



Electric Aggregation Plan

Attachments

1: NET METERING AND LOW-INCOME SOLAR PROJECTS

Under the Net Energy Metering (NEM) process, customers who install renewable generation or qualifying combined heat and power systems up to 1,000 kilowatts in size (“customer-generators”) are eligible to receive credit or compensation for any electricity generated onsite in excess of their onsite usage.

Any surplus generation produced by these systems flows back into the distribution grid and offsets the electricity that would otherwise have to be purchased from the regional wholesale market to serve other customers.

The table below compares New Hampshire’s two NEM tariff structures, which offer different credits to customer-generators depending on the size of their installed system:

Net Energy Metering (NEM) Credit on Net Monthly Exports to Grid

	NEM 1.0 <i>“Standard NEM”</i> <i>Offered prior to 9/1/2017</i>	NEM 2.0 <i>“Alternative NEM”</i> <i>Effective 9/1/2017</i>
Large Systems <i>100 Kilowatts to 1 Megawatt</i>	Full credit (at the customer’s retail rate) for electricity supply <u>only</u>	
Small Systems <i>≤ 100 Kilowatts</i>	Full credit for electricity supply, distribution, transmission, System Benefits, Stranded Cost & Storm Recovery charges	Full credit for electricity supply and transmission; 25% credit for distribution & no credit for other charges

[RSA 362-A:9, II](#) grants Community Power programs broad statutory authority to offer customer-generators new supply rates and terms for the generation supply component of Net Energy Metering (NEM). The relevant statutory authority is quoted in full below:

“Competitive electricity suppliers registered under RSA 374-F:7 and municipal or county aggregators under RSA 53-E determine the terms, conditions, and prices under which they agree to provide generation supply to and credit, as an offset to supply, or purchase the generation output exported to the distribution grid from eligible customer-generators. The commission may require appropriate disclosure of such terms, conditions, and prices or credits. Such output shall be accounted for as a reduction to the customer-generators’ electricity supplier’s wholesale load obligation for energy supply as a load service entity, net of any applicable line loss adjustments, as approved by the commission. Nothing in this paragraph shall be construed as limiting or otherwise interfering with the provisions or authority for municipal or county aggregators under RSA 53-E, including, but not limited to, the terms and conditions for net metering.”

Canterbury Community Power intends to offer a NEM generation rate and terms to customers-generators with onsite renewable generation eligible for net metering from the electric distribution utility. Note that any non-energy-related components of the Net Energy Metering tariff (e.g., credits for transmission and distribution) will continue to be provided to customer-generators directly by their utility.

How Canterbury Community Power calculates, accounts for and provides NEM credits to participating customer-generators for the different types of eligible system sizes, customer types and group configurations will have a number of important financial and practical implications for the program and customers in the Town.

Canterbury Community Power also anticipates encountering practical challenges of an operational nature in administering net metering and group net metering programs. This is partly because net energy metering continues to evolve in response to new policy and regulatory requirements, and the day-to-day processes that govern the coordination between the program, participating customers-generators and the electric distribution utility are subject to refinement and change over time.

Canterbury Community Power may be one of the first default aggregation programs to launch, and the process of transferring significant numbers of NEM customers may cause unanticipated issues due to the metering, billing and data management requirements of this subset of customers. Canterbury Community Power will maintain close coordination with the electric distribution utilities to expeditiously resolve any such issues that may occur.

For example, Canterbury Community Power may decide to separately issue supply bills to customers that have installed PV solar systems after September 2017.

The advantage in dual-billing this subset of customers stems from what is essentially an accounting irregularity in how the electric distribution utilities' billing systems and PUC policies currently treat customer-generators taking service under the NEM 1.0 tariff, which applies to systems installed before September 2017, versus the NEM 2.0 tariff, which applies to all systems installed after that date. As context:

- The cumulative surplus generation exports of net metered customer-generators will decrease the amount of electricity that Canterbury Community Power will have to purchase from the regional power market to supply other customers in the program. The surplus generation from both NEM 1.0 and NEM 2.0 customer-generators will be tracked and netted out from the program's wholesale load obligations by the electric distribution utilities for this purpose.
- However, for the purpose of netting out of the program's Renewable Portfolio Standard (RPS) compliance requirements, the surplus generation from NEM 1.0 customers is tracked and accounted for differently than it is for NEM 2.0 customers:
 - Surplus generation from NEM 1.0 customers is tracked as a kWh credit that is carried forward to offset the customer's future electricity supply requirements; these kWh credits will be counted as an offset that decreases the total electricity supplied by the program to retail customers in aggregate — which lowers the program's RPS compliance obligation.

- Surplus generation from NEM 2.0 customers is tracked as a monetary credit that is carried forward to offset the customer’s future electricity bills; even though the monetary credit is calculated each month based on every customer-generator’s kWh surplus generation, the monetary credit is treated as a re-sale or delivery of power generated by NEM 2.0 customer-generators and provided to other participating customers through the program — it is not treated, in other words, as an offset that decreases the total electricity supplied by the program to retail customers in aggregate — and therefore does not lower RPS compliance obligations in the same way.

The practical consequence of this accounting treatment is that Canterbury Community Power would have to purchase Renewable Energy Certificates for the amount of surplus generation supplied by NEM 2.0 customer-generators (but not NEM 1.0 customer-generators) in the same way as if the program had imported that amount of electricity from the regional wholesale market.

- Taking on the responsibility of billing this subset of NEM 2.0 customers directly may allow Canterbury Community Power to track and account for the impact of their surplus generation in ways that lower the program’s RPS compliance obligations and costs. Specifically, the program could credit customers currently on the utility’s NEM 2.0 tariff in the same way that NEM 1.0 customers are credited (i.e., using kWh credits to track surplus generation on the supply portion of the bill). Note that RSA 362-A:9,II explicitly grants Community Power programs the flexibility to offer net metered customers either:
 - A “*credit, as an offset to supply*” for their surplus generation, which is equivalent to the NEM 1.0 tariff accounting practices; or
 - To “*purchase the generation output exported*” which is equivalent to how the NEM 2.0 tariff tracks surplus generation.

Exercising the first option listed above, by offering NEM 2.0 customers a kWh credit tracked as an offset to supply, would allow Canterbury Community Power to harmonize the accounting treatment of NEM 1.0 and 2.0 surplus generation for the purpose of program RPS compliance reporting. This would help lower program rates and is an option that the program may therefore find cost-effective to implement.

Additionally, certain customer-generators currently receiving IRS Form 1099 taxable income from monetary credits under the electric distribution utilities’ NEM 2.0 tariff may benefit financially from receiving kWh credits for the supply portion of their monthly surplus generation instead.

While dual billing is typically avoided — as it is less convenient for most customers to receive separate bills from their distribution utility and energy supplier — customers with onsite generation systems tend to be highly informed on energy issues and respond positively to more active engagement with both their distribution utility and their energy supplier.

Consequently, dual billing may enhance customer satisfaction, awareness and ongoing participation in the program for customer-generators. Furthermore, dual billing could be done

electronically, which is more convenient for the customer and will be less costly for the program than sending paper bills.

Furthermore, Canterbury Community Power may be able to create additional value for customer-generators through a combination of dual billing, assistance with metering upgrades and time-varying rate structures. For example:

- Some customer-generators with solar systems may benefit from local programs that help them reduce their full energy bill costs;
- Providing the customer-generator with a separate supply-only bill would allow Canterbury Community Power to also offer a time-varying rate (which may not otherwise be available through utility billing systems);
- Upgrading to an interval meter (if the customer-generator does not have one) and installing onsite battery storage, combined with a time-varying rate, may enable the customer-generator to further lower their overall bill by shifting their pattern of electricity usage at times of high energy prices and constrained generation and transmission capacity. This could also help to manage and lower the program's electricity supply costs in aggregate as well, thus benefitting all participating customers.

Similarly, Canterbury Community Power may be able to streamline the process and cost of installing REC production meters for customer-generators that don't already have one. By registering customer-generators and purchasing their RECs for their onsite power generation, Canterbury Community Power could use them to satisfy part of the program's overall RPS compliance requirements. This would allow the program to source RECs locally and would provide an additional source of revenue for customer-generators in the Town.

Canterbury Community Power also intends to evaluate ways to enhance the value of the NEM credits that customers receive overall, from both the program and the electric distribution utilities. For example, customer-generators may benefit by becoming hosts in Group Net Metering, including by establishing a Low-Moderate Income Solar Project group. The program may be able to streamline the process required to do so, which entails:

- Matching customers interested in becoming members with prospective group hosts;
- Executing a Group Net Metering Agreement together;
- Registering the group with the Public Utilities Commission and the relevant franchise-area electric distribution utility; and
- Thereafter filing annual compliance reports.

Lastly, NEM tariffs are subject to revision and Canterbury Community Power, through the Coalition, intends to work with the electric distribution utilities, participate in Public Utilities Commission proceedings and engage at the Legislature on issues that impact how the tariffs evolve going forward.

Customers are increasingly adopting new energy technologies and expect to be offered rates and services that provide them with new choices and fair compensation based on their investment; the program's ability to assist customers in these ways is heavily dependent on how state policies and utility regulations evolve over time.

Canterbury Community Power will seek to represent the interests of our community and customers in these matters.

2: THE COMMUNITY POWER COALITION OF NEW HAMPSHIRE

Canterbury is a member of the Community Power Coalition of New Hampshire (“CPCNH” or “the Coalition”), a nonprofit joint powers agency authorized under RSA 53-A and governed by participating communities under the terms of the Joint Powers Agreement.

The Coalition was incorporated as a governmental instrumentality and non-profit on October 1st, 2021, to provide for the launch and operation of Community Power Aggregation (CPA) programs on behalf of its Members throughout the state. CPCNH intends to launch power supply services in April to May 2023.

CPCNH will be funded through customer revenues, with no taxpayer subsidies. By law, each member’s CPA program is funded through program revenues; CPCNH’s budget is completely separate from the general funds of participating local governments. CPCNH’s participating local governments Members will share the administrative and general costs of CPCNH on a pro-rata basis, and to elect to share costs, on an individual basis, for operational services, pooled power purchases, and energy project development contracts.

CPCNH also engages at the Legislature and Public Utilities Commission on behalf of its members on matters related to energy and Community Power.

CPCNH will benefit Member communities by providing for the supply of cleaner and more locally produced electricity, innovative retail distributed energy and demand flexibility programs, policy engagement and public advocacy, competitive rates for residents, businesses, and municipal facility customers, and economic investment through the development of local programs, projects, and energy infrastructure.

Most, if not all, members anticipate relying on CPCNH as an energy services provider, for the provision of all-requirements electricity and retail customer services on behalf of their CPA programs, which will operate across all four distribution company service territories in the state: Eversource, Unitil, Liberty Utilities and the New Hampshire Electric Co-Op.

GOVERNANCE STRUCTURE

CPCNH is governed in accordance with our [Joint Powers Agreement](#), and overseen by a Board of Directors composed of the representatives appointed by participating local governments. CPCNH’s Board and committee meetings are subject to New Hampshire’s Right to Know Law and open to the public.

Going forward, the Board will be elected by vote of Member representatives at the Annual Meeting of the Members, which is held every April, and will be composed of between eleven and twenty-one Directors elected from amongst the member representatives.

At present, the Board of Directors is currently composed of representatives (elected officials, municipal staff and volunteers serving on local energy committees) appointed by each of its local government Members to serve as either a Director or Alternate Director (each member has only one vote):

CPCNH Board of Directors

Member	Officer	Director	Alternate
City of Lebanon	Chair	Clifton Below	Greg Ames
City of Portsmouth	Vice Chair	Kevin Charette	Peter Rice
Town of Enfield	Treasurer	Kimberly Quirk	Jo-Ellen Courtney
Town of Plainfield	Secretary	Evan Oxenham	Steve Ladd
Cheshire County		Terry Clark	Chris Coates
City of Nashua		Doria Brown	Deborah Chisholm
City of Dover		Christopher Parker	Jackson Kaspari
Town of Brentwood		Rick Labrecque	Tom Palma
Town of Canterbury		Kent Ruesswick	Howard Moffett
Town of Durham		Mandy Merrill	Nat Balch
Town of Exeter		Nick Devonshire	Julie Gilman
Town of Hancock		Jim Callihan	Robbie Hertneky
Town of Hanover		April Salas	Peter Kulbacki
Town of Harrisville		Andrea Hodson	Andrew Maneval
Town of Hudson		Craig Putnam	Kate Messner
Town of New London		Jamie Hess	Tim Paradis
Town of Newmarket		Toni Weinstein	Steve Fournier
Town of Pembroke		Matthew Miller	Jackie Wengenroth
Town of Peterborough		Steve Walker	Danica Melone
Town of Rye		Lisa Sweet	Howard Kalet
Town of Shelburne		Michael Prange	Ray Danforth
Town of Sugar Hill		Jordan Applewhite	Margo Conors
Town of Walpole		Paul Looney	Dennis Marcom
Town of Warner		Clyde Carson	George Packard
Town of Webster		Martin Bender	David Hemenway
Town of Westmoreland		Mark Terry	John Snowdon
Town of Wilmot		William Chasson	

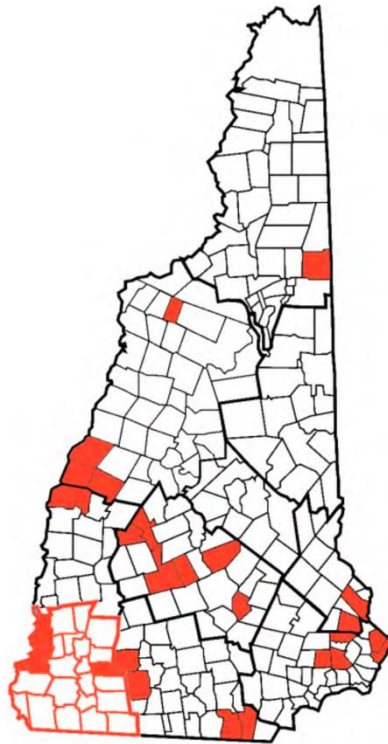
CPCNH also conducts its business through the committees, each of which is composed of Member representatives drawn from across the state:

1. **Executive Committee:** bi-weekly and as-needed meetings of CPCNH’s Chair, immediate past-chair, Vice Chair, Treasurer, and Secretary. Authorized to act on behalf of the Board, on most matters, in instances where decisions may not wait until the next meeting of the Board.
2. **Finance Committee:** bi-weekly and as-needed meetings of 3 members. Responsible for advising the Treasurer and the Board as to the investments, budget, and general fiscal policy of CPCNH.
3. **Member Operations & Engagement Committee:** monthly and as-needed meetings of 8 members representing Dover, Durham, Hanover, Pembroke, Rye and Walpole, with additional advisors based in Peterborough and Hanover. Responsible for (1) assisting Members’ Electric Aggregation Committees through the Electric Aggregation Plan drafting

and local approval process, and (2) recruiting new CPCNH Members by engaging with interested communities

4. **Risk Management Committee:** monthly and as-needed meetings of 8 members. Responsible for overseeing CPCNH’s competitive solicitation for services and credit support, for overseeing energy portfolio risk management procurement decisions, and for understanding and advising upon enterprise risk factors and mitigating strategies more broadly.
5. **Regulatory and Legislative Affairs Committee:** as-needed meetings of 4 members, Responsible for monitoring and advising CPCNH and its Members regarding regulatory and legislative engagement, and for appointing representatives of the Corporation to serve on statutory commissions, study commissions, and other boards and commissions created by the state legislature.
6. **CEO and Staff Search Committee:** as-needed meetings of 4 members. Responsible for developing a solicitation and hiring process for Board review and approval in preparation for hiring a CEO and key staff.

Additionally, prior to the launch of CPA programs, the Board will create an **Audit Committee** and **Governance Committee**, as required standing committees per our Joint Powers Agreement.



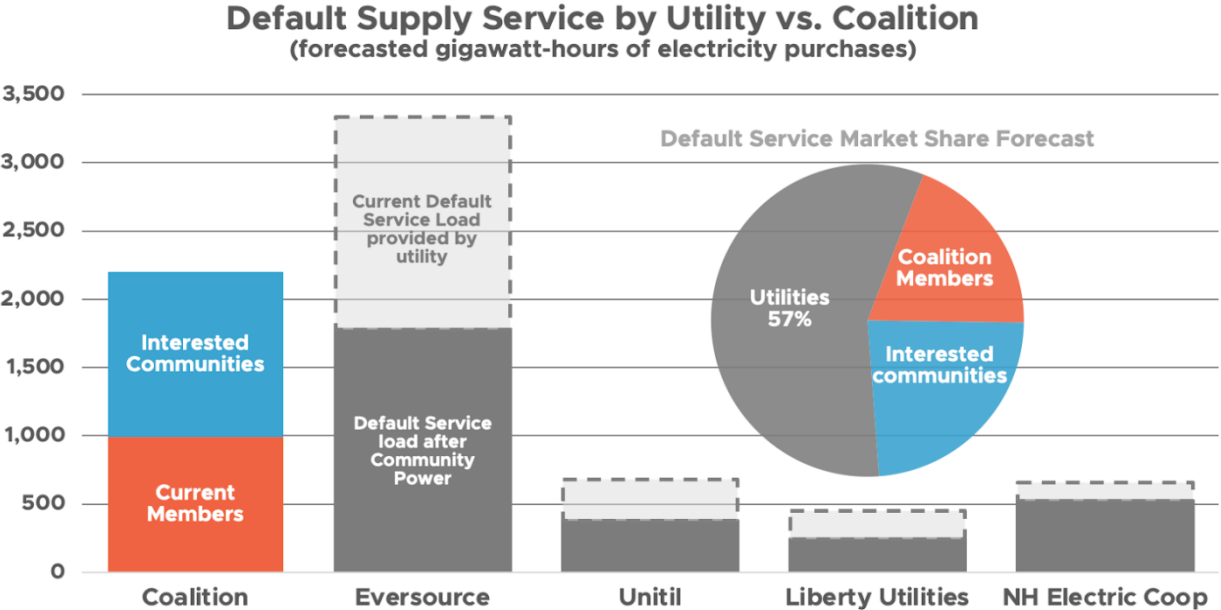
MEMBER SERVICE TERRITORY

CPCNH’s twenty-seven current municipal members, who represent approximately 21% of New Hampshire’s population, intend to launch CPA programs in the next one to two years.

- The first wave of CPA programs is slated to launch between April and May of 2023, with service expansion to all current member territories thereafter (likely Q2 2024).

- At this point, CPCNH may serve ~110,000 customer accounts, provide ~900,000 MWh of electricity, and produce revenues of up to ~\$365 million per year (assuming full Member participation and retail pricing based on default utility rates in the current year).
- Over 30 additional local governments have expressed interest in joining CPCNH, which would increase representation to ~50% of New Hampshire’s population.
- CPCNH subsequently expects relatively robust member recruitment, and the launch of dozens of new CPA programs in next two to three years.

Consequently, as shown in the graph below, CPCNH is positioned to become the largest default supplier of electricity in New Hampshire:



ORGANIZATIONAL CAPACITY

The Coalition’s [Board, committees, and executive team](#) bring a great breadth and depth of experience to the organization with professional backgrounds that support CPCNH’s mission.

CPCNH is also supported by outside General Counsel ([Michael Postar](#) of [DWGP, P.C.](#) with NH advice from [Eli Emerson of Primer Piper, P.C.](#)) and two professional consultants ([Henry Herndon](#), of Herndon Enterprises, for member services, and [Samuel Golding](#) of Community Choice Partners, for technical advice and support).

Most recently, CPCNH has concluded a [competitive solicitation for services and credit support](#) and has executed contracts for \$750,000 in startup funding, \$9.5 million in credit support, and ~\$8 million to ~\$9 million in professional services to operate the power agency and expand CPCNH’s membership over the next three years:

1. [Ascend Analytics](#): energy portfolio risk management and procurement services, credit support (three lines of credit providing \$6 million for LSE and wholesale requirements, \$2.5 million for Ascend’s invoices, and \$1 million for non-Ascend third-party invoices), and

overall implementation management and oversight (CPCNH’s critical path analysis is [online here](#); refer to pp. 37-54).

2. [Calpine Energy Solutions](#), for \$750,000 in startup funding and retail customer services: for Load Serving Entity (LSE) services, utility electronic data interchange (EDI), retail data management, and call center operations.
3. [River City Bank](#), for secure revenue “lockbox” account administration and various commercial banking services.
4. [Clean Energy New Hampshire](#) for member and community relations, media strategy and engagement, and related administrative services.

CPCNH’s committee award reports and winning response materials are [online here](#).

CPCNH is in the process of contracting for accounting services, to implement an accounting system and controls for CPCNH.

STAFFING STRATEGY

CPCNH contracted with True Search for Executive Search Services to support hiring a CEO and aims to hire a CEO in the first quarter of 2023. The Board will support the CEO in filling key functional roles with highly qualified staff in managerial positions to provide oversight and initiative that guide’s the evolution of the agency.

CPCNH anticipates that the CEO will recommend prioritizing staff capacity in the follow areas of expertise:

- Financial Management: Treasury support, budgeting, cash flow analysis, rate setting, financial controls and compliance, and reserve management.
- Retail Services: retail customer products and services, key account management and retention, and local programs.
- Energy Portfolio Management: contract valuation, procurement, power purchase agreements, portfolio strategy, and energy risk management analytics and reporting.
- Information Technology: enterprise data management and analytics.
- Regulatory and Legislative Affairs: engagement with the Legislature, NH Department of Energy, Office of the Consumer Advocate, Public Utilities Commission, distribution utilities, and other stakeholders on energy policy and market issues impacting CPAs.

REGULATORY AND LEGISLATIVE ENGAGEMENT

CPCNH carries out public information campaigns and routinely engages at the Legislature and Public Utilities Commission, often alongside the NH Office of Consumer Advocate, to advance consumer interests and protect and expand the authorities of our Members. [Board Chair Clifton Below](#), Assistant Mayor of the City of Lebanon, often leads the agency’s regulatory and legislative engagement activities. Recent initiatives include:

- Authoring the Community Power Aggregation Act, [Senate Bill 286](#) (2019).
- Leading the informal rule drafting process for CPA administrative rules at the Public Utilities Commission by providing initial and subsequent draft rules for discussion, arranging

bilateral meetings with utilities and other stakeholders, and helping to lead stakeholder workshops at the request of Commission staff.

- Negotiating amendments to [House Bill 315](#) (2021), which would have substantially changed and weakened CPA authorities as-introduced, to instead clarify and expand key CPA authorities — including by authorizing a Purchase of Receivables program. (Refer to CPCNH.)
- Drafting the CPA administrative rules and leading a public stakeholder process to negotiate final rule language which was adopted by the Commission ([docket DRM 21-135](#)).
- Intervening to advocate for the creation of a Statewide Data Platform to enable Green Button access to electricity and natural gas retail customer data, and to negotiate a settlement — recently adopted by the Commission — under which the platform would be governed by a Governance Council of representatives that includes Chair Below on behalf of CPAs and municipalities across the state ([docket DE 19-197](#)).
- Advancing legislation, through multiple legislative sessions, that would properly credit CPAs sourcing power from Distributed Energy Resources under 5 MW and for reducing costs from energy charges, transmission charges, and capacity charges ([SB 321](#), 2022).
- Engaging on CPCNH’s behalf in [Docket IR 22-053](#) regarding the evaluation of default utility procurement requirements and the potential impact due to CPAs, among other matters.

PURPOSE, MISSION, VALUES & POWER ENTERPRISE OBJECTIVES

CPCNH is guided by the requirements and processes provided for under our Joint Powers Agreement, the decisions of our Members and Board of Directors, and the considerations that operating a competitive power enterprise entails.

Purpose of CPCNH

The overarching objective of CPCNH is provided for in the [Joint Powers Agreement](#):

The purpose of CPCNH is to promote the common good and general welfare by supporting the economic vitality and prosperity of local communities by enabling municipalities and counties to support and jointly exercise authorities granted to them pursuant to NH RSA 33-B, NH RSA 53-E, NH RSA 53-F, and NH RSA 374-D, all in accordance with NH RSA 53-A; to assist member municipalities and counties in complying with the provisions of NH RSA 53-E in developing and implementing Electric Aggregation Plans and Programs known as Community Power Aggregations (“CPAs”); to provide supportive services and technical assistance to CPAs serving member towns, cities, counties, unincorporated places, and village districts; and to support and promote public education and civic engagement by the residents and businesses of member communities in developing and implementing energy and climate policies and actions and the role of CPAs in advancing such policies and actions for the common good.

Mission and Values

CPCNH’s Board of Directors has subsequently adopted the mission and values below:

Our mission is to foster resilient New Hampshire communities by empowering them to realize their energy goals. CPCNH will create value for our Community Power member municipalities by jointly contracting for services, developing projects and programs together, educating and

engaging the public, and advocating for communities and customers at the Legislature and Public Utilities Commission.

- 1. In carrying out its activities, CPCNH is guided by the following values:*
- 2. Embody an inspiring vision for New Hampshire’s energy future.*
- 3. Support communities to reduce energy costs and pursue economic vitality by harnessing the power of competitive markets and innovation.*
- 4. Support communities to implement successful energy and climate policies and to promote the transition to a carbon neutral energy system.*
- 5. Balance the interests of member communities who are diverse in demographics, geography and their energy goals.*
- 6. Use our shared expertise, leadership and skills to educate, empower and build the capacities of our members.*
- 7. Help communities demystify the power sector to make informed decisions.*
- 8. Facilitate collaboration and teamwork by championing diversity, equity and inclusion of people and communities of all kinds.*

Power Enterprise Objectives

CPCNH’s immediate objectives in implementing CPA supply service in April to May 2023 were summarized in the Coalition’s prior solicitation for services and credit support:

While many of the broader benefits that CPCNH intends to create will be developed over time, the agency’s immediate objectives are to:

- 1. Procure a reliable supply of all-requirements electricity, inclusive of Renewable Portfolio Standard requirements, and satisfy all load-serving entity obligations on behalf of participating customers.*
- 2. Launch with default supply rates that “meet or beat” utility default service rates and maintain competitive default supply rates thereafter.*
- 3. Accrue reserve funds sufficient to ensure Members’ long-term financial stability.*
- 4. Offer voluntary products that retail customers may opt-up to receive as well as Net Energy Metering supply rates that allow customer-generators to participate in the program.*
- 5. Ensure individual customers have excellent customer service experience every time they interact with CPCNH regarding their electric service and all account transactions.*
- 6. Guarantee that individual customer data is secure and protected against third party attacks, data breaches and inappropriate use.*

COALITION ENERGY PORTFOLIO RISK MANAGEMENT, RATES, AND RESERVES POLICIES

The Coalition’s Members expect the agency to balance customer rate levels, renewable power content, and the accrual of program reserves on behalf of Member programs to meet their local policy objectives. The Board of Directors is incorporating these considerations and trade-offs regarding the prudent allocation of revenues into Energy Portfolio Risk Management, Rates, and Reserves policies, summarized as follows:

- **Energy Portfolio Risk Management Policy:** defines the risks associated with the procurement of the power supply, identifies those responsible for administering the various elements of the risk management policy (from procurement through daily operations and oversight), and sets policy parameters for managing, monitoring, and reporting on the risks associated with procuring and hedging the power supply portfolio. The policy will define the requirements and limits within which Members delegate their procurement authority to CPCNH.
- **Rates Policy:** ensures retail rates are set in a timely fashion to recover capital and operating costs of Member programs and that public notice and customer communication activities remain in compliance with statutory and Member Electricity Aggregation Plan requirements.
- **Financial Reserves Policy:** sets appropriate target levels (e.g., minimum and maximum contributions) to ensure CPCNH satisfies working capital requirements, procures energy at competitive rates, adheres to contractual covenants, covers unanticipated expenditures, supports rate stability, and progresses towards obtaining an investment grade credit rating. Member contributions to reserves will be tracked, and provided back to Members, pursuant to any contractual obligations, if and when they choose to cease participating in the Coalition.

MEMBER COST SHARING AGREEMENT

The Coalition's Joint Powers Agreement provides certain requirements regarding how costs will be tracked and shared across participating Community Power programs, which must be formalized in a Cost Sharing Agreement executed with each Member before the Coalition may provide services for their Community Power program, as follows:

- Costs will be tracked in three distinct categories: direct project costs, member services, and general and administrative costs (which are overhead costs that are not associated with any specific project or member service).
- Member cost-sharing agreements will be the same in all material respects: general and administrative costs will be allocated based on each Community Power program's share of total electricity usage each year, while each member will choose and separately pay for the costs of specific services and projects (under terms that reflect a fair allocation across all the members that chose the same services and projects).
- The debts, liabilities and obligations of the Coalition, and of other participating Community Power programs, will be non-recourse to Member communities (unless expressly agreed to by the Member under their Cost Sharing Agreement or a Project Contract).

3: CANTERBURY'S PUBLIC PLANNING PROCESS

In September 2022, the Canterbury Energy Committee asked the Select Board to create an Electric Aggregation Committee (EAC) to work with the Community Power Coalition of New Hampshire in bringing aggregate power purchasing to the Town. Members of the new committee were recruited from the Planning Board, the Energy Committee, the Select Board and the general public via a notice in the Town-wide email. A total of eight volunteers agreed to serve; and at an initial informal meeting on October 12, also agreed to have their names presented to the Select Board for official nomination. The group would be called the Canterbury Community Power Committee or CCPC.

On October 26, the CCPC came together for its first official meeting, at the Canterbury Municipal Complex. It agreed to find a meeting place that could accommodate members of the public who wish to attend, to publish and post meeting minutes on the Town website, at the library and general store and at the Town Office, to elect Howard Moffett as chair and Kelley Stonebraker as Secretary, and to form two working groups: an EAP Working Group led by Lenore Howe to focus on producing a draft Electric Aggregation Plan, and an Outreach Working Group led by Kathy Doherty to develop and run a community outreach program leading up to Town Meeting in March 2023. Shortly after this meeting, members of the EAP Working Group met with both the Town Planning Board and the Town Energy Committee and determined that both would be interested in working with the CCPC to include energy goals in the new Master Plan currently in development.

The two working groups met separately on November 2:

The EAP Working Group reviewed its tasks and deadlines and asked members to contribute to writing various pieces of the draft EAP, specifically Canterbury's Policy Goals, Canterbury Community Power Objectives, and [Attachment 4](#). The group agreed to work with the Town Energy Committee to produce a set of energy goals and objectives for presentation to the Planning Board for possible inclusion in the Master Plan. On November 7, members of the EAP working group met with the Energy Committee to discuss the work that had been done in the past and how best to include it in the Goals and Objectives to be presented to the Planning Board on November 15.

The Outreach Working Group created a plan for reaching out to and listening to Town residents with respect to their priorities concerning Community Power, to include:

- A digital survey to be distributed widely in Town.
- Weekly Town-wide email postings, to include a series of Frequently Asked Questions (FAQ's) about Community Power.
- Setting up a CCPC section of the Town's website for posting links, minutes, agendas, and other relevant documents.
- Articles in the monthly Canterbury Newsletter.

- Postings on the Town Facebook page.
- Two public hearings, to explain the basics of Community Power and get feedback from the community on proposed features of the draft EAP.

The entire CCPC met again on November 9 and reported their progress to date including the sharing of drafts to be presented to the Planning Board and the Energy Committee. Several members met with the Planning Board on November 15 and shared the cumulative drafts of Canterbury's Policy Goals, Canterbury Community Power Objectives, and [Attachment 4](#). The Planning Board agreed to provide their feedback about these documents in time for a new draft to be reviewed at their next meeting on November 29.

Feedback about the drafts was received from the Planning Board and the Energy Committee, all of which was incorporated into cumulative drafts and presented to the Planning Board at its meeting on November 29. At that meeting, the EAP Working Group was given Planning Board approval to use the cumulative drafts of Canterbury's Policy Goals, and Canterbury Community Power Objectives and [Attachment 4](#) in the EAP to be presented to the Town in public hearings.

The full CCPC met again on November 30 to discuss progress to date on all projects:

- A new CCPC page was created on the Town website and included agendas, meetings and announcements.
- The Community Power survey was designed, and would be made public as soon as possible after December 1.
- Information outreach continued in the December and January Canterbury Newsletters and the weekly Town-wide Email.
- Planning for public hearings had begun.

At its next meeting on December 7, the CCPC made plans for its first public hearing on December 15. At this hearing, approximately 20 people attended and asked questions, provided feedback, and expressed their support for the Community Power agenda.

A second hearing was held on January 12. At that time, the results from the community survey were shared with the public and their feedback was recorded for possible inclusion in the EAP. Approximately 30 people attended the hearing. A final version of the EAP was adopted by the CCPC on January 14 and subsequently presented to the Select Board for their approval.

4: TOWN POLICY EXCERPTS

A. 2018 CANTERBURY TOWN ENERGY COMMITTEE MISSION STATEMENT

The Canterbury Energy Committee's mission is to encourage and facilitate energy conservation, energy efficient practices and the use of sustainable energy in the Town of Canterbury, including public buildings and properties, businesses and resident homes.

Roles and objectives:

1. Act in a supportive capacity and as a resource to the Selectmen, Town Departments, other Town Boards, committees, and commissions in connection with matters relating to energy conservation, energy efficiency, ways to decrease town energy costs, and the reduction of Canterbury's greenhouse gas emissions, including but not limited to these areas:
 - Municipal buildings, facilities and operations
 - Fuels, vehicles, heavy machinery and transportation
 - Agriculture and landscaping
 - Waste management
 - Responsible purchasing
 - Housing and building codes
 - Energy production and zoning concerning air quality
2. Build awareness among Canterbury residents, businesses, and other organizations regarding their energy consumption, habits, and demands; and the availability of more efficient and/or renewable energy resources.
3. Promote the incorporation of energy efficient features in new construction and renovation (both public and private) through education and outreach.
4. Seek grant opportunities and partnerships, where necessary, to provide financial assistance in the implementation of innovative energy initiatives.
5. Form subcommittees, as necessary, to focus on specific objectives of the Energy Committee including, without limitation, grant writing, education, public relations, and outreach.

B. DRAFT LANGUAGE FOR CANTERBURY MASTER PLAN UPDATE

The Canterbury Planning Board is currently leading a process to update the Town's Master Plan, last revised in 2010. Energy goals were not specifically addressed in the 2010 edition,

presumably because energy issues were not “front-of-mind” in the Town as they are now. The updated Master Plan is scheduled for completion in late 2023.

In order to include energy issues expressly in the upcoming revision of the Master Plan, three Town boards and committees with an interest in energy (Planning Board, Energy Committee, and Community Power Committee) are working together to draft Town energy policy goals. We hope the consideration of draft energy goals proposed below will be continued in a three-way discussion, with the understanding that they will undergo significant further revision, coordinated by the Planning Board, as the Master Plan evolves over the next year.

A. ENERGY LEADERSHIP GOALS AND OBJECTIVES

1. Town support for a strong Energy Committee whose duties are to:
 - a. Advise and collaborate with the Select Board, the Planning Board, the Canterbury Community Power Committee, and other town entities on energy related topics.
 - b. Lead initiatives to improve energy efficiency, energy conservation, and clean energy use in Town Government and for residents and businesses.
2. Town support for the Canterbury Community Power Committee (CCPC) in its efforts to:
 - a. Complete an “Electric Aggregation Plan” for approval by Canterbury residents at Town Meeting in 2023 and .
 - b. Work with the Select Board to “launch” a Community Power program in Canterbury, offering lower electric rates to residents and more renewable power options than are currently available as part of utility default energy service, at the earliest opportunity, likely in the fall of 2023 or spring of 2024.

B. ENERGY CONSERVATION GOALS AND OBJECTIVES

1. Educate residents about existing conditions in Canterbury in matters relating to energy conservation, energy efficiency, ways to decrease town energy cost, and the reduction of Canterbury’s greenhouse gas emissions, and then work with the Town to make appropriate recommendations, in matters including but not limited to these areas:
 - municipal buildings, facilities and operations
 - fuels, vehicles, machinery and transportation
 - agriculture and landscaping
 - waste management

- responsible purchasing
 - housing and building codes
 - energy production and zoning concerning air and water quality
2. Set appropriate carbon and fossil fuel reduction targets for Municipal buildings, vehicles and functions (% reduction from current year by (YEAR); carbon neutral, net zero or fossil fuel free by (YEAR).)
 3. Build awareness among Canterbury residents, businesses, and other organizations regarding their energy consumption habits and demands, and the availability of more efficient and/or renewable energy resources.
 4. Promote the incorporation of energy efficient features in new construction or renovation (both public and private) through education and outreach.
 5. Seek grant opportunities and partnerships, where possible, to provide financial assistance in the implementation of innovative energy initiatives including, where appropriate, applications for Federal funding available under the Inflation Reduction Act.
 6. Adopt the most current version of an appropriate building code that subscribes to high standards for building insulation, energy efficiency, resource conservation and green building practices. The town will continuously consider emerging innovations and improvement trends in energy conservation in construction.
 7. Encourage location of level 1, 2 and/or 3 electric vehicle charging stations at all Rte. 93 exits, on Rte. 106 and in Canterbury Center, and at Shaker Village.

C. ENERGY SUPPLY AND GENERATION GOALS AND OBJECTIVES

To ensure that affordable, sustainable, diverse, renewable energy is available to Town residents and businesses, now and in the future, and to support the Canterbury Community Power Committee in its efforts to achieve the following objectives:

- a. Provide electricity to Canterbury consumers at lower rates than those offered for default energy service by our current utilities (Unitil, Eversource and New Hampshire Electric Co-op.)
- b. Offer electricity consumers in Canterbury choices for their power supplier including those that source a higher percentage of renewable energy than that mandated by current New Hampshire law.
- c. Maintain membership with the Community Power Coalition of New Hampshire (CPCNH) or a similar regional non-profit aggregate electricity buying organization, in order to purchase electric power at the lowest rates.
- d. Seek out new funding opportunities as they become available for purchase and installation of renewable energy projects in Canterbury.

- e. Consider establishing an electricity generation trust fund available to municipal, business and residential electricity users to purchase state-of-the-art technology for local electricity generation and storage.
- f. Work with the Canterbury Planning Board to encourage energy conservation, efficiency, and local generation and storage when reviewing new development plans in Town.
- g. Establish the Town of Canterbury as an energy-conscious community through continuing its focus on local energy efficiency, resilience and independence at all levels by:
 - Advocating the reduction of fossil fuel use in residences, businesses and municipal buildings; and working toward energy independence for the Town within an agreed-to time frame.
 - Encouraging the purchase and use of electric vehicles and the creation of efficient charging stations in the Town center and at business and retail facilities.
 - Recommending that the Town adopt a Solar Ordinance that encourages responsible solar development and sets appropriate and consistent guidelines at residential and commercial scales.
 - Fostering favorable tax policies toward residents and businesses that invest in renewable energy generation.

D. ENERGY-RELATED ECONOMIC DEVELOPMENT GOALS AND OBJECTIVES

As part of the Master Plan update, conversations have been taking place around Town about many of the plan's aspects including economic development. As Canterbury continues its strong commitment to lowering energy costs, increasing energy efficiency and improving the supply of renewable energy, it will be in a good position to attract new businesses. If a commercial business or a company conducting light industrial production is looking for a new location in the greater Concord area, Canterbury is likely to stand out as a location due to its lower cost of doing business, specifically its energy costs. These are the types of businesses that Canterbury is most interested in attracting.

In our effort to be seen this way, Canterbury will plan for efficient growth and development patterns and transportation systems using Smart Growth and Sustainability principles.

Furthermore, opportunities exist for Canterbury to develop truly innovative infrastructure projects to benefit municipal, commercial and residential properties including clean energy generation and battery storage. As new technologies emerge, the Energy Committee and CCPC will continue to research and adopt them to improve Canterbury's energy picture going forward.

The Canterbury Community Power Committee and its projects represent a key ingredient in fulfilling the Town's energy and other goals contained in its Master Plan.

5: HOW LOAD SERVING ENTITY SERVICES WILL BE IMPLEMENTED

Canterbury Community Power will implement Load Serving Entity (LSE) services, for the purpose of procuring or selling electricity on behalf of customers participating in the aggregation.

This plan assumes, but does not require, that the Town will participate fully in and rely on the services provided through the Community Power Coalition of New Hampshire (CPCNH) for the purposes of implementing and operating Canterbury Community Power.

A. THE ROLE & RESPONSIBILITY OF LOAD SERVING ENTITIES

A Load Serving Entity (LSE) is an entity that has registered with ISO New England (ISO-NE, the nonprofit regional wholesale electricity market operator) as a market participant and assumes responsibility for securing and selling electric energy and related services to serve the demand of retail customers at the distribution level (i.e., homes and businesses).

As context, every retail customer in New Hampshire (and across New England) is assigned to a specific Load Serving Entity at all times:

- Customers on utility default service are periodically re-assigned to whichever Competitive Supplier has won the utility's most recent auction or the utility as LSE.
- Similarly, customers are assigned to a different Load Serving Entity whenever they are transferred to CPA service on an opt-out default basis, choose to opt-in to take service from the CPA, or switch to a Competitive Supplier of their choosing.

Consequently, all Competitive Suppliers and Community Power Aggregators (CPAs) in New Hampshire are required to either:

1. Register as a Load Serving Entity with ISO-NE; or
2. Contract with a third-party that has agreed to be the Load Serving Entity responsible for the Competitive Supplier's or CPA's customers.

To ensure that customers receive firm power supply, there are a variety of services that need to be performed and electrical products that must be procured or otherwise provided. The required products and services are referred to as "all requirements energy" (or alternatively, "full requirements service").

The role of Load Serving Entities is to provide, arrange for, or otherwise pay for the cost of providing all requirements energy to customers. The majority of these requirements are defined by the ISO-NE wholesale market operator, which is subject to Federal oversight, but certain requirements are defined by the state in which the LSE registers to serve customers (Renewable Portfolio Standard requirements, for example).

In New Hampshire, full-requirements energy is defined as the provision or cost of (1) electrical energy, capacity, and reserves (including transmission and distribution losses); (2) ancillary services, congestion management, and transmission services (to the extent not already provided by the customer's utility); (3) the costs associated with complying with New

Hampshire’s Renewable Portfolio Standard (i.e., the cost of purchasing Renewable Energy Credits or, if an insufficient number of credits is procured, the cost of Alternative Compliance Payments); and (4) other services or products necessary to provide firm power supply to customers (i.e., because the definition and requirements of the above products and services are subject to change over time).

Each of the above products and services is procured, provided, and accounted for in different ways, through market mechanisms and regulated processes that have been designed to accommodate the unique characteristics of the product or service in question.

Given the complex and capital-intensive nature of providing all requirements electricity to customers, Load Serving Entities are subject to significant state and Federal oversight, in terms of registration, reporting, and financial security requirements.

The web pages below provide current information regarding Load Serving Entity registration, financial security, and renewal requirements to operate in ISO-NE and New Hampshire:

- ISO-NE: [New Participant Registration Instructions](#)
- NH PUC: [Forms for Competitive Electric Power Suppliers and Electric Load Aggregators](#)
- Eversource: [Electric Information for Suppliers & Aggregators](#)
- Unitil: [Energy Supplier Resources](#)
- Liberty Utilities: [Become a Liberty Utilities Approved Supplier](#)
- New Hampshire Electric Cooperative: [Supplier Information](#)

B. RESPONSIBILITIES OF THE COALITION

The Town currently anticipates that it will contract with CPCNH, as an all-requirements joint powers agency, for the provision of LSE services, all requirements energy supply and all other energy services required to implement and operate Canterbury Community Power.

In 2022, on behalf of the Town and CPCNH’s other Member communities, each of which are in various stages of authorizing Community Power Aggregations, CPCNH conducted a competitive solicitation process to solicit and contract for Comprehensive Services and Credit Support.¹

As a result of the competitive solicitation process CPCNH selected and has contracted with Calpine Energy Solutions for Retail Data Management, Billing Services, and a number of other retail customer solutions. CPCNH selected and has contracted with Ascend Analytics for Portfolio Risk Management Services, credit support, and certain other services, including running a competitive RFP process to identify the best organization to provide LSE Services. An affiliate of Calpine Energy Solutions was selected as the most advantageous entity to provide LSE Services and CPCNH is in the process of finalizing arrangements and the contract for LSE Services, along with the other firms described in [Attachment 2: Community Power Coalition of](#)

¹ CPCNH’s Request for Proposals for Comprehensive Services and Credit Support, and additional supporting reference documentation, including the draft Business Plan for CPCNH, are posted online here: <https://www.cpcnh.org/solicitations>.

[New Hampshire, Organizational Capacity](#) to provide additional services required to launch and operate CPAs.

C. RESPONSIBILITIES OF THE TOWN OF CANTERBURY

As a result of CPCNH's successful solicitation and contracting strategy, the Town may now contract for and authorize CPCNH to provide comprehensive services and credit support (inclusive of LSE services) to implement and operate Canterbury Community Power.

- LSE services may be implemented as follows: CPCNH may contract directly for LSE services with a third-party that is registered or will register with ISO-NE as a market participant and Load Serving Entity, satisfies all applicable financial security and other registration requirements with ISO-NE, the Commission, and NH's distribution utilities, and has contractually agreed to assume responsibility for providing all requirements energy on behalf of Canterbury Community Power's customers.

Typically, such a third-party would additionally provide portfolio management services and credit support and assist CPCNH in structuring and maintaining a portfolio of physical and financial contracts to provide all requirements energy to participating customers. At a certain future point, CPCNH may be positioned to register with NEPOOL and ISO-NE as a market participant and Load Serving Entity directly.²

This implementation option essentially replicates the approach and structure employed by the New Hampshire Electric Cooperative, which actively manages an all-requirements energy portfolio, accrues financial reserves, and provides LSE services for default service customers.

Additionally, note that the Town of Hanover (whose Member director and alternate director are both members of CPCNH's Risk Management Committee and participated in the proposal evaluations) is already a market participant and Load Serving Entity for the Town's load obligations.

- CPCNH may alternatively contract with one or more Competitive Electric Power Suppliers to provide LSE services and all requirements electricity to customers at a pre-specified rate for a set length of time. Under this arrangement, the Competitive Supplier would either be the designated Load Serving Entity or would contract with a third-party that has agreed to be the Load Serving Entity responsible for the CPA's customers.

This implementation option would essentially replicate the same approach and structure employed by NH's regulated distribution utilities (Eversource, Unitil and Liberty Utilities), under which customers are periodically re-assigned to whichever Competitive Suppliers have won the utilities' default service solicitations.

- CPCNH may also propose a combination of the above approaches for the Town's consideration.

In the event that the Town does not contract with CPCNH to provide LSE and other services to Canterbury Community Power, then the Town may contract to implement LSE services

² Refer to CPCNH's draft Business Plan for further details, available under RFP Reference Materials online at: <https://www.cpcnh.org/solicitations>

independently, either with a third-party LSE acting as the Town's agent or with a Competitive Electric Power Supplier (CEPS) that contracts to provide LSE services for customers taking service from Canterbury Community Power.

The Town will ensure that contracts entered into provide for the implementation of LSE services and full requirement energy supply for customers participating in Canterbury Community Power.

6: CUSTOMER DATA PROTECTION PLAN

Canterbury Community Power will protect and maintain the confidentiality of Individual Customer Data in compliance with its obligations as a Service Provider under RSA Chapter 363 ([RSA 363:38](#) and [RSA 363:37](#) (“*privacy policies for individual customer data; duties and responsibilities of service providers and definitions*”) and other applicable statutes and Public Utilities Commission rules.

Individual Customer Data (ICD) includes information that is collected over the course of providing energy services to customers participating in Canterbury Community Power and that, singly or in combination, can be used to identify specific customers, including: individual customer names, service addresses, billing addresses, telephone numbers, account numbers, electricity consumption data, and payment, financial, banking, and credit information.

As described herein, the Town of Canterbury is responsible for ensuring that reasonable security procedures and practices are implemented and maintained to protect the confidentiality of Individual Customer Data from unauthorized access, destruction, modification, disclosure, or use. This plan assumes, but does not require, that the Town will participate fully in the Community Power Coalition of New Hampshire (CPCNH) for the purposes of implementing and operating Canterbury Community Power.

A. RESPONSIBILITIES OF THE COALITION (CPCNH)

CPCNH is a Joint Powers Agency authorized under RSA 53-A (“*Agreements Between Governments: Joint Exercise of Powers*”) and RSA 53-E:3 (“*Municipality and County Authorities*”). CPCNH’s [Joint Powers Agreement](#) expressly authorizes the agency to:³

- “[C]omply with orders, tariffs, and agreements for the establishment and implementation of community power aggregations and other energy related programs”;
- “Make and enter into contracts” and “[m]ake and enter into service agreements relating to the provision of services necessary to plan, implement, operate, and administer CPCNH’s affairs”; and
- “[D]o all acts permitted... as well as any act necessary, consistent with New Hampshire law to fulfill the purposes” set forth under the agreement, which include assisting “member municipalities and counties in complying with the provisions of NH RSA 53-E in developing and implementing ... Community Power Aggregations”.

CPCNH has solicited for and contracted with third-parties to provide comprehensive services and credit support to launch Member CPA programs. CPCNH has adopted Energy Portfolio Risk Management, Retail Rates, Financial Reserves, and Data Security and Privacy policies to govern CPA operations.

³ From Section 2.3, Powers, of the By-Laws of CPCNH, found at pages 21-22 of the JPA, available here: https://www.cpcnh.org/files/ugd/202f2e_601bfada901c4a89a1c2812a0638090a.pdf, and more specifically §2.3.11, §2.3.6, §2.3.9, and §2.3 introductory paragraph. Similar language is also in the Articles of Agreement.

CPCNH’s adopted Data Security and Privacy Policy is linked to below.⁴ The policy defines the specific goals, requirements, and controls necessary to safeguard the confidentiality, integrity, and availability of confidential information

CPCNH’s Board has also adopted a Cost Sharing Agreement and Member Services Contract, which Members will execute prior to taking CPA service from CPCNH.

CPCNH REQUEST FOR PROPOSALS FOR COMPREHENSIVE SERVICES AND CREDIT SUPPORT

In April, 2022, CPCNH issued a Request for Proposals for Comprehensive Services and Credit Support and subsequently contracted with qualified third-parties to provide comprehensive services and credit support to enable CPCNH to develop, finance, launch, and operate CPAs.

In November, 2022, CPCNH selected Calpine Energy Solutions, LLC to provide Retail Customer Services, inclusive of services required to ensure the confidentiality of ICD and executed a Master Professional Services Agreement with Calpine Energy Solutions, LLC. Services are inclusive of Member CPA start-up and customer enrollment support services, utility and Electronic Data Interchange (EDI) services, customer information system, customer call center and engagement support services, billing administration, and other services.

For additional information regarding the use of customer data, and expected operational needs of CPCNH, refer to (1) the RFP at pp. 20-23⁵ and to (2) the RFP Addendum #2 (issued May 24, 2022), at pp. 11 in response to Questions 15.⁶ The latter is excerpted below, and provides a concise summary of CPCNH’s requirements to ensure the confidentiality of ICD:

Regarding Customer Privacy Compliance:

[RSA 53-E:4](#), VI, requires CPAs to maintain the confidentiality of individual customer information in compliance with their obligations as service providers under [RSA 363:37](#) (Definitions) and [RSA 363:38](#) (“Privacy Policies for Individual Customer Data; Duties and Responsibilities of Service Providers”). [RSA 53-E:7](#), X also requires the Public Utilities Commission to adopt Administrative Rules for CPAs governing “access to customer data” and other matters.

Calpine Energy Solutions, LLC has demonstrate physical and cybersecurity readiness sufficient to ensure customer data is held in strict confidence — e.g., through audits in accordance with the American Institute of Certified Public Accountants Statements on Standards for Attestation Engagements No. 16 (SSAE 16) Service Organizational Controls (SOC) Reports, periodic network vulnerability assessments, etc. — and is contractually required to maintain the confidentiality of individual customer data pursuant to [RSA 363:38, V\(b\)](#) and applicable Public Utilities Commission rules.

Refer to the PUC’s [Adopted CPA Administrative rules \(Chapter Puc 2200\)](#), specifically the definitions in Puc 2202.07 (“Confidential customer information”) and Puc 2202.02

⁴ CPCNH adopted Data Security and Privacy Policy:

https://drive.google.com/file/d/1oU9KvV20zAU85AYKQohifyGudG9bNX_V/view?usp=sharing

⁵ https://www.cpcnh.org/files/ugd/202f2e_e781638c123d4cf3977358f845081313.pdf

⁶ Pages 11-12 at https://www.cpcnh.org/files/ugd/202f2e_8ceed8824453482c902a8a0fa1ab826c.pdf.

("Anonymized"), and Puc 2205.02 ("Application of Puc 2000 to CEPS When Providing Electricity Supply to CPA Customers").

As CPCNH's retail customer services provider, Calpine Energy Solutions, LLC will comply with relevant portions of the PUC's current Administrative Rules for Competitive Electric Power Suppliers and Aggregators (Chapter Puc 2000). Refer to [Chapter Puc 2000](#), Puc 2002.09 (definition of "Confidential Customer Information") and Puc 2004.19 ("Protection of Confidential Customer Information"), which is proposed to apply to CEPS providing electricity supply service to CPA customers pursuant to Puc 2205.02 under the PUC's CPA Administrative Rules.

The Request for Proposals and evaluation process was overseen by CPCNH's Risk Management Committee, composed of CPCNH Member municipality representatives, with additional support from (1) independent experts with experience operating Community Power Aggregation Joint Powers Agencies, and (2) CPCNH's General Counsel, DWGP, P.C., a nationally recognized law firm with substantial expertise in the Community Power and broader public power industry.

CPCNH's Risk Management Committee evaluated, ranked, and selected Calpine Energy Solutions, LLC as a vendor with a proven track record of successful qualification for EDI transactions and protection of confidential customer information, including what is characterized as ICD under RSA 363, and other relevant factors.

- Refer to CPCNH's RFP at p.2 for a summary of the substantial domain expertise participating on the Risk Management Committee and proposal evaluation process.
- For example, the committee includes a Member Director who previously worked for Eversource for 26 years, where he was responsible for deploying and/or operating Eversource's Customer Information System and day to day interface with competitive electric suppliers and was most recently the Director of Eversource's Customer Center Operations.

CPCNH REQUIREMENTS FOR ACCESS AND USE OF INDIVIDUAL CUSTOMER DATA

In CPCNH's capacity as a service provider to the Town, the agency and third parties contracted through CPCNH to provide services to Canterbury Community Power will need to access and use ICD for operational needs and for the research, development, and implementation of new rate structures and tariffs, demand response, customer assistance, energy management, or energy efficiency programs on behalf of Canterbury Community Power.

Third parties under contract to CPCNH that may require access to ICD on behalf of Canterbury Community Power may include CEPS (Competitive Electric Power Suppliers) functioning as Load Serving Entities (LSEs) for the supply of all requirements energy, or other third-party vendors providing Load Serving Entity (LSE) services on behalf of CPCNH, as well as portfolio management, Electronic Data Interchange (EDI), Customer Information System (CIS), billing, accounting, and related services, and other contractors and academic institutions under contract to support the research and development of potential new energy services to offer to customers participating in Canterbury Community Power.

Specific types of ICD that Canterbury Community Power, CPCNH, and third parties under contract are expected to receive and possess include:

- Name, address, account number, and other information about electric customers within the Town for purposes of sending required notification of Canterbury Community Power Commencement of Service and enrollment of customer in Canterbury Community Power, consistent with Puc 2204.04, .05, and .06, as adopted by the PUC and the requirements of [RSA 53-E:7](#), III, V, and VI.
- Individual customer information used for operation of Canterbury Community Power, such as that in Puc 2205.13, most of which may be accessed through the EDU EDI.
- Other confidential customer information that may be received or collected directly by Canterbury Community Power or CPCNH, or through sources other than the EDU due to customer participation in particular related programs or services, billing operations, other customer services, or that may be volunteered by customers, will likewise only be used for statutorily authorized purposes as ICD.

Ongoing collection and use of individual customer data of the types described in Puc 2205.13 will be used for both:

1. **General operational needs** for retail power supply and related energy services operational needs, such as load and supply forecasting, portfolio management, billing and audit processes, and for research and development of potential new energy services to offer to customer participants; and
2. **Programmatic and customer-specific services and offerings**, such as responding to customer account queries, opt-in rates or demand side management for customers with flexible demand, distributed generation or storage, and interval meters; and other energy services that may be offered including programs for LMI participants that are qualified in the Electric Assistance Program (EAP).

In compliance with [RSA 363:38](#) and [RSA 363.37](#), CPCNH and third parties contracted through CPCNH that require access to ICD to provide services to Canterbury Community Power will be contractually required to:

- Implement and maintain reasonable security procedures and practices appropriate to the nature of the ICD.
- Protect ICD from unauthorized access, use, destruction, modification, or disclosure.
- Use ICD solely for primary purposes, such as: complying with the provisions of RSA 53-E:7, II; providing or billing for electrical service; meeting system, grid, or operational needs; researching, developing, and implementing new rate structures and tariffs, demand response, customer assistance, energy management, or energy efficiency programs; and for research and development of potential new energy services to offer to customer participants.
- Collect, store, use, and disclose only as much ICD as is necessary to accomplish the aforementioned primary purposes.

- Not use ICD for a secondary commercial purpose unrelated to the aforementioned primary purposes of the contract without the express consent of the customer.
- Return or permanently delete all ICD after contract termination and deliver a certificate, signed by an authorized representative, stating that all ICD has been returned or permanently deleted and that all materials based on ICD has been destroyed, as appropriate (i.e., except for copies necessary for tax, billing, or other financial purposes).

Additionally, if CPCNH contracts with one or more Competitive Suppliers to provide Load Serving Entity services to participating customers, or brokers to support operations in a capacity that would require access to ICD, then the Competitive Suppliers and/or brokers would additionally be required to comply with the requirements of Puc 2004.19 (*Protection of Confidential Customer Information*), which are excerpted below in the section “Statutory and Rule Requirements” for reference.

B. RESPONSIBILITIES OF THE TOWN OF CANTERBURY

The Town currently anticipates that it will contract for all requirements electricity supply and related energy services through CPCNH, as a joint powers agency, and that the primary acquisition and use of ICD will be through CPCNH and the vendors placed under contract to provide comprehensive services for the operation of Canterbury Community Power.

The Town Administrator shall review that CPCNH has adequate policies, procedures and measures in place to protect confidential information and that contractual requirements consistent with the Town’s obligations to protect ICD as required under [RSA 363.37](#), [RSA 363:38](#) and [RSA 53-E:4](#), VI, and consistent with PUC rules, including Puc 2004.19 and its non-disclosure restrictions, are incorporated into any contracts with CPCNH, or any other third parties that are authorized to access ICD on behalf of the Town before executing any such contracts.

The Town expects contracts and policies to provide for:

- Third-party security assessment requirements regarding: Information Security Management; Personnel Security; Systems Development and Maintenance; Application Security; System Security; Network Security; Data Security and Integrity; Access Control; and Vulnerability Management.
- Third-party security requirements including: (1) User Account and Access Controls to ensure that only authorized individuals have access to ICD for legitimate primary purposes under RSA 368:38, which may include the need for non-disclosure agreements; (2) Handling of Sensitive Data Protocols to protect confidential customer information from unauthorized access, use, destruction, modification, or disclosure; (3) Breach Reporting, including obligations to report a security breach as defined in [RSA 359-C:19](#), V and required by [RSA 359-C:20](#) and any other applicable laws, rules, or utility requirements for data breach reporting; (4) Plan for deletion and destruction ICD when it is no longer necessary to accomplish primary purposes pursuant to RSA 368:38; and (5) Prohibitions on use of ICD for a secondary commercial purpose not related to the primary purpose of vendor’s contract without the express consent of the customer.

- Third-party documentation and reporting requirements regarding, as applicable: Audit Reports (e.g. SSAE 16/SOC Report); Documentation describing Control practices used to review sub-vendors; Maintenance of an Information Security Program; Training Program for Employees on Cyber Awareness; Background checks performed for all employees with access to ICD; Immediate Data Breach reporting to appropriate parties; and any material changes in Data Security practices since prior review and approval.

Lastly, in the event that the Town does not contract with CPCNH to provide energy services to Canterbury Community Power, then the Town will develop and adopt policies and contracts that ensure compliance with the Town’s obligations as a Service Provider to protect and maintain the confidentiality of ICD under [RSA 363:38](#), [RSA 363.37](#) and other applicable statutes and Public Utilities Commission rules prior to directly collecting, storing, using, or disclosing any ICD or contracting with other Competitive Suppliers, brokers and/or other third-party vendors that require access to ICD.

C. ADDITIONAL STATUTORY AND REGULATORY REQUIREMENTS

The sections below are provided for additional reference, and summarize the different requirements that apply to (1) Community Power Aggregators and Service Providers, (2) brokers and Competitive Electric Power Suppliers (CEPS) that provide Load Serving Entity services under contract to Community Power Aggregators, and (3) access to ICT through the Multi-Use Energy Data Platform authorized under RSA 378:50-54 (if and when it becomes operational).

STATUTORY REQUIREMENTS FOR COMMUNITY POWER AGGREGATORS & SERVICE PROVIDERS

Statutory requirements regarding the use of Individual Customer Data for Community Power Aggregators are summarized below:

- [RSA 363:37](#), I defines Individual Customer Data (ICD) as *“information that is collected as part of providing electric, natural gas, water, or related services to a customer that can identify, singly or in combination, that specific customer, including the name, address, account number, quantity, characteristics, or time of consumption by the customer.”*
- [RSA 363:38](#), IV requires Service Providers to *“use reasonable security procedures and practices to protect individual customer data [ICD] from unauthorized access, use, destruction, modification, or disclosure.”*
- [RSA 53-E:4](#), VI provides that Community Power Aggregations (CPAs) *“shall be subject to RSA 363:38 as service providers and individual customer data shall be treated as confidential private information and shall not be subject to public disclosure under RSA 91-A”*.
 - The definition of Service Provider under [RSA 363:37](#), II includes *“an aggregator, as defined by RSA 53-E:2, II...and any other service provider that receives individual customer data [ICD]...”*
 - [RSA 53-E:2](#), II defines an *“aggregator”* in this context as *“any municipality or county that engages in aggregation of electric customers within its boundaries”*.
 - RSA 53-E:2, VI further defines *“municipality”* in this context as *“any city, town, unincorporated place, or village district within the state.”*

- [RSA 363:38](#), II requires Service Providers to: *"(a) Collect, store, use, and disclose only as much individual customer data [ICD] as is necessary to accomplish primary purposes, and (b) Use individual customer data solely for primary purposes."*
- [RSA 363:37](#), III defines "[p]rimary purpose" as *"the main reason for the collection, storage, use, or disclosure of individual customer data [ICD] which is limited to: (a) Providing or billing for electrical or gas service. (b) Meeting system, grid, or operational needs. (c) Researching, developing, and implementing new rate structures and tariffs, demand response, customer assistance, energy management, or energy efficiency programs."*
- [RSA 53-E:4](#), VI further authorizes approved Community Power Aggregations to *"use individual customer data to comply with the provisions of RSA 53-E:7, II and for research and development of potential new energy services to offer to customer participants."*
- [RSA 363:38](#), V(b) further makes clear that a Service Provider may disclose ICD *"to a third party for system, grid, or operational needs, or the research, development, and implementation of new rate structures and tariffs, demand response, customer assistance, energy management, or energy efficiency programs"* — provided that the Service Provider *"has required by contract that the third party implement and maintain reasonable security procedures and practices appropriate to the nature of the information, to protect the personal information from unauthorized access, use, destruction, modification, or disclosure, and to prohibit the use of the data for a secondary commercial purpose not related to the primary purpose of the contract without the express consent of the customer."*
- [RSA 363:38](#), V(c) provides that *"[n]othing in this section shall preclude a service provider from disclosing electric, natural gas, or water consumption data required under state or federal law, or which is identified as information subject to warrant or subpoena or by an order of the commission."*
- [RSA 363:38](#), V(a) makes clear that ICD may be aggregated and used for *"analysis, reporting, or program management after information that identifies an individual customer has been removed."*

D. ADDITIONAL REQUIREMENTS FOR BROKERS & COMPETITIVE SUPPLIERS

Pursuant to Puc 2205.02 under the PUC's CPA Administrative Rules, brokers and Competitive Suppliers that are hired by municipalities to manage and operate Community Power Aggregations and provide Load Serving Entity services to participating customers must comply with the requirements of Puc 2004.19 (*Protection of Confidential Customer Information*), which is excerpted below for reference along with Puc 2002.09 (*Confidential Customer Information*).

Note that the use of the term "aggregator" throughout Puc 2004.19 below refers to brokers and does not refer to or otherwise apply to Community Power Aggregators.

As context, these requirements are part of the Commission's [Chapter Puc 2000 rules](#) (*Competitive Electric Power Supplier and Aggregator Rules*), which apply to Competitive Suppliers and brokers— referred to as "CEPS" and "aggregators" below, respectively — and are

expressly not applicable to “municipalities or counties providing electricity or aggregating within the boundaries of participating municipalities under RSA 53-E” (Community Power Aggregators) per Puc 2001.02 (application of rules).

Puc 2002.09 “Confidential customer information” means information that is collected as part of providing electric services to a customer that can identify, singly or in combination, that specific customer, and includes the customer name, address, and account number and the quantity, characteristics, or time of consumption by the customer, and also includes specific customer payment, financial, banking, and credit information.

...

Puc 2004.19 Protection of Confidential Customer Information.

(a) No CEPS or aggregator shall, except as permitted under (c) below or as otherwise required by law, release confidential customer information without express written authorization from the customer.

(b) A CEPS or aggregator shall implement and maintain reasonable security procedures and practices appropriate to the nature of the information, to protect confidential customer information from unauthorized access, use, destruction, modification, or disclosure, and to prohibit the use of the confidential customer information for a secondary commercial purpose not related to the primary purpose of the service provided to the customer, without the express written consent of the customer.

(c) A CEPS or aggregator may disclose to a third party subject to non-disclosure restrictions confidential customer information as necessary for any one or more of the following purposes:

- (1) Billing for electric service;
- (2) Meeting electric system, electric grid, or other operational needs;
- (3) Implementing any one or more of the following programs:
 - a. Demand response;
 - b. Customer assistance;
 - c. Energy management; and
 - d. Energy efficiency.

(d) For purposes of this section, the term “non-disclosure restrictions” means that the CEPS or aggregator has required by contract that the third party implement and maintain reasonable security procedures and practices appropriate to the nature of the information, to protect the confidential customer information from unauthorized access, use, destruction, modification, or disclosure, and to prohibit the use of the confidential customer information for a secondary commercial purpose not related to the primary purpose of the contract without the express consent of the customer.

(e) A customer granting authorization to release confidential customer information for purposes described in the terms and conditions of service shall satisfy the requirement in (a) above.

(f) A CEPS or aggregator granted agency authority shall be deemed authorized to obtain customer usage information when it has received customer authorization as described in Puc 2004.08 or Puc 2004.09.

(g) In the event of a dispute about the release of confidential customer information, including whether the information is or should be confidential, a CEPS, aggregator, or customer may file a complaint with the commission for resolution.

E. REQUIREMENTS FOR THE MULTI-USE ENERGY DATA PLATFORM

If and when the Multi-Use Energy Data Platform (Platform) authorized under RSA 378:50-54 becomes operational, Canterbury Community Power and any third-parties under contract that require access to ICD sourced from the Platform — such as CPCNH and third-parties contracted through CPCNH — will be required to comply with any Platform User Requirements, Privacy Standards, Annual Attestations, and obligations to report a security breach pursuant to terms of Settlement Agreement conditionally approved by the PUC in [DE 19-197](#) and detailed in Exhibit C of the Agreement found in [Exhibit 1B](#) and as may be actually implemented.

Puc 2004.19 Protection of Confidential Customer Information.

(a) No CEPS or aggregator shall, except as permitted under (c) below or as otherwise required by law, release confidential customer information without express written authorization from the customer.

(b) A CEPS or aggregator shall implement and maintain reasonable security procedures and practices appropriate to the nature of the information, to protect confidential customer information from unauthorized access, use, destruction, modification, or disclosure, and to prohibit the use of the confidential customer information for a secondary commercial purpose not related to the primary purpose of the service provided to the customer, without the express written consent of the customer.

(c) A CEPS or aggregator may disclose to a third party subject to non-disclosure restrictions confidential customer information as necessary for any one or more of the following purposes:

- (1) Billing for electric service;*
- (2) Meeting electric system, electric grid, or other operational needs;*
- (3) Implementing any one or more of the following programs:*
 - a. Demand response;*
 - b. Customer assistance;*
 - c. Energy management; and*
 - d. Energy efficiency.*

(d) For purposes of this section, the term “non-disclosure restrictions” means that the CEPS or aggregator has required by contract that the third party implement and maintain reasonable security procedures and practices appropriate to the nature of the information, to protect the confidential customer information from unauthorized access, use, destruction, modification, or disclosure, and to prohibit the use of the confidential customer information for a secondary commercial purpose not related to the primary purpose of the contract without the express consent of the customer.

(e) A customer granting authorization to release confidential customer information for purposes described in the terms and conditions of service shall satisfy the requirement in (a) above.

(f) A CEPS or aggregator granted agency authority shall be deemed authorized to obtain customer usage information when it has received customer authorization as described in Puc 2004.08 or Puc 2004.09.

(g) In the event of a dispute about the release of confidential customer information, including whether the information is or should be confidential, a CEPS, aggregator, or customer may file a complaint with the commission for resolution.

7: ABBREVIATIONS

Acronym Meaning

AC	Alternating Current (electric current that reverses direction many times a second at regular intervals; the N. American standard for power supply is 60 Hertz)
ACP	Alternative Compliance Payment (under the NH Renewable Portfolio Standard)
CEPS	Competitive Electric Power Suppliers
CHP	Combined Heat and Power
CPA	Community Power Aggregation
CPCNH	Community Power Coalition of New Hampshire
EAC	Electric Aggregation Committee
EAP	Electric Aggregation Plan
ICD	Individual Customer Data
ISO-NE	Independent System Operator New England (the wholesale electricity market operator)
KW	Kilowatt (a measure of electrical capacity, equivalent to 1,000 watts of power)
kWh	Kilowatt-hour (a measure of electrical energy, equivalent to using or producing 1,000 watts for 1 hour, and typically used to refer to customer generation or onsite usage)
LSE	Load Serving Entity (entity registered with ISO-NE as a market participant, responsible for providing electric energy and related services to meet the demand of retail customers)
MW	Megawatt (a measure of electrical capacity, equivalent to 1,000,000 watts of power)
MWh	Megawatt-hour (a measure of electrical energy, equivalent to using or producing 1,000,000 watts for 1 hour, and typically used in reference to power plants or large aggregations of customers)
NEM	Net Energy Metering (tariffs that provide compensation for customer-generators)
NEPOOL GIS	New England Power Pool Generation Information System (which issues and tracks RECs)
NHEC	New Hampshire Electric Co-Op (a member-owned electric distribution cooperative)
NHPUC	New Hampshire Public Utilities Commission (which regulates NH's investor-owned electric distribution utilities: Eversource, Unitil and Liberty Utilities)
PV	Solar Photovoltaics

- REC Renewable Energy Credit (under the NH Renewable Portfolio Standard)
- RPS New Hampshire’s Renewable Portfolio Standard (authorized under RSA 362-F)
- RSA Revised Statutes Annotated (refers to the codified state law of New Hampshire)