

Senate Energy and Natural Resources Committee

Joshua Schauer 271-3077

SB 447, enabling electric utilities to own, operate, and offer advanced nuclear resources, and relative to purchased power agreements for electric distribution utilities and limitations on community customer generators.

Hearing Date: January 8, 2026

Time Opened: 3:19 p.m.

Time Closed: 3:44 p.m.

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

Members of the Committee Absent : Senator Pearl

Bill Analysis: This bill:

I. Defines "advanced nuclear resource" (ANR) and includes ANR options alongside renewable energy sources for utility services.

II. Sets limitations and guidelines for investments in distributed electric generation.

III. Clarifies the coordinator's duties in nuclear development and regulatory activities.

IV. Allows the department of energy or the electric distribution utilities, or both, to issue requests for proposals (RFPs) for multi-year agreements for energy, in conjunction with or independent of any attendant environmental attributes from electric energy sources, and coordinate with one or more New England states in issuing this RFP.

V. Modifies the scope and capacity limits of community solar projects, including expanding the annual cap for low-moderate income community solar projects from 6 MW to 18 MW.

VI. Allows group net metering members to sign agreements with multiple group hosts, as long as their combined allocated load does not exceed their total load.

VII. Expands the definition of "political subdivision" to include public housing authorities and explains eligibility for participation in group net metering.

Sponsors:

Sen. Avard

Sen. Pearl

Sen. Lang

Rep. Sabourin dit

Sen. McConkey

Rep. Notter

Who supports the bill: 7 Individuals sign in Support. Contact Joshua.Schauer@gc.nh.gov. for further information.

Who opposes the bill: 3 Individuals sign in Opposition. Contact Joshua.Schauer@gc.nh.gov. for further information.

Who is neutral on the bill: 3 Individuals sign Neutral. Contact Joshua.Schauer@gc.nh.gov. for further information.

Summary of testimony presented:

Senator Kevin Avard, District 12

- Senator Avard introduced the bill as the prime sponsor and said that the bill is a repeat of prior legislation. He hoped that it could serve as a placeholder if last year's bill is not signed by the House.

Chris Ellms, Deputy Commissioner of Department of Energy

- Said that he already testified on this legislation last year, however the department still had some technical concerns and policy questions and was happy to discuss if the senators were willing to meet with them.
- He offered a follow-up discussion with the sponsor in order to improve this legislation.

Molly Connors, New England Power Generators Association (NEPGA)

- She expressed significant concerns with the bill explaining that rate-based generation will not speed up construction times or lower costs.
- She warned that this legislation poses a threat to the existing power generating facilities which provide reliable low-cost energy.

Senator Avard asked if any of the companies she represents produce energy NH.

Ms. Connors said that she represents all the non-utility owned generators in New England including the vast number of power plants in New Hampshire.

Sarah Abramson, Executive Director C10 research and Education Foundation

- She said that her organization was neutral on this bill and her organization primarily focused on providing radiological monitoring of the air near the Seabrook Nuclear power station.
- Ms. Abramson emphasized education on radiological safety and role of the nuclear commissions which provide safety protocols and tips.
- She raised a question about new coordinator position which was created in this bill. She highlighted the need for collaboration with neighboring countries on energy and it would be good to eliminate this role.
- She proposed amending the bill to create an independent panel instead of a single coordinator and stressed that excluding the public from the process is detrimental to policy.

Senator Watters asked if Ms. Abramson was familiar with the office of consumer advocate and if she knew the functions, because he would like to get her advice regarding public engagement.

Ms. Abramson said she would review the Office of the Consumer Advocate and its role.

Clifton Below, Community Power Coalition of NH (CPCNH)

- He said the organization took no formal position on the bill but agreed that the intent to expand opportunities for low-income communities and expand participation in net metering was good for the State.
- Mr. Below raised concerns with section 7 where it expands the size of LMI solar projects to 3 megawatts, noting the lack of temporal price signals. He stated that New England already has sufficient solar storage and this would be unnecessary.
- He noted that Liberty and Unitil are on competitive supply and believed they would not use 1 million MW of power and that language can be changed.

Chad Whittaker, Pure Source Consulting

- Mr. Whittaker said they were in support of the bill overall but had concerns with the definition of “municipal host”. It is in regard to low-income housing tax credit properties which are traditionally owned by public housing authorities.
- He said that things have changed and now properties are operated as public housing but owned by separate legal entities and because they are owned by a separate legal entity, they no longer qualify as a public subdivision and don’t get the tax credit. He asked the committee to consider a language change to adjust for the change in ownership structure.

Lindsay Bourgoine, Revision Energy

- Ms. Bourgoine said she supported the legislation and the intent of the bill. She was happy to see that the legislation was updating the small customer generator threshold.
- She argued that it is unfair to treat large (150 kw) and small (mw) facilities the same noting they have very different economies of scale. She urged fixes for smaller projects and updating the threshold.
- She spoke in support of Section 4, noting a change that is an expansion from 6 megawatts to 18 megawatts annually. They support expanding access to low- and moderate-income communities.

Bruce Burke, NextEra Energy

- He said that NextEra are the owners of the Seabrook nuclear power station and was there in support of SB447.
- He said that there was earlier testimony that inferred NextEra was not in support of the bill, but he wanted to clarify that they are in support of the legislation.

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Date Hearing Report completed: January 15, 2026