

HB 95-FN - AS INTRODUCED

2025 SESSION

25-0129

06/02

HOUSE BILL **95-FN**

AN ACT requiring the New Hampshire electric co-op regularly file a certificate of deregulation with the public utilities commission.

SPONSORS: Rep. W. Thomas, Hills. 12; Rep. McGhee, Hills. 35

COMMITTEE: Science, Technology and Energy

ANALYSIS

This bill requires the New Hampshire electric co-op to regularly file a certificate of deregulation with the public utilities commission every 3 years.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~[in brackets and struck through.]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 requiring the New Hampshire electric co-op regularly file a certificate of deregulation with the public utilities commission.

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

1 1 New Paragraph; New Hampshire Electric Cooperative Certificate of Deregulation. Amend
2 RSA 301:57 by inserting after paragraph III the following new paragraph:

3 III-a. Notwithstanding paragraph III, the New Hampshire Electric Cooperative, Inc. shall
4 regularly file a certificate of deregulation with the public utilities commission no later than
5 December 31, 2026, and no later than December 31 every third year thereafter.

6 2 Effective Date. This act shall take effect January 1, 2026.

**HB 95-FN- FISCAL NOTE
AS INTRODUCED**

AN ACT requiring the New Hampshire electric co-op regularly file a certificate of deregulation with the public utilities commission.

FISCAL IMPACT: This bill does not provide funding, nor does it authorize new positions.

Estimated State Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
Revenue	\$0	Indeterminable	Indeterminable	Indeterminable
<i>Revenue Fund(s)</i>	Utility Assessments			
Expenditures*	\$0	Indeterminable	Indeterminable	Indeterminable
<i>Funding Source(s)</i>	Utility Assessments			
Appropriations*	\$0	\$0	\$0	\$0
<i>Funding Source(s)</i>	None			

*Expenditure = Cost of bill

*Appropriation = Authorized funding to cover cost of bill

Estimated Political Subdivision Impact				
	FY 2025	FY 2026	FY 2027	FY 2028
County Revenue	\$0	\$0	\$0	\$0
County Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable
Local Revenue	\$0	\$0	\$0	\$0
Local Expenditures	\$0	Indeterminable	Indeterminable	Indeterminable

METHODOLOGY:

This bill requires the New Hampshire electric co-op to regularly file a certificate of deregulation with the Public Utilities Commission (PUC) every 3 years. The PUC states this bill would require the New Hampshire Electric Cooperative ("NHEC"), to file a certificate of deregulation with the PUC no later than December 31, 2026, and no later than December 31 every third year thereafter. The PUC indicates that:

1. If NHEC fails to file a certificate of deregulation with the PUC, it will gain the status of a public utility subject to the regulatory authority and oversight responsibility of the PUC. NHEC is currently not subject to the general regulatory authority of the PUC.

2. The decision to file, or not to file, a certificate of deregulation would lie with the membership (customer-members) of NHEC, through a vote of the NHEC membership subject to NHEC's bylaws.

3. Certain advocates have encouraged the membership of NHEC, through publicity in the media, to move to have NHEC subject to PUC regulatory authority. In such a circumstance, where NHEC would acquire the status of a public utility under the regulatory oversight of the PUC, the PUC would require additional personnel to accommodate such oversight. These personnel would be needed in the second half of FY 2026. and would be funded by Utility Assessments, the cost of which are passed on to the utility customers.

If the NHEC chose not to file a certificate of deregulation with the PUC and gained the status of a public utility subject to the regulatory authority of the PUC, the PUC estimates the following additional staff would be required: an Attorney II, an unclassified Senior Advisor, and 2-1/2 Utility Analyst positions. These estimated annual cost for these positions, including benefits is \$605,500, beginning in January 2026. If the NHEC were to become regulated by the PUC the fiscal, if any, on state, county and local utility expenditures is indeterminable.

If the NHEC filed a certificate of deregulation with the PUC December 31, 2026, and no later than December 31 every third year thereafter as required by the bill there would be no fiscal impact.

AGENCIES CONTACTED:

Public Utilities Commission