

Rep. Manos, Rock. 12
Rep. Bernardy, Rock. 36
Rep. Cormen, Graf. 15
March 7, 2025
2025-0823h
06/08

Amendment to HB 537

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

2

3 1 Condominium Instruments; Commercial Use. Amend RSA 356-B:16, I(h) to read as follows:

4 (h) A statement of the purposes for which the condominium and each of the units are
5 intended and restricted as to use *and whether any commercial or business enterprises are*
6 *permitted*;

7 2 New Paragraph; Submetering. Amend RSA 356-B:45 by inserting after paragraph II the
8 following new paragraph:

9 II-a Regardless of the condominium instruments, the cost for shared residential meter usage
10 for septic systems and well pumps shall be charged back only to the residential units that share each
11 meter, even if the homeowners association is the customer of the public utility or rural electric
12 cooperative. The chargeback shall be divided among these units, ensuring the cost is equally split
13 according to the number of units sharing the meter.

14 3 New Section; Public Utility Rates; Condominium Charges. Amend RSA 378 by inserting after
15 section 6 the following new section:

16 378:6-a Condominium Charges. An electric rate schedule of a public utility filed with the
17 commission shall ensure that condominium associations under RSA 356-B, which do not permit
18 commercial or business enterprises, are charged the same electric rates as condominium residential
19 units for domestic septic and well-pump electric usage, and ensure that the billing for all such
20 residential units is at residential rates, even if the homeowners association is the customer and even
21 if shared meters are used.

22 4 Public Utility. Amend RSA 362:2, II to read as follows:

23 II. For the purposes of this title only, rural electric cooperatives for which a certificate of
24 deregulation is on file with the public utilities commission pursuant to RSA 301:57 shall not be
25 considered public utilities; provided, however, that the provisions of RSA 362-A:1, 362-A:2, 362-A:3,
26 362-A:4, 362-A:5, 362-A:6, 362-A:7, 362-A:8, 363-B, 371, 374:2-a, 374:26, 374:48-56, 374-A, 374-C,
27 374-F, **378:6-a**, and 378:37 shall, unless otherwise provided herein, be applicable to rural electric
28 cooperatives, without regard to whether a certificate of regulation or deregulation is on file with the
29 public utilities commission. The provisions of RSA 374-A and the provisions of RSA 374-F:3, V(b)

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1 and (f) and RSA 374-F:7 shall be applicable to rural electric cooperatives for which a certificate of
2 deregulation is on file with the public utilities commission to the same extent as municipal utilities.

3 ***III. An electric rate schedule of a rural electric cooperative shall ensure that***
4 ***condominium associations under RSA 356-B, which do not permit commercial or business***
5 ***enterprises, are charged the same electric rates as condominium residential units for***
6 ***domestic septic and well-pump electric usage. It shall also ensure that the billing for all***
7 ***such residential units is at residential rates, even if the homeowners association is the***
8 ***customer and even if shared meters are used.***

9 5 New Section; Municipal and County Aggregations; Condominium Charges. Amend RSA 53-E
10 by inserting after section 7 the following new section:

11 53-E:7-a Condominium Charges. An electric rate schedule of a municipal or county aggregation
12 shall ensure that condominium associations under RSA 356-B, which do not permit commercial or
13 business enterprises, are charged the same electric rates as condominium residential units for
14 domestic septic and well-pump electric usage. It shall also ensure that the billing for all such
15 residential units is at residential rates, even if the homeowners association is the customer and even
16 if shared meters are used.

17 6 New Section; Municipal Electric Utilities; Condominium Charges. Amend RSA 38 by inserting
18 after section 35 the following new section:

19 38:35-a Condominium Charges. An electric rate schedule of a municipal electric utility shall
20 ensure that condominium associations under RSA 356-B, which do not permit commercial or
21 business enterprises, are charged the same electric rates as condominium residential units for
22 domestic septic and well-pump electric usage. It shall also ensure that the billing for all such
23 residential units is at residential rates, even if the homeowners association is the customer and even
24 if shared meters are used.

25 7 Effective Date. This act shall take effect 60 days after its passage.

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AMENDED ANALYSIS

This bill:

I. Requires that electric rate schedules for public utilities, rural electric cooperatives, municipal or county aggregations, and municipal electric utilities charge the same electric rates for condominium associations that do not permit commercial or business enterprises as they do for residential units.

II. Requires that the billing for all such residential units be at residential rates, even if the homeowners association is the customer and even if shared meters are used.

III. Defines the cost allocation for shared residential meter usage for septic systems and well pumps.