



VOICE SUPPORT to AMEND & PASS SENATE BILL 91

SB 91 would launch a new, non-utility market for renewable generators, customer batteries and Community Power programs in New Hampshire.

Bill Summary: Senate Bill 91 has bipartisan sponsors, support by Senate leadership and isn't opposed by Governor Sununu — but **will not pass the House Science, Tech & Energy Committee without your support on Monday April 19th!**

With both Net Metering bills now tabled, SB 91 is the only bill left standing this session that could significantly expand local power project development. SB 91 would:

- Launch a statewide 'farm-to-table' style market for local generators to sell electricity to other Granite Staters — with rules that avoid subsidies or cost shifts.
- Enable Community Power programs to offer innovative 'Community Solar' and 'Community Storage' options to connect local generators with local customers.
- Allow customers to install battery storage systems — and be fairly compensated for creating systemwide benefits — under "*bring your own device*" style programs.
- Fairly compensate customer- and community-owned generators and battery storage for avoiding transmission costs.
- Maintain the current benefits for low-moderate income customers receiving bill credits from local renewables under Group Net Metering programs.

Bipartisan Sponsors: Senator Bradley (R), Prime/District 3; Senator Watters (D), District 4; Senator Avard (R), District 12; Senator Giuda (R), District 2.

Direct Link to Bill Text: [Senate Bill 91](#)

Call to Action:

The House ST&E Committee is expected to vote SB 91 'Inexpedient to Legislate' (ITL) at Monday's hearing — after recently doing the same for the House version of the bill.

Please register in support, email ST&E Committee Representatives and testify at the hearing on Monday April 19th to AMEND and SUPPORT Senate Bill 91:

1. **Parts I, II, III and IV of SB 91 should be SUPPORTED**, create the benefits described above — and were passed in the Senate (23 in favor to 1 opposed).
2. **Part V of SB 91 must be AMENDED or REMOVED** in the House: sponsors in the Senate inadvertently included outdated language from **the original version of House Bill 315** that would strip Community Power programs of a critical authority (though House ST&E Chair Vose is already aware of the Senate's mistake, having worked closely with the Coalition to amend HB 315).

Register in Support: go to [“NH House Remote Sign In”](#) webpage and select “April 19 / House Science, Tech & Energy Committee / 10:30am - SB 91” — then fill out the form indicating your **SUPPORT** for SB 91 and plan to **TESTIFY** on April 19.

Email the ST&E Committee: HouseScienceTechnologyandEnergy@leg.state.nh.us

Testify in Support: [attend the Hearing via Zoom](#) on Monday April 19th at 10:30am

Policy Brief

[Senate Bill 91](#) consists of five parts (we support I to IV and oppose V unless amended):

- **SUPPORT: Part I** authorizes “*bring your own device*” programs for customer battery storage systems — and requires market rules that compensate customers for their “*fair share, as determined by the commission, of the value it provides to the electricity system.*” (There is currently no mechanism in New Hampshire law that allows energy users to benefit from energy storage technologies.)
- **SUPPORT: Part II** is for the benefit of a single customer but is actually fixing an unfair situation. (The customer is a local manufacturer that generates hydroelectric power, should be allowed to use their onsite generation to offset their utility bill, but isn’t able to simply because of an oversight in how the rules were drafted at the Public Utilities Commission — a loose end to tie up!)
- **SUPPORT: Part III** maintains the current benefits for low-moderate income customers receiving bill credits from local renewables under Group Net Metering programs.
- **SUPPORT: Part IV** creates a ‘farm to table’ style market for local generators and battery storage under 5 megawatts (“*limited producers*”) to sell electricity to other Granite Staters under rules that avoid creating any subsidies or cost shifts.

There is widespread support for municipal and community-scale renewable energy project development in New Hampshire (1-5 megawatts), but it has been held up due to disagreements on expanding Net Energy Metering.

SB 91, Part IV actually represents a viable, data-driven and market-based (and thus scalable) alternative pathway — and is our only option to build more local projects in our communities now that the expansion of Net Energy Metering was tabled again for this Legislative session!

Critically, the rules mandate that “*limited producers*” should be fairly credited for reducing high-voltage transmission costs. Without this long-overdue change in law, our communities actually have very few options for reducing their transmission costs — and it provides an additional revenue stream to support local renewables and new storage projects.

Community Power programs that take advantage of these new market rules would become ‘local market-makers’ by (1) buying power directly from NH-based producers and then (2) selling the power to residents and businesses under ‘Community Solar’ and ‘Community Storage’ programs.

(Power would be purchased at a negotiated price that makes sense for all parties — as opposed to at a regulated rate, as is the case under Net Metering — under a bilateral contract between the local producer and Community Power program.)

- **AMEND OR REMOVE: Part V** inadvertently included outdated language from the original version of House Bill 315 that would strip Community Power programs of a critical authority. Specifically, the word “*provide*” would be struck out of RSA 53-E:2, I, which currently allows Community Power programs to “*provide, broker or contract*” for energy services to customers.

The deletion of “*provide*” was proposed in HB 315 (as introduced) but later restored during [the Coalition’s successful negotiations with the bill sponsor](#) (House ST&E Chair Vose). Deleting “*provide*” would arbitrarily limit the ability of Community Power programs to decide how to structure their business models, deploy cost-effective local programs, and provide the most innovative services to customers.

For this reason, SB 91 Section V should be amended or removed, SB 91 Sections I through IV should be approved — and HB 315 (as amended) should be expedited for the Governor to sign into law.

As one example of the immediate benefits SB 91 provides to communities, [Nashua Community Power](#) could lower transmission charges and self-supply its residents and businesses with affordable power from their City-owned hydroelectric dams:



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POWER COALITION
OF NEW HAMPSHIRE**
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<https://www.cpcnh.org/>
info@cpcnh.org

14 Dixon Ave, Suite 201, Concord, NH 03301