

Bill as
Introduced

HB 289 - AS INTRODUCED

2021 SESSION

21-0536
06/08

HOUSE BILL **289**

AN ACT relative to including electrical storage facilities in the definition of energy facility.

SPONSORS: Rep. Harrington, Straf. 3

COMMITTEE: Science, Technology and Energy

ANALYSIS

This bill adds certain electrical storage facilities to the definition of energy facility.

.....

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears [~~in brackets and struck through~~].
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT relative to including electrical storage facilities in the definition of energy facility.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Energy Facility; Definition; Electrical Storage Facility. Amend RSA 162-H:2, VII(g) to read as
2 follows:

3 (g) ***An electrical storage facility with a peak storage capacity of 30 megawatt-***
4 ***hours or greater.***

5 (h) Any other facility and associated equipment that the committee determines requires
6 a certificate, consistent with the findings and purposes of RSA 162-H:1, either on its own motion or
7 by petition of the applicant or 2 or more petitioners as defined in RSA 162-H:2, XI.

8 2 Effective Date. This act shall take effect 60 days after its passage.

CHAPTER 87
HB 289 - FINAL VERSION

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87:2 Effective Date. This act shall take effect 60 days after its passage.

Approved: June 21, 2021
Effective Date: August 20, 2021

Committee Minutes

SENATE CALENDAR NOTICE

Energy and Natural Resources

Sen Kevin Avar, Chair
Sen Bob Giuda, Vice Chair
Sen James Gray, Member
Sen David Watters, Member
Sen Rebecca Perkins Kwoka, Member

Date: April 7, 2021

HEARINGS

Monday	04/12/2021	
(Day)	(Date)	
Energy and Natural Resources	REMOTE 000	1:00 p.m.
(Name of Committee)	(Place)	(Time)
1:00 p.m. HB 309	relative to the computation of renewable energy credits.	
1:20 p.m. HB 289	relative to including electrical storage facilities in the definition of energy facility.	
1:30 p.m. HB 184	relative to the operation of personal water craft around the marshlands or flats of the Rye estuary and the New Castle back channel.	
1:45 p.m. HB 397	relative to permitting fees under the shoreland protection act.	
2:00 p.m. HB 413	establishing a solid waste working group on solid waste management planning and relative to compost.	
2:15 p.m. HB 437	establishing a committee to study the shortage of animal slaughter and meat processing facilities in New Hampshire and the implementation of the meat inspection program.	

Committee members will receive secure Zoom invitations via email.

Members of the public may attend using the following links:

1. Link to Zoom Webinar: <https://www.zoom.us/j/94523761333>
2. To listen via telephone: Dial (for higher quality, dial a number based on your current location): 1-301-715-8592, or 1-312-626-6799 or 1-929-205-6099, or 1-253-215-8782, or 1-346-248-7799, or 1-669-900-6833
3. Or iPhone one-tap: US: +19292056099,,94523761333# or +13017158592,,94523761333#
4. Webinar ID: [945 2376 1333](https://www.zoom.us/j/94523761333)
5. To view/listen to this hearing on YouTube, use this link: <https://www.youtube.com/channel/UCjBZdtrjRnQdmg-2MPMiWrA>
6. To sign in to speak, register your position on a bill and/or submit testimony, use this link: <http://gencourt.state.nh.us/remotecommittee/senate.aspx>

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: remotesenate@leg.state.nh.us or call (603-271-6931).

EXECUTIVE SESSION MAY FOLLOW

Sponsors:

HB 309

Rep. Harrington

HB 289

Rep. Harrington

HB 184

Rep. K. Murray

HB 397

Rep. Pearl

Sen. Gannon

HB 413

Rep. Ebel

Rep. Merner

Rep. Massimilla

Sen. Watters

HB 437

Rep. Comtois

Rep. Lang

Rep. Baldasaro

Sen. French

Rep. M. Murray

Rep. Sykes

Rep. Wolf

Rep. Suzanne Smith

Rep. Graham

Rep. Milz

Rep. Von Plinsky

Sen. Hennessey

Sen. Whitley

Sen. Ward

Sen. Prentiss

Sen. Gray

Griffin Roberge 271-3042

Kevin A. Avard
Chairman

Senate Energy and Natural Resources Committee

Griffin Roberge 271-3042

HB 289, relative to including electrical storage facilities in the definition of energy facility.

Hearing Date: April 12, 2021.

Time Opened: 1:20 p.m.

Time Closed: 1:26 p.m.

Members of the Committee Present: Senators Avard, Gray, Watters and Perkins Kwoka.

Members of the Committee Absent: Senator Giuda.

Bill Analysis: This bill adds certain electrical storage facilities to the definition of energy facility.

Sponsors:

Rep. Harrington

Who supports the bill: David Bates; Elizabeth Fenner-Lukaitis; Sarah Hansen; James Monahan, New England Power Generators Association and ReVision Energy; Eric Pauer; Representative Michael Vose, Rockingham - District 9.

Who opposes the bill: None.

Who is neutral on the bill: None.

Summary of testimony presented in support:

*Representative Michael Vose
Rockingham - District 9*

- Introduced HB 289 on behalf of the bill's prime sponsor, Representative Michael Harrington.
- HB 289 expands the definition of an "energy facility" under RSA 162-H:2 to include "an electrical storage facility with a peak storage capacity of 30 megawatt-hours or greater." This change allows the Site Evaluation Committee (SEC) with its additional expertise and resources to have primary jurisdiction on siting large-scale energy storage facilities.
- HB 289 was recommended "ought to pass" by the House Science, Technology, and Energy and was placed on the House consent calendar. The full House adopted the committee's recommendation by a voice vote on the House consent calendar.
- Senator Watters asked if HB 289 would be helpful to Eversource and other electricity suppliers that want to develop energy storage projects. HB 289 may also be timely given the potential for large-scale energy storage as offshore wind development takes off in the Gulf of Maine.
 - Representative Vose agreed with Senator Watters that HB 289 is a timely measure. HB 289 gives the SEC jurisdiction over the siting of large-scale energy storage facilities.

James Monahan

President, the Dupont Group, representing ReVision Energy and the New England Power Generators Association

- HB 289 is a housekeeping measure. When the SEC statute was established and updated years ago, the concept of large-scale battery storage was not part of the energy industry. However, with recent technological advancements, battery storage is an emerging part of the industry.

- Agreed with Senator Watters that HB 289 is a timely measure. Investors are looking at potential locations to invest capital for energy storage projects. The SEC offers a level of predictability. Passing HB 289 could make NH attractive for energy storage developers and their investors.

Summary of testimony presented in opposition: None.

Neutral Information Presented: None.

GJR

Date Hearing Report completed: April 12, 2021.

Speakers

Senate Remote Testify

Energy and Natural Resources Committee Testify List for Bill HB289 on 2021-04-12

Support: 6 Oppose: 0 Neutral: 0 Total to Testify: 2

<u>Name</u>	<u>Email Address</u>	<u>Phone</u>	<u>Title</u>	<u>Representing</u>	<u>Position</u>	<u>Testifying</u>	<u>Signed Up</u>
Monahan, James	jmonahan@dupontgroup.com	603.496.2827	A Lobbyist	Revision Energy, NEPGA	Support	Yes	4/12/2021 11:48 AM
Vose, Michael	michael.vose@leg.state.nh.us	603.734.4084	An Elected Official	ST&E	Support	Yes	4/12/2021 12:46 PM
Hansen, Sarah	sarahsarahhansen@gmail.com	503.803.4964	A Member of the Public	Myself	Support	No	4/12/2021 4:17 PM
Pauer, Eric	secretary@BrooklineGOP.org	603.732.8489	A Member of the Public	Myself	Support	No	4/12/2021 7:45 AM
Bates, David	dbates3@yahoo.com	603.748.2668	A Member of the Public	Myself	Support	No	4/11/2021 1:39 PM
Fenner-Lukaitis, Elizabeth	glukaitis@mcttelecom.com	Not Given	A Member of the Public	Myself	Support	No	4/11/2021 2:58 PM

Voting Sheets

Senate Energy & Natural Resources Committee

EXECUTIVE SESSION RECORD

2021-2022 Session

Bill # <i>HB 289</i>

Hearing Date: 04/12/2021

Executive Session Date: 05/17/2021

Motion of: OT A Vote: 4-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Avard, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Giuda, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Gray	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Watters	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Perkins Kwoka	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: _____ Vote: _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Avard, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Giuda, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Gray	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Watters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Perkins Kwoka	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion of: _____ Vote: _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Avard, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Giuda, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Gray	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Watters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Perkins Kwoka	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion of: _____ Vote: _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Avard, Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Giuda, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Gray	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Watters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sen. Perkins Kwoka	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Reported out by: Gray

Notes: _____

Committee Report

STATE OF NEW HAMPSHIRE
SENATE
REPORT OF THE COMMITTEE

Monday, May 17, 2021

THE COMMITTEE ON Energy and Natural Resources

to which was referred **HB 289**

AN ACT

relative to including electrical storage facilities in
the definition of energy facility.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS

BY A VOTE OF: 4-0

Senator James Gray
For the Committee

Griffin Roberge 271-3042

ENERGY AND NATURAL RESOURCES

HB 289, relative to including electrical storage facilities in the definition of energy facility.

Ought to Pass, Vote 4-0.

Senator James Gray for the committee.

Docket of HB289

Docket Abbreviations

Bill Title: relative to including electrical storage facilities in the definition of energy facility.*Official Docket of HB289.:*

Date	Body	Description
1/9/2021	H	Introduced (in recess of) 01/06/2021 and referred to Science, Technology and Energy HJ 2 P. 42
1/27/2021	H	Public Hearing: 02/08/2021 11:30 am Members of the public may attend using the following link: To join the webinar: https://www.zoom.us/j/99948693065 / Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.
3/23/2021	H	Committee Report: Ought to Pass (Vote 20-0; CC) HC 18 P. 23
4/7/2021	H	Ought to Pass: MA VV 04/07/2021 HJ 5 P. 47
4/7/2021	H	Reconsider (Rep. Osborne): MF VV 04/07/2021 HJ 5 P. 50
4/7/2021	S	Introduced 04/01/2021 and Referred to Energy and Natural Resources; SJ 11
4/7/2021	S	Remote Hearing: 04/12/2021, 01:20 pm; Links to join the hearing can be found in the Senate Calendar; SC 19
5/17/2021	S	Committee Report: Ought to Pass, 05/20/2021; SC 24A
5/20/2021	S	Ought to Pass: MA, VV; OT3rdg; 05/20/2021; SJ 16
6/17/2021	S	Enrolled Adopted, VV, (In recess 06/10/2021); SJ 20
6/17/2021	H	Enrolled (in recess of) 06/10/2021
6/22/2021	H	Signed by Governor Sununu 06/21/2021; Chapter 87; Eff: 08/20/2021

NH House

NH Senate

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: HB 289

Senate Committee: ENR

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

Final docket found on Bill Status

Bill Hearing Documents: (Legislative Aides)

Bill version as it came to the committee

All Calendar Notices

Hearing Sign-up sheet(s)

N/A Prepared testimony, presentations, & other submissions handed in at the public hearing

Hearing Report

N/A Revised/Amended Fiscal Notes provided by the Senate Clerk's Office

Committee Action Documents: (Legislative Aides)

All amendments considered in committee (including those not adopted):

N/A - amendment # _____ - amendment # _____

_____ - amendment # _____ - amendment # _____

Executive Session Sheet

Committee Report

Floor Action Documents: (Clerk's Office)

All floor amendments considered by the body during session (only if they are offered to the senate):

_____ - amendment # _____ - amendment # _____

_____ - amendment # _____ - amendment # _____

Post Floor Action: (if applicable) (Clerk's Office)

_____ Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):

_____ Enrolled Bill Amendment(s)

_____ Governor's Veto Message

All available versions of the bill: (Clerk's Office)

_____ as amended by the senate _____ as amended by the house

final version

Completed Committee Report File Delivered to the Senate Clerk's Office By:

Committee Aide

Date

Senate Clerk's Office AK