

Sen. Little, Dist 8
Sen. Stiles, Dist 24
Sen. Boutin, Dist 16
Sen. Feltes, Dist 15
April 25, 2016
2016-1580s
10/05

Floor Amendment to HB 1660-FN-LOCAL

Amend the title of the bill by replacing it with the following:

AN ACT relative to appraisals of residential property, a residential owner option in a partial taking, and relocation, temporary housing, and legal expenses in eminent domain proceedings for gas pipelines; relative to intervention by the site evaluation committee in such proceedings; and relative to expenditures from the energy efficiency fund.

Amend the bill by replacing all after section 3 with the following:

4 Severability. If any provision of sections 1-3 of this act or the application thereof to any person or circumstance is held to be invalid, the invalidity shall not affect other provisions or applications of sections 1-3 of this act which can be given effect without the invalid provision or application, and to this end the provisions of sections 1-3 of this act are severable.

5 Regional Greenhouse Gas Initiative; Energy Efficiency Fund and Use of Auction Proceeds.
Amend RSA 125-O:23, II and III to read as follows:

II. All amounts ~~[in excess of the threshold price of \$1 for any allowance sale]~~ shall be ***allocated to the commercial and industrial retail electric customers and the residential retail electric customers consistent with the kilowatt-hour delivery sales of electric distribution utilities as determined by the commission. All of the commercial and industrial retail electric customer allocations shall be*** rebated to all ~~[retail electric ratepayers]~~ ***commercial and industrial retail customers*** in the state on a per-kilowatt-hour basis, in a timely manner to be determined by the commission.

III. All remaining proceeds received by the state from the sale of allowances, excluding the amount used for commission and department administration under paragraph I, shall be allocated by the commission as follows:

(a) At least ~~[15]~~ **35** percent to the low-income core energy efficiency program.

(b) Beginning January 1, ~~[2014]~~ **2017**, up to ~~[\$2,000,000]~~ **\$5,000,000** annually to utility core programs for municipal, ***school district***, and local government energy efficiency projects, including projects by local governments that have their own municipal utilities. Funding elements shall include, but not be limited to, funding for direct technical and project management assistance to identify and encourage comprehensive projects and incentives structured to assist municipal and

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1 local governments funding energy efficiency projects. In calendar years 2014, 2015, ~~and~~ 2016,
2 **and 2017** any unused funds allocated to municipal and local government projects under this
3 paragraph remaining at the end of the year shall roll over and be added to the new calendar year
4 program funds and continue to be made available exclusively for municipal and local government
5 projects. Beginning in calendar year ~~[2017]~~ **2018**, and all subsequent years, funds allocated to
6 municipal and local government projects under this paragraph shall be offered first to municipal
7 and local governments as described in this paragraph for no less than 4 full calendar months. If, at
8 the end of this time, municipal and local governments have not submitted requests for eligible
9 projects that will expend the funds allocated to municipal and local government projects under this
10 paragraph within that program year, the funds shall ~~[be offered on a first-come, first-serve basis to~~
11 ~~business and municipal customers who fund the system benefits charge]~~ **go to a fuel neutral**
12 **residential core energy efficiency program.**

13 (c) The remainder to ~~[all fuels, comprehensive energy efficiency programs administered~~
14 ~~by qualified parties which may include electric distribution companies as selected through a~~
15 ~~competitive bid process. The funding shall be distributed among residential, commercial, and~~
16 ~~industrial customers based upon each customer class's electricity usage to the greatest extent~~
17 ~~practicable as determined by the commission. Bids shall be evaluated based on, but not limited to,~~
18 ~~the following criteria:]~~

19 (1) ~~A benefit/cost ratio analysis including all fuels.~~
20 (2) ~~Demonstrated ability to provide a comprehensive, fuel neutral program.~~
21 (3) ~~Demonstrated infrastructure to effectively deliver such program.~~
22 (4) ~~Experience of the bidder in administering energy efficiency programs.~~
23 (5) ~~Ability to reach out to customers.~~
24 (6) ~~The validity of the energy saving assumptions described in the bid]~~ **a fuel**
25 **neutral residential core energy efficiency program.**

26 6 Repeal. RSA 125-O:23, IV and V, relative to use of remaining proceeds received by the state
27 from the sale of allowances, is repealed.

28 7 Effective Date.

29 I. Sections 5 and 6 of this act shall take effect 60 days after its passage.

30 II. The remainder of this act shall take effect upon its passage.

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AMENDED ANALYSIS

This bill:

I. Allows an owner of residential property to have an updated appraisal completed at the expense of a pipeline company seeking to acquire the property by eminent domain.

II. Allows certain owners of property subject to a partial taking under eminent domain to require a pipeline company to take the entire tract of land.

III. Provides for the awarding of relocation, temporary housing, and legal expenses in gas pipeline eminent domain proceedings.

IV. Requires the site evaluation committee to file as an intervenor in Federal Energy Regulatory Commission proceedings involving siting of high pressure gas pipelines.

V. Modifies the allocation of rebates to retail electric customers and requires the public utilities commission to allocate certain funds to school districts for energy efficiency projects.