

**STATE OF NEW HAMPSHIRE
BEFORE THE
PUBLIC UTILITIES COMMISSION**

Docket No. DRM 21-__

DEPARTMENT OF ENERGY PETITION FOR RULEMAKING
TO AMEND PUC 2000 RULES TO INCLUDE
COMMUNITY POWER AGGREGATION PROVISIONS

Pursuant to RSA 541-A:4, I and N.H. Code Admin. Rules Puc 205.03, the Department of Energy (Department) hereby petitions the New Hampshire Public Utilities Commission (Commission) to initiate a formal rulemaking proceeding under RSA 53-E:7, X, as amended by 2021 N.H. Laws Chapter 229, House Bill 315 (HB 315), to add provisions regarding community power aggregations to the Chapter Puc 2000, Competitive Electric Power Supplier and Aggregator Rules (Puc 2000 Rules).

Under HB 315, the Commission is the agency given authority to adopt rules to implement RSA Chapter 53-E, Aggregation of Electric Customers by Municipalities and Counties, and

to the extent authorities granted to municipalities and counties by [RSA 53-E] materially affect the interests of electric distribution utilities and their customers, to reasonably balance such interests with those of municipalities and counties for the public good, which may also be done through adjudicative proceedings to the extent specified or not addressed in rules. Such rules shall include but not be limited to rules governing the relationship between municipal and county aggregators and distribution utilities, metering, billing, access to customer data for planning and operation of aggregations, notice of the commencement or termination of aggregation services and products, and the reestablishment of a municipal or county aggregation that has substantially ceased to provide services.

RSA 53-E:7, X. The Department proposes that rules addressing the development and implementation of electric customer aggregation plans by municipalities and counties be included in the Puc 2000 Rules because of significant overlap between the utility relationships and similar regulatory issues involving community power aggregations and competitive electric power suppliers and aggregators, such as the use of electronic data

interchange systems, consolidated billing services, retail sales reporting, customer disclosure obligations, Renewable Portfolio Standard compliance, etc.

The Department is submitting together with this petition a draft Initial Proposal for amendment of Parts Puc 2001 and Puc 2002 and adoption of a new Part Puc 2007 to add community power aggregation provisions to the Puc 2000 Rules. The draft Initial Proposal has been developed following a months-long stakeholder engagement process involving representatives of municipalities, community power advocates, competitive suppliers, aggregators, and electric distribution utilities. The draft Initial Proposal seeks to strike an appropriate balance between diverse interests and priorities, although it is anticipated that various stakeholders may raise concerns and argue for further changes during the course of the formal rulemaking proceeding. The Department looks forward to actively participating in that rulemaking process and reserves the right to submit comments and proposed revisions as warranted.

Finally, the Department notes the substantial interest among stakeholders in seeing the rulemaking process advance at an accelerated pace. A number of municipalities have adopted or are actively considering adoption of community power aggregation plans, and there is general consensus that those efforts would be facilitated by the adoption of specific rules consistent with the parameters set in HB 315.

WHEREFORE, the Department of Energy respectfully requests that the Commission:

- a. Grant the Department's petition for the Commission to initiate a formal rulemaking proceeding to add provisions regarding community power aggregations to the Puc 2000 rules; and

- b. Adopt the draft Initial Proposal submitted herewith as the Commission's Initial Proposal in that rulemaking proceeding.

Respectfully Submitted,

N.H. DEPARTMENT OF ENERGY

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By: /s/ David K. Wiesner
David K. Wiesner, Esq.
Legal Director/Sr. Hearings Examiner
New Hampshire Department of Energy
21 South Fruit Street, Suite 10
Concord, NH 03301
Tel. (603) 271-3670
David.K.Wiesner@energy.nh.gov