

1 Committee of Conference Report on HB 221, relative to assessment of cost effectiveness of the
2 systems benefit charge.

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4 Recommendation:

5 That the House recede from its position of nonconcurrence with the Senate amendment, and
6 concur with the Senate amendment, and

7 That the Senate and House adopt the following new amendment to the bill as passed by the
8 Senate, and pass the bill as so amended:

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10 Amend the bill by replacing all after section 1 with the following:

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12 2 Peaceful Uses of Atomic Energy; Coordination of Studies and Development Activities. Amend
13 RSA 162-B:4, III to read as follows:

14 III. The coordinator of nuclear development and regulatory activities shall have the duty to
15 coordinate and produce the reports required by RSA 162-B:3, as well as coordinate the studies
16 conducted, and the recommendations and proposals made, in this state with like activities in New
17 England and other states and with the policies and regulations of the United States Nuclear
18 Regulatory Commission. ***These activities may include the management of funding and
19 oversight of nuclear incentive programs, such as those described by RSA 374-F:11, as well
20 as outreach programs to inform and educate the public, particularly regarding safety.***

21 3 New Paragraph; Net Metering. Amend RSA 362-A:9 by inserting after paragraph II the
22 following new paragraph:

23 II-a. Each electric distribution utility shall make available alternative tariffs for net
24 metering to eligible customer-generators in accordance with order no. 26,029 dated June 23, 2017,
25 and the net metering rules adopted by the commission. Any eligible customer-generator that has
26 submitted an interconnection application to a distribution utility on or before the effective date of
27 this act and that is either a low-moderate income community solar project designated for the Electric
28 Assistance Program under RSA 362-A:9, XIV(e) in 2026 or earlier or is used to offset the electricity
29 requirements of a group consisting exclusively of one or more customers who are political
30 subdivisions that first receives compensation under an order no. 26,029 alternative tariff shall
31 remain eligible to receive that tariff for 20 years from the first day on which compensation is
32 received.

33 4 Net Metering. Amend RSA 362-A:9, III and IV to read as follows:

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34 III. Metering shall be done in accordance with normal metering practices. A single net
35 meter that shows the customer's net energy usage by measuring both the inflow and outflow of
36 electricity internally shall be the extent of metering that is required at facilities with a total peak
37 generating capacity of not more than ~~[100]~~ **250** kilowatts. A bidirectional metering system that
38 records the total amount of electricity that flows in each direction from the customer premises, either
39 instantaneously or over intervals of an hour or less, shall be required at facilities with a total peak
40 generating capacity of more than ~~[100]~~ **250** kilowatts. The bidirectional system may consist of one or
41 more meters, as long as it can be used to appropriately meter and bill in compliance with utility
42 tariffs and rules. Customer-generators shall not be required to pay for the installation of net meters,
43 but shall pay for the installation of, or procure at their own cost if approved by the interconnecting
44 utility, all bidirectional metering systems as outlined in utility interconnection tariffs or rules.

45 IV.(a) For facilities with a total peak generating capacity of not more than ~~[100]~~ **250**
46 kilowatts, when billing a customer-generator under a net energy metering tariff that is not time-
47 based, the utility shall apply the customer's net energy usage when calculating all charges that are
48 based on kilowatt hour usage. Customer net energy usage shall equal the kilowatt hours supplied to
49 the customer over the electric distribution system minus the kilowatt hours generated by the
50 customer-generator and fed into the electric distribution system over a billing period.

51 (b) For facilities with a total peak generating capacity of more than ~~[100]~~ **250** kilowatts,
52 the customer-generator shall pay all applicable charges on all kilowatt hours supplied to the
53 customer over the electric distribution system, less a credit on default service charges equal to the
54 metered energy generated by the customer-generator and fed into the electric distribution system
55 over a billing period.

56 5 New Paragraph; Electric Utility Restructuring; Definitions. Amend RSA 374-F:2 by inserting
57 after paragraph II the following new paragraph:

58 II-a. "Advanced nuclear reactor" has the same meaning as that provided in 42 U.S.C. section
59 16271(b)(1), as amended from time to time.

60 6 Purchased Power Agreements. Amend the introductory paragraph of RSA 374-F:11, I to read
61 as follows:

62 I. Investor-owned electric distribution utilities may elect to develop and, no later than June
63 30, ~~[2025]~~ **2040**, issue a request for proposals for multi-year agreements for energy, in conjunction
64 with or independent of any attendant environmental attributes from electric energy sources.

65 7 Purchased Power Agreements. Amend RSA 374-F:11, I(g) to read as follows:

66 (g) All megawatt hours procured through agreements made pursuant to this section
67 shall come from **existing**, new, or incremental electric energy sources.

68 8 New Subparagraphs; Purchased Power Agreements. Amend RSA 374-F:11, I(h) by inserting
69 after subparagraph (2) the following new subparagraphs:

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70 (3) "Existing electric energy sources" means all sources that currently provide
71 energy to the ISO-NE regional markets, including nuclear power generation facilities located in the
72 ISO-NE control area that commenced commercial operation before January 1, 2011.

73 (4) Upon the petition of one or more electric distribution utilities, and after notice
74 and hearing, the public utilities commission may authorize such utility or utilities to enter into
75 multi-year agreements with existing, new, or incremental electric energy sources up to a total of 3
76 million megawatt hours statewide, on an annual basis, if it finds such agreements to be just and
77 reasonable and in the public interest.

78 (5) Further, any single source shall be eligible to procure an amount of energy not to
79 exceed 1 million megawatt hours statewide, on an annual basis, except for advanced nuclear reactors
80 as defined in RSA 374-F:2, II-a, which may procure an amount not to exceed 2 million megawatt
81 hours on an annual basis.

82 9 Purchased Power Agreements. Amend the introductory paragraph for RSA 374-F:11, II
83 through RSA 374-F:11, II(a) to read as follows:

84 II. Any investor-owned electric distribution utility electing to enter into an agreement
85 pursuant to this section shall petition the public utilities commission for authorization to enter the
86 agreement no later than June 30, ~~2026~~ **2041**.

87 (a) Upon the petition of one or more electric distribution utilities, and after notice and
88 hearing, the public utilities commission may authorize such utility or utilities to enter into multi-
89 year agreements with new or incremental electric energy sources up to a total of 2 million megawatt
90 hours statewide, on an annual basis, if it finds such agreements to be just and reasonable and in the
91 public interest, ***provided that if at least 1 million megawatt hours are procured from***
92 ***advanced nuclear reactors as defined in RSA 374-F:2, II-a, an additional 1 million***
93 ***megawatt hours may be procured from existing, new, or incremental electric energy sources***
94 ***for a total of up to 3 million megawatt hours statewide annually.***

95 10 Effective Date. This act shall take effect 60 days after its passage.

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The signatures below attest to the authenticity of this Report on HB 221, relative to assessment of cost effectiveness of the systems benefit charge.

Conferees on the Part of the Senate

Conferees on the Part of the House

Sen. Avard, Dist. 12

Rep. Vose, Rock. 5

Sen. Pearl, Dist. 17

Rep. D. Thomas, Rock. 16

Sen. Watters, Dist. 4

Rep. Bernardy, Rock. 36

Rep. Notter, Hills. 12

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2026-1774-CofC

AMENDED ANALYSIS

This bill:

- I. Modifies the coordinator of nuclear development and regulatory activities' duties.
- II. Amends certain net metering applicable total peak generating capacities and establishes long-term eligibility for certain customer-generators to receive net energy metering compensation under alternative tariffs approved by the public utilities commission.
- III. Defines "advanced nuclear reactor."
- IV. Extends the deadline for electric distribution utilities to issue requests for proposals for multi-year agreements for energy, in conjunction with or independent of any attendant environmental attributes from electric energy sources, and modifies the requirements for the agreements.