

CHAPTER 108  
SB 591-FN - FINAL VERSION

03/05/2026 0779s

2026 SESSION

26-2169  
06/09

SENATE BILL ***591-FN***

AN ACT relative to electric utility investment in distributed energy resources.

SPONSORS: Sen. Avard, Dist 12; Sen. Lang, Dist 2; Sen. Pearl, Dist 17; Sen. Carson, Dist 14; Sen. Birdsell, Dist 19; Rep. Notter, Hills. 12

COMMITTEE: Energy and Natural Resources

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AMENDED ANALYSIS

This bill amends certain standards governing electric utility investment in distributed energy resources.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty-Six*

AN ACT relative to electric utility investment in distributed energy resources.

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

1 108:1 Electric Utility Investment in Distributed Energy Resources. Amend RSA 374-G:4, II-III to read  
2 as follows:

3 II. Distributed electric generation owned by or receiving investments from an electric utility under  
4 this section shall be limited to a cumulative maximum in megawatts of [6] **10** percent of the utility's total  
5 distribution peak load in megawatts. This limitation shall not apply to [~~front-of-meter~~] energy storage[, the  
6 energy storage pilot approved by commission order number 26,209,] or demand response.

7 [~~III. In addition, once the cumulative generation authorized under this chapter for a given public  
8 utility reaches 3 percent of the utility's total distribution peak load in megawatts, then that utility shall not  
9 be allowed to add any additional non-renewable generation under this chapter, until the cumulative  
10 renewable generation installed pursuant to this chapter, as a percentage of total generation installed  
11 pursuant to this chapter, shall equal or exceed twice the sum of the then-applicable percentage  
12 requirements for class I and class II under RSA 362-F:3.]~~

13 108:2 Electric Utility Investment in Distributed Energy Resources; Authorization. Amend RSA 374-  
14 G:5, II(h) to read as follows:

15 (h) Whether the expected value of the economic benefits, **direct and indirect**, of the  
16 investment to the utility's ratepayers over the life of the investment outweigh the economic costs to the  
17 utility's ratepayers.

18 108:3 Effective Date. This act shall take effect 60 days after its passage. 108:

Approved: May 28, 2026  
Effective Date: July 27, 2026

