

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DE 23-001

NEW HAMPSHIRE ELECTRIC COOPERATIVE, INC.

Proposed Purchase of Receivables Program

**COMMENCEMENT OF ADJUDICATIVE PROCEEDING
AND NOTICE OF PREHEARING CONFERENCE**

On March 20, 2023, New Hampshire Electric Cooperative, Inc. (NHEC) filed a proposal for a purchase of receivables (POR) program pursuant to RSA ch. 53-E and New Hampshire Code of Administrative Rules, Puc ch. 2200. In support of its proposal, NHEC filed the pre-filed direct testimony of Jeremy R. Clark, NHEC's Financial Planning, Analysis, and Rates Manager. The initial filing 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/2023/23-001.html>.

I. BACKGROUND AND PROCEDURAL HISTORY

RSA 53-E authorizes municipalities to aggregate retail electric customers within their boundaries for the purpose of entering agreements with energy suppliers for the supply of electric power and related services. RSA 53-E:3. The statute requires each electric distribution utility in New Hampshire to propose a POR program to facilitate community power programs. RSA 53-E:9, II. Under a POR program, each utility purchases the accounts receivable owed by customers in community power programs for electricity supply and related services less a discount percentage rate (DPR). The DPR must equal the utility's actual uncollectible rate, adjusted to recover capitalized and operating costs specific to the implementation and operation of the POR program, including working capital. *Id.* In addition, the DPR must include a pro rata share of

the cost of administering collection efforts such that the utility's participation in the POR program shall not require the utility or non-participating consumers to assume any costs arising from its use. *Id.*

Pursuant to RSA 53-E:7, X, the Commission initiated a rulemaking procedure in January 2022 to promulgate rules to implement RSA 53-E in Docket No. DRM 21-142. On October 7, 2022, the Commission filed final rules implementing the provisions of RSA 53-E. *See* Puc ch. 2200. Among other things, the rules required each utility to propose a POR program for review. *See* Puc 2205.16(e). Consistent with that requirement, NHEC has submitted a proposal for a POR program, including its DPR calculation, the mechanics of the proposed POR program, and the proposed timeline for implementing a POR program. *See* Testimony of Jeremy R. Clark.

II. ISSUES PRESENTED

The filing presents, *inter alia*, the following issue: whether NHEC's proposed POR program is consistent with the requirements of RSA 53-E and Puc ch. 2200. Accordingly, an adjudicative proceeding will be convened to address this issue.

The Commission will be conducting the prehearing conference and any hearings scheduled in this matter in person. The Commission will consider requests to conduct hearings using a hybrid format to permit remote participation by a specific individual only if the Commission has determined that a sufficient reason has been provided for why that individual would be unable to attend in person. Any party requesting that a specific individual be permitted to participate remotely should file a written request with the Commission's Clerk's Office no later than fifteen (15) days prior to the prehearing conference or hearing date. If the Commission determines that one or more individuals will be permitted to appear remotely, then individuals in the Commission's

hearing room, including the Commissioners, will be broadcast on a web-enabled platform.

Based upon the foregoing, it is hereby

ORDERED, that an adjudicative proceeding be commenced for the purpose of reviewing and resolving the foregoing issue pursuant to RSA chapter 541-A, RSA 53-E, Puc ch. 2200, and the Commission's procedural rules; 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 May 2, 2023, at 1:00 p.m., at which all parties 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. Parties and potential parties are encouraged to facilitate the development of a procedural schedule by conferring prior to the prehearing conference, so that the presiding officer can address any matters on which there is disagreement during the prehearing conference. 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, immediately following the prehearing conference, NHEC shall make appropriate personnel available for the parties to hold a technical session to review the filing; 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 NHEC and any other parties on the service list, on or before April 21, 2023. 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 April 28, 2023; and it is

FURTHER ORDERED, that parties shall file any proposed exhibits, written testimony, motions, or other documents intended to become part of the record in this proceeding with the Commission. Pursuant to the secretarial letter issued on March 17, 2020, which is posted on the Commission's website at <https://www.puc.nh.gov/Regulatory/Secretarial%20Letters/20200317-SecLtr-Temp-Changes-in-Filing-Requirements.pdf>, all Commission rules requiring the filing of paper copies are suspended until further notice. Parties may elect to submit any filing in electronic form unless otherwise ordered by the Commission. Filings will be considered filed as of the time the electronic copy is received by the Commission; 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. 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 pursuant to N.H. Admin. R., Puc 203.12, NHEC shall notify all entities and individuals desiring to be heard at this hearing by

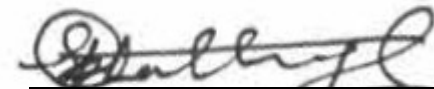
publishing a copy of this order of notice on its website no later than two business days after the date of issue, such publication to be documented by affidavit filed with the Commission on or before April 11, 2023. In addition, the Clerk shall publish this order of notice on the Commission's website no later than two business days after the date of issue; and it is

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

So ordered, this twenty-seventh day of March, 2023.



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#: 23-001

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