

# Senate Energy and Natural Resources Committee

*Joshua Schauer 271-3077*

**HB 1542-FN**, directing alternative compliance payments to the renewable energy fund to be refunded to ratepayers.

**Hearing Date:** April 14, 2026

**Time Opened:** 9:45 a.m.

**Time Closed:** 10:18 a.m.

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

**Members of the Committee Absent :** None

**Bill Analysis:** This bill provides that alternative compliance payments to the renewable energy fund under RSA 362-F:10, II shall be refunded to ratepayers.

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**Sponsors:**

Rep. Notter

Rep. Ammon

Rep. Bernardy

Rep. Berry

Rep. Sabourin dit

Rep. D. Thomas

Choiniere

Rep. Vose

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**Who supports the bill:** 7 Individuals signed in Support of the legislation. Please contact [Joshua.Schauer@gc.nh.gov](mailto:Joshua.Schauer@gc.nh.gov) for more information.

**Who opposes the bill:** 70 Individuals signed in Opposition of the legislation. Please contact [Joshua.Schauer@gc.nh.gov](mailto:Joshua.Schauer@gc.nh.gov) for more information.

**Who is neutral on the bill:** 1 Individuals signed Neutral on the legislation. Please contact [Joshua.Schauer@gc.nh.gov](mailto:Joshua.Schauer@gc.nh.gov) for more information.

**Summary of testimony presented:**

**Representative Jeanine Notter, Hillsborough 12**

- Rep. Notter is the prime sponsor of the legislation. She stated that the proposed legislation simply rebates compliance payments back to ratepayers, as they did with RGGI. She said that currently this program is used as a back door tax that is used for projects and redistribution of wealth.
- She said that last budget cycle the fund was raided to add to the general fund.

This meant that the beneficiaries of the subsidy did not receive any of the funds. The beneficiaries were not substantially impacted by the lack of subsidy funds.

**Senator Watters** asked if this legislation would reopen the budget. He commented that they rarely reopen the budget.

**Representative Notter** stated what's done is done and the legislation is moving forward.

### **Nick Krakoff, Conservation Law Fund**

- Mr. Krakoff was opposed to the legislation because it would eliminate the renewable energy fund and reduce fuel diversity in the state.
- He explained that according to the Department of Energy's annual renewable energy fund report, the average residential rate payer would get a refund of only about \$0.48 per month if this legislation passes.
- He stated that one of the main purposes of the renewable energy fund is fuel diversity. Fuel diversity helps the state reduce its exposure to volatile fuel prices. He said that fuel diversity is more important than ever considering the current conflicts in the middle east.
- He stated he wanted to speak about the benefits of keeping the fund. He said that in 2024 a study showed that the fund has leveraged 460 million dollars of private investment since its inception in 2007. He said that the fund has also created jobs for electricians and plumbers. It has also provided 16.4 million dollars for renewable energy projects around the state.

### **Sam Evans-Brown, CENH**

- Mr. Evans-Brown was opposed to the legislation because it would break a policy that was designed to be self-balancing.
- He explained the design of the renewable energy portfolio. He explained that renewable energy goals are set for the utilities. If they are able to reach that goal they earn renewable energy credits. If they do not reach the goal, or there are no more energy credits to give out, they can make alternative compliance payments. Alternative compliance payments are used to fund the renewable energy fund.
- He stated that the proposed legislation would break the self-balancing system that the renewable energy fund relies on. He stated that this will lead to escalating future costs, that will be pushed back onto ratepayers.

**Senator Watters** asked if the cost of the legislation would be the loss of investment.

**Sam Evans-Brown** responded yes. He stated that the purpose of the renewable energy fund was also to promote fuel diversity and manage risk in a volatile energy market.

**Senator Watters** stated another reason that they started the renewable energy fund was to help combat asthma and other health issues related to the burning of fossil fuels. He asked if this was correct.

**Sam Evans-Brown** stated yes that was correct. He explained that there are numerous unpriced externalities of air pollution.

### **Charles Niebling, Forester**

- Mr. Niebling was opposed to the legislation because he felt that the house did not properly address the benefits of the renewable energy fund. He asked the senate to consider the benefits that would disappear if this legislation passed.
- He stated that the rebates provided for in this legislation have led to significant private investment. He stated that people need this legislation in order to manage their long-term investment planning.

### **Mark Froling**

- Mr. Froling was opposed to the legislation because he and his clients have benefited from the renewable energy fund. He stated that he has only had one client project that has gone without this grant in the last 15 years.
- He stated that the fund provides long term savings for their customers. He stated that even with just a little bit of funding you can leverage a lot of savings. He stated that the service they provide lowers the cost of heating to schools.

### **Susan Richman**

- Ms. Richman was opposed to the legislation because it would remove the ability for homeowners and businesses to take advantage of the renewable energy fund. She said the renewable energy fund allows for businesses to bring down prices to their consumers.
- She stated that this legislation might be violating the HB 2 compromise reached in June 2025. She stated that they might face legal issues if this legislation is passed.

### **John Gage**

- Mr. Gage was opposed to the legislation because it reduces investment in clean energy and it pushes the state back to fossil fuels. He said that he was glad to hear other speakers mention externalities. He stated that carbon was one of the

largest externalities.

- He spoke about carbon pricing. He stated that every other major developed country has a price on carbon. He stated this legislation should not be passed because they should prepare for a price on carbon.

### **Hannah Campbell, wood pellet company**

- Ms. Campbell was opposed to the legislation because the renewable energy fund provides an alternative to the costly fossil fuel market. She stated that eliminating funding for commercial and residential wood pellet rebates would undermine numerous wood chip heating projects in place since 2012.
- She stated that 60% of NH households rely on fossil fuels for heat. She stated that energy is imported and can be expensive.
- She stated that biomass fuels give a use to low grade timber and help the sustainable forestry industry. She went on to say that wood pellets are a local energy source. She stated that wood pellets and biomass are more stable than international fossil fuel energy supplies.

### **Joshua Elliot, Department of Energy**

- Mr. Elliot said the department is neutral on the bill. he talked about the programs function and funding.
- He noted that there is a potential conflict with SB599 in terms of language. Section one of the bill should be replaced with sections one and two of SB599 or deleted to ensure there is no conflict.
- This would remove the 1 million dollars that the department does have available for programs in the second year of the biennium. This would change the purview and result in a net lapse of 1 million in the general fund.

**Senator Rosenwald** asked how many employees would be affected and what would happen to them.

**Mr. Elliot** said they currently have one employee who has resigned so the position is open but they will wait to fill it until this legislative issue is addressed. He did point out there are other administrative costs. The Renewable energy fund doesn't just pay for the staff who work on the individual programs but also staff in the regulatory support division.

### **Jason Stock, NHTOA**

- Mr. Stock spoke in opposition of the bill. he briefly explained the mechanics and how the programs benefits the forestry industry. The one point he wanted to

point out was when you look at the grants, they are leveraged.

- He provided an example of a local business that receives grant funding and provides private businesses to match contributions that benefit low grade timber and other timber owners and emphasis the importance of this program.

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Date Hearing Report completed: April 17, 2026