SB 589-FN - AS AMENDED BY THE SENATE

02/19/2026 0512s

2026 SESSION

26-2048
06/08

SENATE BILL ***589-FN***

AN ACT relative to port electrification, microgrid development, and cybersecurity standards for energy and water systems.

SPONSORS: Sen. Watters, Dist 4; Sen. Avard, Dist 12; Sen. Rosenwald, Dist 13; Sen. Perkins Kwoka, Dist 21; Sen. Pearl, Dist 17; Sen. Altschiller, Dist 24; Rep. Cloutier, Sull. 6; Rep. McGhee, Hills. 35

COMMITTEE: Energy and Natural Resources

AMENDED ANALYSIS

This bill establishes a port electrification task force, directs investigation into microgrid development and cybersecurity standards, and mandates cybersecurity programs for water and wastewater systems.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty-Six

AN ACT relative to port electrification, microgrid development, and cybersecurity standards for energy and water systems.

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

1 Statement of Purpose. The purpose of this act is to promote New Hampshire's energy resilience and deployment of technologies supporting marine shipping, microgrid development, and cybersecurity for distributed energy resources.

2 New Paragraph; Energy Infrastructure Development and Corridors; Definition of Microgrid Added. Amend RSA 162-R:1 by inserting after paragraph III the following new paragraph:

III-a. "Microgrid" means a group of interconnected loads and distributed energy resources acting as a single controllable entity with respect to the grid, with the ability to connect/disconnect to operate in grid-connected or island mode, improve reliability and resilience to grid disturbances, and enable local assets to collaborate to save costs, run during interruptions, or support remote operations. A microgrid may also feature system modeling/simulation, power electronic converters and control algorithms, controller hardware-in-the-loop testing, power hardware-in-the-loop testing, programmable AC/DC power supplies for grid/PV/battery emulation, and hybrid microgrid testing including distribution integration of wind turbines, PV, dynamometers, loads, and energy storage.

3 New Sections; Port Electrification Task Force. Amend RSA 162-R by inserting after section 6 the following new section:

162-R:7 Port Electrification Report.

I. There is hereby established a task force to report on port electrification.

II. The task force shall consist of:

(a) The director of the division of ports and harbors, or designee, who shall serve as chair and convening authority, and shall administer the task force.

(b) The commissioner of the department of transportation, or designee.

(c) The commissioner of the department of energy, or designee.

(d) The commissioner of the department of business and economic affairs, or designee.

III. The report shall:

(a) Identify feasible technologies and locations for charging infrastructure, energy supply, including on-site generation, and energy storage units, to serve hybrid electric, and fuel cell electric ships, for shipping, fisheries, and other vessels, and portside power supply for conventional-fueled vessels.

(b) Assess applicable state, federal, and international regulations and regulatory barriers.

(c) Identify associated costs, funding sources, and potential models for private development.

(d) Identify transmission and interconnection siting.

IV. The report required by this section shall be completed on or before June 30, 2027. Copies shall be submitted to the governor, speaker of the house, president of the senate, and the chairs of the house and senate standing committees for transportation, energy, and commerce.

4 Microgrid Investigation Phase II.

I. Within 120 days of the effective date of this section, the department of energy shall initiate a proceeding to continue to investigate the potential benefits, risks, and key considerations around developing a framework for electricity microgrids, in the state, continuing the work begun in Inv 2024-001. In so doing, the department shall consult with electric distribution utilities, microgrid technology companies, distributed generation project developers, high density load businesses, and any other relevant entities.

II. The department's investigative proceeding shall examine and make recommendations concerning:

(a) The feasibility of financing options for microgrids, including C-PACER.

(b) Identifying political subdivisions and industrial users open to microgrid development.

(c) Development of an approach to use the "sandbox" methodology to enhance the regulatory process.

(d) Cybersecurity standards for microgrids and other distributed energy resources.

(e) The need for legislation or regulatory relief to allow for pilot projects

(f) Evaluation criteria for a pilot project.

(g) Any other relevant issue raised in the department's investigative proceedings.

III. The department shall report its findings and recommendations to the legislature no later than one year after initiating the study.

IV. For the purposes of this section, "microgrid" shall have the same meaning as in RSA 162-R:1, III-a.

5 Cybersecurity and Electric Grid Interconnection Guidelines.

I. Within 120 days of the effective date of this section, the department of energy shall initiate a proceeding, in consultation as deemed necessary with the governor's advisor for utility critical infrastructure cybersecurity, the managing director of the New England Utility Cybersecurity Integration Collaborative, distributed energy resources businesses, and regional/federal transmission authorities, to determine:

(a) The need for guidelines or standards for cybersecurity standards for distributed energy generation and related devices.

(b) The proper venue for promulgation of those guidelines or standards, including, but not limited to rulemaking, statutory changes, and including guidelines or standards within existing procedures and filings.

II. The department shall report its findings and recommendations to the legislature no later than one year after initiating the study. The report shall include recommendations for statutory changes, rulemaking, or other actions as needed. The department shall submit copies of the report to the governor, senate president, speaker of the house, and chairs of senate and house energy policy committees.

6 New Section; Cybersecurity Protection Program; Public Water Systems. Amend RSA 485 by inserting after section 3-d the following new section:

485:3-e Cybersecurity Protection Program.

I. Public water systems shall implement a cybersecurity protection program that is commensurate with the size and complexity of the public water system in accordance with rules adopted by the department.

II. Public water systems that do not use an Internet-connected control system are exempt from the provisions of this section.

III. In this section "cybersecurity protection program" means steps to prevent an event from occurring on or conducted through a computer network that jeopardizes the confidentiality, integrity, or availability of computers, information systems, communications systems, networks, physical or virtual infrastructure controlled by computers or information systems, or the information or processes residing thereon.

IV. The commissioner may adopt rules to implement a cybersecurity protection program for public water systems.

7 New Section; Cybersecurity Protection Program; Wastewater Treatment Facilities. Amend RSA 485-A by inserting after section 485-A:5-e the following new section:

485-A:5-f Cybersecurity Protection Program.

I. Wastewater treatment plants or wastewater facilities shall implement a cybersecurity protection program that is commensurate with the size and complexity of the wastewater treatment plant or wastewater facility in accordance with rules adopted by the department.

II. Wastewater treatment plants or wastewater facilities that do not use an Internet-connected control system are exempt from the provisions of this section.

III. In this section "cybersecurity protection program" means steps to prevent an event from occurring on or conducted through a computer network that jeopardizes the confidentiality, integrity, or availability of computers, information systems, communications systems, networks, physical or virtual infrastructure controlled by computers or information systems, or the information or processes residing thereon.

IV. The commissioner shall adopt rules to implement a cybersecurity protection program for wastewater treatment plants or wastewater facilities.

8 Repeal. RSA 162-R:7, relative to the port electrification task force, is repealed.

9 Effective Date.

I. Section 8 of this act takes effect July 1, 2027.

II. The remainder of this act takes effect upon its passage.

LBA
26-2048
03/13/2026

SB 589-FN- FISCAL NOTE

AS AMENDED BY THE SENATE (AMENDMENT #2026-0512s)

AN ACT relative to port electrification, microgrid development, and cybersecurity standards for energy and water systems.

FISCAL IMPACT:

Estimated Political Subdivision Impact				
	FY 2026	**FY 2027**	**FY 2028**	**FY 2029**
County Revenue	$0	$0	$0	$0
County Expenditures	$0	$0	$0	$0
Local Revenue	$0	$0	$0	$0
Local Expenditures	$0	Indeterminable	Indeterminable	Indeterminable

METHODOLOGY:

This bill establishes a port electrification task force, directs the Department of Energy to investigate microgrid development and cybersecurity standards for distributed energy resources, and requires public water systems and wastewater treatment facilities to implement cybersecurity protection programs in accordance with rules adopted by the Department of Environmental Services.

The New Hampshire Municipal Association states the bill may have an indeterminable increase in municipal expenditures beginning in FY 2027 and each year thereafter for public water systems and publicly owned wastewater treatment facilities that may need to implement cybersecurity upgrades to comply with future rules adopted by the Department of Environmental Services. According to information provided by the Department of Environmental Services, there are approximately 2,500 public water systems and approximately 80 publicly owned wastewater treatment facilities in New Hampshire. Because information regarding existing cybersecurity programs for these systems is not publicly available, the Association cannot determine how many facilities may need upgrades. The cost of potential cybersecurity improvements is indeterminable, but could conservatively range from $10,000 to $100,000 per impacted facility.

The Department of Energy states this bill requires the Department to initiate investigative proceedings related to microgrid development and cybersecurity standards and to report its findings to the Legislature. The Department indicates these activities can be completed with

existing staff and resources and therefore anticipates no fiscal impact to state revenues or expenditures.

The Department of Environmental Services states this bill requires public water systems and wastewater treatment facilities to implement cybersecurity protection programs and authorizes the Department to adopt rules to support those programs. The Department indicates the bill affirms responsibilities that are consistent with work already being undertaken under existing federal and state regulatory requirements and therefore does not result in an incremental cost to the state.

AGENCIES CONTACTED:

Department of Energy, Department of Environmental Services, and New Hampshire Municipal Association