@oca.nh.gov  
Philip.W.LaMoreaux@des.nh.gov  
clane@synapse-energy.com  
marc.lemenager@eversource.com  
elevin@veic.org  
jmarks@acadiacenter.org  
mcdonald@optenergy.com  
catherine.mcnamara@libertyutilities.com  
nelson.medeiros@eversource.com  
frank.melanson@eversource.com  
Mosenthal@OptEnergy.com  
elizabeth.r.nixon@energy.nh.gov  
amanda.o.noonan@energy.nh.gov  
ocalitigation@oca.nh.gov  
rebecca.ohler@des.nh.gov  
palma@unitil.com  
katherine.peters@eversource.com  
tina.poirier@libertyutilities.com  
ralph.prahl@gmail.com  
Maureen.l.reno@oca.nh.gov  
bryant.robinson@eversource.com  
Melissa.Samenfeld@libertyutilities.com  
michael.sheehan@libertyutilities.com  
david.simek@libertyutilities.com  
karen.sinville@libertyutilities.com  
chris@cleanenergynh.org  
skumatz@serainc.com  
eric.stanley@libertyutilities.com  
atakasugi@synapse-energy.com  
taylorp@unitil.com  
heather.tebbetts@libertyutilities.com  
stower@nhla.org  
jacqueline.m.trottier@energy.nh.gov  
jvanrossum@clf.org  
david.k.wiesner@energy.nh.gov  
kiersten.williams@eversource.com  
wirtino@comcast.net  
woodsca@nhec.com  
twoolf@synapse-energy.com