

Bill as
Introduced

HB 309 - AS INTRODUCED

2021 SESSION

21-0543
10/06

HOUSE BILL

309

AN ACT

relative to the computation of renewable energy credits.

SPONSORS:

Rep. Harrington, Straf. 3

COMMITTEE:

Science, Technology and Energy

ANALYSIS

This bill revises the methodology for the public utilities commission to estimate renewable energy credits for certain sources that are net metered.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 the computation of renewable energy credits.

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

1 1 Renewable Energy Certificates; Methodology to Estimate Credits. Amend RSA 362-F:6, II-a to
2 read as follows:

3 II-a. The commission shall establish a methodology to estimate the total yearly production
4 for customer-sited sources that are net metered under RSA 362-A:9 and for which class I or II
5 certificates are not issued. For purposes of estimation, the commission shall use a capacity factor
6 rating of 20 percent for each *class I* installation [~~and shall keep class II production separate from~~
7 ~~class I production~~]. *The commission shall separately estimate class II output using a*
8 *capacity factor rating equal to the annual PV Energy Forecast issued by the Distributed*
9 *Generation Working Group under ISO New England, or its successor.* Providers of electricity
10 required to obtain and retire certificates under RSA 362-F:3 shall receive an annual credit for such
11 production *according to its class*. By February 28 of each year, the commission shall compute and
12 make public credit percentages that are equal to the estimated production for the prior calendar year
13 in each class divided by the total amount of electricity supplied by providers of electricity to end-use
14 customers in the prior calendar year, with the result converted to a percentage. Each provider may
15 then, at the time of its annual report filing under RSA 362-F:8, claim a class I and a class II
16 certificate credit equal to the credit percentage times the total megawatt-hours of electricity supplied
17 by the provider to its end-use customers the prior calendar year.

18 2 Effective Date. This act shall take effect 60 days after its passage.

HB 309 - AS AMENDED BY THE SENATE

05/20/2021 1548s

2021 SESSION

21-0543

10/06

HOUSE BILL **309**

AN ACT relative to the computation of renewable energy credits and clarifying certain renewable energy classes.

SPONSORS: Rep. Harrington, Straf. 3

COMMITTEE: Science, Technology and Energy

AMENDED ANALYSIS

This bill revises the methodology for the public utilities commission to estimate renewable energy credits for certain sources that are net metered. The bill also clarifies the renewable energy class for hydrogen derived from water.

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 the computation of renewable energy credits and clarifying certain renewable energy classes.

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

1 1 Renewable Energy Certificates; Methodology to Estimate Credits. Amend RSA 362-F:6, II-a to
2 read as follows:

3 II-a. The commission shall establish a methodology to estimate the total yearly production
4 for customer-sited sources that are net metered under RSA 362-A:9 and for which class I or II
5 certificates are not issued. For purposes of estimation, the commission shall use a capacity factor
6 rating of 20 percent for each *class I* installation [~~and shall keep class II production separate from~~
7 ~~class I production~~]. *The commission shall separately estimate class II output using a*
8 *capacity factor rating equal to the annual PV Energy Forecast issued by the Distributed*
9 *Generation Working Group under ISO New England, or its successor.* Providers of electricity
10 required to obtain and retire certificates under RSA 362-F:3 shall receive an annual credit for such
11 production *according to its class*. By February 28 of each year, the commission shall compute and
12 make public credit percentages that are equal to the estimated production for the prior calendar year
13 in each class divided by the total amount of electricity supplied by providers of electricity to end-use
14 customers in the prior calendar year, with the result converted to a percentage. Each provider may
15 then, at the time of its annual report filing under RSA 362-F:8, claim a class I and a class II
16 certificate credit equal to the credit percentage times the total megawatt-hours of electricity supplied
17 by the provider to its end-use customers the prior calendar year.

18 2 Electric Renewable Portfolio Standards; Electric Renewable Energy Classes. Amend RSA 362-
19 F:4, I (c) to read as follows:

20 (c) Hydrogen derived from biomass fuels, *water*, or methane gas.

21 3 Effective Date. This act shall take effect 60 days after its passage.

CHAPTER 138
HB 309 - FINAL VERSION

05/20/2021 1548s

2021 SESSION

21-0543
10/06

HOUSE BILL **309**

AN ACT relative to the computation of renewable energy credits and clarifying certain renewable energy classes.

SPONSORS: Rep. Harrington, Straf. 3

COMMITTEE: Science, Technology and Energy

AMENDED ANALYSIS

This bill revises the methodology for the public utilities commission to estimate renewable energy credits for certain sources that are net metered. The bill also clarifies the renewable energy class for hydrogen derived from water.

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.

CHAPTER 138
HB 309 - FINAL VERSION

05/20/2021 1548s

21-0543
10/06

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT relative to the computation of renewable energy credits and clarifying certain renewable energy classes.

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

1 138:1 Renewable Energy Certificates; Methodology to Estimate Credits. Amend RSA 362-F:6,
2 II-a to read as follows:

3 II-a. The commission shall establish a methodology to estimate the total yearly production
4 for customer-sited sources that are net metered under RSA 362-A:9 and for which class I or II
5 certificates are not issued. For purposes of estimation, the commission shall use a capacity factor
6 rating of 20 percent for each *class I* installation [~~and shall keep class II production separate from~~
7 ~~class I production~~]. *The commission shall separately estimate class II output using a*
8 *capacity factor rating equal to the annual PV Energy Forecast issued by the Distributed*
9 *Generation Working Group under ISO New England, or its successor.* Providers of electricity
10 required to obtain and retire certificates under RSA 362-F:3 shall receive an annual credit for such
11 production *according to its class*. By February 28 of each year, the commission shall compute and
12 make public credit percentages that are equal to the estimated production for the prior calendar year
13 in each class divided by the total amount of electricity supplied by providers of electricity to end-use
14 customers in the prior calendar year, with the result converted to a percentage. Each provider may
15 then, at the time of its annual report filing under RSA 362-F:8, claim a class I and a class II
16 certificate credit equal to the credit percentage times the total megawatt-hours of electricity supplied
17 by the provider to its end-use customers the prior calendar year.

18 138:2 Electric Renewable Portfolio Standards; Electric Renewable Energy Classes. Amend RSA
19 362-F:4, I (c) to read as follows:

20 (c) Hydrogen derived from biomass fuels, *water*, or methane gas.

138:3 Effective Date. This act shall take effect 60 days after its passage.

Approved: July 23, 2021

Effective Date: September 21, 2021

Amendments

Sen. Avard, Dist 12
Sen. Gray, Dist 6
Sen. Giuda, Dist 2
Sen. Watters, Dist 4
Sen. Perkins Kwoka, Dist 21
April 14, 2021
2021-1137s
10/06

Amendment to HB 309

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT relative to the computation of renewable energy credits and municipal host customer
4 generators serving political subdivisions.
5

6 Amend the bill by replacing all after section 1 with the following:

7

8 2 Eligible Customer Generator; Exception Added for Municipal Hosts. Amend RSA 362-A:1-a,
9 II-b through II-d to read as follows:

10 II-b. "Eligible customer-generator" or "customer-generator" means an electric utility
11 customer who owns, operates, or purchases power from an electrical generating facility either
12 powered by renewable energy or which employs a heat led combined heat and power system, with a
13 total peak generating capacity of up to and including one megawatt, ***except as provided for a***
14 ***municipal host as defined in paragraph II-c***, that is located behind a retail meter on the
15 customer's premises, is interconnected and operates in parallel with the electric grid, and is used to
16 offset the customer's own electricity requirements. Incremental generation added to an existing
17 generation facility, that does not itself qualify for net metering, shall qualify if such incremental
18 generation meets the qualifications of this paragraph and is metered separately from the
19 nonqualifying facility.

20 II-c. ***"Municipal host" means a customer generator with a total peak generating***
21 ***capacity of greater than one megawatt and less than 5 megawatts used to offset the***
22 ***electricity requirements of a group consisting exclusively of one or more customers who are***
23 ***political subdivisions, provided that all customers are located within the same utility***
24 ***franchise service territory. A municipal host shall be located in the same municipality as***
25 ***all group members if the facility began operation after January 1, 2021. A municipal host***
26 ***may be owned by either a public or private entity. For this definition, "political***
27 ***subdivision" means any city, town, county, school district, chartered public school, village***
28 ***district, school administrative unit, or any district or entity created for a special purpose***
29 ***administered or funded by any of the above-named governmental units.***

Amendment to HB 309

- Page 2 -

1 ***II-d.*** "Eligible fuel" means natural gas, propane, wood pellets, hydrogen, or heating oil when
2 combusted with a burner, including air emission standards for the device using the approved fuel.

3 ~~[II-d]~~ ***II-e.*** "Heat led" means that the combined heat and power system is operated in a
4 manner to satisfy the heat usage needs of the customer-generator.

5 3 Effective Date.

6 I. Section 1 of this act shall take effect 60 days after its passage.

7 II. The remainder of this act shall take effect upon its passage.

AMENDED

2021-1137s

AMENDED ANALYSIS

This bill revises the methodology for the public utilities commission to estimate renewable energy credits for certain sources that are net metered. This bill also establishes an exemption under net energy metering for group net metered facilities that generate electricity to offset electrical requirements of a group consisting of political subdivisions.

AMENDED

Sen. Avar, Dist 12
Sen. Gray, Dist 6
Sen. Giuda, Dist 2
Sen. Watters, Dist 4
Sen. Perkins Kwoka, Dist 21
April 21, 2021
2021-1172s
10/06

Amendment to HB 309

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT relative to the computation of renewable energy credits and municipal host customer
4 generators serving political subdivisions.
5

6 Amend the bill by replacing all after section 1 with the following:

7

8 2 Eligible Customer Generator; Exception Added for Municipal Hosts. Amend RSA 362-A:1-a,
9 II-b through II-d to read as follows:

10 II-b. "Eligible customer-generator" or "customer-generator" means an electric utility
11 customer who owns, operates, or purchases power from an electrical generating facility either
12 powered by renewable energy or which employs a heat led combined heat and power system, with a
13 total peak generating capacity of up to and including one megawatt, **except as provided for a**
14 **municipal host as defined in paragraph II-c**, that is located behind a retail meter on the
15 customer's premises, is interconnected and operates in parallel with the electric grid, and is used to
16 offset the customer's own electricity requirements. Incremental generation added to an existing
17 generation facility, that does not itself qualify for net metering, shall qualify if such incremental
18 generation meets the qualifications of this paragraph and is metered separately from the
19 nonqualifying facility.

20 II-c. **"Municipal host" means a customer generator with a total peak generating**
21 **capacity of greater than one megawatt and less than 5 megawatts used to offset the**
22 **electricity requirements of a group consisting exclusively of one or more customers who are**
23 **political subdivisions, provided that all customers are located within the same utility**
24 **franchise service territory. A municipal host shall be located in the same municipality as**
25 **all group members if the facility began operation after January 1, 2021. A municipal host**
26 **may be owned by either a public or private entity. For this definition, "political**
27 **subdivision" means any city, town, county, school district, chartered public school, village**
28 **district, school administrative unit, or any district or entity created for a special purpose**
29 **administered or funded by any of the above-named governmental units.**

Amendment to HB 309

- Page 2 -

1 **II-d.** "Eligible fuel" means natural gas, propane, wood pellets, hydrogen, or heating oil when
2 combusted with a burner, including air emission standards for the device using the approved fuel.

3 ~~II-d]~~ **II-e.** "Heat led" means that the combined heat and power system is operated in a
4 manner to satisfy the heat usage needs of the customer-generator.

5 3 Utility Property Tax; Eligible Customer-Generator; Exclusion Clarified. Amend RSA 83-F:1,
6 V(d) to read as follows:

7 (d) The electrical generation, production, storage, and supply equipment of an "eligible
8 customer-generator" as defined in RSA 362-A:1-a, II-b, **up to and including one megawatt;**

9 4 Effective Date.

10 I. Section 1 of this act shall take effect 60 days after its passage.

11 II. The remainder of this act shall take effect upon its passage.

UNAPPROVED

2021-1172s

AMENDED ANALYSIS

This bill revises the methodology for the public utilities commission to estimate renewable energy credits for certain sources that are net metered. This bill also establishes an exemption under net energy metering for group net metered facilities that generate electricity to offset electrical requirements of a group consisting of political subdivisions.

AMENDED

Sen. Avar, Dist 12
May 3, 2021
2021-1275s
10/06

Amendment to HB 309

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT relative to the computation of renewable energy credits and clarifying certain
4 renewable energy classes.

5

6 Amend the bill by inserting after section 1 the following and renumbering the original section 2 to
7 read as 3:

8

9 2 Electric Renewable Portfolio Standards; Electric Renewable Energy Classes. Amend RSA 362-
10 F:4, I (c) to read as follows:

11 (c) Hydrogen derived from biomass fuels, *water*, or methane gas.

2021-1275s

AMENDED ANALYSIS

This bill revises the methodology for the public utilities commission to estimate renewable energy credits for certain sources that are net metered. The bill also clarifies the renewable energy class for hydrogen derived from water.

AMENDED

Energy and Natural Resources
May 18, 2021
2021-1548s
10/06

Amendment to HB 309

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT relative to the computation of renewable energy credits and clarifying certain
4 renewable energy classes.

5

6 Amend the bill by inserting after section 1 the following and renumbering the original section 2 to
7 read as 3:

8

9 2 Electric Renewable Portfolio Standards; Electric Renewable Energy Classes. Amend RSA 362-
10 F:4, I (c) to read as follows:

11 (c) Hydrogen derived from biomass fuels, *water*, or methane gas.

2021-1548s

AMENDED ANALYSIS

This bill revises the methodology for the public utilities commission to estimate renewable energy credits for certain sources that are net metered. The bill also clarifies the renewable energy class for hydrogen derived from water.

Committee Minutes

SENATE CALENDAR NOTICE

Energy and Natural Resources

Sen Kevin Avard, 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. M. Murray

Rep. Suzanne Smith

Rep. Von Plinsky

Sen. Ward

Sen. Gray

Rep. Baldasaro

Rep. Sykes

Rep. Graham

Sen. Hennessey

Sen. Prentiss

Sen. French

Rep. Wolf

Rep. Milz

Sen. Whitley

Griffin Roberge 271-3042

Kevin A. Avard
Chairman

Senate Energy and Natural Resources Committee

Griffin Roberge 271-3042

HB 309, relative to the computation of renewable energy credits.

Hearing Date: April 12, 2021.

Time Opened: 1:02 p.m.

Time Closed: 1:08 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 revises the methodology for the public utilities commission to estimate renewable energy credits for certain sources that are net metered.

Sponsors:

Rep. Harrington

Who supports the bill: David Bates; Susan Bruce; Elizabeth Fenner-Lukaitis; Nisa Marks; Madeleine Mineau, Clean Energy NH; Russell Moore; Eric Pauer; Rick Russman; Lisa Sweet; 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 7

- Introduced HB 309 on behalf of the bill's prime sponsor, Representative Michael Harrington.
- HB 309 was requested by the Office of Strategic Initiatives (OSI).
- RSA 362-F:6, II-a allows electricity suppliers to count unregistered Renewable Energy Credits (RECs) from solar facilities that are not REC certified against their Class II Renewable Portfolio Standard (RPS) compliance obligation. This statutory credit assigns a 20% capacity factor to these solar facilities.
- HB 309 changes the capacity factor used under RSA 362-F:6, II-a from a 20% capacity factor to one that uses the capacity factor rating equal to the annual PV Energy Forecast issued by the Distributed Generation Working Group under ISO-NE.
- The capacity factor used by ISO-NE is roughly 13.5% and is more accurate based on actual field measurements.
- HB 309 was recommended "ought to pass" by the House Science, Technology, and Energy Committee by a vote of 21-0 and was placed on the House consent calendar. The committee's recommendation passed by a voice vote on the House consent calendar.
- Senator Watters clarified that HB 309 brings state statute in line with what ISO-NE is using.
 - o Representative Vose said Senator Watters was correct.

Madeleine Mineau - provided written testimony

Executive Director, Clean Energy NH

- RSA 362-F:6, II-a allows electricity suppliers to count unregistered RECs against their Class II RPS compliance obligations. As a result, in recent years suppliers have been able to meet their entire compliance obligation for Class II solar with these "free" RECs (known as "REC sweeping"). In 2019, the REC sweeping credit was 0.4794%, making up 80% of the total 0.6% Class II goal.
- RECs are a commodity that belongs to the renewable energy system owner and REC sweeping is a taking of that property without the owner's knowledge, permission, or compensation. To make matters worse, the REC sweeping credit is artificially inflated due to the use of an unrealistically high capacity factor used to calculate assumed solar production.
- The Public Utilities Commission (PUC)'s 2018 RPS review recognized REC sweeping as a problem and recommended a significant reduction in the capacity factor for unregistered RECs. HB 309 would implement this correction recommended by the PUC. As a result, the overall REC sweeping credit would be reduced by roughly a third and would increase the demand for Class II RECs.
- Governor Sununu vetoed SB 72 (2019), which would have repealed RSA 362-F:6, II-a entirely. Governor Sununu made clear in his veto message that the NH General Court should focus on fixing the credit mechanism. HB 309 represents that fix.
- RECs can be used to reliably obtain financing for renewable energy projects. Lowering the overall financing costs of projects for businesses and residents. This brings more renewable energy projects online that can help lower the cost of electricity for all ratepayers by increasing distributed generation, fuel diversity, reduced peak demand, and transmission needs.

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 HB309 on 2021-04-12

Support: 10 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>
Mineau, Madeleine	madeleine@cleanenergynh.org	607-592-6184	A Lobbyist	Clean Energy NH	Support	Yes	4/9/2021 2:44 PM
Vose, Michael	michael.vose@leg.state.nh.us	603.734.4084	An Elected Official	ST&E	Support	Yes	4/12/2021 12:45 PM
Marks, Nisa	Not Given	Not Given	A Member of the Public	New Hampshire Audubon	Support	No	4/9/2021 11:06 AM
Bruce, Susan	susanb.red@mac.com	603.730.7078	A Member of the Public	Myself	Support	No	4/10/2021 10:24 AM
Moore, Russell	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/9/2021 8:09 PM
Russman, Rick	richardrussman@gmail.com	603.548.7448	An Elected Official	Myself	Support	No	4/10/2021 9:54 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 2:59 PM
Pauer, Eric	secretary@BrooklineGOP.org	603.732.8489	A Member of the Public	Myself	Support	No	4/12/2021 7:42 AM
Sweet, Lisa	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/12/2021 12:14 PM

Testimony

Griffin Roberge

From: Madeleine Mineau <madeleine@cleanenergynh.org>
Sent: Friday, April 09, 2021 3:04 PM
To: Kevin Avard; Bob Giuda; James Gray; Rebecca Perkins Kwoka; David Watters; Griffin Roberge
Subject: CENH testimony in support of HB309
Attachments: CENH Testimony HB309 Senate 20210409.pdf

Dear members of the NH Senate Energy and Natural Resources committee,
Please find attached testimony in support of HB309 on behalf of Clean Energy NH.

I look forward to beginning the second half of the session with you on Monday and testifying before you at the hearing for this bill.

Hope you all have an enjoyable weekend and enjoy this nice spring weather.
Madeleine

--
Madeleine Mineau
Executive Director
Clean Energy NH (formerly NHSEA)
Cell phone: 607-592-6184



April 9th, 2021

Senator Kevin Avar, Chair
NH Senate Energy and Natural Resources Committee
Submitted via email

Testimony on HB 309: relative to the computation of renewable energy credits

Dear Chairman Avar and honorable members of the Committee,

Clean Energy NH (CENH) is a non-profit member-based organization. We are New Hampshire's leading clean energy advocate that is dedicated to supporting policies and programs that strengthen our state's economy by encouraging a transition to renewable energy and promoting energy efficiency.

CENH supports HB 309 which would correct the capacity factor used to calculate the REC sweeping credit which is currently set at 20 percent regardless of generation technology or RPS class but for solar installations which make up practically the entirety of the credit, a more realistic value would be roughly 14 percent.

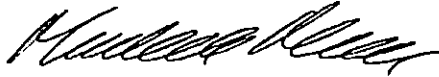
RENEWABLE ENERGY CERTIFICATES (RECS) & REC SWEEPING

Renewable energy certificates (RECs) are a key component of renewable energy projects and purchasing RECs allows electricity suppliers to demonstrate compliance with NH's Renewable Portfolio Standard (RPS). RSA 362-F:6, II-a allows electricity suppliers to count unregistered RECs against their compliance obligations. As a result, in recent years suppliers have been able to meet their entire compliance obligation for class 2 solar with these "free" RECs (known as "REC sweeping"). In 2019, the REC sweeping credit was 0.4794% making up 80% of the total 0.6% class 2 goal. CENH is opposed to REC sweeping because RECs are a commodity that belongs to the renewable energy system owner and REC sweeping is a taking of that property without the owner's knowledge, permission, or compensation. To make matters worse, the REC sweeping credit is artificially inflated due to the use of an unrealistically high capacity factor used to calculate assumed solar production.

The PUC's 2018 RPS review recognized this as a problem and recommended a significant reduction in capacity factor for unregistered RECs (see legislative policy recommendations on page 7 item B). HB 309 would implement this correction recommended by the PUC. As a result, the overall REC sweeping credit would be reduced by roughly a third which would increase demand for RECs.

When RECs can be used reliably to obtain financing for renewable energy projects, then it lowers the overall financing costs of projects for residents and businesses, thus bringing more projects online that can help lower the overall cost of electricity for all ratepayers by increasing distributed generation, fuel diversity, reduced peak demand, and transmission needs.

Therefore, Clean Energy NH supports the passage of HB309 and asks you to vote OTP.

A handwritten signature in black ink, appearing to read 'Madeleine Mineau', written in a cursive style.

Madeleine Mineau
Executive Director
madeleine@cleanenergynh.org
607-592-6184

Voting Sheets

Senate Energy & Natural Resources Committee

EXECUTIVE SESSION RECORD

2021-2022 Session

Bill # **HB 309**

Hearing Date: 04/12/2021

Executive Session Date: 05/17/2021

Motion of: Amendment 1275s 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Watters	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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: OTPA 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Watters	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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"/>

Reported out by: Avard

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 309**

AN ACT

relative to the computation of renewable energy
credits.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS WITH AMENDMENT

BY A VOTE OF: 4-0

AMENDMENT # 1548s

Senator Kevin Avard
For the Committee

Griffin Roberge 271-3042

ENERGY AND NATURAL RESOURCES

HB 309, relative to the computation of renewable energy credits.

Ought to Pass with Amendment, Vote 4-0.

Senator Kevin Avard for the committee.

Docket of HB309

Docket Abbreviations

Bill Title: (New Title) relative to the computation of renewable energy credits and clarifying certain renewable energy classes.

Official Docket of **HB309**.

Date	Body	Description
1/9/2021	H	Introduced (in recess of) 01/06/2021 and referred to Science, Technology and Energy HJ 2 P. 43
1/27/2021	H	Public Hearing: 02/08/2021 03:00 pm 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 21-0; 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, 01:00 pm; Links to join the hearing can be found in the Senate Calendar; SC 19
5/18/2021	S	Committee Report: Ought to Pass with Amendment- #2021-1548s , 05/20/2021; SC 24A
5/20/2021	S	Committee Amendment #2021-1548s , AA, VV; 05/20/2021; SJ 16
5/20/2021	S	Ought to Pass with Amendment 2021-1548s, MA, VV; OT3rdg; 05/20/2021; SJ 16
6/10/2021	H	House Concurs with Senate Amendment 2021-1548s (Rep. Vose): MA VV 06/10/2021
7/12/2021	S	Enrolled Adopted, VV, (In recess 06/24/2021); SJ 20
7/12/2021	H	Enrolled (in recess of) 06/24/2021
7/26/2021	H	Signed by Governor Sununu 07/23/2021; Chapter 138; Eff: 09/21/2021

NH House

NH Senate

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: HB 309

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)

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):

- amendment # 1137s - amendment # 1275s

- amendment # 1172s - amendment # 1548s

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