

Rep. Vose, Rock. 9  
Rep. Harrington, Straf. 3  
Rep. Thomas, Rock. 5  
Rep. Plett, Hills. 6  
Rep. Merner, Coos 7  
Rep. Notter, Hills. 21  
Rep. McGhee, Hills. 27  
April 26, 2022  
2022-1788h  
12/04

Amendment to SB 271

1 Amend the bill by replacing all after the enacting clause with the following:

2

3 1 Burgess BioPower Plant. 2018, 340:1-2 are repealed and reenacted to read as follows:

4 340:1 Findings.

5 I. The general court finds that the continued operation of the Burgess BioPower plant in  
6 Berlin: (a) is desirable to the energy infrastructure of the state of New Hampshire; (b) is a source of  
7 indigenously-sourced, reliable baseload power that contributes to regional fuel security and  
8 reliability of the regional electricity grid; (c) is important for the attainment of renewable energy  
9 portfolio standard goals of fuel diversity, capacity, sustainability and energy independence; (d) is  
10 significant to the continued health of New Hampshire's forests; (e) provides valuable support to the  
11 timber industry; and (f) is a contributor of jobs and to the economy of both the North Country and  
12 the state as a whole.

13 340:2 Public Utilities Commission; Proceedings; Authority to Amend Prior Orders.  
14 Notwithstanding any other provision of the law to the contrary, the public utilities commission shall  
15 reopen its Docket DE 10-195 and forthwith revise its Order No. 25,213 and its Order No. 26,198 and  
16 Order No. 26,333 in the following manner:

17 I. Further Suspension of Operation of Cap. The public utilities commission shall amend its  
18 Order No. 25,213 and its Order No. 26,198 and Order No. 26,333 issued in Docket DE 10-195 to  
19 extend the suspension of the operation of the cap on the cumulative reduction factor as set forth on  
20 page 97 of Order No. 25,213 for an additional period of one year from the date the operation of the  
21 cap would have otherwise taken effect under Order No. 25,213 and Order No. 26,198 and Order No.  
22 26,333.

23 II. The Burgess BioPower plant and its affiliates shall, upon request therefor, make its and  
24 their capital and operating cost and profit and loss records available to the department of energy for  
25 investigation and audit, any of which records may be exempt from public disclosure under RSA 91-  
26 A:5, IV if reasonably so designated by the plant. All such records shall also be made available to the  
27 Office of the Consumer Advocate. The department of energy shall conduct an investigation and  
28 audit of the plant's costs and revenues and submit a report thereon to the house science, technology,

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1 and energy committee and to the senate energy and natural resources committee on or before  
2 December 31, 2022.

3       2 Effective Date. This act shall take effect upon its passage.