

MINUTES COMMISSION MEETING

January 5, 2022

The New Hampshire Public Utilities Commission Meeting began at 2:00 p.m. on Wednesday, January 5, 2022. Chairman Daniel Goldner and Commissioner Carleton Simpson were present.

Commissioner Goldner provided a brief summary of the process to date. As a result of House Bill 315 and the 2021 legislative session, certain amendments became effective including new requirements that the Commission review any electric aggregation plan by community aggregation entities that include an automatic provision for energy supply. The Commission provided notice of the meeting by posting an agenda on the Commission's website and on the bulletin board in the lobby of the Commission's offices. The agenda was emailed to the service list for dockets DRM 21-135 and DRM 21-142.

The following matters were discussed, and actions taken:

1. Rulemaking, Community Power Aggregators

- 1.1 *Commission to receive the Petition of the New Hampshire Department of Energy (Energy), docketed as DRM 21-135, requesting the initiation of rulemaking process to add provisions relating to Community Power Aggregators.*

Chairman Goldner asked Attorney David Wiesner from Energy to discuss the proposed rules filed with the petition. Attorney Wiesner stated that the draft initial proposed rules include draft language developed through a stakeholder process; the specific language includes readoption with amendments of Puc 2001-2002, and adoption of Puc 2007.

Attorney Wiesner stated that it was the view of Energy that it would be most efficient to amend the existing Puc 2000 rules which covers competitive electric power suppliers in many cases. Those suppliers will be the source of energy supply from the municipal and county aggregations.

Attorney Wiesner further stated that there are numerous cross references in proposed rules by Energy which outline which existing provisions, particularly Puc 2004 (the customer disclosure and consumer protection provisions) would apply to suppliers who

would work with community power aggregation rather than directly contracting with retail suppliers.

Attorney Wiesner stated that Energy believes that its version of the proposed rules strikes the right balance.

- 1.2 *Commission to receive the Petition of the Community Power Coalition of New Hampshire (CPC), the cities of Keene and Claremont, the Office of the Consumer Advocate, Clean Energy New Hampshire, Conservation Law Foundation, Standard Power, Good Energy, Freedom Energy Logistics, and Colonial Power, docketed as DRM 21-142, requesting the initiation of rulemaking process relating to Community Power Aggregators.*

Chairman Goldner asked Clifton Below from the Vice Chair of the Community Power Coalition of New Hampshire to discuss the proposed rules filed with the petition. Mr. Below stated that the draft initial proposed Puc 2200 rules were also developed through a stakeholder process. The proposed Puc 2200 rules will be a standalone new set of rules, creating a new Chapter.

Mr. Below stated that either version of proposed rules is workable. Currently, most of the 2000 rules are moving to Energy while the CPC rules would include municipalities that aggregate electric power or energy services pursuant to RSA 53-E.

Mr. Below pointed out a few major points of the CPC initial proposal including the (1) purpose and application of the roles; (2) setting a 90-day time limit from adoption of the proposed Puc 2200 rules to file a proposal for purchase of receivables (POR) program for review and approval by the Commission; and (3) separating parts of the rules to reflect the phases of community power development.

1.3 Public Comments

In addition to Energy and Members of the public spoke regarding the petitions and initial proposed rules of Energy and CPC. They included: Samuel Golding, President of the Community Choice Partners, Inc.; Donald M. Kreis of the Office of the Consumer Advocate.

1.4 Commission discussion of Rulemaking for Community Power Aggregators.

Commissioner Simpson asked several questions of Energy and CPC regarding details of their proposed rules.

Commissioner Simpson moved to reject the petition filed in DRM 21-135 by Energy and moved to accept the petition filed in DRM 21-142 by CPC. Chairman Goldner seconded the motion. Motion passes.

2. New Business

None.

3. Miscellaneous Administrative Matters

A motion to adjourn the meeting was made by Commissioner Simpson and seconded by Chairman Goldner. There was a roll call vote. Commissioner Simpson voted aye. Chairman Goldner voted aye. The motion to adjourn carried unanimously.

Whereupon, the meeting was adjourned at 3:28 p.m.