

# Senate Energy and Natural Resources Committee

*Max Taylor 271-1403*

**SB 236**, relative to transferring control of the Electric Assistance Program to the department of energy.

**Hearing Date:** March 4, 2025

**Time Opened:** 10:16 a.m.

**Time Closed:** 10:54 a.m.

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

**Members of the Committee Absent :** None

**Bill Analysis:** This bill transfers the electric assistance program from the public utilities commission to the department of energy.

This bill is a request of the department of energy.

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**Sponsors:**

Sen. Avard

Sen. Ward

Sen. Murphy

Sen. Lang

Sen. Gannon

Sen. Innis

Sen. Reardon

Sen. Long

Sen. Rochefort

Sen. Pearl

Sen. Rosenwald

Sen. Watters

Sen. Perkins Kwoka

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**Who supports the bill:** Senator Kevin Avard (District 12), Senator Howard Pearl (District 17), Amanda Noonan (Department of Energy), Donald Kreis (Office of the Consumer Advocate)

**Who opposes the bill:**

**Who is neutral on the bill:**

**Summary of testimony presented in support:**

**Senator Howard Pearl**

**Co-Sponsor, District 17**

- Senator Pearl introduced SB 236 on behalf of Senator Avard, the bills prime sponsor.

**Donald Kreis**  
**Office of the Consumer Advocate**

- Mr. Kreis stated his support for the bill, noting that it combines a version originally introduced at his request with a proposal from the Department of Energy.
- Mr. Kreis described the bill as a “housekeeping measure”, ensuring that oversight and administration of the Electric Assistance Program is clearly assigned to the Department of Energy, rather than the Public Utilities Commission.
- Mr. Kreis emphasized the importance of the Electric Assistance Program, which helps low-income ratepayers struggling with high electricity costs.
- He explained that the Electric Assistance Program Advisory Board is chaired by the Department of Energy and includes representatives from utilities, community action programs, and the consumer advocate. He emphasized that the board functions effectively and would continue to do so under SB 236.
- Mr. Kreis stated that SB 236 does not change the structure of the program but clarifies that the advisory board provides recommendations to the Commissioner of Energy.
- Senator Watters asked about differences between his version of the bill and the current version, specifically the change from “shall” to “may” on line 25, which allows flexibility if program needs exceed the \$1 million accumulation limit.
  - Mr. Kreis agreed, stating that electricity rates are highly volatile due to fluctuations in the wholesale market. He emphasized the need for the Electric Assistance Program to adapt to changing economic conditions.
- Senator Watters noted that the 1.5-mil charge has remained unchanged since the 1996 Restructuring Act and asked if an increase would be more appropriate given inflation.
  - Mr. Kreis acknowledged that inflation has increased pressure on electricity rates and that he would have preferred to raise the charge. However, he agreed that keeping it at 1.5 mils is reasonable, given the need for stability and flexibility within the program.

**Amanda Noonan**  
**New Hampshire Department of Energy**

- Ms. Noonan stated the Department of Energy supports SB 236. She emphasized her experience working with the Electric Assistance Program, referencing her involvement in the programs creation while working at the Public Utilities Commission.
- She highlighted SB 235 clarifies administrative responsibilities rather than making substantive changes to the program.

- Ms. Noonan stated that the Electric Assistance Program is well-established, with its rate set in statute. She emphasized that any future rate increases would be determined by the legislature, not the Department of Energy or the Public Utilities Commission.
- Ms. Noonan state the Department of Energy is suited to manage and administer the program, as it falls under the broader scope of energy policy.
- She expressed concerns about including the Electric Advisory Board in statute. She explained that while the board functions effectively in its current cooperative and voluntary form, making its structure statutory could create complications, particularly in compelling participation from designated entities.
- She noted that the Electric Assistance Program Advisory Board includes one representative for all five Community Action Agencies, which allows for a more efficient and coordinated approach.
- She expressed a concern regarding an amendment to the bill that would add the term “commission” to Section 369-B:1 XIII. She stated that reintroducing the term would create confusion, and that the language should clearly establish the Department of Energy as the entity responsible for designing and modifying the program.

**Chris Ellms**

**New Hampshire Department of Energy, Deputy Commissioner**

- Mr. Ellms testified at the request of Senator Pearl.
- Senator Watters asked if he could elaborate on the concern of amending the bill to include the term “commission”.
  - Mr. Ellms stated the amendment could create confusion. He explained the bill was meant to clarify that the bill pertains specifically to the Electric Assistance Program and is not an effort to shift all low-income energy efficiency programs under the System Benefits Charge to the Department of Energy.

**Summary of testimony presented in opposition:** None.

**Neutral Information Presented:** None.