

STATE OF NEW HAMPSHIRE

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October 5, 2022

New Hampshire Public Utilities Commission
21 South Fruit Street, Suite 10
Concord, New Hampshire 03301

Re: Docket No. DE 20-161
Public Service Company of New Hampshire d/b/a Eversource Energy
2020 Least Cost Integrated Resource Plan

To the Commission:

Please treat this letter as the response of the Office of the Consumer Advocate (“OCA”) to the October 5 motion of the subject utility in the above-referenced proceeding for certain adjustments to the procedural schedule. We are responding to the motion in letter form so as to expedite our filing and thus help the Commission address the Company’s request in light of the impending merits hearing presently scheduled.

The OCA does not object to the Company’s proposal to move the merits hearing in this docket from October 18-19 to some later date, to be determined. Our objection is to the premise of the motion, which is that the parties need additional time to consider a “supplemental” LCIRP filing the Company intends to make on October 18.

As we have pointed out elsewhere, *see* OCA Objection to “Motion for Waiver of Certain LCIRP Requirements” filed on September 29, 2022 (tab 142) in Docket No. DG 17-152, it is ludicrous to conclude the statute governing Least Cost Integrated Resource Planning (“LCIRP”), RSA 378:37 *et seq.*, allows for serial compliance with the requirement to submit Least Cost Integrated Resource Plans. Such a plan is not a book report, subject to later revision or emendation in search of a better grade from a teacher or a professor. Rather, Least Cost Integrated Resource Plans are supposed to reflect how the management of a utility intends to deploy its resources during the relevant period so as to implement the state energy policy, enumerated in RSA 378:37, in a manner that is least-cost to customers. Obviously, when a utility purports to file a plan “supplement” it is essentially telling the Commission that its initial filing was a sham, a placeholder, or something otherwise not to be taken seriously.

This is particularly a problem in DG 17-152, for the reasons stated in our filing there, but it is also a problem here for similar reasons. LCIRP supplements are clearly an effort by utilities to avoid the rate increase prohibition set forth in RSA 378:40 for a utility without an approved least-cost plan; the submission of a plan “supplement” becomes a pretext for the Commission to

find that review is proceeding “in the ordinary course” so as to take advantage of the loophole in RSA 378:40.

The Commission should reject the least-cost plan tendered for approval in this docket back in 2020, for the reasons stated in our prefiled testimony. That such a rejection would render the utility unable to increase its rates – an occurrence all too familiar to the customers of this particular company given the events of recent weeks – is not our fault or that of its ratepayers. It is the inexorable command of a duly enacted statute the Commission is not free to ignore.

Nevertheless, to be clear, we do not object to a continuance of the hearings presently scheduled for October 18 and 19. Thank you for the opportunity to clarify our views.

Sincerely,

A handwritten signature in blue ink, appearing to read 'DKreis', written in a cursive style.

Donald M. Kreis
Consumer Advocate

cc: Service List, via e-mail