

**SB 236 - VERSION ADOPTED BY BOTH BODIES**

03/13/2025 0826s  
06/05/2025 2401EBA

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. Avar, 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

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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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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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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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 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**

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

5 4 Effective Date. This act shall take effect 60 days after its passage.