

**STATE OF NEW HAMPSHIRE  
PUBLIC UTILITIES COMMISSION**

**DE 24-072**

**TOWN OF BRISTOL**

**Request for Approval of Bristol Community Power Plan**

**Commission Denial of Community Power Aggregation Plan**

**ORDER NO. 27,028**

**June 27, 2024**

In this order, the Commission denies the Town of Bristol's (Bristol or the Town) Community Power Electric Aggregation Plan (Plan).

**I. BACKGROUND**

On May 7, 2024, Bristol submitted a request for approval of a community power aggregation plan to provide electric power supply and services for residents, businesses, and other entities in Bristol pursuant to RSA chapter 53-E. In addition to the request for approval, the Town submitted the proposed Plan with attachments.

On May 13, 2024 the Commission issued an order of notice establishing a deadline for comments on the Plan. The New Hampshire Electric Cooperative, Inc. (NHEC) filed comments on May 15, 2024.

All docket filings, other than information for which confidential treatment is requested of or granted by the Commission, are posted to the Commission's website at <https://www.puc.nh.gov/Regulatory/Docketbk/2024/24-072.html>.

**II. COMMISSION ANALYSIS**

The Commission has reviewed the Plan pursuant to RSA 53-E:7, II, as amended, which states that

The commission shall approve any plan submitted to it unless it finds that it does not meet the requirements of this chapter and other

applicable rules and shall detail in writing addressed to the governing bodies of the municipalities or counties concerned, the specific respects in which the proposed plan substantially fails to meet the requirements of this chapter and applicable rules.

RSA 53-E:7, II, provides specific direction on the process to be used for the submission of such plans, including the following requirements: 1) on the same day the plan is submitted to the Commission, copies shall be provided to the Office of the Consumer Advocate and any electric distribution utility providing service within the jurisdiction of the municipality; 2) the Commission shall accept public comments for 21 days thereafter; and 3) the Commission's review of the plan and comments shall not require a contested case. N.H. Admin R. Puc 2204.01(a) also requires notification of aggregation plan filings be made with the New Hampshire Department of Energy. The Town's submission complied with these procedural requirements.

Bristol's Plan assumes, but does not require, that Bristol will participate fully in the Community Power Coalition of New Hampshire (CPCNH) to provide electric energy supply and related program services. CPCNH is a joint powers agency authorized under RSA 53-A, where member-municipalities utilize joint resources with each other, including shared third-party services, staff support, power solicitations, local project development, information sharing, and public advocacy.

The NHEC noted that though it had been included in the e-mail distribution list for the submission of the Plan to the Commission, it had not been named in the Plan as an electric distribution utility serving the Town. NHEC states they serve 251 accounts in the Town of Bristol. NHEC requests that the plan properly name them as an electric distribution utility for the town and clarify whether NHEC members are subject to Bristol Community Power, and if so, whether it will be on an "opt-out" or "opt-in" basis.

RSA 53-E:6, III requires that the detail the following:

- (a) The organizational structure of the program.
- (b) Operation and funding.
- (c) Rate setting and other costs to participants, including whether energy supply services are offered on an opt-in basis or on an opt-out basis as an alternative default service.
- (d) The methods for entering and terminating agreements with other entities.
- (e) The rights and responsibilities of program participants.
- (f) How net metered electricity exported to the distribution grid by program participants, including for group net metering, will be compensated and accounted for.
- (g) How the program will ensure participants who are enrolled in the Electric Assistance Program administered by the commission will receive their discount.
- (h) Termination of the program.


See RSA 53-E:6, III. In this case, the Town's plan fails to provide adequate information for NHEC customers concerning how they would participate in the Plan. Would NHEC customers be required to opt-in or opt-out of the Plan? This is one question that cannot be determined from the current plan. Because of the ambiguity surrounding the obligation of NHEC and its customers, the plan must be rejected.

Based on our review of the Plan, we have determined that because the Plan does not adequately name all electric distribution utilities servicing the Town, it does substantially fail to meet applicable requirements of RSA chapter 53-E or applicable rules. The Plan does not contain an adequate level of detail of RSA 53-E:6's statutory criteria, other applicable statutory requirements, and applicable rules including Puc ch. 2200.

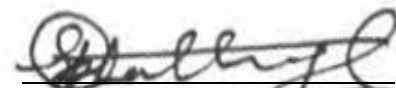
**Based upon the foregoing, it is hereby determined** that the Town of Bristol's Request for Plan Approval is DENIED without prejudice. The Town may file an amended plan, which names NHEC as an electric distribution utility serving ratepayers in the Town. After interested parties have had an opportunity to file

comments regarding the amended plan, the Commission will review the amended plan pursuant to RSA 53-E:7.

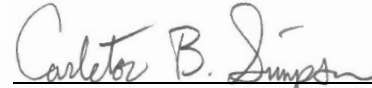
By order of the Public Utilities Commission of New Hampshire this twenty-seventh day of June, 2024.



Daniel C. Goldner  
Chairman



Pradip K. Chattopadhyay  
Commissioner



Carleton B. Simpson  
Commissioner

# Service List - Docket Related

Docket#: 24-072

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