

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DE 20-092

New Hampshire Electric and Gas Utilities

2021–2023 Triennial Energy Efficiency Plan

Partial Suspension of Filing Requirements Pending Consideration of Motions for Rehearing, Reconsideration, and/or Clarification of Order No. 26,553

O R D E R N O. 26,556

December 14, 2021

On November 12, 2021, the Commission issued Order No. 26,553, addressing the 2021–2023 Triennial Energy Efficiency Plan and Implementation of Energy Efficiency Programs for the remainder of the 2021–2023 triennium. In Order 26,553, among other things, the Commission established rates effective during the 2018–2020 triennium. Order 26,553 also modified aspects of the structure and oversight of the energy efficiency programs, requiring further filings from the energy efficiency program administrators on the programming to be implemented in 2022 and 2023.

On December 3, 2021, Liberty Utilities (EnergyNorth Natural Gas) Corp. and Liberty Utilities (Granite State Electric) Corp. filed a motion for immediate stay and, in the alternative, clarification of Order No. 26,553.

On December 6, 2021 the Commission issued an expedited order clarifying Order No. 26,533.

On December 10, 2021, the 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; Liberty Utilities (Granite State Electric) Corp. d/b/a Liberty; and Northern Utilities, Inc. (together, the “Joint Utilities”); the Office of the Consumer Advocate (OCA); Clean Energy New

Hampshire; Conservation Law Foundation; and Southern New Hampshire Services (altogether, the “Joint Movants”) filed a motion for rehearing, clarification, and stay of Order No. 26,553 pursuant to RSA 541:3 (Joint Movants’ Motion).

On December 10, 2021, the New Hampshire Department of Energy (Energy) filed a motion for rehearing and/or clarification of Order No. 26,553 pursuant to RSA 541:3 (Energy Motion).

On December 13, 2021, LISTEN Community Services (LISTEN) filed a motion for rehearing, clarification, and stay of Order No. 26,553, and joining the Joint Movants’ Motion.

The Joint Movants, Energy, and LISTEN request that the Commission clarify certain matters before it requires the Joint Utilities to make compliance filings on December 15, 2021. *See, e.g.*, Joint Movants’ Motion at 30–31 (“...the NH Utilities require clarification on numerous elements within the Order before any compliance filing contemplated by the Order can reasonably be made with the Commission.”), Energy Motion at 19 (“...there are a number of elements within Order No. 26,553 requiring clarification, the clarification of which will likely have a material impact on the Program Proposal, program prioritization, and related budgets.”)

Pursuant to RSA 541:5 and RSA 365:21, upon receipt of a motion for rehearing, “the commission shall within 30 days either grant or deny the motion, or suspend the order or decision complained of pending further consideration, and any order of suspension may be upon such terms and conditions as the commission may prescribe.” The Commission is vested with the authority to set the terms and conditions of an order of suspension, and it may set terms and conditions limiting the effect of parts of its prior order. *See, e.g.*, *Statewide Electric Utility Restructuring Plan*,

Order No. 22,548 (April 7, 1997), *Unitil Energy Systems, Inc.*, Order No. 24,174 (May 16, 2003).

Pursuant to that authority, the Commission suspends, in part, compliance filing requirements contained in Order No. 26,553 while it fully considers the motions for rehearing, reconsideration and/or clarification. The Commission does not alter the requirement that the Joint Utilities calculate and file updated 2021 Energy Efficiency budgets, as well as 2022 and 2023 Energy Efficiency budgets using the rates established in Order No. 26,553 by December 15, 2021. The Commission suspends the following requirements: 1) the directive that the Joint Utilities file all program and cost items contained in the 2022 and 2023 budgets larger than \$500,000 in live spreadsheets by December 15, 2021; and 2) the directive that the Joint Utilities submit a Program Proposal within the proposed budget, including proposed spending by program and each program's corresponding benefit/cost calculations, in live spreadsheets by December 15, 2021.

The Commission also reaffirms the expedited order issued on December 6, 2021. The Joint Utilities may continue to rely on Order No. 26,440, subject to the rates established in Order No. 26,553, for authorization to offer their 2020 energy efficiency programs until new programming is approved by an order of the Commission.

Based upon the foregoing, it is hereby

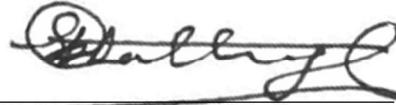
ORDERED, that the compliance filing deadlines identified in the body of this order are suspended while the Commission considers of the motions for rehearing, reconsideration, and/or clarification; and it is

FURTHER ORDERED, that the order dated December 6, 2021 is affirmed.

By order of the Public Utilities Commission of New Hampshire this 14th day of
December, 2021.



Daniel C. Goldner
Chairman



Pradip K. Chattopadhyay
Commissioner

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