

SB 236 - AS AMENDED BY THE SENATE

03/13/2025 0826s

2025 SESSION

25-0444

06/08

SENATE BILL **236**

AN ACT relative to transferring control of the Electric Assistance Program to the department of energy.

SPONSORS: Sen. Avard, Dist 12; Sen. Ward, Dist 8; Sen. Murphy, Dist 16; Sen. Lang, Dist 2; Sen. Gannon, Dist 23; Sen. Innis, Dist 7; Sen. Reardon, Dist 15; Sen. Long, Dist 20; Sen. Rochefort, Dist 1; Sen. Pearl, Dist 17; Sen. Rosenwald, Dist 13; Sen. Watters, Dist 4; Sen. Perkins Kwoka, Dist 21

COMMITTEE: Energy and Natural Resources

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.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~[in brackets and struckthrough.]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Five

AN ACT relative to transferring control of the Electric Assistance Program to the department of energy.

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

1 1 Electric Rate Reduction Financing and Commission Action; Declaration of Purpose and
2 Findings. Amend RSA 369-B:1, XIII to read as follows:

3 XIII. The commission **and the department shall** ~~[should]~~ design ~~[low-income]~~ **low-income**
4 programs in a manner that targets assistance and has high operating efficiency, so as to maximize
5 the benefits that go to the intended beneficiaries of the ~~[low-income program]~~ **low-income**
6 **programs**.

7 2 New Paragraph; Electric Rate Reduction Financing and Commission Action; Definitions.
8 Amend RSA 369-B:2 by inserting after paragraph III the following new paragraph:

9 III-a. "Department" means the department of energy.

10 3 Electric Utility Restructuring; Implementation. Amend RSA 374-F:4, VIII(c) to read as
11 follows:

12 (c) ~~[The portion of the system benefits charge due to programs for low-income customers~~
13 ~~shall not exceed 1.5 mills per kilowatt-hour.]~~ **Notwithstanding any other provision of law to the**
14 **contrary, the system benefits charge shall include 1.5 mills per kilowatt-hour to fund an**
15 **electricity assistance program for low-income customers. The department of energy shall**
16 **be the agency with authority over any such program. The department of energy shall be the**
17 **agency with authority over any such program. The department of energy may, using a non-**
18 **adjudicative hearing process, order among other things, eligibility tiers, benefit levels,**
19 **administrative budgets, expenditures, and modification of any such program. Authority**
20 **over the low-income assistance program funded through the system benefits charge and**
21 **implemented by the public utilities commission prior to July 1, 2025, along with the**
22 **commission orders creating and implementing that program, are transferred to the**
23 **department of energy to be administered in conformity with this paragraph.** If the
24 ~~[commission]~~ **department of energy** determines that the low-income program fund has
25 accumulated an excess of \$1,000,000 and that the excess is not likely to be substantially reduced
26 over the next 12 months, it ~~[shall]~~ **may, using a non-adjudicative procedures, suspend by order**
27 **the** collection of some or all of this portion of the system benefits charge for a period of time it deems
28 reasonable **to reduce the program fund to the level necessary to achieve the programs'**
29 **purposes. Actions taken using a non-adjudicative hearing process shall be by written**
30 **decision of the department, in which the department shall state its reasons for the actions**

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1 *taken.* [~~The commission shall take no action to determine the accumulation of any excess in the~~
2 ~~low income program fund or otherwise suspend the collection of some or all of the system benefits~~
3 ~~charge related to the low income program fund before June 30, 2024.]~~

4 4 Effective Date. This act shall take effect 60 days after its passage.