Section 1 Header

2026 SESSION

26-2735.0
06/08

HOUSE BILL ***[bill number]***

AN ACT relative to public transparency of electric utility retail charges and cost reporting for transmission, wholesale electricity, capacity, and generation adequacy.

SPONSORS: [sponsors]

COMMITTEE: [committee]

ANALYSIS

This bill requires public utilities to submit annual reports detailing transmission costs, market impacts, and generation capacity, including data center-related risks, and mandates public hearings and agency review.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

26-2735.0
06/08

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT relative to public transparency of electric utility retail charges and cost reporting for transmission, wholesale electricity, capacity, and generation adequacy.

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

1 State Energy Policy. Amend RSA 378:37 to read as follows:

378:37 New Hampshire Energy Policy.

I. The general court declares that it shall be the energy policy of this state to meet the energy needs of the citizens and businesses of the state at the lowest reasonable cost while providing for the reliability and diversity of energy sources; to maximize the use of cost effective energy efficiency and other demand side resources; and to protect the safety and health of the citizens, the physical environment of the state, and the future supplies of resources, with consideration of the financial stability of the state's utilities. It is the policy of the sovereign state of New Hampshire and purpose of this chapter to use market and regulatory mechanisms to promote affordable, reliable, diverse, and secure energy resources for the public health, safety, and welfare of its citizens and its physical environment.

[~~I.~~]***(a)*** New Hampshire shall promote the development of resources to achieve the purpose of this chapter, fostering a range of technology types, including reliable, on-demand, diverse, and firm energy resources, and distributed energy sources and storage capacities consistent with these goals, while allowing for customer choice.

[~~II.~~]***(b)*** New Hampshire shall promote the development of resources, tools, and infrastructure to enhance the state's ability to ensure the state's energy independence by removing regulatory barriers to innovation to ensure that the state can procure affordable, reliable, diverse, and secure energy resources, including energy generation combined with storage, and consistent with RSA 362-F.

[~~III.~~]***(c)*** New Hampshire shall allow market forces and market-based mechanisms to drive prudent use of energy resources. Government intervention to economically advantage one technology over another shall be time-limited, narrow, or necessary to achieve a specific policy goal.

[~~IV.~~]***(d)*** New Hampshire shall pursue energy conservation and efficiency according to market principles in order to address market barriers, as regulated by policies for the public good and public health, and focus on market transformation in accordance with cost-effective fiscal strategies as authorized by the legislature, and consistent with RSA 374-F.

[~~V.~~]***(e)*** New Hampshire shall maintain an environment that allows for accurate market signals while balancing affordable consumer prices, price stability, energy reliability, public health and safety, and the financial stability of utilities and energy suppliers.

[~~VI.~~]***(f)*** State regulatory processes shall balance economic costs with the level of review necessary to ensure protection of the state's various interests, and where federal action is required, New Hampshire will collaborate to encourage expedited federal review and action.

II. The general court declares that the electricity ratepaying public must be informed of the basis for the charges on their electric bills to ensure that the rates are just and reasonable, as required by federal and New Hampshire law.

(a) The New Hampshire public utilities commission shall open a continuous docket.

(b) On or before January 1, 2027, and annually thereafter, public utilities shall file a report with the commission providing detailed information on their transmission costs, both regional and local, on a project-specific basis for the 5 years preceding the date of the report. The report shall clearly explain the formula rate used to calculate charges to ratepayers, including but not limited to the debt-to-equity ratio. The report shall specify the date each charge was imposed for each project and the cost per kilowatt hour for ratepayers.

(c) The annual report shall include a summary of the wholesale electricity market, including the causes of market volatility, the utility's market purchase strategy, purchase prices, and the impact of those purchases on ratepayers.

(d) The annual report shall include a summary of the forward capacity market, including the auction process, the bidders and auction prices, and the impact of the auction process on ratepayers.

(e) The annual report shall include a summary of generation resources available to serve the projected load demand of the utility's customers and an assessment of the adequacy of those resources. The report shall also include an analysis of anticipated generation capacity needs for data centers requiring 5 megawatts or more. The report shall include recommendations to the commission on how ratepayers will be insulated from the costs of data center interconnection to the grid, transmission infrastructure, rate structure impacts, and the stranded cost risk resulting from data center failure or withdrawal from a project with unpaid interconnection or infrastructure costs.

(f) The commission shall convene a public hearing every 3 years to consider the annual filings, with full rights of public intervention.

(g) The New Hampshire department of energy and the office of the consumer advocate shall, within 90 days of each annual utility filing, submit a report to the commission evaluating the adequacy of the utility's report and providing any recommendations.

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