

CHAPTER 348

SB 383 – FINAL VERSION

03/20/08 1071s

03/20/08 1087s

15May2008... 1787h

15May2008... 1848h

06/05/08 2155eba

2008 SESSION

08-2670

06/09

SENATE BILL **383**

AN ACT establishing a commission to develop a plan for the expansion of transmission capacity in the north country.

SPONSORS: Sen. Fuller Clark, Dist 24; Sen. Hassan, Dist 23; Sen. Cilley, Dist 6

COMMITTEE: Energy, Environment and Economic Development

ANALYSIS

This bill establishes a commission to develop a plan for the expansion of transmission capacity in the north country.

Explanation: Matter added to current law appears in *bold italics*.

Matter removed from current law appears [~~in brackets and struck through~~]

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

03/20/08 1071s

03/20/08 1087s

15May2008... 1787h

15May2008... 1848h

06/05/08 2155eba

08-2670

06/09

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Eight

AN ACT establishing a commission to develop a plan for the expansion of transmission capacity in the north country.

Be it Enacted by the Senate and House of Representatives in General Court convened:

348:1 Findings. The general court finds that:

I. In 2007, 354:1, the general court concluded that “it is in the public interest and to the benefit of New Hampshire to encourage the development of renewable energy” and that instrumental to such a goal the “existing transmission infrastructure, particularly in the northern part of the state, will need to be upgraded or replaced or new transmission facilities will need to be built.”

II. It is in the public interest to avoid further delays caused by uncertainties in the ISO-NE Generator Interconnection Study Queue and cost responsibility for the design and construction of transmission facilities in the north country necessary to integrate new renewable resources into the electric grid.

III. It is in the public interest to take immediate steps to undertake appropriate technical and economic studies necessary to ensure the timely development of renewable energy generating projects in the north country.

IV. It is in the public interest, as well as in the economic interest of the region, and in the best interest of system reliability, for the public utilities commission to support regional efforts to address timely approvals of remote transmission facilities.

V. It may be in the public interest to move forward on a near-term basis with a New Hampshire-only transmission improvements plan in order to ensure the timely development of renewable energy generating projects in the north country.

348:2 Commission Established. There is established a commission to develop a plan for the expansion of transmission capacity in the north country.

348:3 Membership and Compensation.

I. The members of the commission shall be as follows:

- (a) Two members of the senate, appointed by the president of the senate.
- (b) Two members of the house of representatives, appointed by the speaker of the house of representatives.
- (c) The director of the office of energy and planning, or designee.
- (d) The commissioner of the department of resources and economic development, or designee.
- (e) A commissioner of the public utilities commission, or designee.
- (f) The governor, or designee.
- (g) Three representatives of the north country, appointed by the governor.

II. The commission shall include as non-voting participants the following:

(a) Representatives of proposed New Hampshire renewable generation projects which either have active applications in the ISO-NE Generator Interconnection Study Queue or are subject to New Hampshire jurisdictional interconnection administration, one member appointed by U.S. Senator Judd Gregg, one member appointed by U.S. Senator John Sununu, one member appointed by U.S. Congressman Paul Hodes, and one member appointed by U.S. Congresswoman Carol Shea Porter.

(b) A representative of the unregulated energy supply industry, appointed by that industry.

(c) A representative of the (FERC) Federal Energy Regulatory Commission or an individual with expertise in the area of federal electricity transmission regulation, appointed by that commission.

(d) A representative of Public Service of New Hampshire, appointed by that organization.

(e) A representative of National Grid Group, appointed by that organization.

(f) A representative from New England Power Generators Association, appointed by the association.

III. The commission shall seek input and participation from ISO-NE.

IV. Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the commission.

348:4 Duties. The commission:

I. Shall develop a proposal for the upgrade of the transmission system in the north country no later than December 1, 2008, with the support of the public utilities commission and a consensus of the state's electric distribution providers, electric transmission companies, the consumer advocate, the commission staff and developers of proposed New Hampshire renewable generation projects which either have active applications in the ISO-NE Generator Interconnection Study Queue as of the effective date of this act or are subject to New Hampshire jurisdictional interconnection administration. Consideration in the development of such a plan shall be given to the options, process, and timelines of both a regional and a state solution.

II. Is authorized to utilize the services of the public utilities commission and its staff, and to hire a consultant to facilitate the development of a plan, with the participation of interested parties, to facilitate the transmissions upgrade in the north country.

III. Is authorized to obtain the services of a consultant to complete any necessary engineering or economic studies to contribute to any such studies. The commission may spend up to \$200,000 for the purposes of this act. The commission is authorized to obtain grants and contributions for the purposes of this section, in accordance with RSA 4:8, and is authorized to spend up to \$100,000 from funds received pursuant to utility assessment under RSA 365:37, RSA 362-F:10, or both, for this purpose. The commission shall be exempt from the provisions of RSA 21-I concerning competitive bidding procedures for the purpose of obtaining a consultant or hiring an entity to complete a study as authorized by this section.

348:5 Chairperson; Quorum. The members of the commission shall elect a chairperson from among the members. The first meeting of the commission shall be called by the first-named senate member. The first meeting of the commission shall be held within 45 days of the effective date of this act. Six members of the commission shall constitute a quorum. The commission shall meet monthly to receive updates from the public utilities commission on the progress that is being made and to provide input to the public utilities commission with regard to achieving the necessary transmission capacity expansion in a timely fashion.

348:6 Report. The commission shall report its findings and any recommendations for proposed legislation to the president of the senate, the speaker of the house of representatives, the senate clerk, the house clerk, the governor, and the state library on or before December 1, 2008.

348:7 Site Evaluation Committee; Review of Renewable Energy Projects. Amend RSA 162-H:4, V by inserting after subparagraph (b) the following new subparagraph:

(c) The committee shall employ the time frames under RSA 162-H:6-a for renewable energy facilities, to any proposal for the upgrade of the transmission system consideration part of the Coos county loop.

348:8 Site Evaluation Committee; Definition. Amend RSA 162-H:2, II by inserting after subparagraph (c) the following new subparagraph:

(d) An electric transmission line of design rating in excess of 115 kilowatts.

348:9 Effective Date. This act shall take effect upon its passage.

Approved: July 7, 2008

Effective Date: July 7, 2008