

# Bill as Introduced

HB 315 - AS AMENDED BY THE HOUSE

9Apr2021... 0748h

2021 SESSION

21-0533  
10/08

HOUSE BILL

**315**

AN ACT

relative to the aggregation of electric customers.

SPONSORS:

Rep. Vose, Rock. 9; Rep. Cali-Pitts, Rock. 30; Rep. Harrington, Straf. 3; Rep. Thomas, Rock. 5

COMMITTEE:

Science, Technology and Energy

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ANALYSIS

This bill revises the procedures applicable to municipal or county aggregators and municipal electric utilities for the aggregation of energy services.

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Explanation:

Matter added to current law appears in ***bold italics***.

Matter removed from current law appears [~~in brackets and struckthrough.~~]

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 aggregation of electric customers.

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

1 1 Aggregation of Electric Customers; Definition; Aggregation. Amend RSA 53-E:2, I to read as  
2 follows:

3 I. "Aggregation" means the grouping of retail electric customers to provide, broker, or  
4 contract for ~~[electric power supply and]~~ energy services for such customers.

5 2 New Paragraph; Definition; Energy Services. Amend RSA 53-E:2 by inserting after paragraph  
6 V the following new paragraph:

7 V-a. "Energy services" means the provision of electric power supply solely or in combination  
8 with any or all of the services specified in RSA 53-E:3.

9 3 Municipal and County Authority; Agreements. Amend RSA 53-E:3, II(a) to read as follows:

10 II.(a) Enter into agreements and provide for ***energy services, specifically:***

11 (1) The supply of electric power ***and capacity.***

12 (2) Demand side management.

13 (3) Conservation.

14 (4) Meter reading, ***with commission approval for meters owned or controlled***  
15 ***by the electric distribution utilities or used for load settlement.***

16 (5) Customer service ***for aggregation provided services.***

17 (6) Other related services.

18 (7) The operation of energy efficiency and clean energy districts adopted by a  
19 municipality pursuant to RSA 53-F and as approved by the municipality's governing body.

20 4 Municipal Aggregators. Amend RSA 53-E:3-a to read as follows:

21 53-E:3-a Municipal Aggregators Authorized. Municipal aggregators of electricity load under  
22 this chapter, and municipalities operating municipal electric utilities under RSA 38, are expressly  
23 authorized to aggregate ~~[other]~~ ***energy services [commonly and regularly billed to customers] as***  
24 ***described in RSA 53-E:3.*** Municipalities may operate approved aggregation programs as self-  
25 supporting enterprise funds including the use of revenue bonds pursuant to RSA 33-B and RSA 374-  
26 D and loans from other municipal enterprise funds as may be approved by the governing body and  
27 the legislative body of the municipality. Any such loans from other municipal enterprise funds shall  
28 be used for purposes that have a clear nexus to the primary purposes of such other funds, such as  
29 generation, storage, or sale of power generated from sites, facilities, or resources that might  
30 otherwise be operated or produced by the other enterprise fund. Nothing in this chapter shall be  
31 deemed to limit the capacity of customers to select any service or combination of services offered by

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1 such municipal aggregators or to limit the municipality from combining billing for ~~[any or all utility]~~  
2 **energy services with other municipal** services.

3 5 Regulation of Aggregators. Amend RSA 53-E:4, I to read as follows:

4 I. An aggregator operating under this chapter shall not be considered a **public** utility  
5 ~~[engaging in the wholesale purchase and resale of electric power]~~ **under RSA 362:2** and shall not  
6 be considered a municipal utility under RSA 38. ~~[Providing electric power or energy services to~~  
7 ~~aggregated customers within a municipality or county shall not be considered a wholesale utility~~  
8 ~~transaction. However,]~~ A municipal or county aggregation may elect to participate in the ISO New  
9 England wholesale energy market as a load serving entity for the purpose of procuring or selling  
10 electrical energy or capacity on behalf of its participating retail electric customers, including itself.

11 6 Regulation of Aggregators. Amend RSA 53-E:4, IV to read as follows:

12 IV. For the purpose of obtaining interval meter data for load settlement, the provision of  
13 energy services, and near real-time customer access to such data, a municipal and county aggregator  
14 may contribute to the cost of electric utility provided meter upgrades, jointly own revenue grade  
15 meters with an electric utility, or provide its own revenue grade electric meter, which would be in  
16 addition to a utility provided meter[.]. **Such metering shall only be implemented** subject to the  
17 commission finding *it is* in the public good, **assuring that meters used for distribution tariff**  
18 **implementation remain under the control and majority ownership of the electric**  
19 **distribution utility**, and ~~[approval of]~~ **otherwise approving** the terms and conditions for such  
20 arrangements, including sharing or transfer of meter data from and to the electric distribution  
21 utility.

22 7 Financial Responsibility. Amend RSA 53-E:5 to read as follows:

23 53-E:5 Financial Responsibility. Retail electric customers who choose not to participate in an  
24 aggregation program adopted under RSA 53-E:7 shall not be responsible for, and no entity shall  
25 require them to pay, any costs associated with such program, through taxes or otherwise except for  
26 electric power supply or energy services consumed directly by the municipality or county, or  
27 incidental costs, which may include costs necessary to comply with the provisions of this chapter up  
28 to the time that the aggregation starts to produce revenue from participating customers, **but shall**  
29 **not include any capitalized or operating costs of an aggregation program.**

30 8 Electric Aggregation Plan. Amend RSA 53-E:6, I to read as follows:

31 I. The governing body of a municipality or county may form an electric aggregation  
32 committee to develop a plan for an aggregation program for its citizens. A municipality or county  
33 may join other municipalities or counties in developing such plans. **A county plan may provide an**  
34 **aggregation program for all or a subset of municipalities within the county that request to**  
35 **participate by a majority vote of their respective governing bodies.**

36 9 Aggregation Program. RSA 53-E:7 is repealed and reenacted to read as follows:

37 53-E:7 Aggregation Program.

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1 I. The governing body of a municipality or county may submit to its legislative body for  
2 adoption a final plan for an aggregation program or any revision to include an opt-out aggregation  
3 program, to be approved by a majority of those present and voting.

4 II. Every electric aggregation plan and any revision of a plan to include an opt-out default  
5 service program shall be submitted to the commission, either before or after being submitted by the  
6 governing body to the legislative body for approval, to determine whether the plan conforms to the  
7 requirements of this chapter and applicable rules of the commission. The commission shall approve  
8 any plan submitted to it unless it finds that it does not meet the requirements of this chapter and  
9 other applicable rules and shall detail in writing addressed to the governing bodies of the  
10 municipalities or counties concerned, the specific respects in which the proposed plan substantially  
11 fails to meet the requirements of this chapter and applicable rules. Failure to disapprove a plan  
12 submitted hereunder within 60 days of its submission shall constitute approval thereof. A  
13 municipality or county may submit a plan that is revised to comply with applicable requirements at  
14 any time and start the review process over. Any plan submitted to the commission under this  
15 paragraph shall also be submitted on the same date to the office of the consumer advocate under  
16 RSA 363:28 and any electric distribution utility providing service within the jurisdiction of the  
17 municipality or county. The consumer advocate, utilities, and members of the public may file  
18 comments about such plans within the first 21 days of their submission. Commission review and  
19 approval of electric aggregation plans shall not require a contested case but shall allow time for  
20 submission and consideration of any such comments.

21 III. If the plan is adopted or once adopted is revised to include an opt-out service, the  
22 municipality or county shall mail written notification to each retail electric customer within the  
23 municipality or county service area. To enable such mailed notification and notwithstanding RSA  
24 363:38, after an aggregation plan is duly approved the electric distribution utility or utilities serving  
25 an adopting municipality or county shall provide to such municipality or county a current list of the  
26 names and mailing addresses of all electric customers taking distribution service within the  
27 municipality or county service area, and for such customers on utility provided default service, the  
28 account numbers and any other information necessary for successful enrollment in the aggregation.  
29 Notification shall include a description of the aggregation program, the implications to the  
30 municipality or county, and the rights and responsibilities that the participants will have under the  
31 program, and if provided on an opt-out basis, the fixed rate or charges that will apply. No retail  
32 electric customer shall be included in a program in which the customer does not know all of the rates  
33 or charges the customer may be subject to at least 30 days in advance and has the option, for a  
34 period of not less than 30 days from the date of the mailing, to opt out of being enrolled in such  
35 program, unless the customer affirmatively responds to the notification or requests in writing to be  
36 included in the program.

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1 IV. Within 15 days after notification of the plan has been sent to retail electric customers in  
2 the service area, a public information meeting to answer questions on the program shall be held.

3 V. Services proposed to be offered by or through the aggregation shall be on an opt-in basis  
4 unless the adopted aggregation plan explicitly creates an opt-out alternative default energy service  
5 program where the rate or price is known at least 30 days in advance of its application and, for a  
6 period of not less than 30 days from the date notification is mailed, the customer has the opportunity  
7 to opt out of being enrolled in such program, by return postcard, website, or such additional means  
8 as may be provided. Customers who are on default service provided by an electric distribution utility  
9 shall be enrolled by the aggregator in an aggregation provided alternative default service if they do  
10 not elect to opt out. Customers opting out will instead remain on utility provided default service.  
11 Customers taking energy service from a competitive electricity supplier shall not be enrolled in any  
12 aggregation program, unless they voluntarily opt in.

13 VI. New customers to the electric distribution utility after the notification mailing required  
14 by paragraph III shall initially be enrolled in utility provided default service unless the customer has  
15 relocated within a single utility's service area and is continuing service with a competitive supplier  
16 or a municipal or county aggregation program. Upon request of an aggregator, but not more  
17 frequently than monthly and notwithstanding RSA 363:38, the utility shall make available to each  
18 operating municipal aggregation, or county aggregation where there is no municipal aggregation, the  
19 names, account numbers, mailing addresses, and any other information necessary for successful  
20 enrollment in the aggregation of customers that are new to or then currently on electric distribution  
21 utility provided default service after they have provided the customer list for the initial customer  
22 mailing required by paragraph III and that are located within the aggregation service area. The  
23 aggregation shall periodically mail a written notification to such new customers that have not  
24 previously opted out of the aggregator's service and shall enroll them in the aggregation consistent  
25 with the opt-in or opt-out requirements of this paragraph and paragraph III.

26 VII. Municipal aggregations shall take priority or precedence over any county aggregations  
27 and each such aggregation shall be responsible for assuring that customers are enrolled with the  
28 correct aggregation.

29 VIII Customers enrolled in a municipal- or county-provided default service shall be free to  
30 elect to transfer to utility provided default service or to transfer to a competitive electricity supplier  
31 with adequate notice in advance of the next regular meter reading by the distribution utility, in the  
32 same manner as if they were on utility provided default service or as approved by the commission.  
33 No such customer shall be required to pay any exit fee or charge for such transfer. Customers  
34 requesting transfer of supply service upon dates other than on the next available regular meter  
35 reading date may be charged an off-cycle meter reading and billing charge. Upon request of the  
36 customer the aggregator shall transfer the customer back to utility provided default service.

1 IX. Once adopted, an aggregation plan and program may be amended and modified from  
2 time to time as provided by the governing body of the municipality or county. In all cases the  
3 establishment of an opt-out default service program shall be approved as provided in paragraphs I,  
4 II, and IV.

5 X. The commission shall adopt rules, under RSA 541-A, to implement this chapter and, to  
6 the extent authorities granted to municipalities and counties by this chapter materially affect the  
7 interests of electric distribution utilities and their customers, to reasonably balance such interests  
8 with those of municipalities and counties for the public good, which may also be done through  
9 adjudicative proceedings to the extent specified or not addressed in rules. Such rules shall include  
10 but not be limited to rules governing the relationship between municipal and county aggregators and  
11 distribution utilities, metering, billing, access to customer data for planning and operation of  
12 aggregations, notice of the commencement or termination of aggregation services and products, and  
13 the reestablishment of a municipal or county aggregation that has substantially ceased to provide  
14 services. Where the commission has adopted rules in conformity with this chapter, complaints to  
15 and proceedings before the commission shall not be subject to RSA 541-A:29 or RSA 541-A:29-a.

16 10 New Section; Billing Arrangements. Amend RSA 53-E by inserting after section 8 the  
17 following new section:

18 53-E:9 Billing Arrangements.

19 I. For purposes of this section the term "supplier" shall mean an aggregator functioning as a  
20 load serving entity under this chapter or a competitive electricity supplier serving an aggregation  
21 under this chapter. The term shall also include competitive electricity suppliers generally to the  
22 extent and for such customer rate classes as the commission finds, after notice and hearing, that it is  
23 for the public good. Such a determination shall be on a utility-specific basis, if proposed and  
24 assented to by the utility.

25 II. Each electric distribution utility shall propose to the commission for review and approval  
26 a program for the purchase of receivables of the supplier in which the utility shall pay in a timely  
27 manner the amounts due such suppliers from customers for electricity supply and related services  
28 less a discount percentage rate equal to the utility's actual uncollectible rate, adjusted to recover  
29 capitalized and operating costs specific to the implementation and operation of the purchase of  
30 receivables program, including working capital. Additionally, such discount rate adjustments shall  
31 include a pro rata share of the cost of administering collection efforts such that the utility's  
32 participation in the purchase of receivables program shall not require the utility or non-participating  
33 consumers to assume any costs arising from its use. Such pro rata costs must include, but not be  
34 limited to, any increases in the utility's bad debt write-offs attributable to participants in the  
35 purchase of receivables program, as approved by the commission. However, the allocation of costs  
36 arising from different rate components and determination of the uncollectible rate shall be equitably  
37 allocated between such suppliers, utility provided default service, and other utility charges that are

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- 1 a part of consolidated billing by the utility as approved by the commission. The discount percentage
- 2 rate shall be subject to periodic adjustment as approved by the commission.
- 3 11 Effective Date. This act shall take effect 60 days after its passage.



HB 315 - AS AMENDED BY THE SENATE

9Apr2021... 0748h-  
05/13/2021 1294s  
05/13/2021 1400s

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HOUSE BILL

**315**

AN ACT

relative to the aggregation of electric customers and municipal host customer generators serving political subdivisions.

SPONSORS:

Rep. Vose, Rock. 9; Rep. Cali-Pitts, Rock. 30; Rep. Harrington, Straf. 3; Rep. Thomas, Rock. 5

COMMITTEE:

Science, Technology and Energy

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AMENDED ANALYSIS

This bill revises the procedures applicable to municipal or county aggregators and municipal electric utilities for the aggregation of energy services. 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.

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Explanation:

Matter added to current law appears in *bold italics*.

Matter removed from current law appears ~~[in brackets and struck through]~~.

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AN ACT relative to the aggregation of electric customers and municipal host customer generators serving political subdivisions.

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

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3 I. "Aggregation" means the grouping of retail electric customers to provide, broker, or  
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9 3 Municipal and County Authority; Agreements. Amend RSA 53-E:3, II(a) to read as follows:

10 II.(a) Enter into agreements and provide for *energy services, specifically:*

11 (1) The supply of electric power *and capacity.*

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15 *by the electric distribution utilities or used for load settlement.*

16 (5) Customer service *for aggregation provided services.*

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18 (7) The operation of energy efficiency and clean energy districts adopted by a  
19 municipality pursuant to RSA 53-F and as approved by the municipality's governing body.

20 4 Municipal Aggregators. Amend RSA 53-E:3-a to read as follows:

21 53-E:3-a Municipal Aggregators Authorized. Municipal aggregators of electricity load under  
22 this chapter, and municipalities operating municipal electric utilities under RSA 38, are expressly  
23 authorized to aggregate [~~other~~] *energy services [commonly and regularly billed to customers] as*  
24 *described in RSA 53-E:3.* Municipalities may operate approved aggregation programs as self-  
25 supporting enterprise funds including the use of revenue bonds pursuant to RSA 33-B and RSA 374-  
26 D and loans from other municipal enterprise funds as may be approved by the governing body and  
27 the legislative body of the municipality. Any such loans from other municipal enterprise funds shall  
28 be used for purposes that have a clear nexus to the primary purposes of such other funds, such as  
29 generation, storage, or sale of power generated from sites, facilities, or resources that might

1 otherwise be operated or produced by the other enterprise fund. Nothing in this chapter shall be  
 2 deemed to limit the capacity of customers to select any service or combination of services offered by  
 3 such municipal aggregators or to limit the municipality from combining billing for ~~[any or all utility]~~  
 4 **energy services with other municipal services.**

5 5 Regulation of Aggregators. Amend RSA 53-E:4, I to read as follows:

6 I. An aggregator operating under this chapter shall not be considered a **public** utility  
 7 ~~[engaging in the wholesale purchase and resale of electric power] under RSA 362:2~~ and shall not  
 8 be considered a municipal utility under RSA 38. ~~[Providing electric power or energy services to~~  
 9 ~~aggregated customers within a municipality or county shall not be considered a wholesale utility~~  
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 11 England wholesale energy market as a load serving entity for the purpose of procuring or selling  
 12 electrical energy or capacity on behalf of its participating retail electric customers, including itself.

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14 IV. For the purpose of obtaining interval meter data for load settlement, the provision of  
 15 energy services, and near real-time customer access to such data, a municipal and county aggregator  
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 17 meters with an electric utility, or provide its own revenue grade electric meter, which would be in  
 18 addition to a utility provided meter[.]. **Such metering shall only be implemented** subject to the  
 19 commission finding *it is* in the public good, **assuring that meters used for distribution tariff**  
 20 **implementation remain under the control and majority ownership of the electric**  
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 22 arrangements, including sharing or transfer of meter data from and to the electric distribution  
 23 utility.

24 7 Financial Responsibility. Amend RSA 53-E:5 to read as follows:

25 53-E:5 Financial Responsibility. Retail electric customers who choose not to participate in an  
 26 aggregation program adopted under RSA 53-E:7 shall not be responsible for, and no entity shall  
 27 require them to pay, any costs associated with such program, through taxes or otherwise except for  
 28 electric power supply or energy services consumed directly by the municipality or county, or  
 29 incidental costs, which may include costs necessary to comply with the provisions of this chapter up  
 30 to the time that the aggregation starts to produce revenue from participating customers, **but shall**  
 31 **not include any capitalized or operating costs of an aggregation program.**

32 8 Electric Aggregation Plan. Amend RSA 53-E:6, I to read as follows:

33 I. The governing body of a municipality or county may form an electric aggregation  
 34 committee to develop a plan for an aggregation program for its citizens. A municipality or county  
 35 may join other municipalities or counties in developing such plans. **A county plan may provide an**  
 36 **aggregation program for all or a subset of municipalities within the county that request to**  
 37 **participate by a majority vote of their respective governing bodies.**

1       9 Aggregation Program. RSA 53-E:7 is repealed and reenacted to read as follows:  
2       53-E:7 Aggregation Program.

3           I. The governing body of a municipality or county may submit to its legislative body for  
4 adoption a final plan for an aggregation program or any revision to include an opt-out aggregation  
5 program, to be approved by a majority of those present and voting.

6           II. Every electric aggregation plan and any revision of a plan to include an opt-out default  
7 service program shall be submitted to the commission, either before or after being submitted by the  
8 governing body to the legislative body for approval, to determine whether the plan conforms to the  
9 requirements of this chapter and applicable rules of the commission. The commission shall approve  
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13 fails to meet the requirements of this chapter and applicable rules. Failure to disapprove a plan  
14 submitted hereunder within 60 days of its submission shall constitute approval thereof. A  
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16 any time and start the review process over. Any plan submitted to the commission under this  
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20 comments about such plans within the first 21 days of their submission. Commission review and  
21 approval of electric aggregation plans shall not require a contested case but shall allow time for  
22 submission and consideration of any such comments.

23           III. If the plan is adopted or once adopted is revised to include an opt-out service, the  
24 municipality or county shall mail written notification to each retail electric customer within the  
25 municipality or county service area. To enable such mailed notification and notwithstanding RSA  
26 363:38, after an aggregation plan is duly approved the electric distribution utility or utilities serving  
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 16 services. Where the commission has adopted rules in conformity with this chapter, complaints to  
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 22 load serving entity under this chapter or a competitive electricity supplier serving an aggregation  
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 24 extent and for such customer rate classes as the commission finds, after notice and hearing, that it is  
 25 for the public good. Such a determination shall be on a utility-specific basis, if proposed and  
 26 assented to by the utility.

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 28 a program for the purchase of receivables of the supplier in which the utility shall pay in a timely  
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 30 less a discount percentage rate equal to the utility's actual uncollectible rate, adjusted to recover  
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 35 consumers to assume any costs arising from its use. Such pro rata costs must include, but not be  
 36 limited to, any increases in the utility's bad debt write-offs attributable to participants in the  
 37 purchase of receivables program, as approved by the commission. However, the allocation of costs

1 arising from different rate components and determination of the uncollectible rate shall be equitably  
 2 allocated between such suppliers, utility provided default service, and other utility charges that are  
 3 a part of consolidated billing by the utility as approved by the commission. The discount percentage  
 4 rate shall be subject to periodic adjustment as approved by the commission.

5 11 Eligible Customer Generator; Exception Added for Municipal Hosts. Amend RSA 362-A:1-a,  
 6 II-b through II-d to read as follows:

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

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

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

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

31 12 Utility Property Tax; Exclusion From Definition of Utility Property. Amend RSA 83-F:1,  
 32 V(d) to read as follows:

33 (d) The electrical generation, production, *storage*, and supply equipment of an "eligible  
 34 customer-generator" as defined in RSA 362-A:1-a, II-b, *and of a "limited producer" as defined in*  
 35 *RSA 362-A:1-a, III if selling under RSA 362-A:2-a, for facilities with a rated electricity*  
 36 *production capacity of up to and including one megawatt;*

37 13 Effective Date.

**HB 315 - AS AMENDED BY THE SENATE**

**- Page 7 -**

- 1 I. Section 1-10 of this act shall take effect 60 days after its passage.
- 2 II. The remainder of this act shall take effect upon its passage.



CHAPTER 229  
HB 315 - FINAL VERSION

9Apr2021... 0748h  
05/13/2021 1294s  
05/13/2021 1400s  
24Jun2021... 1987CofC  
24Jun2021... 2066EBA

2021 SESSION

21-0533  
10/08

HOUSE BILL

**315**

AN ACT relative to the aggregation of electric customers and municipal host customer generators serving political subdivisions.

SPONSORS: Rep. Vose, Rock. 9; Rep. Cali-Pitts, Rock. 30; Rep. Harrington, Straf. 3; Rep. Thomas, Rock. 5

COMMITTEE: Science, Technology and Energy

---

AMENDED ANALYSIS

This bill revises the procedures applicable to municipal or county aggregators and municipal electric utilities for the aggregation of energy services. 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.

-----

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 229  
HB 315 - FINAL VERSION

9Apr2021... 0748h  
05/13/2021 1294s  
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24Jun2021... 1987CofC  
24Jun2021... 2066EBA

21-0533  
10/08

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty One*

AN ACT relative to the aggregation of electric customers and municipal host customer generators serving political subdivisions.

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

1 229:1 Aggregation of Electric Customers; Definition; Aggregation. Amend RSA 53-E:2, I to read  
2 as follows:

3 I. "Aggregation" means the grouping of retail electric customers to provide, broker, or  
4 contract for ~~[electric power supply and]~~ energy services for such customers.

5 229:2 New Paragraph; Definition; Energy Services. Amend RSA 53-E:2 by inserting after  
6 paragraph V the following new paragraph:

7 V-a. "Energy services" means the provision of electric power supply solely or in combination  
8 with any or all of the services specified in RSA 53-E:3.

9 229:3 Municipal and County Authority; Agreements. Amend RSA 53-E:3, II(a) to read as  
10 follows:

11 II.(a) Enter into agreements and provide for ***energy services, specifically:***

12 (1) The supply of electric power ***and capacity.***

13 (2) Demand side management.

14 (3) Conservation.

15 (4) Meter reading, ***with commission approval for meters owned or controlled***  
16 ***by the electric distribution utilities or used for load settlement.***

17 (5) Customer service ***for aggregation provided services.***

18 (6) Other related services.

19 (7) The operation of energy efficiency and clean energy districts adopted by a  
20 municipality pursuant to RSA 53-F and as approved by the municipality's governing body.

21 229:4 Municipal Aggregators. Amend RSA 53-E:3-a to read as follows:

22 53-E:3-a Municipal Aggregators Authorized. Municipal aggregators of electricity load under  
23 this chapter, and municipalities operating municipal electric utilities under RSA 38, are expressly  
24 authorized to aggregate ~~[other]~~ ***energy services [commonly and regularly billed to customers] as***  
25 ***described in RSA 53-E:3.*** Municipalities may operate approved aggregation programs as self-  
26 supporting enterprise funds including the use of revenue bonds pursuant to RSA 33-B and RSA 374-  
27 D and loans from other municipal enterprise funds as may be approved by the governing body and

CHAPTER 229  
HB 315 - FINAL VERSION  
- Page 2 -

1 the legislative body of the municipality. Any such loans from other municipal enterprise funds shall  
2 be used for purposes that have a clear nexus to the primary purposes of such other funds, such as  
3 generation, storage, or sale of power generated from sites, facilities, or resources that might  
4 otherwise be operated or produced by the other enterprise fund. Nothing in this chapter shall be  
5 deemed to limit the capacity of customers to select any service or combination of services offered by  
6 such municipal aggregators or to limit the municipality from combining billing for ~~[any or all utility]~~  
7 **energy services with other municipal services.**

8 229:5 Regulation of Aggregators. Amend RSA 53-E:4, I to read as follows:

9 I. An aggregator operating under this chapter shall not be considered a **public** utility  
10 ~~[engaging in the wholesale purchase and resale of electric power] under RSA 362:2~~ and shall not  
11 be considered a municipal utility under RSA 38. ~~[Providing electric power or energy services to~~  
12 ~~aggregated customers within a municipality or county shall not be considered a wholesale utility~~  
13 ~~transaction. However,]~~ A municipal or county aggregation may elect to participate in the ISO New  
14 England wholesale energy market as a load serving entity for the purpose of procuring or selling  
15 electrical energy or capacity on behalf of its participating retail electric customers, including itself.

16 229:6 Regulation of Aggregators. Amend RSA 53-E:4, IV to read as follows:

17 IV. For the purpose of obtaining interval meter data for load settlement, the provision of  
18 energy services, and near real-time customer access to such data, a municipal and county aggregator  
19 may contribute to the cost of electric utility provided meter upgrades, jointly own revenue grade  
20 meters with an electric utility, or provide its own revenue grade electric meter, which would be in  
21 addition to a utility provided meter~~].~~ **Such metering shall only be implemented** subject to the  
22 commission finding *it is* in the public good, **assuring that meters used for distribution tariff**  
23 **implementation remain under the control and majority ownership of the electric**  
24 **distribution utility,** and ~~[approval of]~~ **otherwise approving** the terms and conditions for such  
25 arrangements, including sharing or transfer of meter data from and to the electric distribution  
26 utility.

27 229:7 Financial Responsibility. Amend RSA 53-E:5 to read as follows:

28 53-E:5 Financial Responsibility. Retail electric customers who choose not to participate in an  
29 aggregation program adopted under RSA 53-E:7 shall not be responsible for, and no entity shall  
30 require them to pay, any costs associated with such program, through taxes or otherwise except for  
31 electric power supply or energy services consumed directly by the municipality or county, or  
32 incidental costs, which may include costs necessary to comply with the provisions of this chapter up  
33 to the time that the aggregation starts to produce revenue from participating customers, **but shall**  
34 **not include any capitalized or operating costs of an aggregation program.**

35 229:8 Electric Aggregation Plan. Amend RSA 53-E:6, I to read as follows:

36 I. The governing body of a municipality or county may form an electric aggregation  
37 committee to develop a plan for an aggregation program for its citizens. A municipality or county

CHAPTER 229  
HB 315 - FINAL VERSION  
- Page 3 -

1 may join other municipalities or counties in developing such plans. *A county plan may provide an*  
2 *aggregation program for all or a subset of municipalities within the county that request to*  
3 *participate by a majority vote of their respective governing bodies.*

4 229:9 Aggregation Program. RSA 53-E:7 is repealed and reenacted to read as follows:

5 53-E:7 Aggregation Program.

6 I. The governing body of a municipality or county may submit to its legislative body for  
7 adoption a final plan for an aggregation program or any revision to include an opt-out aggregation  
8 program, to be approved by a majority of those present and voting.

9 II. Every electric aggregation plan and any revision of a plan to include an opt-out default  
10 service program shall be submitted to the commission, either before or after being submitted by the  
11 governing body to the legislative body for approval, to determine whether the plan conforms to the  
12 requirements of this chapter and applicable rules of the commission. The commission shall approve  
13 any plan submitted to it unless it finds that it does not meet the requirements of this chapter and  
14 other applicable rules and shall detail in writing addressed to the governing bodies of the  
15 municipalities or counties concerned, the specific respects in which the proposed plan substantially  
16 fails to meet the requirements of this chapter and applicable rules. Failure to disapprove a plan  
17 submitted hereunder within 60 days of its submission shall constitute approval thereof. A  
18 municipality or county may submit a plan that is revised to comply with applicable requirements at  
19 any time and start the review process over. Any plan submitted to the commission under this  
20 paragraph shall also be submitted on the same date to the office of the consumer advocate under  
21 RSA 363:28 and any electric distribution utility providing service within the jurisdiction of the  
22 municipality or county. The consumer advocate, utilities, and members of the public may file  
23 comments about such plans within the first 21 days of their submission. Commission review and  
24 approval of electric aggregation plans shall not require a contested case but shall allow time for  
25 submission and consideration of any such comments.

26 III. If the plan is adopted or once adopted is revised to include an opt-out service, the  
27 municipality or county shall mail written notification to each retail electric customer within the  
28 municipality or county service area. To enable such mailed notification and notwithstanding RSA  
29 363:38, after an aggregation plan is duly approved the electric distribution utility or utilities serving  
30 an adopting municipality or county shall provide to such municipality or county a current list of the  
31 names and mailing addresses of all electric customers taking distribution service within the  
32 municipality or county service area, and for such customers on utility provided default service, the  
33 account numbers and any other information necessary for successful enrollment in the aggregation.  
34 Notification shall include a description of the aggregation program, the implications to the  
35 municipality or county, and the rights and responsibilities that the participants will have under the  
36 program, and if provided on an opt-out basis, the fixed rate or charges that will apply. No retail  
37 electric customer shall be included in a program in which the customer does not know all of the rates

**CHAPTER 229**  
**HB 315 - FINAL VERSION**  
**- Page 4 -**

1 or charges the customer may be subject to at least 30 days in advance and has the option; for a  
2 period of not less than 30 days from the date of the mailing, to opt out of being enrolled in such  
3 program, unless the customer affirmatively responds to the notification or requests in writing to be  
4 included in the program.

5 IV. Within 15 days after notification of the plan has been sent to retail electric customers in  
6 the service area, a public information meeting to answer questions on the program shall be held.

7 V. Services proposed to be offered by or through the aggregation shall be on an opt-in basis  
8 unless the adopted aggregation plan explicitly creates an opt-out alternative default energy service  
9 program where the rate or price is known at least 30 days in advance of its application and, for a  
10 period of not less than 30 days from the date notification is mailed, the customer has the opportunity  
11 to opt out of being enrolled in such program, by return postcard, website, or such additional means  
12 as may be provided. Customers who are on default service provided by an electric distribution utility  
13 shall be enrolled by the aggregator in an aggregation provided alternative default service if they do  
14 not elect to opt out. Customers opting out will instead remain on utility provided default service.  
15 Customers taking energy service from a competitive electricity supplier shall not be enrolled in any  
16 aggregation program, unless they voluntarily opt in.

17 VI. New customers to the electric distribution utility after the notification mailing required  
18 by paragraph III shall initially be enrolled in utility provided default service unless the customer has  
19 relocated within a single utility's service area and is continuing service with a competitive supplier  
20 or a municipal or county aggregation program. Upon request of an aggregator, but not more  
21 frequently than monthly and notwithstanding RSA 363:38, the utility shall make available to each  
22 operating municipal aggregation, or county aggregation where there is no municipal aggregation, the  
23 names, account numbers, mailing addresses, and any other information necessary for successful  
24 enrollment in the aggregation of customers that are new to or then currently on electric distribution  
25 utility provided default service after they have provided the customer list for the initial customer  
26 mailing required by paragraph III and that are located within the aggregation service area. The  
27 aggregation shall periodically mail a written notification to such new customers that have not  
28 previously opted out of the aggregator's service and shall enroll them in the aggregation consistent  
29 with the opt-in or opt-out requirements of this paragraph and paragraph III.

30 VII. Municipal aggregations shall take priority or precedence over any county aggregations  
31 and each such aggregation shall be responsible for assuring that customers are enrolled with the  
32 correct aggregation.

33 VIII. Customers enrolled in a municipal- or county-provided default service shall be free to  
34 elect to transfer to utility provided default service or to transfer to a competitive electricity supplier  
35 with adequate notice in advance of the next regular meter reading by the distribution utility, in the  
36 same manner as if they were on utility provided default service or as approved by the commission.  
37 No such customer shall be required to pay any exit fee or charge for such transfer. Customers

**CHAPTER 229**  
**HB 315 - FINAL VERSION**  
**- Page 5 -**

1 requesting transfer of supply service upon dates other than on the next available regular meter  
2 reading date may be charged an off-cycle meter reading and billing charge. Upon request of the  
3 customer the aggregator shall transfer the customer back to utility provided default service.

4 IX. Once adopted, an aggregation plan and program may be amended and modified from  
5 time to time as provided by the governing body of the municipality or county. In all cases the  
6 establishment of an opt-out default service program shall be approved as provided in paragraphs I,  
7 II, and IV.

8 X. The commission shall adopt rules, under RSA 541-A, to implement this chapter and, to  
9 the extent authorities granted to municipalities and counties by this chapter materially affect the  
10 interests of electric distribution utilities and their customers, to reasonably balance such interests  
11 with those of municipalities and counties for the public good, which may also be done through  
12 adjudicative proceedings to the extent specified or not addressed in rules. Such rules shall include  
13 but not be limited to rules governing the relationship between municipal and county aggregators and  
14 distribution utilities, metering, billing, access to customer data for planning and operation of  
15 aggregations, notice of the commencement or termination of aggregation services and products, and  
16 the reestablishment of a municipal or county aggregation that has substantially ceased to provide  
17 services. Where the commission has adopted rules in conformity with this chapter, complaints to  
18 and proceedings before the commission shall not be subject to RSA 541-A:29 or RSA 541-A:29-a.

19 229:10 New Section; Billing Arrangements. Amend RSA 53-E by inserting after section 8 the  
20 following new section:

21 53-E:9 Billing Arrangements.

22 I. For purposes of this section the term "supplier" shall mean an aggregator functioning as a  
23 load serving entity under this chapter or a competitive electricity supplier serving an aggregation  
24 under this chapter. The term shall also include competitive electricity suppliers generally to the  
25 extent and for such customer rate classes as the commission finds, after notice and hearing, that it is  
26 for the public good. Such a determination shall be on a utility-specific basis, if proposed and  
27 assented to by the utility.

28 II. Each electric distribution utility shall propose to the commission for review and approval  
29 a program for the purchase of receivables of the supplier in which the utility shall pay in a timely  
30 manner the amounts due such suppliers from customers for electricity supply and related services  
31 less a discount percentage rate equal to the utility's actual uncollectible rate, adjusted to recover  
32 capitalized and operating costs specific to the implementation and operation of the purchase of  
33 receivables program, including working capital. Additionally, such discount rate adjustments shall  
34 include a pro rata share of the cost of administering collection efforts such that the utility's  
35 participation in the purchase of receivables program shall not require the utility or non-participating  
36 consumers to assume any costs arising from its use. Such pro rata costs must include, but not be  
37 limited to, any increases in the utility's bad debt write-offs attributable to participants in the

CHAPTER 229  
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- Page 6 -

1 purchase of receivables program, as approved by the commission. However, the allocation of costs  
2 arising from different rate components and determination of the uncollectible rate shall be equitably  
3 allocated between such suppliers, utility provided default service, and other utility charges that are  
4 a part of consolidated billing by the utility as approved by the commission. The discount percentage  
5 rate shall be subject to periodic adjustment as approved by the commission.

6 229:11 Eligible Customer Generator; Exception Added for Municipal Hosts. Amend RSA 362-  
7 A:1-a, II-b through II-e to read as follows:

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

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

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

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

32 ~~II-e]~~ II-f. "Department" means the New Hampshire department of energy.

33 229:12 Utility Property Tax; Exclusion From Definition of Utility Property. Amend RSA 83-F:1,  
34 V(d) to read as follows:

35 (d) The electrical generation, production, ***storage***, and supply equipment of an "eligible  
36 customer-generator" as defined in RSA 362-A:1-a, II-b, ***and of a "limited producer" as defined in***

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- Page 7 -

1 *RSA 362-A:1-a, III if selling under RSA 362-A:2-a, for facilities with a rated electricity*  
2 *production capacity of up to and including one megawatt;*

3 229:13 Effective Date.

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

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

Approved: August 26, 2021

Effective Date:

I. Sections 1-10 effective October 25, 2021.

II. Remainder effective August 26, 2021.



# Amendments

Sen. Avar, Dist 12  
Sen. Gray, Dist 6  
Sen. Giuda, Dist 2  
Sen. Watters, Dist 4  
Sen. Perkins Kwoka, Dist 21  
April 30, 2021  
2021-1257s  
10/08

Amendment to HB 315

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

2

3 AN ACT relative to the aggregation of electric customers and municipal host customer  
4 generators serving political subdivisions.  
5

6 Amend the bill by replacing all after section 10 with the following:

7

8 11 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 315

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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           12 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           13 Effective Date.

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

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

DRAFT

2021-1257s

AMENDED ANALYSIS

This bill revises the procedures applicable to municipal or county aggregators and municipal electric utilities for the aggregation of energy services. 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.

UNAPPROVED

Amendment to HB 315

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

2

3 AN ACT relative to the aggregation of electric customers and municipal host customer  
4 generators serving political subdivisions.  
5

6 Amend the bill by replacing all after section 10 with the following:

7

8 11 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.***

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

Amendment to HB 315

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

3           12 Utility Property Tax; Eligible Customer-Generator; Exclusion Clarified. Amend RSA 83-F:1,  
4 V(d) to read as follows:

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

7           13 Effective Date.

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

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

**Amendment to HB 315**

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2021-1294s

**AMENDED ANALYSIS**

This bill revises the procedures applicable to municipal or county aggregators and municipal electric utilities for the aggregation of energy services. 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.

Sen. Avard, Dist 12  
Sen. Watters, Dist 4  
May 11, 2021  
2021-1400s  
10/06

Floor Amendment to HB 315

1 Amend the bill by replacing section 12 with the following:

2

3 12 Utility Property Tax; Exclusion From Definition of Utility Property. Amend RSA 83-F:1,  
4 V(d) to read as follows:

5 (d) The electrical generation, production, *storage*, and supply equipment of an "eligible  
6 customer-generator" as defined in RSA 362-A:1-a, II-b, *and of a "limited producer" as defined in*  
7 *RSA 362-A:1-a, III if selling under RSA 362-A:2-a, for facilities with a rated electricity*  
8 *production capacity of up to and including one megawatt;*



# 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 19, 2021

### HEARINGS

Monday	04/26/2021	
(Day)	(Date)	
Energy and Natural Resources	REMOTE 000	1:00 p.m.
(Name of Committee)	(Place)	(Time)
1:00 p.m. <b>HB 315</b>	relative to the aggregation of electric customers.	
1:20 p.m. <b>HB 351</b>	relative to the system benefits charge.	
1:40 p.m. <b>HB 373</b>	relative to state participation in low carbon fuel standards programs.	

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/94599447337>
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,,94599447337# or +13017158592,,94599447337#
4. Webinar ID: 945 9944 7337
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<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>

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### EXECUTIVE SESSION MAY FOLLOW

#### Sponsors:

#### **HB 315**

Rep. Vose

Rep. Cali-Pitts

Rep. Harrington

Rep. Thomas

#### **HB 351**

Rep. Harrington

#### **HB 373**

Rep. Notter

Rep. Vose

Rep. Harrington

Rep. Aldrich

Rep. Osborne

Griffin Roberge 271-3042

Kevin A. Avard  
Chairman

**Senate Energy and Natural Resources Committee**  
*Griffin Roberge 271-3042*

**HB 315**, relative to the aggregation of electric customers.

**Hearing Date:** April 26, 2021.

**Time Opened:** 1:06 p.m.

**Time Closed:** 1:27 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 procedures applicable to municipal or county aggregators and municipal electric utilities for the aggregation of energy services.

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**Sponsors:**

Rep. Vose

Rep. Cali-Pitts

Rep. Harrington

Rep. Thomas

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**Who supports the bill:** Elizabeth Alcauskas; Luis Aranzabal; Susan Arnold, Appalachian Mountain Club; Bill Baber, Dover, NH; Doreen Baker; David Bates; Patricia Beffa-Begrini; Clifton Below, City of Lebanon; Bruce Berk, Pittsfield, NH; Bill Bardsley; Sandra Blanchard; Kathleen Bollerud; Sue Bracy; Nancy Brennan, Weare, NH; Ronald Briggs; Marc Brown, Consumer Energy Alliance; Susan Bruce; Mary Burdett; Catherine Bushueff; Kathy Cahill; Lilian Carter; Joanne Casino; Denise Clark; Martha Clark; Catherine Corkery, NH Sierra Club; Patricia Cornell; Susan Covert; David Creer, Business and Industry Association; John Cross, Brookline, NH; Dorothy Currier; Claudia Damon; Karen Dewey; Corinne Dodge; Bryan Dwyer; Maureen Elleermann; Cheri Falk, Wilton, NH; Bryan Field; Honorable Eileen Flockhart; Matthew Fossum, Eversource Energy; John Gage, Windham, NH; Donna Gamache, Eversource Energy; Ann Garland; Nancy Gillard; Catherine Goldwater; Martha Goodnow; Laurie Gordon; Margaret Gordon; Nancy Greenwood; Catherine Guevarra; Kent Hackmann; Doris Hampton; Robert Haring-Smith; Robert Hayden, Standard Power; Robin Helrich; Adelinda Higgs; Kate Horgan, The DuPont Group representing the NH Association of Counties; Jana Howe; Richard Husband; Dennis Jakubowski; Susan Jamback; Cordell Johnston, NH Municipal Association; Honorable David Karrick; Lorraine Kelly; Kathryn Kerman; Kimberly Kirkland; Helmut Koch; Laurie Koch; Catherine Koning; Donald Kreis, Office of the Consumer Advocate; Heidi Kroll, Gallagher, Callahan, and Gartrell representing the Granite State Hydropower Association and Monadnock Paper Mills; Joy Kubit; Joseph Kwasnik, Concord, NH; Sheryl Liberman; Mary Lincoln; Lyn Lindpainter; Suzanne Loder; Janet Lucas; Joseph Magruder; Richard Maynard; Kyle McAdam; Representative Kay McGhee, Hillsborough - District 27; David McGraw; Dawn McGuire; Brigid McNamee; Madeleine Mineau, Clean Energy NH; Faith Minton; Karen Mitchell; Honorable Howard Moffett; Janet Moore; Robin Mower; Marie Nardino; Faith Northrop; Sam Osherson; Sharon Parker; Ruth Perencevich; Maria Perez; Elizabeth-Anne Platt; Ann Podlipny; Mary Raven; Donna Reardon; John Reardon; Barbara Reed; Annie Rettew; Susan Richman, Durham, NH; Judith Saum; Representative George Saunderson, Merrimack - District 9; Lois Scribner; Jennifer Smith; Louise Spencer; Kathy Spielman; Diane St. Germain; Representative

Doug Thomas, Rockingham - District 5; Elaine Thomas; Julia Thompson; Katherine Thorndike; Mary Till; Jeanne Torpey; Sherrie Trefry; Laura Vincent; Representative Michael Vose, Rockingham - District 9; Janet Ward; Patricia Waterman; Raymond Waterman; Margaret Watkins; Jill Weber; Honorable Ken Wells; Lee Wells; Mary Wilke; Maura Willing; Eric Zaenglein; Barbara Zaenglein; Julie Zimmer; Charles Zoeller.

**Who opposes the bill:** Representative Efstathia Booras, Hillsborough - District 33; Christine Brunner; Brian Demers; Anne Grossi, Bedford, NH; Honorable Rick Russman; Kathy Tucker; Peter Wotowiec; Susan Wyatt.

**Who is neutral on the bill:** None.

### **Summary of testimony presented in support:**

*Representative Michael Vose*

*Rockingham – District 9*

- HB 315 modifies RSA 53-E, which permits communities to form community aggregations. A community aggregation is an accumulation of electric customers into a group to achieve lower costs through purchasing electricity in bulk.
- SB 286-FN-LOCAL (2019) made modifications to RSA 53-E to permit an expansion of services that could be provided by traditional community aggregations. Those additional services included grid modernization activities like demand respond and time of use charges.
- Unfortunately, some of these modifications made it difficult for the Public Utilities Commission (PUC) to undertake its administrative rulemaking process for community aggregation. There was a disagreement amongst the parties involved in the administrative rulemaking process. It became apparent that RSA 53-E needed to be changed to address these issues.
- HB 315 as introduced went too far to resolve these issues and was opposed by those interested in community power aggregation. The House Science, Technology, and Energy Committee worked with interested stakeholders on an amendment that satisfied all parties.
- HB 315 as amended by the House permits grid modernization activities to proceed. The bill adequately protects electric customers who receive utility provided default service. These protections are critical and made it possible for all parties to agree on HB 315.
- HB 315 as amended by the House provides important consumer protections in Section 9, especially under the requirement for the PUC to adopt administrative rules. This language requires such rules to govern the relationship between municipal and county aggregators and distribution utilities, metering, billing, access to customer data for planning and operation of aggregations, notice of the commencement or termination of aggregation services and products, and the reestablishment of a municipal or county aggregation that has substantially ceased to provide services.
- HB 315 as amended by the House creates an opt-in/opt-out program for customers involved in a community aggregation. The bill makes it clear that any customer enrolled in a community aggregation that wishes to transfer to utility provided default service or to a competitive electricity supplier shall not be required to pay any exit fee or charge for such transfer.
- HB 315 as amended by the House creates a purchase of receivables program, which allows a utility to purchase the receivables of a community aggregator. The community aggregator must indicate their willingness to take part in such a program. This program is not required but is an option available to utilities and community aggregators.
- HB 315 was recommended “ought to pass with amendment” by a vote of 18-0 in the House Science, Technology, and Energy Committee. The committee placed the bill on the House consent calendar. The full House supported the committee’s recommendation on a voice vote.
- Senator Watters asked if the House Science, Technology, and Energy Committee knew whether HB 315 would enable the PUC to move forward with their administrative rulemaking in a timely fashion. Many stakeholders are interested in acting on community aggregation.
  - Representative Vose said the PUC testified before the committee on HB 315. The PUC was actively involved in stakeholder discussions that led the House to amend HB 315 as introduced. The PUC

agreed that HB 315 as amended by the House made it possible for administrative rulemaking to move forward.

*Representative Kat McGhee – provided written testimony  
Hillsborough – District 27*

- HB 315 as introduced was largely one-sided in favor of a utility perspective. The bill was unacceptable to small businesses and community participants trying to participate in community power aggregation. The bill undid a lot of the progress in SB 286-FN-LOCAL and hampered independent operation of competitors to major utilities.
- HB 315 as amended by the House is a product of active stakeholder discussions. The bill made acceptable improvements that did not threaten to undermine existing projects and made efforts to strengthen a reasonable model by which community power aggregators can co-exist with utility provided default service providers.
- Senator Perkins Kwoka said HB 315 as introduced created a lot of discussion. The amendment adopted by the House Science, Technology, and Energy Committee addressed a lot of concerns. She asked if there were any remaining concerns with HB 315 as amended by the House.
  - Representative McGhee said the House Science, Technology, and Energy Committee worked collaboratively with stakeholders to address any concerns. People familiar with competitive electricity supply were integrated into these stakeholder discussions. The purchase of receivables was one of the main issues that needed to be addressed and it was. Allowing individuals to opt-in and opt-out of community aggregation was another important measure. Other issues may arise in the future, but there was no reason to hold up HB 315 as amended by the House.

*Clifton Below  
Assistant Mayor, City of Lebanon*

- Worked closely with Representative Vose and all the stakeholders to improve HB 315 as introduced. HB 315 as amended by the House is a better product that all stakeholders agree with.
- HB 315 as amended by the House should move forward in the legislative process as soon as possible. The sooner HB 315 becomes law, the sooner the PUC can begin its administrative rulemaking process.

*Robert Hayden  
President, Standard Power*

- Standard Power has a community aggregation project in Keene waiting for PUC evaluation. Other communities throughout the Mondanock region are very interested in considering community aggregation.
- Standard Power worked with stakeholders in the House Science, Technology, and Energy Committee. HB 315 as amended by the House is a true product of bipartisanship and compromise.

*Joseph Kwasnik – provided written testimony  
Concord, NH*

- HB 315 as amended by the House permits municipal and county authorities to provide a number of energy services that are currently provided by electric distribution companies. These services include providing electric power and capacity, demand side management, conservation services, meter reading, customer services, energy efficiency, clean energy districts, and municipal aggregation.
- Municipal and county authorities are more than capable of providing these energy services at least at a level comparable with those provided by electric distribution companies and likely at levels superior to them. Local authorities have a generally superior knowledge of and interest in the energy service needs of residents.

*Donna Gamache  
Director of Government Affairs, Eversource Energy*

- HB 315 as amended by the House goes a long way to ensure that the needs of customers and communities are met.
- Eversource Energy has been working with their customers in MA to ensure they have community aggregation, involving itself with 70 different aggregations to get those projects up and running. Eversource Energy has also worked with nearly 1,000,000 MA customers who are or will be involved in community aggregation programs.
- HB 315 as amended by the House will also help ensure that community aggregations in other states work well in NH.

*David Creer – provided written testimony*

*Director of Public Policy, Business and Industry Association*

- HB 315 as amended by the House could offer energy savings to NH's small businesses.
- HB 315 as amended by the House would separate community aggregation from community power, allowing community aggregation to move forward as community power undergoes administrative rulemaking at the PUC. In doing so, communities will be able to aggregate their residential ratepayers and smaller businesses, thereby giving them larger bargaining power for contracting with third party suppliers. This allows a municipality to obtain a better price for electricity purchases, saving small businesses money on their energy bills.

*Marc Brown*

*Executive Director – Northeast, Consumer Energy Alliance*

- HB 315 as amended by the House offers important consumer protections. The prohibition on exit fees or charges from a community aggregation is an important provision.

**Summary of testimony presented in opposition: None.**

**Neutral Information Presented: None.**

GJR

Date Hearing Report completed: April 26, 2021.

# Speakers

## Senate Remote Testify

### Energy and Natural Resources Committee Testify List for Bill HB315 on 2021-04-26

Support: 134   Oppose: 8   Neutral: 0   Total to Testify: 9

<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>
Hayden, Robert	b.hayden@standardpower.com	603.325.1749	A Member of the Public	Myself	Support	Yes	4/23/2021 9:58 AM
kwasnik, joseph	jkwasnik25@gmail.com	603.730.7148	A Member of the Public	Myself	Support	Yes	4/25/2021 4:57 PM
McGhee, Kat	Not Given	Not Given	An Elected Official	Hillsborough 27, Hollis	Support	Yes	4/25/2021 12:24 PM
Gamache, Donna	donna.gamache@gmail.com	603-345-0994	A Lobbyist	Eversource Energy	Support	Yes	4/26/2021 7:41 AM
Fossum, Matthew	matthew.fossum@eversource.com	Not Given	A Lobbyist	Eversource Energy	Support	Yes	4/26/2021 7:44 AM
Creer, David	dcreer@BIAofNH.com	603.931.2444	A Lobbyist	BIA	Support	Yes	4/26/2021 8:58 AM
Brown, Marc	mbrown@consumerenergyalliance.org	603.777.7176	A Lobbyist	Consumer Energy Alliance	Support	Yes	4/26/2021 8:35 AM
Below, Clifton	Clifton.Below@LebanonNH.gov	603 448-5899	An Elected Official	City of Lebanon	Support	Yes	4/26/2021 12:27 PM
Vose, Michael	michael.vose@leg.state.nh.us	603.734.4084	An Elected Official	Myself	Support	Yes	4/26/2021 12:36 PM
McAdam, Kyle	kylejmcadam@gmail.com	Not Given	A Member of the Public	Myself	Support	No	4/27/2021 11:23 AM
Mincau, Madeleine	madeleine@clcanenergynh.org	607-592-6184	A Lobbyist	Clean Energy NH	Support	No	4/26/2021 8:45 AM
Horgan, Kate	khorgan@dupontgroup.com	603.228.3322	A Lobbyist	NH Association of Counties	Support	No	4/26/2021 9:04 AM
McNamecc, Brigid	brigidmenamecc@yahoo.com	603.223.0139	A Member of the Public	Myself	Support	No	4/26/2021 9:11 AM
Helrich, Robin	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/26/2021 9:15 AM
Parker, Sharon	parker20@juno.com	603.863.7348	A Member of the Public	Myself	Support	No	4/26/2021 11:28 AM
Higgs, Adelinda	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/26/2021 10:21 AM
Corkery, Catherine	catherinc.corkery@sierraclub.org	603.491.1929	A Lobbyist	NH Sierra Club	Support	No	4/26/2021 10:24 AM
Dwyer, Bryan	dwyer.bryan@gmail.com	603.748.0935	A Member of the Public	Myself	Support	No	4/26/2021 10:26 AM
Alcauskas, Elizabeth	lizalcauskas@gmail.com	703.447.5701	A Member of the Public	Myself	Support	No	4/26/2021 10:45 AM
Guevarra, Larry	lguava20@gmail.com	Not Given	A Member of the Public	Myself	Support	No	4/26/2021 10:49 AM
Guevarra, Catherine	catguevarra@gmail.com	Not Given	A Member of the Public	Myself	Support	No	4/26/2021 10:49 AM
Zoeller, Charles	caz3328@comcast.net	603.437.1824	A Member of the Public	Myself	Support	No	4/26/2021 10:55 AM
boilerud, kathleen	boilerud2@gmail.com	603.398.9469	A Member of the Public	Myself	Support	No	4/26/2021 11:06 AM
Moffett, Howard	howard.m.moffett@gmail.com	Not Given	A Member of the Public	Myself	Support	No	4/26/2021 1:19 PM
Maynard, Richard	maynardrick@outlook.com	603.232.4796	A Member of the Public	Myself	Support	No	4/26/2021 1:32 PM
Zaenglein, Barbara	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/26/2021 11:51 AM
Zaengkein, Eric	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/26/2021 11:52 AM
McGuire, Dawn	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/26/2021 8:03 AM



Baker, Doreen	doreeno97@gmail.com	Not Given	A Member of the Public	Myself	Support	No	4/26/2021 8:05 AM
Scribner, Lois	scribnerlois@gmail.com	Not Given	A Member of the Public	Myself	Support	No	4/26/2021 8:26 AM
Lieberman, Sheryl	saml54@comcast.net	Not Given	A Member of the Public	Myself	Support	No	4/26/2021 8:30 AM
Till, Mary	maryforderry@yahoo.com	603.203.1961	A Member of the Public	Myself	Support	No	4/20/2021 4:08 PM
Dodge, Corinne	corinnedodge@hotmail.com	+11603432575	A Member of the Public	Myself	Support	No	4/21/2021 2:31 PM
Cross, John	jc938272@gmail.com	Not Given	A Member of the Public	Myself	Support	No	4/21/2021 4:04 PM
Demers, Brian	brian.demers@yti.biz	Not Given	A Member of the Public	Myself	Oppose	No	4/23/2021 9:49 AM
Kelly, Lorraine	ltompkinskelly@gmail.com	Not Given	A Member of the Public	Myself	Support	No	4/23/2021 9:58 AM
Jamback, Susan	susanjamback@gmail.com	508.561.0380	A Member of the Public	Myself	Support	No	4/25/2021 12:30 PM
Currier, Dorothy	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/25/2021 12:39 PM
Thomas, Doug	Not Given	Not Given	An Elected Official	Myself	Support	No	4/25/2021 4:43 PM
Bill, Bardsley	wbardsley@comcast.net	603.735.5168	A Member of the Public	Myself	Support	No	4/25/2021 5:51 PM
Podlipny, Ann	apodlipny57@comcast.net	603.370.1914	A Member of the Public	Myself	Support	No	4/25/2021 5:51 PM
Weber, Jill	jill@frazilfarms.com	603.978.1263	A Member of the Public	Myself	Support	No	4/25/2021 5:55 PM
Vincent, Laura	lvlauravincen5@gmail.com	603.783.4849	A Member of the Public	Myself	Support	No	4/25/2021 6:07 PM
Grossi, Anne	adgrossi7982@gmail.com	603.674.1181	A Member of the Public	Myself	Oppose	No	4/25/2021 6:14 PM
Ellermann, Maureen	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/25/2021 6:20 PM
Hampton, Doris	dandmhamp38@gmail.com	603.783.4418	A Member of the Public	Myself	Support	No	4/25/2021 6:36 PM
Lincoln, Mary	mary.lincoln52@gmail.com	Not Given	A Member of the Public	Myself	Support	No	4/25/2021 5:03 PM
Wells, Ken	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/25/2021 5:13 PM
Falk, Cheri	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/25/2021 7:31 PM
Platt, Elizabeth-Anne	lizanneplatt09@gmail.com	Not Given	A Member of the Public	Myself	Support	No	4/25/2021 7:35 PM
Clark, Martha	mctraveler1@comcast.net	Not Given	A Member of the Public	Myself	Support	No	4/25/2021 5:26 PM
Greenwood, Nancy	nancgreenwood@yahoo.com	603.226.2471	A Member of the Public	Myself	Support	No	4/25/2021 5:41 PM
Hackmann, Kent	hackmann@uidaho.edu	16039343225	A Member of the Public	Myself	Support	No	4/25/2021 5:43 PM
Briggs, Ronald	Rongb1950@gmail.com	603.226.2471	A Member of the Public	Myself	Support	No	4/25/2021 5:43 PM
KARRICK, DAVID	electdavidkarrick@gmail.com	603.456.2772	A Member of the Public	Myself	Support	No	4/25/2021 6:54 PM
Goodnow, Martha	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/25/2021 6:57 PM
Cornell, Patricia	Not Given	Not Given	An Elected Official	Myself	Support	No	4/25/2021 7:03 PM
Field, Bryan	brysciguy@gmail.com	Not Given	A Member of the Public	Myself	Support	No	4/25/2021 7:10 PM
jakubowski, dennis	dendeb146@gmail.com	603.496.5749	A Member of the Public	Myself	Support	No	4/25/2021 7:13 PM
Minton, Faith	minton.faith@gmail.com	603.496.6650	A Member of the Public	Myself	Support	No	4/25/2021 7:15 PM
Spencer, Louise	lpskentstreet@gmail.com	603.491.1795	A Member of the Public	Myself	Support	No	4/25/2021 7:16 PM
Bracy, Sue	marysuebracy@gmail.com	Not Given	A Member of the Public	Myself	Support	No	4/25/2021 7:17 PM
Flockhart, Eileen	hartflock@comcast.net	603.778.0647	A Member of the Public	Myself as a former Representative	Support	No	4/25/2021 7:49 PM
Moore, Janet	Impcille@tds.net	Not Given	A Member of the Public	Myself	Support	No	4/25/2021 8:08 PM
Spielman, Kathy	jspielman@comcast.net	603.397.7879	A Member of the Public	Myself	Support	No	4/25/2021 8:09 PM

Rettew, Annie	abrettew@gmail.com	Not Given	A Member of the Public	Myself	Support	No	4/25/2021 8:20 PM
Zimmer, Julie	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/25/2021 8:46 PM
Mower, Robin	melodyofharpists@gmail.com	Not Given	A Member of the Public	Myself	Support	No	4/25/2021 8:47 PM
Cahill, Kathy	kathyhigginscahill@gmail.com	603.731.3246	A Member of the Public	Myself	Support	No	4/25/2021 10:06 PM
MAGRUDER, JOSEPH	joe.magruder@gmail.com	603.731.9232	A Member of the Public	Myself	Support	No	4/25/2021 10:14 PM
Gage, John	jhgage@gmail.com	603.965.1586	A Member of the Public	Myself	Support	No	4/25/2021 7:53 PM
Blanchard, Sandra	sandyblanchard3@gmail.com	603.724.3768	A Member of the Public	Myself	Support	No	4/25/2021 7:54 PM
Wells, Lee	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/25/2021 9:32 PM
Gordon, Laurie	Lmgord23@gmail.ok	Not Given	A Member of the Public	Myself	Support	No	4/25/2021 9:42 PM
Reed, Barbara D.	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/25/2021 10:22 PM
Kubit, Joy	joykubit@gmail.com	603.526.6678	A Member of the Public	Myself	Support	No	4/25/2021 10:26 PM
perez, maria	mariacli63@gmail.com	603.801.7867	An Elected Official	District 23	Support	No	4/26/2021 5:45 AM
Aranzabal, Luis	Luisaranzabal40@gmail.com	603.461.1834	A Member of the Public	Myself	Support	No	4/26/2021 5:46 AM
Waterman, Raymond	prwaterman@aol.com	16034243692	A Member of the Public	Myself	Support	No	4/26/2021 6:24 AM
Waterman, Patricia	prwaterman@aol.com	16033450644	A Member of the Public	Myself	Support	No	4/26/2021 6:24 AM
Raven, Mary	marybeth.ravcn@gmail.com	603.620.0670	A Member of the Public	Myself	Support	No	4/25/2021 8:38 PM
thompson, julia	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/25/2021 8:56 PM
Perencevich, Ruth	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/25/2021 9:04 PM
Northrop, Faith	f.northrop@comcast.net	603.536.2191	A Member of the Public	Myself	Support	No	4/25/2021 10:52 PM
Loder, Suzanne	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/25/2021 11:07 PM
Carter, Lilian	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/26/2021 1:38 AM
St Germain, Diane	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/26/2021 6:04 AM
Baber, Bill	wsbaber@gmail.com	603.749.5969	A Member of the Public	Myself	Support	No	4/26/2021 6:34 AM
Nardino, Marie	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/26/2021 6:44 AM
Goldwater, Catherine	cathy.goldwater@gmail.com	603.860.3756	A Member of the Public	Myself	Support	No	4/26/2021 6:45 AM
Garland, Ann	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/26/2021 7:01 AM
Dewey, Karen	pkdewey@comcast.net	603.504.2813	A Member of the Public	Myself	Support	No	4/26/2021 7:03 AM
Tucker, Kathy	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	4/26/2021 7:05 AM
Clark, Denise	denise.m.clark03055@gmail.com	603.213.1692	A Member of the Public	Myself	Support	No	4/26/2021 7:06 AM
Burdett, Mary	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/26/2021 7:22 AM
Bushueff, Catherine	agawawdesigns@gmail.com	Not Given	A Member of the Public	Myself	Support	No	4/26/2021 7:22 AM
Booras, Hon. Efstathia	efstathia.booras@state.leg.us.nh.gov	603.930.3220	An Elected Official	Constituents	Oppose	No	4/26/2021 9:57 AM
Lucas, Janet	janluca1953@gmail.com	16037267614	A Member of the Public	Myself	Support	No	4/26/2021 10:04 AM
Gordon, Margaret	Megordon98@gmail.com	Not Given	A Member of the Public	Myself	Support	No	4/26/2021 7:34 AM
Mitchell, Karen	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/26/2021 7:34 AM
Haring-Smith, Robert	rharingsmith@gmail.com	Not Given	A Member of the Public	Myself	Support	No	4/23/2021 10:04 AM

Watkins, Margaret	margwatkins@juno.com	603.774.7210	A Member of the Public	NH Audubon	Support	No	4/23/2021 10:06 AM
Gillard, Nancy	ndgillard@ne.rr.com	Not Given	A Member of the Public	Myself	Support	No	4/23/2021 11:22 AM
Brunner, Christine	c_brunner@roadrunner.com	Not Given	A Member of the Public	Myself	Oppose	No	4/23/2021 12:24 PM
Thorndike, Katherine	khthorndike@gmail.com	603.707.7598	A Member of the Public	Myself	Support	No	4/23/2021 2:32 PM
Koning, Catherine	ckoning@ne.rr.com	603.732.2558	A Member of the Public	Myself	Support	No	4/23/2021 12:14 PM
Johnston, Cordell	Not Given	Not Given	A Lobbyist	NH Municipal Association	Support	No	4/23/2021 4:55 PM
Kerman, Kathryn	kkerman@phoenixfarm.org	603.876.4562	A Member of the Public	Myself	Support	No	4/24/2021 8:43 AM
Wotowiec, Peter	ticonel@hotmail.com	603.852.0459	A Member of the Public	Myself	Oppose	No	4/24/2021 9:04 AM
Trefry, Sherrie	Not Given	16034404193	A Member of the Public	Myself	Support	No	4/23/2021 9:35 AM
Husband, Richard	RMHusband@gmail.com	603.883.1218	A Member of the Public	Myself	Support	No	4/23/2021 9:37 AM
Russman, Rick	richardrussman@gmail.com	603.548.7448	An Elected Official	Myself	Oppose	No	4/24/2021 2:09 PM
BERK, BRUCE	bruce.berk.nh@gmail.com	Not Given	A Member of the Public	Myself	Support	No	4/24/2021 5:37 PM
Reardon, Donna	bugs42953@aol.com	603.496.0252	A Member of the Public	Myself	Support	No	4/24/2021 8:34 PM
Reardon, John	bugs42953@aol.com	603.496.2365	A Member of the Public	Myself	Support	No	4/24/2021 8:35 PM
Torpey, Jeanne	jtorp51@comcast.net	Concord	A Member of the Public	Myself	Support	No	4/25/2021 5:49 AM
Saum, Judith	judithsaum@gmail.com	603-786-6170	A Member of the Public	Myself	Support	No	4/25/2021 6:41 AM
Thomas, Elaine	Not Given	Not Given	An Elected Official	Myself	Support	No	4/25/2021 9:03 AM
Covert, Susan	scovert@comcast.net	603.746.4486	A Member of the Public	Myself	Support	No	4/25/2021 9:21 AM
Kreis, Donald	donald.kreis@oca.nh.gov	603.271.1174	State Agency Staff	Office of the Consumer Advocate	Support	No	4/23/2021 2:16 PM
Smith, Jennifer	jaycmd7699@gmail.com	603.738.6221	A Member of the Public	Myself	Support	No	4/24/2021 6:52 AM
Casino, Joanne	joannecasino@comcast.net	603.746.3491	A Member of the Public	Myself	Support	No	4/24/2021 11:29 AM
Arnold, Susan	sarnold@outdoors.org	603-664-2050	A Lobbyist	Appalachian Mountain Club	Support	No	4/25/2021 10:16 AM
ward, janet	jwardnh@comcast.net	16037464991	A Member of the Public	Myself	Support	No	4/25/2021 10:40 AM
Wilke, Mary	wilke.mary@gmail.com	Not Given	A Member of the Public	Myself	Support	No	4/25/2021 10:48 AM
Bates, David	dobates70@gmail.com	603.456.2578	A Member of the Public	Myself	Support	No	4/24/2021 11:02 AM
Osherson, Sam	sam@osherson.com	603-313-3153	A Member of the Public	Myself	Support	No	4/25/2021 7:48 AM
Koch, Helmut	helmut.koch.2001@gmail.com	603.491.3306	A Member of the Public	Myself	Support	No	4/25/2021 8:11 AM
Howe, Jana	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/23/2021 9:51 PM
wyatt, susan	Not Given	Not Given	A Member of the Public	Myself	Oppose	No	4/24/2021 1:23 PM
McGraw, David	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/25/2021 2:14 PM
Kroll, Heidi	kroll@gcgglaw.com	603-496-2345	A Lobbyist	Granite State Hydropower Association and Monadnock Paper Mills	Support	No	4/24/2021 11:10 PM
Damon, Claudia	cordsdamon@gmail.com	603.226.4561	A Member of the Public	Myself	Support	No	4/25/2021 4:02 PM
Kirkland, Kimberly	kimberly@reiskirkland.com	Not Given	A Member of the Public	Myself	Support	No	4/25/2021 4:19 PM
Beffa-Negrini, Patricia	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/25/2021 4:24 PM
Willing, Maura	Maura.Willing@Comcast.net	Not Given	A Member of the Public	Myself	Support	No	4/25/2021 4:31 PM

Saunderson, George	Not Given	Not Given	A Member of the Public	Myself	Support	No	4/25/2021 4:31 PM
Brennan, Nancy	burningnan14@gmail.com	Not Given	A Member of the Public	Myself	Support	No	4/25/2021 4:32 PM
Richman, Susan	susan7richman@gmail.com	603.343.6314	A Member of the Public	Myself	Support	No	4/25/2021 4:38 PM
Lindpaintner, Lyn	lynlin@bluewin.ch	Not Given	A Member of the Public	Myself	Support	No	4/25/2021 4:38 PM
Bruce, Susan	susanb.red@mac.com	603.730.7078	A Member of the Public	Myself	Support	No	4/25/2021 4:39 PM
Koch, Laurie	kochlj@aol.com	603.491.2000	A Member of the Public	Myself	Support	No	4/25/2021 4:41 PM

# Testimony

## Griffin Roberge

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**From:** David Creer <dcreer@biaofnh.com>  
**Sent:** Monday, April 26, 2021 10:01 AM  
**To:** Griffin Roberge  
**Subject:** HB315 Testimony  
**Attachments:** HB315 Testimony.pdf

Good morning,

Please find my attached written testimony for today's public hearing on HB315.

Thanks,  
Dave

**David J. Creer**  
Director of Public Policy



603-224-5388 x112 | (m) 603-931-2444  
[dcreer@BIAofNH.com](mailto:dcreer@BIAofNH.com)

122 North Main Street, Concord, NH 03301

[BIAofNH.com](http://BIAofNH.com)

Check out BIA's [COVID-19 Information & Resources for Employers](#) packed with targeted information and resources for employers and employees.



**BUSINESS & INDUSTRY ASSOCIATION**  
New Hampshire's Statewide  
Chamber of Commerce

**Testimony of David Creer**  
**Business & Industry Association**  
**HB 315**  
**Senate Energy and Natural Resources Committee**  
**April 26, 2021**

Dear Members of the Senate Energy and Natural Resources Committee, my name is David Creer and I'm director of public policy for the Business and Industry Association (BIA), New Hampshire's statewide chamber of commerce and leading business advocate. BIA represents more than 400 members in a variety of industries. Member firms employ 89,000 people throughout the state, which represents one in seven private workforce jobs, and contribute \$4.5 billion annually to the state's economy.

BIA supports HB 315, relative to the aggregation of electric customers, because of the potential energy savings it can afford small businesses in the state.

This bill would separate community aggregation from community power, allowing community aggregation to move forward as community power undergoes rulemaking at the Public Utilities Commission. In doing so, communities will be able to aggregate their residential ratepayers and smaller businesses, thereby giving them larger bargaining power for contracting with third party suppliers. This allows the municipality to obtain a better price for electricity purchases, saving small businesses money on their energy bills.

Thank you for your consideration.

## **Griffin Roberge**

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**From:** John Cross <jc938272@gmail.com>  
**Sent:** Wednesday, April 21, 2021 3:55 PM  
**To:** Kevin Avard; Bob Giuda; James Gray; Rebecca Perkins Kwoka; David Watters; Griffin Roberge  
**Subject:** Please support HB 315

HB 315 provides consumer protections to guarantee a stable and reliable grid while keeping a pathway to new and more forward-thinking power delivery systems. Please support HB 315.

John Cross  
Brookline, NH



## Griffin Roberge

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**From:** denise kwasnik <drkwasnik@gmail.com>  
**Sent:** Sunday, April 25, 2021 5:02 PM  
**To:** Griffin Roberge  
**Subject:** Written Testimony on HB315  
**Attachments:** KwasnikSenateTestimonyHB31504262021.pdf

Dear Sir:

Please find a file attached with my written testimony in support of HB315. I plan to also provide oral testimony at the hearing tomorrow.

Regards,

Joseph Kwasnik

54 Pleasant Street, Unit 8

Concord, NH 03301

6037307148

April 25, 2021

Chairman Kevin Avard  
Senate Energy and Natural Resources Committee

RE: HB315-AN ACT relative to the aggregation of electric customers

Dear Chairman Avard:

I am today submitting written testimony **in support** of HB315 as a private citizen of New Hampshire. My reasons for support of the bill are as follows:

1. The legislation permits municipal and county authorities to provide a number of energy services that are currently provided by the local electric distribution company. These services include providing electric power and capacity, demand side management, conservation services, meter reading, customer services, energy efficiency and clean energy districts and municipal aggregation.
2. It is my belief that municipal and county authorities will be more than capable of providing these services at least at a level comparable with those provided by the local distribution company and likely at levels superior to the distribution companies. My reasons for this belief is based on the following factors:
  - Currently all of the distribution companies provide default electricity supply services to customers or members in the case of the NH Electric Cooperative. In general, default supply is the dominant electric supply for residential electric customers in NH. With the exception of the Electric Cooperative, default supply is based on periodic solicitations by the distribution companies and selection of supply is based solely on price with no consideration of local needs and wants including local preference for renewable energy or other attributes such as locally generated electricity. I would expect that local authorities would be more receptive to providing electricity based not just on price but also on sourcing local, clean and renewable supply.
  - Local authorities will also have generally superior knowledge of and interest in the energy service needs such as conservation services, energy efficiency services and demand side management.
  - There is no profit margin required in the providing of these services therefore likely savings for electric customers in the local area.

This bill should pass as it is in the best interests of New Hampshire electric customers.

Thank you for the opportunity to submit this testimony.

Regards,

Joseph Kwasnik  
54 Pleasant Street, Unit 8  
Concord, NH 03301  
6037307148

## Griffin Roberge

---

**From:** Kathy McGhee <kmcghee257@gmail.com>  
**Sent:** Sunday, April 25, 2021 12:25 PM  
**To:** ~Senate Energy and Natural Resources Committee  
**Cc:** Kathy McGhee  
**Subject:** April 26th Hearing Testimony HB315, HB351 & HB373  
**Attachments:** HB315 Senate Testimony 4-26-21.docx; HB351 Senate Testimony 4-26-21.docx; HB373 Gag Rule 4-26-21.docx

Dear Senator Avard and Members of the Energy and Natural Resources Committee,

I thank you for your time and consideration of the aforementioned House bills coming before you in hearings on Monday, April 26th.

I am signing up to speak on each and will try to be at these hearings starting at 1 PM. I do have a conflict in the afternoon and wanted to be sure to get you my testimony in advance, in case for some reason I am unable to be with you in person.

Thank you for your consideration.

Regards.

Rep. Kat McGhee, M.Ed, PMP  
Deputy Ranking Member  
House Science, Technology & Energy

Testimony on HB315 before Senate Energy and Natural Resources Committee April 26th, 2021

Rep. Kat McGhee, Hillsborough 27, Hollis, NH

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Thank you Senator Avard and members of Energy and Natural Resources. I submit testimony today in favor of HB315 Community Power Aggregation.

This bill was originally conceived and written by Eversource lawyers with one-sided language that was unacceptable to small businesses and community participants trying to participate in community power aggregation in keeping with RSA 53E, which was only signed into law in 2019. Based upon RSA 53E, community power projects were just beginning to come together.

HB315 as originally written undid that progress and severely hampered independent operation of competitors to the major utilities.

Since this outcome runs counter to the deregulation of the electric utility markets, the stakeholders worked together to craft acceptable improvements that did not threaten to undermine existing projects and made efforts to strengthen a reasonable model by which community power aggregators can co-exist with the default service providers.

The passing of HB315 is important in taking the valuable input of all stakeholders and upholding the compromise to which they have agreed in refining RSA53E. The other issue of note for this bill is that with its passing in the Senate, section V of SB91 is no longer needed. Section V of SB91 contains the original language in HB315. Passing SB91 without removing section V would result in undoing the work of the utilities and other energy stakeholders in improving RSA 53E.

House Science, Technology and Energy voted unanimously to support HB315 as amended and we hope that we can count on your support to do the same.

Thanks,

Kat McGhee  
Deputy Ranking Member  
Science, Technology & Energy

# Voting Sheets

# Senate Energy & Natural Resources Committee

## EXECUTIVE SESSION RECORD

### 2021-2022 Session

Bill # HB 315

Hearing Date: 04/26/2021

Executive Session Date: 05/03/2021

Motion of: Amendment 12575 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 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"/>

Reported out by: Avard

Notes: \_\_\_\_\_

# Committee Report



STATE OF NEW HAMPSHIRE  
SENATE  
REPORT OF THE COMMITTEE

Monday, May 3, 2021

THE COMMITTEE ON Energy and Natural Resources

to which was referred **HB 315**

AN ACT relative to the aggregation of electric customers.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS WITH AMENDMENT

BY A VOTE OF: 4-0

AMENDMENT # 1294s

Senator Kevin Avard  
For the Committee

Griffin Roberge 271-3042

**ENERGY AND NATURAL RESOURCES**

**HB 315**, relative to the aggregation of electric customers.

Ought to Pass with Amendment, Vote 4-0.

Senator Kevin Avard for the committee.

**Docket of HB315**

**Bill Title:** (New Title) relative to the aggregation of electric customers and municipal host customer generators serving political subdivisions.

*Official Docket of HB315.:*

<b>Date</b>	<b>Body</b>	<b>Description</b>
1/9/2021	H	<b>Introduced</b> (in recess of) 01/06/2021 and referred to Science, Technology and Energy <b>HJ 2 P. 43</b>
2/3/2021	H	<b>==RECESSED==</b> Public Hearing: 02/12/2021 03:00 pm Members of the public may attend using the following link: To join the webinar: <a href="https://www.zoom.us/j/98218369454">https://www.zoom.us/j/98218369454</a> / Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.
2/22/2021	H	<b>==CONTINUED==</b> Public Hearing: 02/22/2021 01:00 pm Members of the public may attend using the following links: 1. 1. To join the webinar: <a href="https://www.zoom.us/j/91732382660">https://www.zoom.us/j/91732382660</a>
2/25/2021	H	Full Committee Work Session: 03/05/2021 10:00 am Members of the public may attend using the following link: To join the webinar: <a href="https://www.zoom.us/j/95412375991">https://www.zoom.us/j/95412375991</a> / Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.
3/8/2021	H	<b>==RECESSED==</b> Executive Session: 03/08/2021 10:00 am Members of the public may attend using the following link: To join the webinar: <a href="https://www.zoom.us/j/96232478698">https://www.zoom.us/j/96232478698</a>
3/10/2021	H	Full Committee Work Session: 03/19/2021 09:00 am Members of the public may attend using the following link: To join the webinar: <a href="https://www.zoom.us/j/93683395113">https://www.zoom.us/j/93683395113</a> / Executive session on pending legislation may be held throughout the day (time permitting) from the time the committee is initially convened.
3/30/2021	H	Committee Report: Ought to Pass with Amendment <b>#2021-0748h</b> (Vote 18-0; RC) <b>HC 18 P. 59</b>
4/9/2021	H	Amendment <b>#2021-0748h</b> : AA VV 04/09/2021 <b>HJ 7 P. 42</b>
4/9/2021	H	<b>Ought to Pass with Amendment</b> 2021-0748h: MA VV 04/09/2021 <b>HJ 7 P. 42</b>
4/13/2021	S	Introduced 04/08/2021 and Referred to Energy and Natural Resources; <b>SJ 12</b>
4/20/2021	S	Remote <b>Hearing</b> : 04/26/2021, 01:00 pm; Links to join the hearing can be found in the Senate Calendar; <b>SC 21</b>
5/4/2021	S	Committee Report: Ought to Pass with Amendment <b>#2021-1294s</b> , 05/13/2021; <b>SC 23</b>
5/13/2021	S	Committee Amendment <b>#2021-1294s</b> , AA, VV; 05/13/2021; <b>SJ 15</b>
5/13/2021	S	Sen. Avarad Floor Amendment <b>#2021-1400s</b> , AA, VV; 05/13/2021; <b>SJ 15</b>
5/13/2021	S	<b>Ought to Pass with Amendments</b> 2021-1294s and 2021-1400s, MA, VV; OT3rdg; 05/13/2021; <b>SJ 15</b>
6/7/2021	H	House Non-Concurs with Senate Amendment 2021-1294s and 2021-1400s and Requests CofC (Reps. Vose, Harrington, Thomas, Cali-Pitts): MA VV 06/04/2021 <b>HJ 9 P. 52</b>
6/10/2021	S	Sen. Avarad Accedes to House Request for Committee of Conference, MA, VV; 06/10/2021; <b>SJ 19</b>
6/10/2021	S	President Appoints: Senators Avarad, Bradley, Watters; 06/10/2021; <b>SJ</b>

6/14/2021	H	==RECESSED== Conference Committee Meeting: 06/14/2021 09:15 am LOB 206-208
6/15/2021	H	==CONTINUED== Conference Committee Meeting: 06/15/2021 10:00 am LOB 206-208
6/17/2021	S	Conference Committee Report Filed, <b>#2021-1987c</b> ; 06/24/2021
6/24/2021	S	Conference Committee Report <b>#2021-1987c</b> , Adopted, VV; 06/24/2021; <b>SJ 20</b>
6/24/2021	H	Conference Committee Report 2021-1987c: Adopted, VV 06/24/2021
7/15/2021	S	Enrolled Bill Amendment <b>#2021-2066e</b> Adopted, VV, (In recess of 06/24/2021); <b>SJ 20</b>
7/15/2021	H	Enrolled Bill Amendment <b>#2021-2066eba</b> : AA VV (in recess of) 06/24/2021
7/21/2021	S	Enrolled Adopted, VV, (In recess 06/24/2021); <b>SJ 20</b>
7/23/2021	H	Enrolled (in recess of) 06/24/2021
9/7/2021	H	Signed by Governor Sununu 08/26/2021; Chapter 229; I. Sec. 1-10 Eff: 10/25/2021 II. Rem. Eff: 08/26/2021

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 NH House

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 NH Senate
 

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# Other Referrals

# Senate Inventory Checklist for Archives

Bill Number: HB 315

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 # 12575      \_\_\_\_\_ - amendment # \_\_\_\_\_

- amendment # 12945      \_\_\_\_\_ - 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 # 400      \_\_\_\_\_ - 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): 1987

\_\_\_\_\_ Enrolled Bill Amendment(s) 2066

\_\_\_\_\_ 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

June 15, 2021  
2021-1987-CofC  
10/06

1 Committee of Conference Report on HB 315, relative to the aggregation of electric customers.

2

3 Recommendation:

4 That the House recede from its position of nonconcurrence with the Senate amendment, and  
5 concur with the Senate amendment, and

6 That the Senate and House each pass the bill as amended by the Senate.

The signatures below attest to the authenticity of this Report on HB 315, relative to the aggregation of electric customers.

Conferees on the Part of the Senate

Conferees on the Part of the House

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Sen. Avard, Dist. 12

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Rep. Vose, Rock. 9

---

Sen. Bradley, Dist. 3

---

Rep. Harrington, Straf. 3

---

Sen. Watters, Dist. 4

---

Rep. Thomas, Rock. 5

---

Rep. Cali-Pitts, Rock. 30

July 12, 2021  
2021-2066-EBA  
12/11

Enrolled Bill Amendment to HB 315

The Committee on Enrolled Bills to which was referred HB 315

AN ACT                   relative to the aggregation of electric customers and municipal host customer generators serving political subdivisions.

Having considered the same, report the same with the following amendment, and the recommendation that the bill as amended ought to pass.

FOR THE COMMITTEE

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Explanation to Enrolled Bill Amendment to HB 315

This enrolled bill amendment incorporates changes made in HB 2.

Enrolled Bill Amendment to HB 315

Amend section 11 of the bill by replacing line 2 with the following:

II-b through II-e to read as follows:

Amend RSA 362-A:1-a as inserted by section 11 of the bill by inserting the following after paragraph II-e:

~~II-e]~~ *II-f*. "Department" means the New Hampshire department of energy.