

**STATE OF NEW HAMPSHIRE  
PUBLIC UTILITIES COMMISSION**

**DE 23-068**

**ELECTRIC AND GAS UTILITIES**

**2024–2026 Triennial Energy Efficiency Plan**

**Prehearing Order**

A prehearing conference in this matter was held on July 27, 2023. Liberty Utilities (Granite State Electric) Corp. d/b/a Liberty; 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; Northern Utilities, Inc.; New Hampshire Department of Energy (DOE); Office of the Consumer Advocate (OCA); Clean Energy New Hampshire; Conservation Law Foundation; The Nature Conservancy; LISTEN Community Services; and Southern New Hampshire Services appeared at the prehearing conference.

The matters raised at the prehearing conference included addressing pending petitions to intervene, website publication of the Commission’s Commencement of Adjudicative Proceeding by Unitil Energy Systems, Inc. and Northern Utilities, Inc., the OCA’s filing seeking recusal of the Commissioners, clarification of certain issues presented in this matter, preliminary positions of the parties, and a procedural schedule for the remainder of the proceeding. This order addresses matters raised.

**Interventions**

At the prehearing conference no objections or comments on any pending motions to intervene were raised. The Commission granted the intervention petitions of Clean Energy New Hampshire; Conservation Law Foundation; The Nature Conservancy; LISTEN Community Services; Southern New Hampshire Services; CPower; and Acadia Center

pursuant to Puc 203.17 and RSA 541-A:32, II, upon finding that intervention would be in the interests of justice and would not impair the orderly and prompt conduct of the proceeding.

Publication of the Commission's Commencement of Adjudicative Proceeding

On July 19, 2023, Unitil Energy Systems, Inc. and Northern Utilities, Inc. made a filing stating that website publication of the Commission's Commencement of Adjudicative Proceeding was not completed by the deadline contained in the Commencement of Adjudicative Proceeding because of an internal oversight, and requesting either waiver of, or a determination of substantial compliance with, the publication requirements. No parties wished to be heard on this matter. Whereas publication was delayed by only one day and website publication also occurred on the Commission's website and three other utility websites, the Commission deems that Unitil Energy Systems, Inc. and Northern Utilities, Inc. publication was substantially compliant with the Commission's deadline.

OCA Filing Seeking Recusals

On June 30, 2023, the OCA filed a letter with the Commission requesting that all three commissioners recuse themselves from this docket. At the prehearing conference, the Commission raised procedural aspects of this filing, and asked whether the other parties took a position on the filing, and if so whether they were prepared to state their position at hearing or requested time to file a written position. At least one party reserved the right to file a written position. However, after the prehearing conference, on July 27, 2023, the OCA filed a second letter requesting leave to withdraw the request for recusal. In light of the second letter, the Commission deems the OCA's request for commissioner recusal to be withdrawn.

### Clarification of Issues Presented

Pursuant to RSA 541-A:31, III(d), the Commission's Commencement of Adjudicative Proceeding provided a short and plain statement of issues involved in this proceeding, which may be further detailed upon request. Two issues were clarified at the prehearing conference.

1. In response to Commission questions, Public Service Company of New Hampshire d/b/a Eversource Energy clarified that it does not seek approval of any lost base revenue rate adder in this proceeding. Eversource indicated that it plans to file such a request on the same schedule as tariff changes to update the energy efficiency charge pursuant to RSA 374-F:3, vi-a(d)(2) on December 1, 2023; however, Eversource also indicated that such a request could be filed sooner. The Commission therefore clarifies that approval of any lost base revenue rate adders for Eversource will not be considered in the instant adjudicative proceeding. The Commission does not agree that any lost base revenue adder request is appropriate to be reviewed on a one-month timeframe, and directs Eversource to file a its request for authorization to collect lost base revenues in 2024 as expeditiously as possible, and not later than September 1, 2023.
2. Following an exchange with the OCA, the Commission clarified that in reviewing cost effectiveness pursuant to RSA 374-F:3, VI-a(d)(4), the Commission will review each utility's application or use of the statutory cost effectiveness tests. In so doing, the Commission will independently verify that the tests incorporate all statutorily required inputs (the latest completed and available Avoided Energy Supply Cost Study for New England, the results of any Evaluation, Measurement, and Valuation studies contracted for by the Department of

Energy or joint utilities, and savings impacts associated with free-ridership for those programs and measures where such free-ridership may have a material impact on savings figures), as well as each utility's application or use of all other variable inputs with reference to the *New Hampshire Cost Effectiveness Review* identified in the Commencement of Adjudicative Proceeding.

Preliminary Positions of the Parties


Each party was then afforded an opportunity to state preliminary positions for the record.

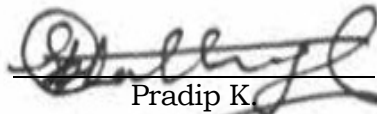
Procedural Schedule

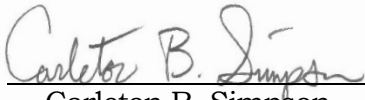
Finally, the Commission and the parties discussed a procedural schedule. On July 26, 2023, the DOE pre-circulated an assented-to proposed procedural schedule. The Commission has determined that the proposed procedural schedule is in the public interest. Therefore, it is approved. Hearing sessions are scheduled on October 18, 24, 25, and 31, 2023 beginning at 9:00 a.m. each day.

As indicated at the prehearing conference, the Commission intends to issue an initial set of requests for records or specific answers on the parties' first deadline to issue data requests to the joint utilities, August 4, 2023. The Commission will consider other means of education and information gathering, such as additional requests for records, specific answers, and commissioner-attended technical sessions as necessary following the receipt of responses to the initial set of requests for records or specific answers.

So ordered, this second day of August, 2023.

  
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Daniel C. Goldner  
Chairman

  
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Pradip K.  
Chattopadhyay  
Commissioner

  
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Carleton B. Simpson  
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## Service List - Docket Related

Docket#: 23-068

Printed: 8/2/2023

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