

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DE 21-071

**PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE d/b/a
EVERSOURCE ENERGY**

Street Lighting Tariff Adjustment for Advanced Lights and Lighting Controls

Order *Nisi* Approving Tariff Changes

ORDER NO. 26,527

September 23, 2021

In this order the Commission approves changes to the Eversource Energy (Eversource) tariff for street lighting customers in order to allow additional flexibility and options for municipalities to install advanced lights and lighting controls.

I. PROCEDURAL HISTORY

On March 31, 2021, Public Service Company of New Hampshire d/b/a Eversource Energy (Eversource) filed a petition for approval of adjustments to its street lighting tariff. On April 20, 2021, Eversource filed an updated tariff with an explicit effective date of January 1, 2022. On June 1, 2021, Eversource filed tariff pages updating its hours of operations for outdoor lighting customers and seeking an August 1, 2021, effective date for that change.

On June 25, 2021, the Department of Energy (Energy) filed a recommendation supporting the tariff changes and recommending that the Commission approve both the updated hours of operation for outdoor lighting customers and the new rate offering effective January 1, 2021.

The petition and subsequent docket filings, other than information for which confidential treatment is requested of or granted by the Commission, are posted to the Commission's website at [New Hampshire Public Utilities Commission \(nh.gov\)](https://www.nh.gov/public-utilities-commission).

II. BACKGROUND

In Docket No. DE 19-057, Eversource's recent rate case, all parties to the docket, reached a comprehensive settlement (Settlement). After hearing, on December 15, 2020, the Commission issued Order No. 26,433 approving the Settlement. Section 14 of the Settlement, addressed outdoor lighting tariffs and provided that Eversource would: (a) adjust the assumed hours of operation under Rate OL and Rate EOL; (b) amend Rate EOL to include language allowing for advanced lighting controls; and (c) establish a new rate offering that aligns more closely with the language of the Liberty Utilities LED-2 rate to allow additional flexibility and options for municipalities to install advanced lights and lighting controls, and to allow municipalities to own and maintain the streetlights in their communities.

III. POSITIONS OF THE PARTIES

A. Eversource

Eversource asserted that its proposed rates are required by the Settlement and are consistent with its terms. Appendix 8 to the Settlement set out a framework for the new tariff. Eversource explained that it began with that framework, combined with the language of the Liberty Utilities tariff, and established its proposal for Rate EOL-2. According to Eversource, the new tariff will not only permit advanced lights and lighting controls, but will also allow municipalities to own and maintain the streetlights, should they elect to do so.

Eversource proposed the following:

- 1) Updated operating hours in Rate OL and Rate EOL using sunrise and sunset data available from the U.S. National Oceanographic Atmospheric Administration (NOAA), and adjusting for one-half hour before sunrise and one-half hour aftersunset;
- 2) Allowing for advanced lighting controls in Rate EOL; and
- 3) Creating a new tariff (Rate EOL-2), similar to Liberty Utilities' Rate LED-2, to

allow for municipalities to replace, own, install, and maintain advanced lights (e.g., Light Emitting Diode (LED)) and allow for flexibility with the use of advanced lighting controls.

Also, under the Settlement, Eversource was to collaborate with interested parties on the development of the final language. Eversource noted that discussions were held with the Department of Energy, the Office of Consumer Advocate, and representatives of Clean Energy New Hampshire in the development of the proposed tariff.

Eversource sought approval of the proposed new and amended offerings arguing that the changes will provide more flexibility to street lighting customers and allow them to implement new controls and to use the most up-to-date lighting technologies. Ultimately, implementing these changes will make new, innovative and cost-saving benefits Eversource's street lighting customers.

B. Energy

According to Energy, the revised calculation of the hours of operation per year for Eversource's all-night service, changes from 4,345 hours per year to 3,937 hours per year, and for midnight service, changes from 2,005 hours per year to 1,816 hours per year. These hours better align with the actual hours of operation for the streetlights. With the revised operating hours, the kilowatt-hours (kWh) per fixture were updated. The changes are proposed for effect on August 1, 2021.

The new Rate EOL-2 allows for municipalities to install advanced lights (such as LED) by paying for the undepreciated (unexpired) value of the fixture, then also paying for the new fixtures and the associated installation and maintenance costs. Municipalities may also opt for advanced lighting controls, which would control the operating hours and average operating wattage of the lights. These changes are proposed for effect on January 1, 2022.

Energy indicated that Eversource is currently working with internal groups to determine the necessary adjustments to the billing system to be able to offer this rate for efficient private area outdoor lighting (i.e., LED). The Company plans to file a request to add language to its outdoor lighting tariffs later this year to address those customers.

Energy confirmed that the compliance tariff issued on June 1, 2021 with the revised hours of operation per year and related monthly kWh per luminaire changes to Rate OL and Rate EOL for effect August 1, 2021 are consistent with the Settlement. Energy recommended approval of the changes regarding fixture ownership, replacement, installation and maintenance as proposed in Rate EOL-2 for effect January 1, 2022; and also the inclusion of advanced lighting controls as an option in Rate EOL and Rate EOL-2 for effect on January 1, 2022.

Energy recommended Eversource file a compliance tariff for Rate EOL and EOL-2 by December 1, 2021, prior to the January 1, 2022 effective date. Energy anticipates Eversource will file a request later this year to add language to its outdoor lighting tariffs to also address these options for efficient private area outdoor lighting.

IV. COMMISSION ANALYSIS

The Commission is authorized to fix rates after a hearing, upon determining that rates, fares, and charges are just and reasonable. RSA 378:7. In circumstances where a utility seeks to increase rates, the utility bears the burden of proving the necessity of the increase pursuant to RSA 378:8. In determining whether rates are just and reasonable, the Commission must balance the customers' interest in paying no higher rates than are required against the investors' interest in obtaining a reasonable return on their investment. *Eastman Sewer Company, Inc.*, 138 N.H.

221, 225 (1994). In this way, the Commission serves as arbiter between the interests of customers and those of regulated utilities. *See* RSA 363:17-a; *see also* *EnergyNorth Natural Gas, Inc. d/b/a National Grid NH*, Order No. 25,202 at 17 (March 10, 2011).

In this docket Eversource has proposed tariff changes consistent with the terms of the Settlement approved by Order No. 26,433. Specifically, Appendix 8 to the Settlement Agreement outlined various categories of services to be provided in the new tariff provisions. The proposed tariff changes are consistent with the categories described in Appendix 8.

According to Eversource, the calculation in Appendix 10 of the Settlement shows that the O&M portion of the delivery charge of \$0.28 per fixture should be used to reduce the per fixture charge of Rate EOL-2, resulting in a \$2.92 charge per fixture. Based on our approval of the calculation in Appendix 10 as part of the Settlement, and Energy's recommendation to approve the proposed rates, we find that the proposed rates contained in EOL-2 are just and reasonable.

This order is being issued on a nisi basis to ensure that interested persons receive notice and have an opportunity to comment or request a hearing before the order becomes effective.

Based upon the foregoing, it is hereby

ORDERED NISI, that subject to the effective date below, Eversource's proposed changes to its street lighting tariffs, updating its hours of operations for outdoor lighting customers, are **APPROVED**, and the remaining changes are **APPROVED**, for effect on January 1, 2022, and it is

FURTHER ORDERED, that Eversource shall cause a copy of this order to be published on the Eversource web site, such publication to be no later than two

business days following the date of this order and to be documented by affidavit filed with this office on or before October 20, 2021; and it is

FURTHER ORDERED, that all persons interested in responding to this order be notified that they may submit their comments or file a written request for a hearing which states the reason and basis for a hearing no later than October 11, 2021 for the Commission's consideration; and it is

FURTHER ORDERED, that any party interested in responding to such comments or request for hearing shall do so no later than October 18, 2021; and it is

FURTHER ORDERED, that this order shall be effective October 22, 2021, unless the Petitioner fails to satisfy the publication obligation set forth above or the Commission provides otherwise in a supplemental order issued prior to the effective date; and it is

FURTHER ORDERED, that the Petitioner shall file an annotated compliance tariff with the Commission on or before October 20, 2021.

By order of the Public Utilities Commission of New Hampshire this twenty-third day of September, 2021.

	
Dianne Martin Chairwoman	Daniel C. Goldner Commissioner

Service List - Docket Related

Docket# : 21-071

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