

**THE STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DE 13-021

ELECTRIC RENEWABLE PORTFOLIO STANDARD

RSA 326-F:4, VI Adjustments to Class III Renewable Portfolio Requirements

ORDER OF NOTICE

On January 18, 2013, the New Hampshire Public Utilities Commission (Commission) determined that the market for New Hampshire renewable energy certificates (RECs) has evolved sufficiently for the Commission to consider making adjustments to the Class III (Existing Biomass/Methane) facilities minimum requirements pursuant to RSA 362-F:4, VI. This Order of Notice and subsequent docket filings, other than any information for which confidential treatment is requested of or granted by the Commission, will be posted to the Commission's website at <http://www.puc.nh.gov/Regulatory/docketbk-2013.html>.

Pursuant to statute the Commission is allowed to adjust Class III renewable portfolio requirements as necessary and consistent with the purposes of chapter RSA 362-F.

After notice and hearing, the commission may modify the class III and IV renewable portfolio requirements under RSA 362-F:3 for calendar years beginning January 1, 2012 such that the requirements are equal to an amount between 85 percent and 95 percent of the reasonably expected potential annual output of available eligible sources after taking into account demand from similar programs in other states. RSA 362-F:4, VI.

For calendar year 2011 electricity providers paid an unprecedented level of alternative compliance payments (ACPs) pursuant to RSA 362-F:10, II (c) in lieu of purchasing Class III RECs. *See 2012 Renewable Energy Fund Annual Report* As a result of the high level of ACPs, the Commission has determined that it should consider adjustments to the Class III renewable portfolio requirements. This docket is opened for the purpose gathering data on reasonably expected potential annual output of available Class III eligible sources, as well as data on

demand from similar programs in other states. Further, the Commission seeks interested parties' recommendations for implementation of renewable portfolio requirements adjustments pursuant to RSA 362-F:4, VI.

This order of notice raises, inter alia, issues related to whether it is appropriate for the Commission to adjust Class III renewable portfolio requirements, and if so, what calendar years should be adjusted, and how should the adjustments be calculated, including issues of implementation of RSA 362-F:4, VI.

Each party has the right to have an attorney represent the party at the party's own expense.

Based upon the foregoing, it is hereby

ORDERED, that a Prehearing Conference, pursuant to N.H. Code Admin. Rules Puc 203.15, be held before the Commission located at 21 S. Fruit St., Suite 10, Concord, New Hampshire on February 14, 2013 at 10:00 a.m., at which each party will provide a preliminary statement of its position with regard to the petition and any of the issues set forth in N.H. Code Admin. Rules Puc 203.15 shall be considered; and it is

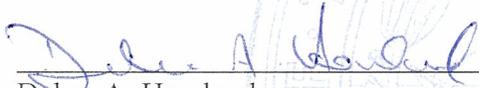
FURTHER ORDERED, that, immediately following the Prehearing Conference, the Staff of the Commission and any Intervenors hold a Technical Session to review the issues presented; and it is

FURTHER ORDERED, that pursuant to N.H. Code Admin. Rules Puc 203.12, the Commission shall notify all persons desiring to be heard at this hearing by publishing a copy of this Order of Notice no later than January 25, 2013, on its website as well as emailing to all competitive electric suppliers, all electric utilities and all eligible Class III generation facilities, certified in New Hampshire on or before January 25, 2013; and it is

FURTHER ORDERED, that pursuant to N.H. Code Admin. Rules Puc 203.17, any party seeking to intervene in the proceeding shall submit to the Commission seven copies of a Petition to Intervene with copies sent to the Office of the Consumer Advocate on or before February 11, 2013, such Petition stating the facts demonstrating how its rights, duties, privileges, immunities or other substantial interest may be affected by the proceeding, as required by N.H. Code Admin. Rule Puc 203.17 and RSA 541-A:32,I(b); and it is

FURTHER ORDERED, that any party objecting to a Petition to Intervene make said Objection on or before February 14, 2013.

By order of the Public Utilities Commission of New Hampshire this eighteenth day of January, 2013.



Debra A. Howland
Executive Director

Individuals needing assistance or auxiliary communication aids due to sensory impairment or other disability should contact the Americans with Disabilities Act Coordinator, NHPUC, 21 S. Fruit St., Suite 10, Concord, New Hampshire 03301-2429; 603-271-2431; TDD Access: Relay N.H. 1-800-735-2964. Notification of the need for assistance should be made one week prior to the scheduled event.

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