

# Request for Information

Services and Credit Support for  
All-Requirements Joint Powers Agency  
& Community Power Aggregation Programs

*For Communities, By Communities*



## **COMMUNITY POWER COALITION OF NEW HAMPSHIRE**

RFI RELEASE DATE: December 17, 2021  
SUBMITTAL DEADLINE: January 15, 2021

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## General Information

The Community Power Coalition of New Hampshire (CPCNH) is issuing this Request for Information (RFI) in advance of issuing a potential Request for Proposals (RFP) to select a qualified entity or group of entities to provide comprehensive services and credit support to support CPCNH with the development, financing, launch, and operations of Community Power Aggregation (CPA) programs for its local government Members.

Under the terms of the RFP, CPCNH anticipates that:

- The development and launch phases of the Scope of Work will be undertaken by the Proposer at the Proposer's risk. The Proposer would receive on-going operations fees after and contingent on the successful launch of each local government Member CPA program. Under this model, CPCNH would incur no upfront costs from the Proposer. CPCNH intends to enter into an Agreement with the selected Proposer(s) for an initial 3-year term.
- Proposals will be solicited from qualified Proposers. A group of qualified Proposers may form a consortium for purposes of the solicitation. All consortium members must be identified and represented by a single prime Proposer that will be authorized to: enter into an Agreement with CPCNH, serve as the primary contact and responsible party, and have the authority to act on behalf of each consortium member.

Notwithstanding the foregoing, CPCNH will reserve the right to alternatively contract independently with some or all of the members of any consortium. CPCNH will reserve the right to self-provide or contract with one or more entities to supplement or alternatively provide some or all of the proposed services to be provided by one or more members of any consortium.

### About Community Power Aggregation (CPA)

New Hampshire's updated Community Power law is a bipartisan policy designed to further democratize, evolve, and enhance the economic efficiency of our electric power industry (RSA 53-E, as amended by SB 286 (Chapter 316, NH Laws of 2019), effective October 1, 2019, and [HB 315](#) (Chapter 239:1-10, NH Laws of 2021), effective October 25, 2021).

The Legislature's intent in enacting RSA 53-E was to "encourage voluntary, cost effective and innovative solutions to local needs with careful consideration of local conditions and opportunities."

To achieve this goal, RSA 53-E authorizes local governments (cities, towns, and counties) to launch CPA programs that serve as an alternative default electricity supplier for residents and businesses -- on an opt-out basis for customers on default energy service and on an opt-in basis for those on competitive supply. CPAs may provide voluntary opt-in services and retail products, and exercise various additional



authorities related to expanding customer choice and animating the retail market in New Hampshire (e.g., various metering, billing and local program authorities).

Customers enrolled on CPA-provided default service are free to switch suppliers after submitting advance notice of their next billing cycle. Customers that opt-in to the program or opt-up to voluntarily receive a different retail product may switch suppliers subject to agreed-upon terms and conditions.

## **The Community Power Coalition of New Hampshire (CPCNH)**

CPCNH is an all-requirements Joint Powers Agency incorporated in October 2021 as a non-profit public entity to provide for the launch and operation of CPA programs on behalf of participating Members.

CPCNH intends to benefit participating communities by providing for the delivery of cleaner and more locally produced electricity, innovative retail distributed energy and demand flexibility programs, policy engagement and public advocacy, competitive rates for residents, businesses, and municipal facility customers, and economic investment through the development of local programs, projects and energy infrastructure.

CPCNH intends to do so by:

- Hiring staff to provide strategic direction and day-to-day oversight of the operational services requested in the RFP;
- Offering Members a comprehensive menu of operational services and providing for pooled power purchases and credit support; and
- Engaging at the Legislature, Department of Energy, Public Utilities Commission (PUC), and other forums on behalf of its Members on matters related to energy and Community Power. Strategic objectives in CPCNH's public advocacy include strengthening public participation and oversight, modernizing our electric grid, developing local energy infrastructure, and enabling welfare-enabling market mechanisms that facilitate the integration of in-state renewable and distributed energy resources.

CPCNH's founding Members are: the cities of Dover, Lebanon, and Nashua; the towns of Durham, Enfield, Exeter, Hanover, Harrisville, Plainfield, Newmarket, Rye, Walpole, and Warner; and Cheshire County. The towns of Hudson, Pembroke and Webster joined after incorporation.

The reference documents provided in the [Attachment](#) include CPCNH's Joint Powers Agreement (JPA) and CPCNH's template Electric Aggregation Plan (EAP, which is required by statute to authorize the implementation of CPA programs), along with the EAPs that have been approved to-date by Member governing bodies (the City of Lebanon and the Towns of Hanover and Harrisville). CPCNH has provided an estimated schedule of the EAP approval process for each Member in the cover letter accompanying the draft Business Plan.



By law, each Member's CPA program must be funded through program revenues -- without taxpayer subsidies apart from minor incidental expenses prior to program launch. The finances and liabilities of CPCNH as a Joint Powers Agency are separate from the general funds of participating local government Members.

CPCNH will be funded primarily through revenues received from customers participating in CPA programs. Local government Members have agreed to share CPCNH's administrative and general costs on a pro-rata (load share) basis, and to share costs for operational services and pooled power purchases that each Member elects for their individual CPA programs.

Members anticipate relying on CPCNH to provide the complete set of services required to launch and operate CPA programs. Their CPA programs will operate within and across all four distribution company service territories in the state: Eversource, Unitil, Liberty Utilities, and the New Hampshire Electric Co-Op.

Based on the state-wide visibility of CPA, and direct discussions with more than 24 interested municipalities, CPCNH expects to expand membership during 2022 and continuing after the launch of initial CPA programs.

CPCNH is governed by a Board of Directors composed of the representatives appointed by local government Members.

Board and committee meetings are open to the public.

## **CPCNH and Member CPA Goals & Objectives**

CPCNH is interested in receiving proposals from service providers that have demonstrated experience and qualifications necessary to ensure the success of CPA operations for CPCNH and its Members.

The overarching objective of CPCNH is provided for in the agency's Joint Powers Agreement:

*The purpose of CPCNH is to promote the common good and general welfare by supporting the economic vitality and prosperity of local communities by enabling municipalities and counties to support and jointly exercise authorities granted to them pursuant to NH RSA 33-B, NH RSA 53-E, NH RSA 53-F, and NH RSA 374-D, all in accordance with NH RSA 53-A; to assist member municipalities and counties in complying with the provisions of NH RSA 53-E in developing and implementing Electric Aggregation Plans and Programs known as Community Power Aggregations ("CPAs"); to provide supportive services and technical assistance to community power aggregations serving member towns, cities, counties, unincorporated places, and village districts; and to support and promote public education and civic engagement by the residents and businesses of member communities in developing and implementing energy and climate policies and actions and the role of CPAs in advancing such policies and actions for the common good.*



While many of the broader benefits that CPCNH intends to create will be developed over time, the agency’s immediate objectives are to:

1. Offer competitive default supply rates compared to utility default service.
2. Accrue a reserve fund sufficient to ensure long-term financial stability.
3. Offer voluntary products that retail customers may opt-up to receive as well as Net Energy Metering supply rates that allow customer generators to participate in the program.

Member CPAs will need to balance customer rate levels, renewable power content, and the accrual of program reserves to meet these objectives.

### Member CPA Characteristics

The table below shows the population (2020 US Census) of each Member with the estimated number of customers and default energy service load in annual MWh.

CPCNH MEMBERS	POPULATION	MWH / YR	CUSTOMER ACCOUNTS			UTILITY TERRITORY
			TOTAL	RES	NON-RES	
1. City of Lebanon	14,282	79,970	8,190	6,790	1,400	Liberty
2. City of Nashua	91,322	260,141	37,525	32,558	4,967	Eversource
3. Town of Harrisville	984	3,120	747	657	90	Eversource
4. Town of Rye	5,543	25,625	3,169	2,802	367	Eversource
5. Town of Newmarket	9,430	25,925	4,401	4,019	382	Eversource
6. County of Cheshire	N/A	4,500	5	-	5	Eversource
7. Town of Durham	15,490	34,556	Estimated: 55,200   47,800   7,400 Utility data requests in process.			Eversource & NHEC
8. Town of Walpole	3,633	20,784				Liberty
9. City of Dover	32,741					Eversource
10. Town of Hanover	11,870					Eversource, Liberty & NHEC
11. Town of Exeter	16,049					Eversource & Unitil
12. Town of Warner	2,937					Eversource
13. Town of Plainfield	2,459					Eversource, Liberty & NHEC
14. Town of Enfield	4,465					Eversource, Liberty & NHEC
15. Town of Pembroke	7,207					Eversource & Unitil
16. Town of Hudson	25,394					Eversource
17. Town of Webster	1,954		Eversource & Unitil			
<b>TOTAL</b>	<b>245,760</b>	<b>793,621</b>	<b>109,237</b>	<b>94,626</b>	<b>14,611</b>	

CPCNH is in the process of requesting and receiving customer datasets from utilities. As noted, Members are served by one or more of New Hampshire’s four distribution companies: the New Hampshire Electric Coop (NHEC) or the investor-owned utilities Eversource, Unitil and Liberty Utilities. The above table contains estimates of load and accounts for customers currently on utility-provided default service.

The 24 additional communities have expressed interest in joining CPCNH represent a combined population of roughly 345,000 and approximately 1,100,000 additional MWh per year in default service load.



Across the state, about four out of five customers remain on utility-provided default service. The penetration of competitive supply service is relatively stable, and a nominal percentage of residential customers have begun to steadily switch back to utility-provided default service in Eversource's territory (New Hampshire's largest distribution company).

For additional context, respondents should refer to the "Market Analysis" sections of CPCNH's draft Business Plan and associated slide deck presented to the CPCNH Board of Directors (see [Attachment](#)).

## **CPCNH Business Plan and Financial Proforma**

CPCNH's Draft Business Plan includes a summary of the agency's draft financial proforma (see [Attachment](#)).

The report explains the CPCNH business model and strategic objectives; summarizes new-Member recruitment activities; explains the agency's anticipated financing, accounting, risk management, and credit enhancement mechanisms; analyzes the current regulated market structure and parameters within which CPCNH and its Member CPA programs will offer service on a competitive basis; provides an overview of the anticipated competitive solicitation process; discusses the agency's startup phase and matters of organizational development; presents the results of an analysis estimating the margins of competitive suppliers providing utility default service; and provides an initial cash flow analysis for the agency based upon the business model assumptions described therein.

Additionally, Moody's credit rating methodology for US Municipal Joint Action Agencies is appended to the draft Business Plan as an appendix. It includes financial and performance metrics for CPAs and discusses a variety of relevant risk factors along with management best practices that informed the report and cash flow modeling.

## **CPCNH Engagement on Administrative Rule Drafting**

CPCNH's Vice Chair Clifton Below has contributed substantially to the PUC's ongoing CPA Administrative Rules drafting over the past 12 months, in which he has:

- Provided the initial and subsequent draft rules for stakeholder discussions.
- Arranged bilateral meetings with utilities and other stakeholders and leading significant portions of the subsequent stakeholder workshops at the request of Commission staff.
- Engaged at the Legislature on House Bill 315 to clarify and expand Community Power authorities, including the authorization of a Purchase of Receivables program.
- Submitted a petition to the PUC endorsed by a coalition of Public Stakeholders. (Further, a prior petition submitted by the NH Department of Energy substantially proposed rules that are substantially in accordance with CPCNH's proposed rules.)



Refer to the CPCNH web pages below for more information:

- Clifton Below bio: <https://www.cpcnh.org/bios>
- House Bill 315 campaign: <https://www.cpcnh.org/legislative-regulatory-advocacy>
- Administrative Rules Petition: <https://www.cpcnh.org/cpa-rulemaking>

The adoption of Administrative Rules is expected to take three to six months or more, depending on when the Public Utility Commission files an initial proposal and schedules a public hearing.

For additional context, refer to the cover letter to the draft Business Plan and to the petitions submitted by CPCNH and the NH Department of Energy (see [Attachment](#)).

CPCNH will continue to engage substantively in the process going forward.





## RFI and RFP Process

THE RESPONSES TO THIS RFI SHOULD BE SUBMITTED ELECTRONICALLY BY EMAIL IN PDF AND MS EXCEL FILE FORMAT TO [RFI-RFP@CPCNH.ORG](mailto:RFI-RFP@CPCNH.ORG) NO LATER THAN JANUARY 15, 2022 BY 5 PM EST.

An indicative schedule for both the RFI and RFP solicitation process is provided below. This schedule may change at CPCNH's sole discretion.

ACTIVITY	DATE
RFI Released	December 17, 2021
Responses Due	January 15, 2022 by 5PM EST
RFP Released	January-February 2022
Solicitation Overview Webinar	Early February 2022
Deadline to submit written Questions	Mid-February 2022
Anticipated distribution of Questions and Answers	Late February 2022
Proposal addendums (if any)	Late February 2022
Proposals Due	Early March 2022
CPCNH may request clarifying information from proposers	
CPCNH conducts interviews with select proposers	March 2022
Notice of recommendation for preferred proposal(s)	Early April 2022
CPCNH Board selection of proposer(s) for contract negotiation	Late April 2022
Anticipated Service Agreement approval and start date	May-June 2022



## Request for Information

### Documentation Requested

Responses should include the information requested below:

1. A cover letter in PDF format.
2. Biographies of key staff and leadership, along with a description of staffing structure (such as an organization chart), in PDF format.
3. The completed RFI workbook in MS Excel format.
4. Any supplemental information (such as marketing material) may also be submitted in PDF format.

Refer to the sections below for a summary of the information requested in the RFI Workbook (the spreadsheet provided in the [Attachment](#)).

### RFI Workbook: Entity Information

#### Entity Information

Respondents should provide the following company Information:

- Entity Name
- Business Address
- Primary Contact Person (Title, Telephone and E-Mail Address)
- Legal Structure (corporation, partnership, joint venture, etc.)
- Number of Staff
- Year Established
- Website

### Interest in Seeking Partnership Opportunities

Respondents should indicate whether CPCNH should publish their contact information on the solicitation web page for the purpose of enabling the formation of teaming arrangements associated with the solicitations.

### RFI Workbook: Services

Respondents should indicate which services are offered and provide a brief description of their qualifications, years of experience and competitive differentiators for each service, including experience in the ISO-NE market and/or New Hampshire distribution utility territories where relevant.

Note that legal services will be provided by Duncan Weinberg Genzer & Pembroke with Eli Emerson from Primmer Piper Eggleston & Cramer as New Hampshire counsel.



## **CPCNH Organizational Development**

Services to create the necessary organizational documents, procedures, and systems to successfully plan for and operate CPCNH, including:

- Enterprise Risk Management Policy (including Energy Risk Management and Financial Reserves)
- Business and Operations Plan
- Operational policies and procedures
- Enterprise Budget preparation
- Member CPA Cost Sharing Agreement
- Committee structures and processes
- Risk Management Committee Support

## **New Member CPA Recruitment**

Services to support CPCNH to engage and support communities through all of stages of the CPCNH JPA approval and CPA authorization process:

- Local Government Engagement
- Electric Aggregation Plan Development (using CPCNH's template plan)
- Community Outreach and Public Meeting Support
- Marketing, Branding and Web Portal Development

## **Operational Services, Financing and Credit Support**

Services to provide all required services and credit support necessary to operate CPCNH and supply all-requirements electricity to CPA customers:

- Retail Data Management and Billing Services
  - Utility Electronic Data Interchange (EDI)
  - Customer Data Validation, Error Resolution and Data Management
  - Billing Calculations
  - Utility Payment Receipt
  - Revenue Oversight and Tracking
- Retail Customer Solutions
  - Customer and Program Analytics and Insights
  - Rate Design Development, Pricing and Product Structuring
  - Grid Edge Enablement and Portfolio Integrations
  - Key Account Relationship Management



- Inbound and Outbound Call Center Operations
- Digital Engagement and Orchestration
- Portfolio Risk Management Services
  - Portfolio Planning and Development
  - Contract Valuation and Procurement
  - Deal Capture, Contract Management and Counterparty Monitoring
  - Trading, Position Management and Reporting
  - Forecasting, Scheduling and Settlements
  - ISO shadow settlements and dispute resolution
  - ISO monitoring, stakeholder processes, collateral posting and onboarding support
- Banking and Financial Support Services
  - Credit Support
  - Secure Revenue Account Administration
  - Accounting Support and Controls
  - Financial Statement Setup and Review
  - Revenue Forecasting and Budgeting
  - Invoice Validation
- Enterprise Data Management: to support the development of an in-house central repository of customer and other data for use by CPCNH staff and authorized third parties for the purpose of enabling research and development of new energy services.
- Additional Services: respondents should provide additional descriptions of services not provided for above.

### **RFI Workbook: Fee Structure and Indicative Costs**

Respondents should describe the various fee structures anticipated for each service, such as consulting fees (\$ per hour or fixed \$ sums by deliverable), management fees (\$ per kWh, \$ per CPA customer, \$ per transaction, \$ per minute), and any pricing tiers that vary with the number of accounts, MWhs, etc.

Respondents should also consider providing indicative ranges of fees typically charged for each service. **Note that any response provided will not be assumed to be reflective of the respondent's actual fees and will solely be used to refine CPCNH's understanding of the industry, internal cost modeling and planning activities.**



## Response Considerations

### Disclaimer

THIS IS A REQUEST FOR INFORMATION (RFI) ONLY. The information provided in the RFI is subject to change and is not binding on CPCNH.

This RFI is issued solely for information and planning purposes – it does not constitute a Request for Proposal (RFP) or a promise to issue an RFP in the future. CPCNH has not made a commitment to procure any of the items discussed, and release of this RFI should not be construed as such a commitment or as authorization to incur cost for which reimbursement would be required or sought. This RFI does not commit CPCNH to contract for any supply or service whatsoever.

CPCNH reserves the right at any time, in its sole discretion, to revise, suspend, or terminate this RFI or the RFP process and to revise any material and related [Attachment](#) or schedule related to it without liability to persons or entities receiving or responding to the RFI or the RFP. Changes regarding schedule, status or other communications related to this RFI or the RFP will be communicated via the CPCNH website. CPCNH will not reimburse any respondent for their expenses under any circumstances, regardless of whether CPCNH changes at any time any material posted and regardless of whether CPCNH proceeds to an RFP, to an award, or to termination of the process without award.

Further, CPCNH is not at this time seeking proposals and will not accept unsolicited proposals.

Respondents are advised that CPCNH will not pay for any information or administrative costs incurred in response to this RFI, all costs associated with responding to this RFI will be solely at the interested party's expense.

Not responding to this RFI does not preclude participation in any future RFP. If an RFP is released, it will be posted on the CPCNH website. It is the responsibility of the potential offerors to monitor the site for additional information pertaining to any future RFP.

### Public Nature of Proposal Material

All responses to this RFI, including materials, pre-submittal and post-submittal communications with CPCNH, will become the exclusive property of CPCNH and CPCNH alone will determine the proper use of RFI material. Responses and communications with CPCNH are subject to disclosure in accordance with NH RSA 91-A]. Proprietary information, if any, should be minimized and must be clearly marked. To aid CPCNH, please segregate and identify proprietary information.

CPCNH has determined that the public interest will be best served if proposals submitted in response to this RFI are not made available for review by other companies that may participate in the forthcoming anticipated RFP process.



For that reason, RFI responses will not be made available to other respondents or the public earlier than the date on which CPCNH's CPA Board concludes the competitive solicitation process or decides otherwise at its sole discretion.

If at any time CPCNH receives a request to review and/or copy materials submitted by any respondent, and if the person submitting the request files a legal action against CPCNH seeking its release, CPCNH will notify the affected respondent(s) and will not oppose a motion by such respondent(s) to intervene in the action. The respondent(s) must either intervene or agree to pay CPCNH and its agent(s) legal expenses in defending the action, including fees, if any, awarded to the plaintiff. Absent such an agreement, the CPCNH will have no obligation to defend the action and may release the information sought without any liability whatsoever.

BY SUBMITTING A RESPONSE, PROPOSERS AGREE TO HOLD HARMLESS AND NOT SEEK DAMAGES AGAINST CPCNH, ITS OFFICERS, EMPLOYEES AND AGENTS, OR ANY MEMBER GOVERNMENT OR RECOVERY OF ITS ATTORNEYS' FEES AS A RESULT OF ANY DISPUTE RELATED TO THE RELEASE OR WITHHOLDING OF INFORMATION SUBMITTED IN RESPONSE TO THIS RFI.



## Attachment: RFI Workbook and Reference Documents

Refer to the online folder below for documentation associated with this RFI:

- <https://www.dropbox.com/sh/n2shgv5b0vmxsu1/AACEzZpaZ-Qh0IEwDdqa1-s-a?dl=0>

The folder contains the following documentation:

### 1. RFI Response Workbook

Respondents should complete and submit this spreadsheet as their primary response to this RFI.

### 2. RSA 53-E as amended by HB 315 effective 10-25-21

This document provides the current NH statute governing Community Power Aggregation (RSA 53-E) and has been prepared by CPCNH; note that the version of RSA 53-E available online has not been updated to reflect House Bill 315 (effective 25 October 2021).

### 3. CPCNH Joint Powers Agreement

This is the Coalition's Joint Powers Agreement approved by Members as of October 1, 2021. It does not reflect the subsequent addition of the towns of Pembroke, Hudson, and Webster that have since executed the JPA and been admitted as Members by the Board of Directors.

### 4. CPCNH draft Business Plan

This folder contains CPCNH's draft Business Plan — a consulting work product prepared for CPCNH in Q2 2021 — along with an associated presentation to the CPCNH Board and an introductory cover letter noting additional context and changes in key assumptions.

### 5. CPCNH Member CPA Electric Aggregation Plans

This folder contains the template Electric Aggregation Plan (EAP) created by CPCNH for Member communities, and the EAPs adopted by Member communities thus far (the City of Lebanon and the Towns of Hanover and Harrisville).

### 6. Draft CPA Administrative Rules

This folder contains the two Petitions for Rulemaking, and draft CPA Administrative Rules for the PUC's consideration, submitted by the New Hampshire Department of Energy (in October 2021) and a Coalition of Stakeholders led by CPCNH (in December 2021).



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