LEGISLATIVE COMMITTEE MINUTES

SB113

Bill as Introduced

SB 113-FN - AS INTRODUCED

2023 SESSION

23-0803
10/08

SENATE BILL ***113-FN***

AN ACT relative to cost effectiveness review of the joint utility energy efficiency plan.

SPONSORS: Sen. Avard, Dist 12; Sen. Ricciardi, Dist 9; Sen. Watters, Dist 4; Sen. Innis, Dist 7; Sen. Bradley, Dist 3; Sen. Birdsell, Dist 19; Sen. Carson, Dist 14; Sen. Pearl, Dist 17

COMMITTEE: Energy and Natural Resources

ANALYSIS

This bill clarifies the public utility commission's review of criteria for cost effectiveness in the joint utilities energy efficiency plans.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

23-0803
10/08

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to cost effectiveness review of the joint utility energy efficiency plan.

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

1 System Benefits; Energy Efficiency Plans. Amend RSA 374-F:3, VI-a (d)(4) to read as follows:

(4) Cost effectiveness. For the purpose of the March 1, 2022 filing, and future plan offerings, the commission's review of the cost effectiveness shall be based upon the latest completed and available Avoided Energy Supply Cost Study for New England, the results of any Evaluation, Measurement, and Valuation studies contracted for by the department of energy or joint utilities, incorporate savings impacts associated with free-ridership for those programs and measures where such free-ridership may have a material impact on savings figures, and use the Granite State Test as the primary test, with the addition of the Total Resource Cost test as a secondary test. The commission shall use benefit per unit cost as only one factor in considering whether the utilities have prioritized program offerings appropriately among and within customer classes. In no instance shall an electric utility's planned electric system savings fall below 65 percent of its overall planned ***annual*** energy savings.

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

LBA
23-0803
1/16/23

SB 113-FN- FISCAL NOTE
AS INTRODUCED

AN ACT relative to cost effectiveness review of the joint utility energy efficiency plan.

FISCAL IMPACT:

Due to time constraints, the Office of Legislative Budget Assistant is unable to provide a fiscal note for this bill, **as introduced**, at this time. When completed, the fiscal note will be forwarded to the Senate Clerk's Office.

AGENCIES CONTACTED:

Public Utilities Commission

LBA
23-0803
Revised 2/6/23

SB 113-FN FISCAL NOTE
AS INTRODUCED

AN ACT relative to cost effectiveness review of the joint utility energy efficiency plan.

FISCAL IMPACT: [ ] State [ ] County [ ] Local [X] None

METHODOLOGY:

This bill clarifies the public utility commission's review of criteria for cost effectiveness in the joint utilities energy efficiency plans. The Public Utilities Commission has indicated this bill will have no impact on state, county or local revenue or expenditures.

AGENCIES CONTACTED:

Public Utilities Commission

2023 SESSION

23-0803
10/08

SENATE BILL ***113-FN***

AN ACT relative to the electric utility system benefits charge.

SPONSORS: Sen. Avard, Dist 12; Sen. Ricciardi, Dist 9; Sen. Watters, Dist 4; Sen. Innis, Dist 7; Sen. Bradley, Dist 3; Sen. Birdsell, Dist 19; Sen. Carson, Dist 14; Sen. Pearl, Dist 17

COMMITTEE: Energy and Natural Resources

AMENDED ANALYSIS

This bill clarifies the public utility commission's review of criteria for cost effectiveness in the joint utilities energy efficiency plans, and changes the calculation of the energy efficiency portion of the system benefits charge.

Explanation: Matter added to current law appears in ***bold italics.***
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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 Three

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2 System Benefits Charge; Adjustment; Energy Efficiency Portion. Amend RSA 374-F:3,VI-a(d)(2) to read as follows:

(2) System benefits charge and local distribution adjustment charge funding levels. For the year 2022, the energy efficiency portion of the system benefits charge shall be set at the level for 2020 authorized in Order No. 26,323 dated December 31, 2019. The energy efficiency portion of the local distribution adjustment charge shall be set at the level for 2020 authorized in Order No. 26,306 dated October 31, 2019, for Liberty Utilities (Energy North Natural Gas) Corp. and in Order No. 26,303 dated October 29, 2019, for Northern Utilities, Inc. The energy efficiency portion of the system benefits charge and local distribution adjustment charges shall adjust annually beginning January 1, 2023, and shall be calculated using the most recently available 3-year average of the consumer price index (CPI-W) as published by the Bureau of Labor Statistics of the United States Department of Labor [~~plus 0.25 percent all as calculated~~] ***as determined and verified*** by the department of energy. Utilities subject to commission rate regulation shall submit tariff amendments altering solely the system benefits charge and local distribution adjustment charge as described, reconciled for over and under collections already occurred, as soon after the effective date of this subparagraph as possible, and every December 1 for the upcoming year thereafter.

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

LBA
23-0803
Revised 2/6/23

SB 113-FN- FISCAL NOTE
AS INTRODUCED

AN ACT relative to cost effectiveness review of the joint utility energy efficiency plan.

FISCAL IMPACT: [ ] State [ ] County [ ] Local [X] None

METHODOLOGY:

This bill clarifies the public utility commission's review of criteria for cost effectiveness in the joint utilities energy efficiency plans. The Public Utilities Commission has indicated this bill will have no impact on state, county or local revenue or expenditures.

AGENCIES CONTACTED:

Public Utilities Commission

SB 113-FN - VERSION ADOPTED BY BOTH BODIES

4May2023... 1399h

2023 SESSION

23-0803
10/08

SENATE BILL ***113-FN***

AN ACT relative to the electric utility system benefits charge.

SPONSORS: Sen. Avard, Dist 12; Sen. Ricciardi, Dist 9; Sen. Watters, Dist 4; Sen. Innis, Dist 7; Sen. Bradley, Dist 3; Sen. Birdsell, Dist 19; Sen. Carson, Dist 14; Sen. Pearl, Dist 17

COMMITTEE: Energy and Natural Resources

AMENDED ANALYSIS

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Explanation: Matter added to current law appears in ***bold italics.***
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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to the electric utility system benefits charge.

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

LBA
23-0803
Revised 2/6/23

SB 113-FN- FISCAL NOTE
AS INTRODUCED

AN ACT relative to cost effectiveness review of the joint utility energy efficiency plan.

FISCAL IMPACT: [ ] State [ ] County [ ] Local [X] None

METHODOLOGY:

This bill clarifies the public utility commission's review of criteria for cost effectiveness in the joint utilities energy efficiency plans. The Public Utilities Commission has indicated this bill will have no impact on state, county or local revenue or expenditures.

AGENCIES CONTACTED:

Public Utilities Commission

CHAPTER 162
SB 113-FN - FINAL VERSION

4May2023... 1399h

2023 SESSION

23-0803
10/08

SENATE BILL ***113-FN***

AN ACT relative to the electric utility system benefits charge.

SPONSORS: Sen. Avard, Dist 12; Sen. Ricciardi, Dist 9; Sen. Watters, Dist 4; Sen. Innis, Dist 7; Sen. Bradley, Dist 3; Sen. Birdsell, Dist 19; Sen. Carson, Dist 14; Sen. Pearl, Dist 17

COMMITTEE: Energy and Natural Resources

AMENDED ANALYSIS

This bill clarifies the public utility commission's review of criteria for cost effectiveness in the joint utilities energy efficiency plans, and changes the calculation of the energy efficiency portion of the system benefits charge.

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CHAPTER 162
SB 113-FN - FINAL VERSION

4May2023... 1399h

23-0803
10/08

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

AN ACT relative to the electric utility system benefits charge.

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

162:1 System Benefits; Energy Efficiency Plans. Amend RSA 374-F:3, VI-a (d)(4) to read as follows:

(4) Cost effectiveness. For the purpose of the March 1, 2022 filing, and future plan offerings, the commission's review of the cost effectiveness shall be based upon the latest completed and available Avoided Energy Supply Cost Study for New England, the results of any Evaluation, Measurement, and Valuation studies contracted for by the department of energy or joint utilities, incorporate savings impacts associated with free-ridership for those programs and measures where such free-ridership may have a material impact on savings figures, and use the Granite State Test as the primary test, with the addition of the Total Resource Cost test as a secondary test. The commission shall use benefit per unit cost as only one factor in considering whether the utilities have prioritized program offerings appropriately among and within customer classes. In no instance shall an electric utility's planned electric system savings fall below 65 percent of its overall planned ***annual*** energy savings.

162:2 System Benefits Charge; Adjustment; Energy Efficiency Portion. Amend RSA 374-F:3,VI-a(d) (2) to read as follows:

(2) System benefits charge and local distribution adjustment charge funding levels. For the year 2022, the energy efficiency portion of the system benefits charge shall be set at the level for 2020 authorized in Order No. 26,323 dated December 31, 2019. The energy efficiency portion of the local distribution adjustment charge shall be set at the level for 2020 authorized in Order No. 26,306 dated October 31, 2019, for Liberty Utilities (Energy North Natural Gas) Corp. and in Order No. 26,303 dated October 29, 2019, for Northern Utilities, Inc. The energy efficiency portion of the system benefits charge and local distribution adjustment charges shall adjust annually beginning January 1, 2023, and shall be calculated using the most recently available 3-year average of the consumer price index (CPI-W) as published by the Bureau of Labor Statistics of the United States Department of Labor [~~plus 0.25 percent all as calculated~~] ***as determined and verified*** by the department of energy. Utilities subject to commission rate regulation shall submit tariff amendments altering solely the system benefits charge and local distribution adjustment charge as described, reconciled for over and under collections already occurred, as soon after the effective date of this subparagraph as possible, and every December 1 for the upcoming year thereafter.

162:3 Effective Date. This act shall take effect 60 days after its passage.

Approved: July 28, 2023
Effective Date: September 26, 2023

Committee Minutes

SENATE CALENDAR NOTICE
Energy and Natural Resources

Sen Kevin Avard, Chair
Sen Howard Pearl, Vice Chair
Sen Regina Birdsell, Member
Sen David Watters, Member
Sen Debra Altschiller, Member

Date: January 25, 2023

HEARINGS

Tuesday	01/31/2023
(Day)	(Date)

Energy and Natural Resources	State House 103	9:00 a.m.
(Name of Committee)	(Place)	(Time)

9:00 a.m. **SB 113-FN** relative to cost effectiveness review of the joint utility energy efficiency plan.

9:15 a.m. **SB 123-FN** relative to the adoption of ambient groundwater quality standards by the department of environmental services.

9:30 a.m. **SB 160-FN** relative to the use of OHRVs on designated trails and requiring a permit to operate certain OHRVs from before sunrise to after sunset.

9:45 a.m. **SB 164-FN-LOCAL** relative to biodiverse environments.

EXECUTIVE SESSION MAY FOLLOW

Sponsors:

SB 113-FN			
Sen. Avard	Sen. Ricciardi	Sen. Watters	Sen. Innis
Sen. Bradley	Sen. Birdsell	Sen. Carson	Sen. Pearl
SB 123-FN			
Sen. Watters	Sen. Perkins Kwoka	Sen. Gray	Sen. Avard
Sen. Altschiller	Rep. Notter	Rep. Rung	Rep. Healey
Rep. W. Thomas			
SB 160-FN			
Sen. Pearl	Sen. Watters	Sen. Innis	Sen. Lang
Sen. Carson	Rep. Gagne	Rep. Potucek	
SB 164-FN-LOCAL			
Sen. Watters	Sen. Perkins Kwoka	Sen. Avard	Sen. Altschiller
Sen. Fenton	Rep. Bixby	Rep. Read	

Nikolas Liamos 271-7875

Kevin A. Avard
Chairman

Senate Energy and Natural Resources Committee

Nikolas Liamos 271-7875

SB 113-FN, relative to cost effectiveness review of the joint utility energy efficiency plan.

Hearing Date: January 31, 2023

Time Opened: 9:00 a.m. **Time Closed:** 9:25 a.m.

Members of the Committee Present: Senators Watters, Avard, Pearl and Birdsell

Members of the Committee Absent : Senator Altschiller

Bill Analysis: This bill clarifies the public utility commission's review of criteria for cost effectiveness in the joint utilities energy efficiency plans.

Sponsors:

Sen. Avard	Sen. Ricciardi	Sen. Watters
Sen. Innis	Sen. Bradley	Sen. Birdsell
Sen. Carson	Sen. Pearl	

Who supports the bill: Don Kreis, Bill Newell, Rich Sigel, Michael Licata, Marc Lemenager, Matt Mayberry, Kat Bourque, Kirsten Koch, Chris Skoglund, Meredith Hatfield, Christopher Vought, Julie Smith, Loreley Godfrey, Patricia Beffa-Negrini, Susan Liebowitz, Susan Richman, Judith Saum, Barbara Southard, Anne Thomas, Anne Grossi, Catherine Bushueff, Donna Reardon, Jeanne Torpey, Senator Dan Innis (SD 7), Senator David Watters (SD 4), Nancy Kelley-Gillard, Andrew Jones, Gary Devore, Nancy Brennan, Patricia Martin, Dennis Downs, Josh Meehan, Lisa Sweet, Senator Sharon Carson (SD 14), Ryan Crosby, Bruce Berk, Susan Moore, Tom St. Martin, Lois Cote, Gregory Davis, Joseph Kwasnik, Nancy Bishop, Senator Howard Pearl (SD 17), Senator Denise Ricciardi (SD 9), Judith Johnson, Nick Krakoff, Dawn McKinney, Alfrieda Englund, and Sharon Racusin

Who opposes the bill: None

Who is neutral on the bill: Josh Elliott

Summary of testimony presented in support:

Senator Kevin Avard

Senate District 12

- Senator Kevin Avard introduced SB 113-FN.

- Senator Avard began his testimony by recounting, in 2021 the legislature passed HB 594 which set a stable funding level for the joint utility triennial energy efficiency plan.
- Senator Avard stated that this bill is simply a language fix, to ensure that the NH Saves energy program is protected in statute.
- Senator Avard noted that the Public Utilities Commission's interpretation of the current language puts the NH Saves program at risk, and this bill would clarify the language to save the program.
- Senator Avard stated that the NH Saves program helps low-income households to weatherize their residences.
- Senator Avard stated that weatherization helps homeowners better manage the cost of energy, by improving things like insulation and replacing windows that may be drafty.
- Senator Avard noted that the NH Saves program is the only state sponsored source for homeowners to improve their homes.
- Senator Avard stated that the state of Massachusetts is allocating large amounts of money for similar programs to help mitigate the effect of rising energy costs.
- Senator David Watters asked if the unanimous support from the house, senate and governor for HB 594 in 2021 could be replicated for SB 113-FN. Senator Avard stated he believed that this bill would have unanimous support as well.
- Senator Watters asked if this bill would remind the PUC that General Court is the body who makes legislative decisions. Senator Avard confirmed that this bill would remind commissions who has the power to make legislative decisions.

Don Kreis

Office of the Consumer Advocate

- Don Kreis began his testimony by thanking Senator Avard for introducing SB 113-FN and for the bipartisan effort on this bill.
- Mr. Kreis stated that rate payer funded energy initiative like the NH Saves program are the best way to help consumers with energy rates.
- Mr. Kreis stated that he believes the NH Saves program should be enshrined in statute.
- Mr. Kreis stated that he believes the Public Utilities Commission misinterpreted the language in HB 594, and that this misinterpretation if it stands could be a disaster for residential electric customer. Mr. Kreis continued to explain that SB 113 is critical to fix this misinterpretation.
- Mr. Kreis stated that he believes that SB 113 does not need a fiscal note, and that any fiscal impact would be positive.

Matt Mayberry

Executive Vice President, New Hampshire Home Builders

- Matt Mayberry stated that weatherization helps low-income individuals with their energy bills.
- Mr. Mayberry stated how many constituents in each of the committee members districts have benefited from the NH Saves program.
- Mr. Mayberry recounted a story from his childhood where his family benefited from weatherizing their home.

Bill Newell

- Bill Newell stated that he represents contractors who help weatherize homes.
- Mr. Newell sated that his office hosted the signing of HB 549.
- Mr. Newell explained how the NH Saves program works. Mr. Newell stated that contractors take old housing stock that isn't energy efficient and make it energy efficient by replacing old appliances with energy efficient appliances, adding insulation and replacing drafty windows.

Chris Skoglund

Clean Energy New Hampshire

- Chris Skoglund stated that Senate Bill 113 provides much needed clarity.

Summary of testimony presented in opposition: None

Neutral Information Presented:

Josh Elliott

Department of Energy

- Josh Elliot stated that the Department of Energy is neutral on SB 113.
- Mr. Elliott stated that the language change in SB 113 is essential.
- Senator Watters asked if the General Court created the Department of Energy to determine where the policy decisions are made. Mr. Elliott confirmed that the department was created to help the General Court make energy policy related decisions and provide expertise on energy related topics.
- Senator Watters asked if Mr. Elliott believed it was the Legislature's responsibility to reign in the Public Utilities Commission. Mr. Elliott confirmed that it is within the Legislature's power to reign in the Public Utilities Commission.

NPL
Date Hearing Report completed: February 2, 2023

Speakers

Senate Energy and Natural Resources Committee
SIGN-IN SHEET

Date: 1/31/2023 **Time:** 9:00 a.m.

SB 113-FN AN ACT relative to effectiveness review of the joint utility energy efficiency plan

Name/Representing *(please print neatly)*						
Don Kreis, Office of the Consumer Advocate	Support ☒	Oppose ☐	Speaking?	Yes ☒	No ☐
BILL NEWELL	Support ☑	Oppose ☐	Speaking?	Yes ☑	No ☐
Rich Sigel / NH Electric Co-op	Support ☒	Oppose ☐	Speaking?	Yes ☐	No ☒
MICHAEL LICATA - EVERSOURCE	Support ☒	Oppose ☐	Speaking?	Yes ☒	No ☐
Marc LeMenager - Eversource	Support ☒	Oppose ☐	Speaking?	Yes ☒	No ☐
MATT MAYBERRY NH Home Builders	Support ☒	Oppose ☐	Speaking?	Yes ☒	No ☐
Kat Bourque - Unitil	Support ☑	Oppose ☐	Speaking?	Yes ☐	No ☒
Josh Elliott - NH DOE	Support ☐ X	Oppose ☐	Speaking?	Yes ☒	No ☐
Kirsten Kuch - BIA	Support ☑	Oppose ☐	Speaking?	Yes ☐	No ☒
Chris Skoglund - CENH	Support ☑	Oppose ☐	Speaking?	Yes ☒	No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐	No ☐

Senate Energy and Natural Resources Committee
SIGN-IN SHEET

ate: 1/31/2023 **Time:** 9:00 a.m.

SB 113-FN AN ACT relative to effectiveness review of the joint utility energy efficiency plan

Name/Representing ***(please print neatly)***

Meredith Hatfield The Nature Conservancy	Support ☒	Oppose ☐	Speaking?	Yes ☐ No ☒
	Support ☐	Oppose ☐	Speaking?	Yes ☐ No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐ No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐ No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐ No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐ No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐ No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐ No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐ No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐ No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐ No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐ No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐ No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐ No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐ No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐ No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐ No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐ No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐ No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐ No ☐
	Support ☐	Oppose ☐	Speaking?	Yes ☐ No ☐

Senate Remote Testify

Energy and Natural Resources Committee Testify List for Bill SB113 on 2023-01

Support: 41 Oppose: 0

Name	Title	Representing	Position
Vought, Christopher	A Member of the Public	Myself	Support
Smith, Julie	A Member of the Public	Myself	Support
Godfrey, Loreley	A Member of the Public	Myself	Support
Beffa-Negrini, Patricia	A Member of the Public	Myself	Support
Liebowitz, Susan	A Member of the Public	Myself	Support
Richman, Susan	A Member of the Public	Myself	Support
Saum, Judith	A Member of the Public	Myself	Support
Southard, Barbara	A Member of the Public	Myself	Support
Thomas, Anne	A Member of the Public	Myself	Support
Grossi, Anne	A Member of the Public	Myself	Support
Bushueff, Catherine	A Member of the Public	Myself	Support
Reardon, Donna	A Member of the Public	Myself	Support
Torpey, Jeanne	A Member of the Public	Myself	Support
Innis, Senator Dan	An Elected Official	Myself	Support
Watters, Senator David	An Elected Official	Myself	Support
Kelley-Gillard, Nancy	A Member of the Public	Myself	Support
Jones, Andrew	A Member of the Public	Myself	Support
Devore, Gary	A Member of the Public	Myself	Support
nnan, Nancy	A Member of the Public	Myself	Support
non, Claudia	A Member of the Public	Myself	Support
Martin, Patricia	A Member of the Public	Myself	Support
Downs, Dennis	A Member of the Public	Myself	Support
Meehan, Josh	A Member of the Public	Myself and Keene Housing, the City of Keene's Public Housing Authority	Support
Sweet, Lisa	A Member of the Public	Myself	Support
Carson, Sen. Sharon	An Elected Official	Myself	Support
Crosby, Ryan	A Member of the Public	Dover Housing Authority	Support
berk, bruce	A Member of the Public	Myself	Support
Moore, Susan	A Member of the Public	Myself	Support
St.Martin, tom	A Member of the Public	Myself	Support
Cote, Lois	A Member of the Public	Myself	Support
Thomas, A	A Member of the Public	Myself	Support
Davis, Gregory	A Member of the Public	Myself	Support
Kwasnik, Joseph	A Member of the Public	Myself	Support
Bishop, Nancy	A Member of the Public	Myself	Support
Pearl, Howard	An Elected Official	Myself	Support
Ricciardi, Denise	An Elected Official	Myself	Support
Johnson, Judith	A Member of the Public	Myself	Support
Krakoff, Nick	A Lobbyist	Conservation Law Foundation	Support
McKinney, Dawn	A Lobbyist	NH Legal Assistance	Support
Englund, Alfrieda	An Elected Official	Myself	Support
Racusin, Sharon	A Member of the Public	Myself	Support

Testimony

clf
conservation law foundation

For a thriving New England

CLF New Hampshire 27 North Main Street
Concord, NH 03301
P: 603.225.3060
F: 603.225.3059
www.clf.org

January 31, 2023

By Electronic Mail

The Hon. Kevin Avard, Chair
Energy and Natural Resources Committee
N.H. Senate
Concord, NH 03301

Re: SB 113, relative to cost effectiveness review of the joint utility energy efficiency plan.

Dear Chairman Avard and Honorable Committee Members,

Conservation Law Foundation (CLF) appreciates the opportunity to comment on SB 113, which clarifies the Public Utilities Commission's cost-effectiveness review of the joint utility triennial energy efficiency plans. CLF is a non-profit environmental advocacy organization working in New Hampshire and across the region for healthy communities and a healthy environment, including advancing sound clean energy policies that reduce pollution and strengthen the state's economic vitality.

The Significant Economic Benefits of Energy Efficiency

Since 2002, energy efficiency measures in New Hampshire have resulted in billions of dollars in cumulative customer energy bill savings.[1] In fact, the State of New Hampshire saved $45 million from energy efficiency programs from FY2009 to FY2020.[2] Energy efficiency services relating to the implementation of NH Saves programs also support thousands of full-time jobs.[3]

SB 113 Merely Seeks to Accomplish the Purpose of Prior Legislation Passed by the General Court

During the 2022 legislative session, the NH Senate and NH House of Representatives overwhelmingly passed HB 549, which set a stable funding level for the joint utility triennial energy efficiency plans going forward and clarified the Public Utilities Commission's cost-effectiveness review of such plans. The intent of the cost-effectiveness provision was to clarify that the cost-effectiveness tests used by the Commission to evaluate prior energy efficiency plans should be continued for both the

[1] 2021-2023 New Hampshire Statewide Energy Efficiency Plan, at 18, filed September 1, 2020, *available at* https://www.puc.nh.gov/regulatory/Docketbk/2020/20-092/INITIAL%20FILING%20-%20PETITION/20-092_2020-09-01_NHUTILITIES_EE_PLAN.PDF.
[2] DES Press Release, February 11, 2021, *available at* https://www.des.nh.gov/news-and-media/nh-state-government-energy-management-efforts-avoid-over-45-million-energy-costs .
[3] 2021-2023 New Hampshire Statewide Energy Efficiency Plan, at 19.

clf

conservation law foundation

2022-23 plan, as well as subsequently filed plans. Unfortunately, due to an apparent oversight, language included in HB 549 regarding the percentage of an electric utility's planned energy savings that must consist of electric system savings defeats the purpose of HB 549 by preventing the Commission from employing the same cost-effectiveness tests to review subsequent triennial plans as it used for earlier plans. More importantly, this language essentially precludes the utilities from investing in weatherization programs, despite the popularity of weatherization programs and the fact that investments in weatherization are one of the most cost-effective ways to increase overall energy efficiency. The utilities' inability to invest in weatherization programs under the current language in HB 549 especially harms low-income households, which spend a disproportionate amount of income on energy expenses and can experience substantial reductions in monthly energy expenses through weatherizing their homes.

In sum, SB 113 merely seeks to achieve the original purpose of HB 549 of requiring the Public Utilities Commission to employ the same cost-effectiveness tests it had employed to review prior triennial energy efficiency plans and would enable the utilities to continue to invest in popular and cost-effective weatherization programs that provide significant reductions in monthly energy expenses for New Hampshire families and businesses. Accordingly, the Committee is urged to support SB 113 and vote "ought to pass."

Sincerely,

/s/ Nick Krakoff

Nick Krakoff
Senior Attorney
Conservation Law Foundation
27 North Main Street
Concord, NH 03301

Nikolas Liamos

From: Dan and Nancy <ndgillard@ne.rr.com>
Sent: Monday, January 30, 2023 9:34 AM
To: Kevin Avard; Howard Pearl; Regina Birdsell; Debra Altschiller; David Watters; Nikolas Liamos
Subject: SB 113

Caution! This message was sent from outside your organization.

Dear Committee:

With the soaring cost of electricity and home heating fuel, in addition to the weather extremes we are experiencing, it would be both irresponsible and unjust to discontinue or diminish the NHSaves program.

As a Keene, NH resident, I am proud on our city's Sustainable Energy Plan. This comprehensive plan guides our decision making with the goal of leading us to a more sustainable energy future.
At the core of this plan is a focus on energy efficiency and equity relative to access to home energy upgrades and more sustainable choices.

In collaboration with the city, local nonprofit groups and volunteers have offered numerous NHSaves Workshops. These presentations have offered local homeowners, landlords and renters information and strategies to create a home environment which is not only more energy efficient and comfortable but also more cost effective relative to heating, cooling and electric costs.

These programs have been a tremendous success based on the attendance and feedback from participants. People are realizing the cost savings with their electric, heating and cooling bills using both the incentives, rebates and wide range of efficiency strategies offered during these workshops.

Thank you for seriously considering support for SB 113.

Nancy Kelley-Gillard
72 Reservoir St.
Keene, NH

Voting Sheets

Senate Energy and Natural Resources Committee

EXECUTIVE SESSION RECORD

2023-2024 Session

Bill # SB 103-FN

Hearing date: 1/31/23

Executive Session date: ~~2/1/23~~ 1/31/23

Motion of: OTP **Vote:** 4-0

Committee Member	Present	Made by	Second	Yes	No
Sen. Avard, Chair	X			X	
Sen. Pearl, Vice Chair	X		X	X	
Sen. Birdsell	X			X	
Sen. Watters	X	X		X	
Sen. Altschiller					

Motion of: _____ **Vote:** _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Avard, Chair					
Sen. Pearl, Vice Chair					
Sen. Birdsell					
Sen. Watters					
Sen. Altschiller					

Motion of: _____ **Vote:** _____

Committee Member	Present	Made by	Second	Yes	No
Sen. Avard, Chair					
Sen. Pearl, Vice Chair					
Sen. Birdsell					
Sen. Watters					
Sen. Altschiller					

Reported out by: Sen. Avard

Notes: _____

Committee Report

STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE

Wednesday, February 1, 2023

THE COMMITTEE ON Energy and Natural Resources

to which was referred **SB 113-FN**

AN ACT relative to cost effectiveness review of the joint utility energy efficiency plan.

Having considered the same, the committee recommends that the Bill

OUGHT TO PASS

BY A VOTE OF: 4-0

Senator Kevin Avard
For the Committee

Nikolas Liamos 271-7875

ENERGY AND NATURAL RESOURCES

SB 113-FN, relative to cost effectiveness review of the joint utility energy efficiency plan.
Ought to Pass, Vote 4-0.
Senator Kevin Avard for the committee.

General Court of New Hampshire - Bill Status System

Docket of SB113

Docket Abbreviations

Bill Title: (New Title) relative to the electric utility system benefits charge.

Official Docket of **SB113.**:

Date	Body	Description
1/19/2023	S	**Introduced** 01/05/2023 and Referred to Energy and Natural Resources; **SJ 4**
1/25/2023	S	**Hearing:** 01/31/2023, Room 103, SH, 09:00 am; **SC 8**
2/1/2023	S	Committee Report: Ought to Pass, 02/09/2023; **SC 9**
2/9/2023	S	**Ought to Pass**: MA, VV; OT3rdg; 02/09/2023; **SJ 6**
3/20/2023	H	Introduced (in recess of) 03/16/2023 and referred to Science, Technology and Energy
3/28/2023	H	Public Hearing: 04/10/2023 09:00 am LOB 302-304
4/11/2023	H	Full Committee Work Session: 04/17/2023 01:00 pm LOB 302-304
4/11/2023	H	Executive Session: 04/18/2023 09:00 am LOB 302-304
4/25/2023	H	Committee Report: Ought to Pass with Amendment **#2023-1399h** (NT) 04/18/2023 (Vote 20-0; CC)
5/4/2023	H	Amendment **#2023-1399h**: AA VV 05/04/2023 **HJ 13** P. 17
5/4/2023	H	**Ought to Pass with Amendment** 2023-1399h: MA VV 05/04/2023 **HJ 13** P. 17
6/1/2023	S	Sen. Avard Moved to Concur with the House Amendment, MA, VV; 06/01/2023; **SJ 16**
6/30/2023	H	Enrolled (in recess of) 06/29/2023 **HJ 17** P. 16
6/30/2023	S	Enrolled Adopted, VV, (In recess 06/29/2023); **SJ 20**
8/1/2023	S	Signed by the Governor on 07/28/2023; Chapter 0162; Effective 09/26/2023

NH House	NH Senate

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: SB 113-FN **Senate Committee:** ENR

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

X Final docket found on Bill Status

Bill Hearing Documents: {Legislative Aides}

X Bill version as it came to the committee

X All Calendar Notices

X Hearing Sign-up sheet(s)

X Prepared testimony, presentations, & other submissions handed in at the public hearing

X Hearing Report

X 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 #_____ ____ - amendment #_____

____ - amendment #_____ ____ - amendment #_____

X Executive Session Sheet

X Committee Report

Floor Action Documents: {Clerk's Office}

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

____ - amendment #_____ ____ - amendment #_____

____ - amendment #_____ ____ - amendment #_____

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

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

____ Enrolled Bill Amendment(s)

____ Governor's Veto Message

All available versions of the bill: {Clerk's Office}

____ as amended by the senate

X as amended by the house

X final version

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

[signature] 8/2/23

Committee Aide **Date**

Senate Clerk's Office AL