

Amendment to HB 317

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

2
3 AN ACT relative to changes in the system benefits charge.
4

5 Amend the bill by replacing all after the enacting clause with the following:
6

7 1 Electric Utility Restructuring; Policy Principles; System Benefits Charge. Amend RSA 374-
8 F:3, VI to read as follows:

9 VI. Benefits for All Consumers.

10 (a) Restructuring of the electric utility industry should be implemented in a manner
11 that benefits all consumers equitably and does not benefit one customer class to the detriment of
12 another. Costs should not be shifted unfairly among customers. A nonbypassable and competitively
13 neutral system benefits charge applied to the use of the distribution system may be used to fund
14 public benefits related to the provision of electricity. Such benefits, as approved by regulators, may
15 include, but not necessarily be limited to, programs for low-income customers, energy efficiency
16 programs, funding for the electric utility industry's share of commission expenses pursuant to RSA
17 363-A, support for research and development, and investments in commercialization strategies for
18 new and beneficial technologies. ***Legislative approval shall be required to modify the system***
19 ***benefits charge except for the 3-year program authorized by Order No. 25,932 issued by the***
20 ***commission, dated August 2, 2016.***

21 (b) ***Commercial and industrial customers may opt out of paying the portion of***
22 ***the system benefits charge collected to fund energy efficiency and conservation and load***
23 ***management programs. Utilities shall inform each commercial and industrial customer***
24 ***of such option by September 1 of each year. Any such customer who chooses to opt out***
25 ***shall reply by November 1. No response shall be required for customers who opt to***
26 ***continue paying the charge. Customers that pay the charge shall be eligible to participate***
27 ***in the utility's energy efficiency programs. Customers that opt out of paying the charge***
28 ***shall be ineligible to receive a utility's energy efficiency grants or payments. Kilowatt-***
29 ***hours of electricity used by all customers who opt out shall be deducted from the***
30 ***obligation a utility incurs to meet the requirements of any existing energy efficiency***
31 ***programs, including the energy efficiency resource standard. Utilities may recover the***
32 ***costs of administering opt-out provisions in their distribution rates.***

Amendment to HB 317

- Page 2 -

1 2 Effective Date. This act shall take effect 60 days after its passage.

Amendment to HB 317
- Page 3 -

2017-2459h

AMENDED ANALYSIS

This bill requires legislative approval for modifications to the system benefits charge. This bill also permits commercial and industrial customers to opt out paying the portion of the charge that funds energy efficiency and conservation and load management programs.