

THE STATE OF NEW HAMPSHIRE

PUBLIC UTILITIES COMMISSION

DE 10-188

ELECTRIC AND GAS UTILITIES

2011-2012 CORE Electric Energy Efficiency Programs and Natural Gas Energy Efficiency Programs

**JOINT OBJECTION TO THE
SCOPE OF INTERVENTION IN DOCKET DE 10-188
AND TO THE
SUBSTITUTION OF NEW HAMPSHIRE ENERGY TRUST
FOR INTERVENORS DANIEL RAMAGE AND R. JEREMY HILL**

NOW COME Granite State Electric Company d/b/a National Grid (“National Grid”), New Hampshire Electric Cooperative, Inc. (“NHEC”), Public Service Company of New Hampshire (“PSNH”), Unitil Energy Systems, Inc. (“UES”), EnergyNorth Natural Gas, Inc. d/b/a National Grid NH and Northern Utilities Inc. (“NUI”) (collectively the “Electric and Gas Utilities”) and submit this Joint Objection to the proposal of and intervention of New Hampshire Energy Trust,¹ and state as follows:

The Noticed Scope of DE 10-188

1. On August 3, 2010, the Gas and Electric Utilities jointly filed with the Commission proposals for their energy efficiency plans for the program years 2011-2012 (the “Energy Efficiency Proposals”). These plans were filed consistent with Orders 25,062, 25,099, 24,995, 24,968 and 25,136. The Electric and Gas Utilities seek Commission approval of the

¹ At the time of this filing, it is unclear whether New Hampshire Energy Trust (“NHET”) has been granted intervenor status in this docket. See Staff Proposed Procedural Schedule, Letter from Staff Attorney Suzanne Amidon to Debra Howland (September 2, 2010). On September 16, 2010 NHET requested that the Commission substitute it as a party in DE 10-188. *Petition for Substitution by New Hampshire Energy Trust for Messieurs Daniel Ramage and R. Jeremy Hill, Intervenors and Principals of New Hampshire Energy Trust* (Sept. 16, 2010). The Commission has not ruled on the Petition for Substitution, which was filed nearly one week after NHET’s substantive proposal.

energy efficiency programs for the 2011 and 2012 program years, beginning January 1, 2011 (the “Energy Efficiency Programs”).

2. On August 12, 2010, the Commission issued its Order of Notice regarding the Energy Efficiency Proposals. The Order of Notice describes some of the specific changes proposed by the Electric and Gas Utilities to the Energy Efficiency Proposals, and identifies the general subject matter of this docket as “whether the proposed energy efficiency programs are consistent with applicable law and Commission requirements . . . relative to cost effectiveness and the need for program consistency, and with the public interest.” Order of Notice at 2-3. The issue of whether NHET, or some other entity, should take over the Energy Efficiency Programs is not directly or indirectly identified in the Order of Notice.

The Intervention Arguments and the Commission’s Ruling

3. On August 26, 2010, Daniel Ramage and R. Jeremy Hill submitted a joint petition to intervene (“Ramage and Hill Petition”). In that petition, Messieurs Ramage and Hill informed the Commission that they, with the assistance of Mr. Aney, would be forming an entity called “New Hampshire Energy Trust”.² That petition unambiguously stated that NHET’s purpose in the docket would be to argue that the Commission should “transfer the administration of at least some, if not all, of its publicly-funded energy efficiency programs to” NHET. *Ramage and Hill Petition* at ¶ 7.

4. The Electric and Gas Utilities filed a Joint Objection to these petitions for intervention. This objection was based, in large measure, upon concerns that the would-be intervenors’ stated goals for their participation in this proceeding went well beyond both the

² Together, Messieurs Ramage and Hill, NHET, and Russell Aney (who has submitted filings to the Commission on behalf of NHET and who spoke on behalf of NHET at the Technical Session on September 13, 2010) are referred to herein as the “Intervenors.”

noticed scope of the docket and the practical time and resource limitations of a proceeding concerning the implementation of the 2011-2012 CORE programs.

5. The Intervenors, primarily through Mr. Aney, presented the Commission with two arguments in response to the Joint Objection. First, they argued that the intervention requests of the three individuals, Mr. Aney³, Mr. Ramage and Mr. Hill, be considered separately from one another, as well as from the to-be-formed NHET. *See Transcript*, p. 34, lines 16-24, pp. 38, line 16 – p. 39, line 24, attached hereto as Attachment A [hereinafter Attch. A]. Second, they argued that the assertion that their goal for this docket was to restructure the responsibility for administration of the 2011-2012 CORE programs was overstated. Attch. A, p. 41, line 4 – p. 42, line 1. Specifically, Mr. Aney stated that, “We don’t want to run the program, any of us. . . . None of us wants to run that program.” Attch. A p. 36 line 18 – p. 37 line 1. Mr. Aney went on to point out that because NHET had yet to file its proposal, the Electric and Gas Utilities’ concern about the scope of the docket was “complete speculation.” Attch. A p. 41, line 23. In this context Mr Aney stated the following:

I will recommend that, rather than rely upon the speculation of some others here in regards to what is in the New Hampshire Energy Trust, what are their programs, what would be the expense or challenge, that the Commission grant us our intervention rights as individuals on this day, as we requested. Perhaps, just suggesting that, you know, you’ll look at the New Hampshire Energy Trust petition for intervention when it comes along, and look at that filing and determine how to handle it when it is submitted....

Attch. A, p. 48, line 21 – p. 49 line 6.

6. After hearing the arguments and representations of the parties, the Commission granted all intervenors’ motions to intervene, including Messieurs Ramage and Hill’s motion, as well as US Energy Saver’s (represented by Russell Aney). Attch. A, p. 57, lines 1-19. In its

³ Mr. Aney’s intervention is not as an individual, but is in the name of US Energy Saver.

ruling, the Commission stated it would determine how to handle the NHET petition for intervention when it was submitted. Chairman Getz stated;

With respect to the scope of this proceeding, I think it is difficult to be specific in the abstract, without knowing what's going to be proposed... I think there's a continuum, where some proposals, whatever they might be, are within the scope of design changes or improvements that may be appropriate to this proceeding. On the other hand, at the other end of the continuum, there may be issues that are such fundamental changes that they would be beyond the scope of this proceeding

Attch. A p. 57, lines 1-19.

The NHET Proposal and Request for Substitution of Parties

7. On September 10, 2010, the NHET filed a document titled: 2011-2012 Residential Energy Efficiency Programs: A Proposal for Administration of the Programs by the New Hampshire Energy Trust ("NHET Proposal").⁴ There is no question that via this proposal, NHET seeks to take over the administration of the Energy Efficiency Programs. Its first sentence states "The New Hampshire Energy Trust submits this filing for the administration of Residential Energy Efficiency Programs currently administered by the Electric and Natural Gas distribution companies" NHET Proposal at 3. The NHET Proposal details in great length how NHET will assume administration of the residential Energy Efficiency Programs. *See e.g.*, NHET Proposal at 32- 40 (describing, *inter alia*, the NHET's proposed budget process, subcontracting mechanism, dispute resolution process, and program transition plan).

8. On September 16, 2010, the New Hampshire Energy Trust filed a Petition for Substitution by New Hampshire Energy Trust for Messieurs Daniel Ramage and R. Jeremy Hill which stated that the Trust was formed "for the primary purpose of assuming the administration of certain publically funded energy efficiency programs in New Hampshire". *Petition for*

⁴ The third draft of the NHET Proposal, submitted to the Commission on September 16, 2010, has page numbers (previous drafts did not include page numbers). Therefore, the Electric and Gas Utilities rely on this third draft.

Substitution by New Hampshire Energy Trust for Messieurs Daniel Ramage and R. Jeremy Hill, Intervenor and Principals of New Hampshire Energy Trust (Sept. 16, 2010) at ¶ 2. NHET requested to be substituted for Messieurs Ramage and Hill, who have been admitted into this docket by virtue of their interests in the Energy Efficiency Programs.

9. For the reasons set forth below, the NHET proposal is beyond the scope of this proceeding, and thus should be excluded from consideration in this docket. Further, because the primary purpose of NHET's intervention is to pursue a change in administration of the Energy Efficiency Programs, which is outside the scope of docket DE 10-188, it should not be substituted as an intervenor in this proceeding.

The Scope of DE 10-188 Should Not Include NHET's Proposal to Assume Administration of the Residential Energy Efficiency Programs.

10. Now that the NHET Intervention and Proposal are before the Commission and the danger of speculation has past, the issues concerning the appropriate scope of this docket are ripe for decision. NHET's Proposal to take over the administration of the 2011 and 2012 Residential Energy Efficiency Programs stretches far beyond the appropriate scope of DE 10-188. Limitation of the scope of the docket is necessary to allow for the orderly and prompt conduct of the proceeding. RSA 541-A:32, I; RSA 541-A:32, III ("the presiding officer may impose conditions upon the intervenor's participation in the proceedings, either at the time that intervention is granted or at any subsequent time."); *see also* Puc Rule 203.17. In this case, any intervenors should be limited to discussion of the issues raised by the Energy Efficiency Proposals and should not be permitted to pursue issues related to whether NHET or any other entity should administer the Energy Efficiency Programs. *See Order of Notice* at 2-3.

Furthermore, intervention should not be permitted for an entity whose purpose and interest in the docket is outside of the scope of the docket.

11. The issue of whether the New Hampshire Energy Trust should take over the Energy Efficiency Programs is not directly or indirectly identified in the Order of Notice. Public Utilities Commission Administrative Rule Puc 203.12 (b) requires proper published notice of an adjudicative proceeding. In this case, such published notice was accomplished on August 16, 2010. That publication – intended to meet the rule’s mandate “to ensure reasonable notification to interested parties” – did not include any notice regarding a wholesale change in the long-standing administration of this state’s energy efficiency programs. Puc Rule 203.12; *See also* RSA 541-A:31 III(d). Thus, other persons interested in whether NHET should administer the Energy Efficiency Programs did not receive notice that this issue would be addressed in this proceeding. In fairness, other persons who have shown interest in energy efficiency proceedings may want to administer the Energy Efficiency Programs themselves but have had no notice that NHET is seeking the exclusive right to operate such programs. Addressing whether NHET should administer the Energy Efficiency Programs is at the end of the continuum which is beyond the scope of this proceeding. Attch. A p. 57, lines 1-19.

12. Furthermore, amending the scope of notice in this proceeding could result in a protracted debate regarding complex issues of law and fact. Such debate would disrupt and delay the orderly conduct of these proceedings, which address natural gas and electric efficiency programs set to begin on January 1, 2011. For the first time, gas and electric utility programs are being presented in a joint proposal, and therefore this docket must address more issues than in the past. There is only a condensed time period available for the parties to work together in advance of the December 16 final hearing. The limited time available for technical sessions and

data requests to address programmatic issues must not be overburdened or extended. NHET's submission of its proposal six weeks after the Electric and Gas Utilities submitted their 2011-2012 program plans further exacerbates what is already a tight schedule.

13. The Intervenors will have another forum in which to raise the question of whether NHET should administer the Energy Efficiency Programs. As discussed at the prehearing conference, the Commission has been tasked by the Legislature to conduct a review of "energy efficiency, conservation, demand response, and sustainable energy programs and incentives in the state," including "[t]he appropriate role of regulated energy utilities, providers of energy and energy efficiency, and others in helping the state and consumers achieve the state's energy efficiency potential for all fuels." SB 323 (2010 Session). An appropriate forum for the Intervenors' arguments thus already exists via the SB 323 process. This proceeding is not the appropriate venue for the Commission to consider NHET's Proposal.

14. Finally, the Electric and Gas Utilities acknowledge that Messieurs Ramage and Hill and US Energy Saver may have ideas about how the Energy Efficiency Programs might be developed to best serve the citizens of New Hampshire. The Electric and Gas Utilities do not seek to exclude comments and recommendations regarding the substance of program development from this docket. Messieurs Ramage and Hill are intervenors in the docket and will have the opportunity to provide their input regarding the substance of the Energy Efficiency Programs throughout the operation of the docket. However, the purposes for which NHET wishes to intervene, and the objective which the NHET Proposal seeks to fulfill – an attempt to take over administration of certain energy efficiency programs – are outside the scope of this proceeding.

Wherefore, the Electric and Gas Utilities respectfully request that the Public Utilities Commission:

- A. Limit the scope of Docket No. DE 10-188 to exclude the issue of which entities should administer the Energy Efficiency Programs, including whether NHET should administer the Energy Efficiency Programs; and
- B. Deny the petition for substitution by New Hampshire Energy Trust, because the only purpose for NHET's intervention is outside the scope of the proceeding.
- C. Grant such further relief as it deems appropriate.

Respectfully submitted,

GRANITE STATE ELECTRIC COMPANY
D/B/A NATIONAL GRID
ENERGYNORTH NATURAL GAS, INC.
D/B/A NATIONAL GRID NH

By their Attorneys,

McLANE, GRAF, RAULERSON & MIDDLETON,
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Date: September 20, 2010

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Date: September 20, 2010

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Date: September 20, 2010

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Certificate of Service

A copy of this Joint Objection to the Scope of Intervention in Docket DE 10-188 and to the Substitution of New Hampshire Energy Trust for Intervenors Daniel Ramage and R. Jeremy Hill has been served by electronic mail this 20th day of September, 2010 to each of the parties on the service list in this docket.

A handwritten signature in black ink, appearing to read "Rachel Gold", is written over a horizontal line.

Rachel A. Goldwasser

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1 STATE OF NEW HAMPSHIRE
2 PUBLIC UTILITIES COMMISSION
3

4 August 31, 2010 - 9:29 a.m.
5 Concord, New Hampshire

6
7 RE: DE 10-188
8 2011 CORE ELECTRIC PROGRAMS AND
9 NATURAL GAS ENERGY EFFICIENCY
10 PROGRAMS: Energy Efficiency Programs.
(Prehearing conference)

10

11 PRESENT: Chairman Thomas B. Getz, Presiding
12 Commissioner Clifton C. Below
13 Commissioner Amy L. Ignatius
14 Sandy Deno, Clerk

14

15 APPEARANCES: Reptg. Public Service Co. of New Hampshire:
16 Gerald M. Eaton, Esq.

17 Reptg. Unitil Energy Systems and
18 Northern Utilities:
Rachel Goldwasser, Esq. (Orr & Reno)

19 Reptg. New Hampshire Electric Cooperative:
Mark W. Dean, Esq.

20 Reptg. Granite State Electric Co. and
21 EnergyNorth Natural Gas, Inc.:
Sarah B. Knowlton, Esq. (McLane, Graf...)
22 Steven Dutton, Esq. (McLane, Graf...)

23 Court Reporter: Steven E. Patnaude, LCR No. 52

24

1

2 APPEARANCES: (C o n t i n u e d)

3 Reptg. N.H. Home Builders & Remodelers Assn.:
4 Kendall Buck5 Reptg. Community Action Associations:
6 Dana Nute7 Reptg. The Way Home:
8 Alan Linder, Esq. (N.H. Legal Assistance)9 Reptg. Office of Energy & Planning:
10 Eric Steltzer11 Reptg. Conservation Law Foundation:
12 Jonathan Peress, Esq.13 Reptg. US Energy Saver, LLC:
14 Russell Aney

15 Jeremy Hill, pro se

16 Daniel Ramage, pro se

17 Reptg. Residential Ratepayers:
18 Rorie E.P. Hollenberg, Esq.
19 Stephen Eckberg
20 Office of Consumer Advocate21 Reptg. PUC Staff:
22 Suzanne G. Amidon, Esq.
23 Marcia A.B. Thunberg, Esq.
24 Thomas C. Frantz, Director - Electric Div.
Al-Azad Iqbal, Electric Division

1 any way going into year 2011 with an approved program.
2 And, I think that could easily happen, if we had the broad
3 scope of intervention being proposed by these petitioners.
4 Thank you.

5 CHAIRMAN GETZ: Okay. Thank you.
6 Ms. Hollenberg.

7 MS. HOLLENBERG: Thank you. The Office
8 of Consumer Advocate does not oppose the request for
9 intervention of these three individuals. However, we do
10 take no position on the scope of the intervention. Thank
11 you.

12 CHAIRMAN GETZ: Thank you. Ms. Amidon.

13 MS. AMIDON: Staff takes no position on
14 the Motions to Intervene.

15 CHAIRMAN GETZ: Thank you. Mr. Aney.

16 MR. ANEY: Thank you. I'd first like to
17 recognize or just clarify that there are three different
18 entities petitioning for intervention this morning. US
19 Energy Saver is not Jeremy hill, is not Dan Ramage. US
20 Energy Saver is not the New Hampshire Energy Trust, which
21 is a nonprofit that will be registered with the Secretary
22 of State's Office today. US Energy Saver has its own
23 interest in this docket, as a company in the State of New
24 Hampshire trying to earn a living in the energy efficiency

1 claim in its Petition to Intervene. Okay? I'll let these
2 guys speak for themselves. But I know they are also
3 individually professionals serving this marketplace, but
4 who have also taken a very bold step to form a nonprofit
5 organization and to, in their minds, more effectively
6 administer the SBC funds for the benefit of New Hampshire
7 citizens in the State of New Hampshire, to stimulate and
8 promote energy efficiency services across the state,
9 consistent with the reasons why we're collecting these SBC
10 funds.

11 I'd just like to make a note that the
12 notion that Jeremy Hill was domiciled here in the State of
13 New Hampshire is a typo, and, in fact, it's my fault. I
14 made that, gave them a draft, sent a revised draft, and I
15 accidentally sent the wrong copy. So, that was simply a
16 typo, and, hopefully, the Commission will not hold that
17 against their ability to intervene.

18 Ms. Knowlton suggested that "we want to
19 run the program." Actually, we don't want to run the
20 program, any of us. We are interested in seeing a program
21 that is efficiently administered, that promotes effective
22 programs for the State of New Hampshire, and accelerates
23 this state's progress towards transformation in the energy
24 efficiency services marketplace. None of us wants to run

1 that program.

2 I think it's also important to point out
3 that the utilities have no right to run this program.
4 Yet, there's a pretense in this room that they do. Either
5 because they're the utilities, who collect these funds
6 from their ratepayers, and give those funds to the State
7 of New Hampshire, because, once they're collected, they do
8 become the public monies of the State of New Hampshire,
9 which is then turned around, through the PUC, and giving
10 those funds back to the utilities for effective
11 administration of the energy efficiency programs. This
12 whole docket is about whether the PUC believes -- whether
13 the PUC believes that the utilities are proposing an
14 effective program to deliver energy efficiency services
15 consistent with state law.

16 CMSR. BELOW: Hold on a second there.
17 Why do you say, Mr. Aney, that these funds are public
18 funds, when they never actually enter the State Treasury?

19 MR. ANEY: Because they are collected on
20 behalf of the State of New Hampshire.

21 CMSR. BELOW: How so? What legal
22 authority do you cite to say -- come to that conclusion?

23 MR. ANEY: I don't have the statutes
24 here in front of me, but I believe it's RSA 374-F, X, is

{DE 10-188} [Prehearing conference] {08-31-10}

1 that not correct? I apologize. And, I'd like to be able
2 to get back to the Commissioners on that, because I don't
3 have the statutes here in front of me.

4 But this -- the funds, once collected,
5 are actually the -- the spending of those funds becomes
6 the decision of the Commission. And, if the Commission,
7 as an agent of the State of New Hampshire, is not
8 spending, I mean, since the Commission is spending those
9 funds or determining how to best spend those funds, I
10 guess I would think that, even though they don't go to a
11 bank account; from the utilities' bank account to the
12 State's bank account and back to the utilities' bank
13 account, it's still -- they're still State funds, because
14 the Commission is actually determining how to spend them.
15 So, perhaps that argument holds.

16 CHAIRMAN GETZ: Mr. Aney, can you speak
17 to the distinction between whether you should be, you or
18 Mr. Hill or Mr. Ramage, and I'll give them the opportunity
19 as well, should be allowed to intervene, versus the issue
20 of what's the appropriate scope of this proceeding and
21 whether this proceeding should include as well the issue
22 of whether there should be a reworking of how the programs
23 are managed?

24 MR. ANEY: I would say that those are
 {DE 10-188} [Prehearing conference] {08-31-10}

1 two very separate and distinct issues. I think, should we
2 be allowed to intervene as full participants, absolutely,
3 that's the case. We're individuals in the energy services
4 marketplace that's dramatically affected by the design of
5 these programs. And, our ability to comment on how the
6 State is spending these funds through the utilities'
7 programs' administration that directly affects our
8 livelihood, I think there can be no discussion as to
9 whether it's appropriate or not whether we have the right
10 or standing to intervene as energy service professionals.

11 I think a second question is in regards
12 to whether the New Hampshire Energy Trust, when it is
13 formed or when it submits a filing, that is -- presents an
14 alternative to the administration of certain programs for
15 certain sectors, whether that should be part of this
16 docket or submitted as a separate filing and in a
17 different docket here at the PUC. We fully intend to have
18 that submitted within the next week or two.

19 Now, we asked this question of the Staff
20 here at the PUC. The PUC Staff advised us to submit it as
21 part of this docket. Their expectation was that it would
22 just be consolidated into this docket anyways. So, it was
23 based on Staff's recommendation that we submitted the
24 intervention as we did.

1 CMSR. IGNATIUS: Mr. Aney, the comments
2 of the utilities on a concern that some of the issues
3 you're raising are, however legitimate, may make it
4 difficult to work through discovery to reach a budget and
5 a decision by the end of this year. You heard those this
6 morning. Do you have any response to that?

7 MR. ANEY: Sure.

8 CMSR. IGNATIUS: Just the practical
9 considerations here.

10 MR. ANEY: As the Commission knows well,
11 this docket was started eight weeks ahead of schedule,
12 compared to last year's docket, which started on a -- in a
13 more typical time frame for the CORE docket that the PUC
14 has been reviewing for the last ten years. We believe
15 that, with that additional time, and that we're still
16 before even when the last year's docket even began, we'll
17 have our filing in before last year's docket even began,
18 that there is plenty of time to consider the alternative
19 approach, in terms of administration and perhaps a design
20 of certain programs as part of this docket. I think it
21 really comes down to a decision as to, you know, "what
22 does the State of New Hampshire believe will serve the
23 interests of its ratepayers and citizens and the state's
24 economy best?" And, we believe that the program that

1 we're going to be putting forward through the New
2 Hampshire Energy Trust will merit decision in favor of
3 that program.

4 CMSR. IGNATIUS: Just a moment ago you
5 used the phrase "alternative design and different
6 approach", I think is how you put it, to the CORE
7 Programs, is something that you would be advancing. Can
8 you -- and, yet, you took issue with Ms. Knowlton's
9 characterization that you were looking at taking over the
10 administration of the programs. Can you flesh out just a
11 little more what it is that you would be advocating in
12 this docket?

13 MR. ANEY: Okay. So, again, I'd like to
14 separate out that I am going to be intervening on behalf
15 of myself and US Energy Saver, okay? That's one set of
16 interests. And, when I was speaking about the New
17 Hampshire Energy Trust, about what to anticipate, to give
18 you a heads-up as to what that is going to include, I said
19 that that New Hampshire Energy Trust filing will include
20 some suggested modifications, perhaps some new programs,
21 for certain sectors, just like their current CORE proposal
22 provides. I mean, so, you know, you're arguing that we
23 may submit, but it's complete speculation, a program that
24 is completely different. Yes, it will be different.

{DE 10-188} [Prehearing conference] {08-31-10}

1 Slightly, but not necessarily revolutionary.

2 CMSR. IGNATIUS: But can I ask you what,
3 and you're right to keep making it clear whose entity
4 we're talking about. So, for US Energy Saver, what is the
5 type of input that your organization would be bringing to
6 this docket?

7 MR. ANEY: The type of input that we'll
8 bring is built on my experience and insight gathered
9 through the CORE docket last year, that I've continue to
10 compile and develop other the course of last year. And,
11 also continued to develop through my insights and
12 experience in energy services in other states, and
13 continuing to read up very heavily in that area. As
14 Mr. Linder mentioned, I think I made some very productive
15 insights, revealed some very important aspects of the
16 program that had gone unknown or unseen in prior dockets.

17 I intend to, as an individual
18 entrepreneur, to continue to reveal my perspective with
19 better evidence, better data, and perhaps testimony, in
20 regards to the CORE docket itself, should this just stay
21 in the CORE docket, and/or towards the filing that may
22 come in from the New Hampshire Energy Trust.

23 CMSR. IGNATIUS: All right. And, one
24 other area I wanted to ask you about. The study that's

1 including reduction of the shareholder incentive or
2 reallocation of funds from one utility to another of SBC
3 funds, that could have eliminated the need for the PUC to
4 actually withdraw funds from RGGI, from the RGGI funds,
5 the Greenhouse Gas Emission Reduction Fund, to further
6 supplement the budget of New Hampshire Energy Cooperative
7 -- Electric Cooperative SBC-funded CORE Programs. And,
8 that there was perhaps even additional opportunity for the
9 utilities to reduce their expenses and/or to reduce the
10 amount of discounts that they were providing to provide or
11 serve the same number of people, stimulate as much
12 investment in energy efficiency, with a lower investment
13 of public dollars. And, they chose not to do that. And,
14 I wanted to clarify that those comments or suggestions
15 were made during the discussions in various technical
16 sessions and other forums, yet none of those were actually
17 submitted as part of a solution, and that they could have
18 helped to avoid the need to rob any funds from the RGGI
19 funds.

20 So, I think that, otherwise, I think you
21 should probably -- I will recommend that, rather than rely
22 on the speculation of some others here in regards to what
23 is the New Hampshire Energy Trust, what are their
24 programs, what would be the expense or challenge, that the

1 Commission grant us our intervention rights as individuals
2 on this day, as we requested. Perhaps, just suggesting
3 that, you know, you'll look at the New Hampshire Energy
4 Trust petition for intervention when it comes along, and
5 look at that filing and determine how to handle it when it
6 is submitted. Why do we need to prejudge that, I guess,
7 today, if there's any scope?

8 I think, you know, what I'd really like
9 to request here is that each of us be given the
10 opportunity to fully participate. And, with that, I'll
11 ask Mr. Ramage and Mr. Hill to further comment or
12 elaborate on their desire to individually participate
13 fully in this docket. Thank you.

14 CHAIRMAN GETZ: Mr. Hill.

15 MR. HILL: Thank you. First, what I'll
16 do is I'll address Ms. Knowlton's concern about my
17 domicile. It's true that that was a typo in the original
18 Petition to Intervene. I am currently a resident of
19 Massachusetts. Between 2005 and 2009, I was a resident of
20 New Hampshire. Both of my children were born in New
21 Hampshire, and I was married in New Hampshire. I've done
22 services, both as an energy auditor and through energy
23 efficient upgrades and installations in New Hampshire, in
24 the past, presently, and would hope to in the future as

1 CHAIRMAN GETZ: Okay. We're back on the
2 record. With respect to the Petitions to Intervene, we
3 will grant all of the Petitions to Intervene, and we will
4 explain, to the extent necessary, in a procedural order
5 whether particular Petitions to Intervene are granted as a
6 matter of right or as a matter of discretion under the
7 statute. With respect to the scope of the proceeding, I
8 think it's difficult to be specific in the abstract,
9 without knowing exactly what's going to be proposed,
10 especially by Mr. Aney, Mr. Hill and Mr. Ramage. I think
11 there's a continuum, where some proposals, whatever they
12 might be, are within the scope of design changes or
13 improvements that may be appropriate to this proceeding.
14 On the other hand, at the other end of the continuum,
15 there may be issues that are such fundamental changes that
16 they would be beyond the scope of this proceeding or we
17 would require a separate proceeding to consider. So, I
18 think we're going to have to wait and see what is
19 proposed.

20 But, along those lines, Ms. Amidon, I'd
21 like -- let me make sure I understand what, and if any of
22 the other parties want to weigh in on this, is the
23 expectation from a procedural schedule, we have the joint
24 filing, is this going to be a typical kind of process,

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