

CHAPTER 334
HB 1775-FN - FINAL VERSION

19Feb2026... 0594h
05/07/2026 1705s
4Jun2026... 2067CofC
4Jun2026... 2193EBA

2026 SESSION

26-2700
06/08

HOUSE BILL ***1775-FN***

AN ACT relative to utility ownership of natural gas and nuclear power generation facilities.

SPONSORS: Rep. Bernardy, Rock. 36; Rep. D. Thomas, Rock. 16; Sen. Avar, Dist 12

COMMITTEE: Science, Technology and Energy

AMENDED ANALYSIS

This bill:

- I. Expands the purpose of RSA 374-G to include investment in natural gas, hydrogen, and nuclear technologies for grid reliability.
- II. Authorizes electric utilities to own or invest in such resources up to 10 percent of peak load.
- III. Allows rate recovery eligibility for those investments.
- IV. Repeals certain limitations on utility-funded generation equipment and prior investment restrictions.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears ~~[in brackets and struck through.]~~
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 utility ownership of natural gas and nuclear power generation facilities.

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

1 334:1 Purpose; Electric Utility Investment in Distributed Energy Resources. Amend RSA 374-G:1 to
2 read as follows:

3 374-G:1 Purpose. Distributed energy resources can increase overall energy efficiency and provide
4 energy security and diversity by eliminating, displacing, or better managing traditional fossil fuel energy
5 deliveries from the centralized bulk power grid, in keeping with the objectives of RSA 362-F:1. It is
6 therefore in the public interest to stimulate investment in distributed energy resources in New Hampshire
7 in diverse ways, including by encouraging New Hampshire electric public utilities to invest in renewable
8 and clean distributed energy resources at the lowest reasonable cost to taxpayers benefiting the
9 transmission and distribution system under state regulatory oversight. ***Reliable, dispatchable, and***
10 ***controllable power generation must also be available to provide all essential electric service when***
11 ***renewable distributed energy resources, including storage, are not sufficient. It is therefore in the public***
12 ***interest to stimulate investment in natural gas, hydrogen, and nuclear technologies, including battery***
13 ***storage, to ensure reliable and efficient energy in addition to renewable and clean distributed energy***
14 ***resources. Given the ability of nuclear technology to provide reactive power, it also ensures grid stability***
15 ***and supports voltage regulation.***

16 334:2 New Section; Investments in Natural Gas and Nuclear Resources. Amend RSA 374-G by
17 inserting after section 2 the following new section:

18 374-G:2-a Investments in Natural Gas and Nuclear Energy Resources.

19 I. Notwithstanding any other provision of law to the contrary, a New Hampshire electric utility may
20 invest in or own natural gas or nuclear energy resources as whole generation units, or as part of a
21 generation unit, located on or interconnected to the local electric distribution system. No individual
22 generation unit may exceed 5 megawatts in size.

23 II. The cumulative name plate capacity in megawatts of natural gas and nuclear electric
24 generation owned by or receiving investments from an electric utility under this chapter shall not exceed
25 10 percent of the utility's total distribution peak load in megawatts.

26 334:3 Rate Filing; Authorization. Amend the introductory paragraph of RSA 374-G:5, I to read as
27 follows:

28 I. A New Hampshire electric public utility may ***be eligible to*** seek rate recovery for its portion of
29 investments in [distributed] ***natural gas and nuclear*** energy resources, ***in addition to renewable distributed***

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1 *energy resources*, from the commission by making an appropriate rate filing. At a minimum, such filing
2 shall include the following:

3 334:4 Rate Filing; Authorization. Amend the introductory paragraph for RSA 374-G:5, II to read as
4 follows:

5 II. Prior to authorizing a utility's recovery of investments made in [~~distributed energy resources~~]
6 *natural gas or nuclear distributed energy resources, or other distributed energy resources*, the
7 commission shall determine that the utility's investment and its recovery in rates, as proposed, are in the
8 public interest. Determination of the public interest under this [~~section~~] *chapter* shall include giving a
9 balanced consideration and proportional weight to each of the following factors:

10 334:5 Repeal. The following are repealed:

11 I. RSA 374-G:3, V, relative to electric generation equipment funded by public utilities and their
12 requirements.

13 II. RSA 374-G:4, III, relative to investments in distributed energy resources.

14 334:6 Effective Date. This act shall take effect 60 days after its passage.

Approved: July 15, 2026
Effective Date: September 13, 2026

