Senate Energy and Natural Resources Committee

Joshua Schauer 271-3077

HB 219-FN, relative to changes to the minimum electric renewable portfolio standards.

Hearing Date: March 19, 2026

Time Opened: 9:35 a.m. **Time Closed**: 11:06 a.m.

Members of the Committee Present: Senators Avard, McConkey, Watters and Rosenwald

Members of the Committee Absent : Senator Pearl

Bill Analysis: This bill makes changes to the minimum electric renewable portfolio standards.

Sponsors:

Rep. Harrington	Rep. Bernardy	Rep. Notter
Rep. Summers	Rep. Vose	

Who supports the bill: 3 Individuals signed up in Support of this legislation. Please contact Joshua.Schauer@gc.nh.gov for more information.

Who opposes the bill: 70 Individuals signed up in Opposition of this legislation. Please contact Joshua.Schauer@gc.nh.gov for more information.

Who is neutral on the bill: 1 Individual signed Neutral on this legislation. Please contact Joshua.Schauer@gc.nh.gov for more information.

Summary of testimony presented:

Representative Mike Harrington, Strafford 18

- Rep Harrington Introduced the bill and said it was a technical change to Renewable Portfolio Standard (RPS). He added that there would be some minor date changes.
- He said the legislation brings things into reality when it comes to what has actually been going on in the current industry. He refereed to recent wind projects that have been completed in New England and hoe they will flood the "REC" markets once they are generating power. He explained that it is unfair

that the wind farms receive the Rec's and other sources that are not government mandated do not get much.

- He added that if wind farms claim most of the Energy RECs, another issue could arise with the "Dam Issue," potentially forcing hydroelectric companies to either raise prices or leave the state.
- He said he would leave any technical questions to the department but acknowledged that the legislation may need some minor changes.

Senator Rosenwald asked about page 2, line 27, specifically regarding the retroactivity provision. She expressed confusion about how it would apply.

Representative Harrington said that is one of the dates that may need to be changed because of the timeframe and recommended an amendment.

Representative Thomas Cormen, Grafton 15

- He spoke in opposition to the bill, noting that it removes Class II from the RPS, which includes new solar energy. He argued that it would be a significant mistake, as solar plays an important role in the state's renewable energy mix.
- He emphasized that demand for electricity is expected to rise in the coming years, and removing certain forms of renewable energy from the program would likely lead to higher prices for ratepayers while also putting additional strain on the electric grid.
- He further noted that nuclear power is still at least five years away from contributing meaningfully to the new generation capacity. In the near term, he said, any new power generation will need to come from renewable sources, and he believes solar is the easiest, fastest, and most scalable option to meet the urgent need.

Senator Avard asked if he liked nuclear power.

Representative Cormen said he was not opposed to nuclear. He said he has not be a supporter of nuclear energy in the past but has in recent years come to accept it.

Senator Watters asked if he would agree that most new generation capacity over the last year has been solar and wind.

Representative Cormen agreed and added that solar keeps money in the state. Once solar is built, it keeps the money in the State ,while a natural gas plant would surely send money out of the State.

Senator Watters asked if he would agree that new solar generation is the cheapest form of new generation that is available

Representative Cormen said it seems to be.

Senator Watters said the Senate has made it a priority to support community and industrial solar and asked if this elimination would be contrary to many of the efforts the Senate Energy committee has done to reduce costs.

Representative Cormen said yes, It would be against many of the bills that have come out of the Senate.

Senator Watters said both House and Senate ENR committees have tried to support distributed energy resources while maintaining flexibility in transmission. He asked the Representative if he would agree that this effort is fundamentally dependent on the development of large-scale solar array communities?

Representative Cormen said he has solar and it is a good source of energy because it can be placed just about anywhere.

Senator Watters said he appreciates the governor's concern regarding new energy but questioned whether it makes sense to eliminate the least expensive options if the goal is to reduce costs.

Representative Cormen said it does not make sense.

Rep. Dale Swanson, Hills. 5 (Ward 1-Nashua)

- He said solar is good for the state and is a key means of moving the State off a dependence on imported fossil fuels which he claimed provide roughly half of the electricity generated in the State of New Hampshire.
- He claimed that 2,000 kW of energy generated by solar panels, using free, abundant, and unlimited energy from the sun, which would replace 1,000 kW of energy generated by fossil fuels, which must be paid for repeatedly.
- He said he was advocating for future generations of Granite Staters, and that HB 219-FN undermines investments that would have helped the state transition away from fossil fuels.

Rep. Mike Harrington,

- He spoke on the issue of solar energy. He explained that the bill eliminates Solar Class 2, which has only been in operation since 2013. It does not eliminate any RECs; it simply reclassifies them as Class 1. The change only affects the designation, and Class 2 is no longer considered necessary.

Senator Rosenwald said her understanding of Class 1 is that it includes a variety of energy sources. She noted that on page 1 of the bill, lines 21 and 22, the required percentage for Class 1 is reduced beginning this summer. She questioned whether this change might put new solar projects at a disadvantage, despite solar being the most affordable energy source.

Representative Harrington said that the bill would simply place solar into Class 1, up to 15%, and that Solar would be incorporated into that portion of the RPS.

Senator Rosenwald said that while Class 1 was increasing, one of the changes to the bill is 1.7% beginning august 1st of 2025 that is being reduced.

Representative Harrington explained that it is useful thermal energy that is being reduced, while Class 1 will remain at 15% going forward until further changes are made. It was 6% in 2015, has since increased to 15%, and will stay at that level. The State has not come close to using the full amount, which has resulted in many alternate compliance payments that ultimately end up in the general fund.

Senator Watters asked whether moving from Class 2 to Class 1 would reduce the funding available for solar, given the number of energy sources now included in Class 1.

Representative Harrington said it was unusual that there were no separate provisions for new hydro or wind, while solar had been singled out. He explained that the bill simply combined them, allowing decisions to be made based on the most economical option. He added that singling out solar gave it an economic advantage over other energy sources.

Sam Evans Brown and Eric Kilens, Clean Energy NH

- Eric spoke about the solar industry, noting that it was facing major headwinds, including low market volatility and a tougher financing environment.
- He explained that reducing REC values would harm solar projects, which have had significant positive impacts on his life and communities across New Hampshire.
- He emphasized that business conditions in the state were already challenging, and that this bill would make them even more difficult for solar developers.
- Sam noted that eliminating Class 2 without increasing Class 1 would effectively remove enough unregistered Class 2 RECs to depress Class 1.
- He added that this change would reduce overall revenue and create additional obstacles for the solar industry in the state.

Senator Avard said that he was looking on line 19 and class 1 does go up to 15% so he wanted clarification.

Mr. Evans Brown responded that Class 1 had been set at 15% since the RPS was first passed. He explained that if new solar were to be included in Class 1 while maintaining the value of its RECs, Class 1 would need to be increased by the same percentage that Class 2 previously represented.

Senator Watters asked if they did make a change should they not include the possibility of the SWEPT (Statewide Education Property Tax) also being used under class 1.

Mr. Evans Brown responded that he appreciated the changes that had been made so far and would encourage the committee to continue working on the bill if they wanted to pass it. However, he emphasized that as currently written, it would severely affect the solar industry. He added that the recent RPS review stated that the program was

working as intended, and none of its recommendations were included in the HB219-FN.

Senator McConkey said that solar was a great energy source but questioned whether his panels would last 50 to 100 years, asking about the typical lifespan of solar panels.

Mr. Kilens said that solar panels typically last around 30 to 40 years, depending on environmental conditions, but that they generally perform well. He added that over the course of 10 years, panels might only experience about a 10% reduction in energy output.

Senator Avard asked how it will affect the ratepayers.

Mr. Evans Brown said that testimony might claim that ratepayers could save a small amount if the bill passed, but he considered that speculative. He explained that such claims did not account for the possibility that eliminating the RPS could result in reduced deployment of renewable energy sources. He emphasized that the foundational purpose of the RPS was to allow the state to determine its desired fuel mix based on public policy, even within regional markets, which he said tended to be short-sighted.

Senator Watters said that for people with solar, they are not paying the rates and explained that there have been incredible shocks in gasoline prices which has created some energy price uncertainty. He explained that there are a lot of factors that contribute to these rising prices, and asked if he would agree that the RPS allows for more diversity that reduce costs.

Mr. Evans Brown responded that was correct. He explained that more solar meant the state would purchase less natural gas. During winter, peak demand was met with bunker fuel, and while the market tended to drive the state toward those resources, state policy could provide a hedge and set policy against reliance on such volatile fuel sources.

Senator Watters referred to ISO New England and asked about the ancillary effects, noting that these appeared to be more or less confirmed by issues raised at the PUC.

Mr. Evans Brown agreed and responded that, if the committee reviewed the study, it used different values and did not rely on ISO New England costs. He explained that building more local generation would reduce the need for regional transmission, which relies on ISO New England. He added that increasing local solar generation would provide a benefit to ratepayers in the area.

Senator Watters asked about the industry and whether it was not the case that the state had implemented policies to support the growth of new industries in New Hampshire. He also asked about the growth of the solar sector.

Mr. Kilens spoke about Granite State Solar, the company he represented, noting that it had expanded across the state and into Vermont. He said they had observed changes in the industry that were moving in the wrong direction, with less solar being deployed in the state even as demand for electricity continued to rise.

Lisa Linowes

- Ms. Linowes stated that there had been significant misunderstanding about the bill and emphasized that it did not fundamentally alter the existing structure.
- She explained that the data supported the bill's intent and showed that the market had changed significantly in recent years.
- She noted that the markets across the four Renewable Portfolio Standard (RPS) classes were inconsistent and that the bill aimed to clarify and better align them.
- She stated that Class II solar had become effectively irrelevant, as its mandate was no longer functioning as intended under the current system.
- She explained that due to REC sweeping and unregistered generation, estimated at up to 40% of solar facilities, the Class II mandate was effectively negative.
- She described how the department estimated unregistered generation and corresponding RECs, which exceeded the Class II mandate and resulted in excess RECs being transferred into Class I.
- She added that 2024 data on REC pricing and ratepayer impacts further illustrated the issue and supported the need for the bill.

Senator Watters asked if she was representing Civilization Works or herself.

Ms. Linowes stated that she was representing herself as an expert in energy policy and Renewable Portfolio Standard (RPS) issues. She noted, however, that she does work with Michael Shellenberger, who is affiliated with Civilization Works.

Hedi Kroll,

- She stated that she represented hydropower clients and spoke in opposition to the bill.
- She explained that the bill would make several changes to the RPS program, including adjustments to fixed rates tied to the CPI
- She noted that hydropower facilities support local employment and operate nearly 24/7, with some capable of functioning as peaking plants if they have storage reservoirs.
- She emphasized that these facilities also provide public safety benefits, including dam maintenance and related infrastructure management.
- She stated that hydropower facilities are typically categorized under Class IV, though some qualify under Class I, and that they represent significant long-term capital investments that could be undermined by the proposed changes.
- She clarified that Renewable Energy Credits (RECs) are not interchangeable across state lines, which adds complexity to the market.

- She suggested that policymakers should rely on findings from a 2025 report and concluded that New Hampshire's current RPS system is functioning effectively as it stands.

Senator Avard asked her to elaborate on the Alternative Compliance Payment (ACP) changes and whether bundling 0.7% into the 15% requirement would provide any relief.

Ms. Kroll responded that ACP rates are tied to the Consumer Price Index (CPI), which affects compliance costs over time. She stated that combining Class I into Class II could provide some improvement to the system. However, she expressed continued concern about the broader impacts of the proposed changes despite that potential benefit.

Chris Peterson, Merrimack County

- He stated that he opposed the legislation and was evaluating its impacts from a county-level perspective. Referring to page 2 of his handout, he highlighted key data to support his concerns.
- He explained that the intent of RECs were to generate revenue to help offset costs for taxpayers. He argued that many cities and towns that had invested in renewable energy would be significantly affected by the proposed changes.
- He warned that prices could increase sharply, placing financial strain on municipalities and as a result, towns could begin to experience substantial financial losses.

Nick Krakoff, Conservation law foundation

- Mr. Krakoff spoke in opposition to the bill, stating that the primary purpose of the Renewable Portfolio Standard (RPS) is to promote fuel diversity and help offset fluctuations in fuel prices.
- He noted that the current situation in the Middle East had contributed to rising fuel costs and energy rates.
- He argued that increasing renewable energy opportunities is critical and that reducing such opportunities—especially during periods of geopolitical instability affecting fossil fuel prices—would be counterproductive.
- Citing the RPS report, he urged the committee to vote against the legislation.
- He emphasized that the RPS provides public health benefits by reducing fossil fuel emissions and improving air quality and warned that weakening it could harm the state's health outcomes.

Senator Watters asked whether the state is currently spending significant amounts on public health issues related to fossil fuel pollution.

Mr. Krakoff responded that he did not have exact figures but affirmed that fossil fuel use has contributed to numerous health problems, and that the RPS supports a more diversified and cleaner energy grid to offset those health issues.

Senator Watters asked about federal research into the effects and impacts of gas and home stoves on noticeable health effects,

Mr. Krakoff noted that they are a significant factor in asthma, particularly for young children.

Senator Rosenwald asked whether it was true that New Hampshire has a high rate of asthma in children.

Mr. Krakoff confirmed that this was the case, stating that rates have consistently been higher than average.

Kate Horgan, NH Association of Counties

- She explained that many counties would be impacted by this legislation. Some of the counties including Rockingham and Hillsborough, have biomass plants while others are looking into solar arrays.
- She said the counties want to prioritize lowering costs and passing this legislation will likely lead to a raise in county taxes.

David Trumble, Weare

- Mr. Trumble opposed the legislation, stating that the Renewable Portfolio Standard benefits public health, the economy, and the environment.
- He recommended the committee consider a higher RPS target such as 50% instead of the proposed 15%.
- He mentioned that in discussions with others, a 30% change was suggested as a reasonable RPS target for New Hampshire. He noted that solar energy is currently about 41% cheaper than the least expensive fossil fuel source.
- He explained that expanding solar could reduce energy demand during peak times and provide lower-cost electricity. He added that high distribution charges make solar even more valuable in reducing overall energy costs.
- He emphasized the importance of addressing climate change and encouraged New Hampshire to align its RPS with other states.

John Moses and Jasen Stock, NHTOA

- Mr. Stock testified in favor of biomass and opposition of the legislation, highlighting its value for low-grade wood markets and the need for stable markets to support the industry.
- He submitted documents including his testimony, a study commission report, and the executive summary of a Department of Energy review, which concluded that the RPS provides clear benefits, summarized as “if it isn’t broke, don’t fix it.”
- He expressed concern that freezing compliance prices under the bill could create problems and reduce supply.

- Mr. Moses described his family business, Britten Lumber in Bath, and explained that a new project they completed used all available timber and received a DOE grant due to thermal RECs. He stated that if the bill were passed, the project would have needed to be scaled back, limiting the ability of local, family-owned businesses to invest in such initiatives.
- He emphasized that the legislation would make projects smaller and less beneficial to New Hampshire overall.

Senator Watters asked about the Forest Society letter and the significance of biomass from low-grade wood, noting that two-thirds of New Hampshire's wood production is reportedly low grade and asking if that was accurate.

Mr. Stock responded that U.S. forest data measures tree health and growth, and confirmed that roughly two-thirds of the growing timber is considered low grade. Which is either poor-quality wood or species that do not produce boards or lumber.

Senator Avard asked what would be a good way to support the biomass industry.

Mr. Stock stated that an ITL motion was the most effective way to support the industry and related initiatives.

Senator Avard noted that many people did not understand the ripple effects of the timber industry, including its role in reducing forest fires, and highlighted that a byproduct of the industry was thermal energy.

Mr. Stock explained that the RPS law represented a convergence of rural policy and energy policy, emphasizing that the industry's primary focus was on stewardship and responsible land management.

Senator Rosenwald asked if she understood correctly that this situation represents a convergence of economic growth, keeping money in New Hampshire, and prudent land management.

Mr. Stock responded affirmatively, saying yes.

Joshua Elliot, DOE

- Mr. Elliot stated that the Department was neutral on the bill and provided an overview of its intent, explaining how each section of the legislation would function. He also offered several recommendations to clarify or improve specific provisions.
- He suggested particular changes to enhance the bill's language, he gave several date recommendations as referenced by the prime sponsor as well as on page 1, line 2, a further definition of "mandated by government procurements" which would help the department enforce.
- Regarding Section 6, line 19 on page 2, he recommended updating the title of the referenced office, explaining that the office's official name had changed since the bill was drafted and the text needed to reflect that.

Senator Watters asked about the 2025 Department of Energy statement indicating that the program was functioning effectively and meeting its intended goals.

Mr. Elliot confirmed that was accurate and reinforced that the program was considered to be operating well according to the DOE's evaluation.

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Date Hearing Report completed: March 23, 2026