

**Readopt with amendments Puc 2001-2002, effective 11-1-17 (Document #12372), to read as follows:**

PART Puc 2001 PURPOSE AND APPLICATION OF THE RULES

Puc 2001.01 Purpose.

The purpose of Puc 2000 is to establish requirements for the registration of competitive electric power suppliers and the registration or notification procedures for aggregators with the commission. Puc 2000 also establishes consumer protection requirements and enforcement provisions and procedures, and provides for implementation of community power aggregation programs and their interactions with electric distribution utilities.

Puc 2001.02 Application of Rules.

(a) These rules shall apply to competitive electric power suppliers as defined in Puc 2002.1108, aggregators as defined in Puc 2002.03, ~~and~~ aggregators granted agency authority as defined in Puc 2002.04, and municipalities or counties aggregating electric load, which may also include providing electricity supply, within the boundaries of participating municipalities or counties under RSA 53-E and as further defined in Puc 2002.10.

(b) These rules shall not apply to municipalities operating municipal electric utilities under RSA 38, or ~~to municipalities or counties providing electricity or aggregating within the boundaries of participating municipalities under RSA 53-E, or to~~ utilities as defined in Puc 2002.3024, except as otherwise expressly stated in these rules.

(c) The provisions of these rules which apply only to residential or small commercial customer accounts shall not apply to incidental residential accounts that are the responsibility of a non-residential person, firm, or entity that is a large commercial customer.

Puc 2001.03 Waiver of Rules. The commission shall consider and determine any request for a waiver from the provisions of these rules pursuant to Puc 201.05.

PART Puc 2002 DEFINITIONS

Puc 2002.01 “Affiliate” means any of the following:

(a) Any person or entity that directly or indirectly owns, controls, or holds with power to vote a majority of the outstanding voting securities or such minority thereof as to give such person substantial control of another person or entity;

(b) Any person or entity that is directly or indirectly owned, controlled, or held by any person or entity described in (a) above through either power to vote a majority of the outstanding voting securities or such a minority so as to maintain substantial control of such person or entity;

(c) Any person or entity with which another person or entity has a management or service contract or arrangement that provides such person or entity with effective control over the management, supervision, or operation of the other person or entity; or

(d) Any person or entity who or which actually exercises effective control over the management, supervision, or operation of another person or entity.

Puc 2002.02 “Aggregate” means to combine the electricity loads of 2 or more customers or a single customer with multiple meters or multiple locations.

Puc 2002.03 “Aggregator” means any person or entity, other than a utility or a community power aggregation, that aggregates electric load or serves as a broker on behalf of a competitive electric power supplier, an individual customer, a group of customers, or any combination thereof. An aggregator does not take ownership of the electricity. The term does not include any employee aggregating load or brokering electricity supply on behalf of her or his employer.

Puc 2002.04 “Aggregator granted agency authority” means an aggregator who or which has been granted express authority by a customer to enter into an electricity supply contract with a CEPS or to choose utility default service on behalf of the customer.

Puc 2002.05 “Anonymized” means customer data presented in a way that removes information that can be used to identify the individual customer that it pertains to, such that it does not constitute “individual customer data” as defined by RSA 363:37, I.

Puc 2002.0~~6~~5 “Applicant” means any person or entity who or which has filed an application for registration or renewal as a CEPS or an aggregator with the commission pursuant to Puc 2003.

Puc 2002.0~~7~~6 “Buyer’s aggregator” means an aggregator that receives no compensation or remuneration from an electricity supplier, such as a municipality that aggregates electric load or energy services for its citizens or an RSA 301-A consumer cooperative that aggregates electric load or energy for its members.

Puc 2002.0~~8~~7 “Commission” means the New Hampshire public utilities commission.

Puc 2002.09 “Committee” has the meaning set forth in RSA 53-E:2, IV, namely, “an electric aggregation committee established under RSA 53-E:6.”

Puc 2002.10 “Community power aggregation (CPA)” means a municipal or county aggregation established pursuant to RSA 53-E to group retail electric customers to provide, broker, or contract for energy services for such customers as defined by RSA 53-E:2, V-a and RSA 53-E:3, II(a), including a group of such entities operating jointly pursuant to RSA 53-E:3, II(b) and RSA 53-A.

Puc 2002.1~~1~~08 “Competitive electric power supplier (CEPS)” means any person or entity, other than a community power aggregation, that sells or offers to sell all-requirements electricity supply service to retail customers, including net metering customers, in this state using the transmission or distribution facilities of a utility. A CEPS takes ownership of the electricity it sells. The term does not include any utility or any municipal or county corporation operating within its corporate limits or submetering at campgrounds as described in RSA 362:3-a.

Puc 2002.1~~2~~09 “Confidential customer information” means information that is collected as part of providing electric services to a customer that can identify, singly or in combination, that specific customer, and includes the customer name, address, and account number and the quantity, characteristics, or time of consumption by the customer, and also includes specific customer payment, financial, banking, and credit information.

Puc 2002.13 “CPA service area” means the municipality, municipalities, county, or counties served or proposed to be served by a community power aggregation.

Puc 2002.1~~4~~0 “Customer” means any person or entity in this state, including any governmental unit, which purchases electricity at retail, and is the customer of record on the utility account.

Puc 2002.1~~5~~4 “Customer representative” means any person, firm, or entity with the demonstrated legal right and authority to act as an agent or representative on behalf of a customer.

Puc 2002.16 “Default Service” has the meaning set forth in RSA 374-F:2, namely, “electricity supply that is available to retail customers who are otherwise without an electricity supplier and are ineligible for transition service and is provided by electric distribution utilities under RSA 374-F:3, V or as an alternative, by municipal or county aggregators under RSA 53-E.”

Puc 2002.17~~2~~ “Electricity suppliers” has the meaning set forth in RSA 374-F:2, II, namely “suppliers of electricity generation services and includes actual electricity generators and brokers, aggregators, and pools that arrange for the supply of electricity generation to meet retail customer demand, which may be municipal or county entities.”

Puc 2002.18~~3~~ “Electricity supply offer” means a solicitation by a CEPS to sell electricity or a solicitation by an aggregator to arrange for or facilitate the purchase of electricity by a customer.

Puc 2002.19~~4~~ “Electronic data interchange (EDI)” means a standard set of data transactions used by electric distribution companies and CEPS or CPAs serving as LSEs to send and receive data.

Puc 2002.20~~15~~ “Enrollment” means the commencement of a customer’s electricity supply service from a CEPS, a CPA serving as an LSE, or a CEPS serving a CPA under contract, effective on the meter read date described in Puc 2004.10(a) following successful EDI notification by a CEPS or CPA serving as an LSE to the utility.

Puc 2002.21~~16~~ “Investment grade credit rating” means a current rating for senior unsubordinated debt of AAA, AA, A, or BBB, as issued by S&P Global Ratings, or Aaa, Aa, A, or Baa, as issued by Moody’s Investors Service, Inc.

Puc 2002.22~~17~~ “ISO-NE” means ISO New England, Inc., the entity serving as the regional transmission operator which oversees the operation of New England’s bulk electric power generation and transmission system and administers the regional wholesale markets for electric energy and other electricity products, or its successors.

Puc 2002.23~~18~~ “Large commercial customer” means any non-residential customer that meets the availability criteria to take service under a non-residential utility tariff and is not a small commercial customer.

Puc 2002.24 “Load Serving Entity (LSE)” means an entity that is registered with ISO-NE as a market participant and secures and sells electric energy and related services-, which may include transmission service if not provided by the distribution utility, to serve the demand of end-use customers at the distribution level.

Puc 2002.25~~19~~ “Principals” means, for a corporation, any of its officers, directors, or controlling shareholders, for a limited liability company, any of its managers or controlling members, for a partnership, any of its general partners, and for any other business entity, any of its personnel exercising executive functions and any of its controlling equity owners.

Puc 2002.26~~0~~ “Sanctionable event” means a CEPS or aggregator has:

- (1) Violated any provision of the rules included in this chapter;
- (2) Violated the requirements of RSA 374-F:7 or any other provision of RSA Title XXXIV applicable to CEPS or aggregators; or
- (3) Engaged in any unfair or deceptive acts or practices in the marketing, sale, or solicitation of electricity supply or related services.

Puc 2002.27~~1~~ “Slamming” means the initiation of the transfer of a customer to a new CEPS or aggregator without the customer’s authorization.

Puc 2002.2~~82~~<sup>83</sup> “Small commercial customer” means any non-residential customer that meets the availability criteria to take service under a non-residential utility tariff, and has a normal maximum demand threshold of less than 20 kilowatts. The term does not include any customer eligible to take service under a utility’s small customer tariff for an individually metered account, but whose aggregated accounts in New Hampshire exceed the combined demand threshold of 20 kilowatts.

Puc 2002.2~~93~~<sup>94</sup> “Unaffiliated third party” means an independent person or entity, who or which is not an affiliate of the CEPS or aggregator granted agency authority, used to verify a customer’s election to purchase electricity supply from a particular CEPS or to contract with a particular aggregator granted agency authority.

Puc 2002.3~~024~~<sup>025</sup> “Utility” means any electric generation, transmission, and/or distribution company meeting the definition of a public utility under RSA 362:2 and RSA 362:4-a, and includes rural electric cooperatives.

**Adopt Puc 2007 to read as follows:**

PART Puc 2007 COMMUNITY POWER AGGREGATIONS

Puc 2007.01 Notification of Formation of a Community Power Aggregation Committee.

(a) A municipality or county that forms a committee pursuant to RSA 53-E:6, I shall provide notice to the commission in writing and by email at the addresses provided in Puc 103.01(m) and pursuant to Puc 202.06, and also to the office of the consumer advocate, the department of energy, and the utility or utilities serving customers in such municipality or county at the addresses provided to the commission by utilities and posted on the commission’s website under (b) below.

(b) Each utility shall provide to the commission current contact information that can be posted on the commission’s website as to the person or persons and mailing or email address to be used for notices to the utility required under these rules and for requests for information under these rules. That information as submitted by the utility shall be posted on the commission’s website.

(c) The notice required under (a) above shall be sent not less than 10 days before any request by the committee for aggregated customer usage information from the utility or utilities serving customers in the municipality or county becomes effective.

(d) The notice required under (a) above shall include the following:

- (1) The name and email or postal address of the primary contact for the committee;
- (2) The name, address, telephone number, and email address for the municipal or county official or employee who serves as the liaison or support person for the committee;
- (3) Designation of person or persons identified under (1) or (2) above who are authorized to request information from the utility pursuant to Puc 2007.02; and
- (4) The URL of any website page maintained by or for the committee.

Puc 2007.02 Request for Customer Usage Information from Utilities.

(a) A committee may request aggregated usage information for all electric customers located within the applicable municipality or county from each utility serving such customers by making an electronic mail or

written request for such data to each such utility with a copy provided to the commission consistent with the requirements of Puc 202.06 and to the office of the consumer advocate and the department of energy.

(b) Within 30 days following the date of a request made pursuant to (a) above, each utility shall provide the following usage information for the customers it serves in the municipality or county:

- (1) The most recent 24 months of monthly customer usage data, if available, or 12 months otherwise, for each customer rate class, aggregated and sorted by whether the customers were taking competitive electric power service or utility default service for each such month;
- (2) Counts of customers in each rate class for each month, sorted by whether the customers were taking competitive electric power service or utility default service for each such month; and
- (3) Current counts of customers that participate in net energy metering in each rate class, sorted by whether the customers are taking competitive electric power service or utility default service, to the extent such data is readily available.

(c) All such customer usage data provided by the utility shall include consumption in kWh for each reported period.

(d) No individual customer data, as defined in RSA 363:37, I, shall be provided to a committee in response to a request made pursuant to (a) above.

(e) With respect to the monthly customer usage data required to be provided pursuant to (b)(1) above:

- (1) If there are fewer than 4 distinct customers in any one non-residential customer rate class reporting group, such customer usage data shall be combined with that of the most similar rate class or classes and shall be reported as the combined rate classes, provided that the overall reporting group contains at least 4 distinct customers and no one customer comprises 50 percent or more of the relevant data; and
- (2) If there are fewer than 10 distinct customers in any one residential customer rate class reporting group, such load data shall be combined with the load of the most similar rate class or classes and shall be reported as the combined rate classes, provided that the overall reporting group contains at least 10 distinct customers.

(f) A committee may request to have the data provided by the utility updated to the most recent month available, but not more frequently than once every 3 months after the initial request.

Puc 2007.03 Submission of CPA Plans to Commission for Review and Approval.

(a) Every community power aggregation plan and any revision of such a plan to include an opt-out default service program shall be submitted to the commission, either before or after being submitted by the governing body to the legislative body for approval, to determine whether the plan conforms to the requirements of RSA 53-E and applicable rules of the commission. Each such plan shall be submitted by the municipality or county to the commission in writing and by email at the addresses provided in Puc 103.01(m), and pursuant to Puc 202.06, and a copy of such plan shall also be provided to the office of the consumer advocate under RSA 363:28, the department of energy, and the electric distribution utility or utilities serving customers in the municipality or county service area, on the same date as it is submitted to the commission.

(b) The consumer advocate, department of energy, utilities, and members of the public may file comments regarding any such submitted plan within 21 days following the date of its submission.

(c) The commission shall review and consider any comments filed pursuant to paragraph (b) and shall approve any plan submitted to it, unless it finds that it does not meet the requirements of RSA 53-E and other applicable rules, in which case it shall detail in writing addressed to the governing bodies of the submitting municipalities or counties the specific respects in which the submitted plan substantially fails to meet the requirements of RSA 53-E and these rules.

(d) If the commission does not disapprove a plan submitted hereunder within 60 days of its submission, the plan shall be deemed to have been approved and may be implemented thereafter.

(e) A municipality or county may submit a plan that has been revised to comply with applicable requirements as noted in a commission disapproval letter at any time and the commission's comment and review process shall begin again upon such submission.

(f) The submission of any community power aggregation plan to the commission hereunder shall include the following:

(1) A statement as to whether the plan has been approved by the legislative body of the municipality or county, or if it is a proposed final plan submitted for commission review and approval in advance of a legislative body vote on whether to approve the plan;

(2) The name, business address, telephone number, and email address for the municipal or county employee or official who serves as official liaison or the responsible person for questions about the approved or revised plan and who is authorized to request information from utilities under these rules; and

(3) The URL of any website page that is maintained for the CPA.

(g) If a plan submitted to the commission for review and approval under this section has not yet been approved by the legislative body or bodies of the CPA at the time of submission, once such approval has occurred the CPA shall notify the commission, the office of the consumer advocate, the department of energy, and the distribution utilities serving the CPA service area in writing and by email of such final plan approval.

(h) Commission review and approval of community power aggregation plans shall not require a contested case but shall allow time for submission and consideration of any comments submitted pursuant to paragraph (b) above.

Puc 2007.04 Request for Anonymized Customer-Specific Information from Utilities.

(a) After the commission has approved a community power aggregation plan pursuant to Puc 2007.03 and the legislative body of the municipality or county has voted to approve the plan, each utility serving the CPA service area shall provide to the municipality or county within 30 days of a written request therefor the following anonymized customer-specific usage and related information for all customers currently receiving default service provided by the utility within the CPA service area, sorted or identified by customer rate class:

(1) Individual capacity tags for the current power year beginning on June 1, and, if known and readily available, the prior power year and the next power year;

(2) The most recent 12 to 24 months, if available, of usage data in kWh for each reported period;

(3) The meter reading cycle for each customer meter;

- (4) Whether the customer net meters and, if so, under which net energy metering terms, whether set forth in tariff or otherwise;
- (5) Whether the customer is a group net metering host or a member of a net metering group with on-bill crediting, if such information is known and readily available;
- (6) Whether a group net metered customer-generator operates as a low-moderate income community solar project pursuant to RSA 362-F:2, X-a and the commission's Puc 900 rules;
- (7) The size in kW-AC, or if not known, the size in kW-DC, of any such net-metered generation referenced in (5) above, if such information is known and readily available; and
- (8) The year and month such distributed generation referenced in (7) above was placed into service, if such information is known and readily available.
- (b) The information required to be provided pursuant to (a) above shall be provided in digital electronic format, such as a database or spreadsheet file, but not in the form of scanned images.
- (c) No individual customer data, as defined in RSA 363:37, I, shall be provided to a CPA in response to a request made pursuant to (a) above.
- (d) With respect to the data required to be provided pursuant to (a)(1) and (2) above:
- (1) If there are fewer than 4 distinct customers in any one non-residential customer rate class reporting group, such customer data shall be combined with the customer data of the most similar rate class or classes and shall be reported as the combined rate classes, provided that the overall reporting group contains at least 4 distinct customers and no one customer comprises 50 percent or more of the relevant data; and
  - (2) If there are fewer than 10 distinct customers in any one residential customer rate class reporting group, such customer data shall be combined with the customer data of the most similar rate class or classes and shall be reported as the combined rate classes, provided that the overall reporting group contains at least 10 distinct customers.
- (e) An approved CPA may request to have the data provided by the utility updated to the most recent month available, but not more frequently than once every 3 months after the initial request.

Puc 2007.05 Request for Names, Addresses, and Account Numbers of Customers.

- (a) After a municipality or county has filed its approved community power aggregation plan with the commission, the office of the consumer advocate, the department of energy, and each utility serving the CPA service area, each such utility shall provide to the municipality or county upon its written request therefor the names and mailing addresses for every electric customer taking service within the municipality or county, and the utility account number and related meter number(s) or meter identification(s) for each metered customer receiving utility default service within the CPA service area.
- (b) The information required to be provided pursuant to (a) above shall be provided in digital electronic format, such as a database or spreadsheet file, but not in the form of scanned images.

(c) The information required to be provided pursuant to (a) above shall be provided within 15 days of the municipality's or county's request therefor.

(d) The municipality or county may request to have such information provided by the utility updated to the most recent month available, but not more frequently than once every 3 months after the initial request.

Puc 2007.06 Notification of CPA Commencement of Service.

(a) Each municipality or county initially implementing a community power aggregation plan shall provide written notice to the commission, the office of the consumer advocate, the department of energy, and each utility serving customers within the CPA service area prior to the enrollment of any electric customers in the CPA.

(b) The notice required pursuant to (a) above for any CPA to be operated on an opt-out basis shall be provided prior to the commencement of service and the enrollment of any electric customers in the CPA by not less than:

(1) 90 days if the commencement of service is to occur during the first two months of a utility default service supply period with fixed or known rates of 6 months or more; or

(2) 45 days if the commencement of service is to occur after the first two months of a utility default service supply period with fixed or known rates of 6 months or more or if there is no distinct known or fixed rate default service supply period of 6 months or more.

(c) When a CPA service area is served by more than one utility, the applicable minimum notice time under (b) above shall be that for the utility with the largest default service load within the CPA service area, based on the customer usage information most recently provided by the utilities for development of the CPA plan pursuant to Puc 2007.02. Such load data and determination shall be included in the CPA's approved aggregation plan if approved after the first effective date of this rule, or in the notice required pursuant to (a) above if the plan was approved prior to the first effective date of this rule.

Puc 2007.07 Notification of CPA Service Rates and Customer Enrollment.

(a) Within 10 days of receipt of a CPA's written notification of commencement of service pursuant to Puc 2007.06(a), the department of energy shall provide to the CPA information on establishing credentials to access the shopping comparison website hosted by the department of energy so the CPA can input rate and service information on that website.

(b) Prior to the mailing to customers required under RSA 53-E:7, III, if the CPA will be operated on an opt-out basis, the CPA shall input information regarding its rates and services for residential and small commercial customers, including any variable pricing policies, charges, and key terms, to be posted on the department of energy's shopping comparison website.

(c) Each operating CPA shall update the required information input pursuant to (b) above whenever it changes but no less frequently than once per month.

(d) A municipality or county that approves a final community power aggregation plan shall provide a mailing to all retail electric customers taking distribution service in the CPA service area and shall hold a public information meeting within 15 days of the mailing to answer questions regarding the approved plan.



(e) No retail electric customer shall be enrolled in any such plan to be operated on an opt-out basis in which the customer does not know all of the rates or charges the customer may be subject to at least 30 days in advance and have the option, for a period of not less than 30 days from the date of the mailing, to opt-out of being enrolled in the plan, unless the customer affirmatively responds to the notification or requests in writing, through e-mail, or through a secure customer portal or other electronic on-line enrollment to be included in the plan.

(f) No retail electric customer shall be enrolled in any such plan to be operated on an opt-in basis unless the customer expressly requests to be included in the plan in writing, through e-mail, or through a secure customer portal or other electronic on-line enrollment process.

(g) Customers enrolled in a community power aggregation plan operated on an opt-out basis may elect to transfer to utility default service or to a competitive electric power supplier with adequate notice in advance of the next regular meter reading by the distribution utility, in the same manner as if the customers were on utility default service or as otherwise approved by the commission. No such customer shall be required to pay any exit fee or charge for such transfer. Customers requesting transfer of supply service upon dates other than on the next available regular meter reading date may be charged an off-cycle meter reading and billing charge. Upon request of the customer, the CPA shall transfer the customer back to utility default service.

Puc 2007.08 Use of Electronic Data Interchange.

(a) Prior to the mailing to customers required under RSA 53-E:7, II, each CPA planning to use a CEPS to serve CPA customer loads shall confirm with the CEPS and each utility serving the CPA service area the CEPS's ability to use EDI for enrollment of default service customers in the CPA service area, excluding those that opt-out of the CPA, during the CPA commencement month.

(b) Each CPA that will serve customer loads as an LSE, or its contracted service provider for customer enrollment, shall:

- (1) Apply to and successfully complete the testing required to use each applicable utility's EDI in the same manner and on the same terms as a CEPS; and
- (2) If the CPA will provide service on an opt-out basis, demonstrate the ability to use EDI for enrollment of default service customers in the CPA service area, excluding those customers that opt-out, during the CPA commencement month.

Puc 2007.09 Provision of Electricity Supply Service.

(a) CPA customers shall be served by one or more CEPS, or by the CPA as an LSE, or by a combination of the two, that provide all-requirements service to meet each CPA customer's full load requirements, which may include electricity supply provided by distributed generation or other distributed energy resources that are not participants in wholesale electricity markets administered by ISO-NE. For the balance of customer load requirements, the CPA shall be responsible for:

- (1) the cost of supplying capacity, energy, ancillary services, and any other load-related charges from the ISO-NE market;
- (2) the cost to deliver the associated capacity, energy, and ancillary services to a point or points on ISO-NE's pool transmission facilities and from there to a point where it is delivered to the local distribution system to the extent not billed to and paid for by the electric distribution utility as part of its retail transmission rates; and

(3) any and all losses incurred on the local network transmission system and distribution system supplying load.

(b) Each customer account served by or through the CPA shall be assigned to the load asset for one CEPS or the CPA serving as an LSE for each utility meter reading cycle.

Puc 2007.10 Application of Puc 2004 to CEPS Providing Electricity Supply to CPA Customers.

(a) This chapter shall apply to CEPS providing electricity supply service to CPA customers as their LSE, except as otherwise provided in (b) below.

(b) Puc 2004 shall not apply to a CPA or to a CEPS if and only to the extent that the CEPS is providing electricity supply service to CPA customers, except as follows:

(1) Puc 2004.03(k), Puc 2004.05, Puc 2004.10(a), Puc 2004.12, Puc 2004.13, Puc 2004.15, Puc 2004.16, Puc 2004.17, Puc 2004.18, Puc 2004.19, and Puc 2004.20 shall apply to the CEPS; and

(2) The CEPS shall be subject to any other provisions of Puc 2004 that are specified to apply to CEPS serving CPA customers in:

- a. The approved final community power aggregation plan; or
- b. The contract with the CEPS for electricity supply service to CPA customers.

Puc 2007.11 Utility Services to CPAs. Electric distribution utilities shall provide to CPAs services, including, if requested, consolidated or separate billing services, on the same terms and conditions and at the same rates and charges as apply to CEPS, except as otherwise provided by statute or these rules.

Puc 2007.12 County CPAs That Contain Municipalities with Adopted or Planned CPAs. As required under RSA 53-E:7, VII, municipal community power aggregations shall take priority or precedence over any county community power aggregations with respect to customer enrollment and each such aggregation shall be responsible for ensuring that customers are enrolled with the correct aggregation. A county plan may also provide an aggregation program for all or a subset of municipalities within the county that request to participate by a majority vote of their respective governing bodies.

Puc 2007.13 New Utility Service Customers.

(a) Electric customers who apply for new service provided by a utility within the CPA service area of a CPA operating an aggregation plan on an opt-out basis pursuant to RSA 53-E:7, III, after the provision of customer names and addresses by the utility for the customer notification mailing required under RSA 53-E:7, III, shall initially be enrolled in utility default service unless the customer has relocated within a single utility's service area and is continuing with service provided by a CEPS, or has relocated within a CPA service area and is continuing with service provided by or through the CPA.

(b) Upon request of a CPA, but not more frequently than monthly following provision of the customer list for the initial mailing pursuant to Puc 2007.05, the utility shall make available to each operating municipal CPA, or county CPA where there is no municipal CPA, the names, account numbers, mailing addresses, and any other information necessary for successful enrollment in the aggregation of customers that are then currently on utility default service and are located within the CPA service area.

(c) The CPA shall periodically mail a written notification to such new customers that have not previously opted out of the CPA's aggregation plan and shall enroll such customers in the CPA consistent with the requirements of Puc 2007.07.

Puc 2007.14 Termination of CPA. If a municipality or county intends to terminate a CPA, it shall provide written notice of the termination to the commission, the office of the consumer advocate, the department of energy, and each utility serving customers in the CPA service area not less than 90 days prior to the termination date. The CPA shall undertake all necessary EDI transactions to drop its customers and return those customers to utility default service, consistent with the required minimum 90 days prior notice.

Puc 2007.15 Unexpected Cessation of CPA Service. In the event of suspension from regional wholesale market participation by ISO-NE or another event causing the CPA to be unable to provide service to its customers within the CPA service area, the CPA shall provide immediate written notice to the commission describing the market suspension or other event, the effective time of the inability to provide service, and the notice provided to customers of the timing and consequences of the cessation of CPA service. A copy of such notice shall be provided at the same time to the office of the consumer advocate, the department of energy, and each utility serving customers in the CPA service area.

Puc 2007.16 Restart of an Aggregation Program After Termination. If a CPA is terminated, the municipality or county that sponsored the CPA shall not implement another community power aggregation plan for a period of 12 months following the effective date of such termination.

Puc 2007.17 Sales Reporting. Each CPA that serves as an LSE for its participating customers shall submit a confidential quarterly sales report containing the information specified in Puc 2006.03, as and when such submission is required to be made by a CEPS pursuant to Puc 2003.04(a) and Puc 2006.03. Each CEPS providing electricity supply service to CPA customers shall report its sales to such customers through separate entries on its reports submitted pursuant to Puc 2003.04(a) and Puc 2006.03.

Puc 2007.18 Renewable Portfolio Standard Reporting. By July 1 of each year, each CPA that serves as an LSE for its participating customers shall file the annual renewable portfolio standard compliance report required by Puc 2503.03, and shall pay to the department of energy any alternative compliance payment due pursuant to Puc 2503.

Puc 2007.19 Environmental Disclosure Label.

(a) Each CPA that serves as an LSE for its participating customers shall, not less frequently than once each year, provide to each of its customers an environmental disclosure label identifying the sources of its electric energy service and the environmental characteristics of such sources, using the customer's preferred form of communication, as and when such actions are required of a CEPS pursuant to Puc 2004.05.

(b) Each CPA that serves as an LSE for its participating customers shall comply with all other requirements of Puc 2004.05, as and when such actions are required of a CEPS pursuant to Puc 2004.05.

Puc 2007.20 Complaints and Dispute Resolution.

(a) The commission shall hear and decide complaints or disputes between committees, CPAs, and utilities, as well as complaints regarding a CPA's or utility's compliance with the requirements of RSA 53-E and these rules.

(b) Complaints submitted to the commission under these rules shall be made pursuant to Puc 204, and, consistent with RSA 53-E:7, VI, shall not be subject to RSA 541-A:29 or RSA 541-A:29-a.

Puc 2007.21 Individual Customer Billing Information. Once an individual utility customer has become a customer of a CPA, the utility shall provide to the CPA the following information, through EDI access or other means, for each such customer, in each case to the extent applicable, known, and readily available:

- (a) Name of customer;
- (b) Name of customer contact, if different from customer name;
- (c) Mailing address;
- (d) Service address;
- (e) Account number and related meter number(s) or meter identification(s);
- (f) Home or company phone number;
- (g) Mobile phone number;
- (h) Email address;
- (i) Billing account number;
- (j) Preferred billing and communication method;
- (k) Billing cycle;
- (l) Meter reading date or reading cycle;
- (m) Form or type of meter reading or meter model and communication module identifier;
- (n) Capacity tag information for the customer for the preceding 2 years, current power year, and forecasted next power year;
- (o) Current and historic status of the customer regarding:
  - (1) Whether the customer owns or purchases power from a distributed generation resource located behind the customer's meter;
  - (2) The size in kW-AC of any such distributed generation located behind the customer's meter;
  - (3) Whether the customer net meters and, if so, under which net metering terms, whether set forth in tariff or otherwise;
  - (4) Whether the customer is a group net metering host or member with on-bill crediting;
  - (5) Whether the customer's distributed generation facility has been determined to be a low-moderate income community solar project;
  - (6) Whether the customer participates in the Liberty Utilities battery storage pilot program or any other battery storage program;

- (7) Whether the customer is currently on a payment plan or a budget billing plan; and
- (8) The utility rate class of the customer; and
- (p) Other information typically made available to CEPS through the utility's EDI.

Puc 2007.22 Enabling Meter Reading Authority and Access to Interval Meter Data.

(a) For the purpose of enabling CPA meter reading pursuant to RSA 53-E:3, II(a)(4) and to enable CPA collection and use of interval meter data for load settlement purposes, including capacity tag allocation, the provision of energy services, and near real-time customer access to such data pursuant to RSA 53-E:4, IV, a CPA may, upon request to and approval by the utility and approval by the commission:

- (1) Propose and implement with the utility an arrangement to enable the CPA to directly read existing utility meters, including meters capable of reporting load data at intervals of hourly or more frequently;
  - (2) Propose and implement with the utility an arrangement to enable the CPA to have near real time access to meter data as it is collected and electronically stored by the utility;
  - (3) Contribute to the cost of utility-provided meter upgrades to enable the collection of such interval meter data, by paying the incremental cost of such meter upgrades that are in excess of the then current cost of a standard replacement meter up to the utility's unobligated annual budget for new and replacement meters;
  - (4) Propose to jointly own with the utility a new interval meter, which may include supporting communications equipment and systems, with the utility required to contribute not less than the cost of a standard replacement meter, up to the utility's unobligated annual budget for new and replacement meters, with ownership shares to be proportional to the relative cost contributions of the CPA and the utility, provided that the utility's ownership share in all cases shall be greater than 50 percent and all such meters shall remain under the control of the utility; or
  - (5) Install a secondary revenue grade meter provided by the CPA that is in addition to the meter installed and maintained by the utility, including arrangements for the CPA to share or transfer data from such meters to the utility for load settlement purposes.
- (b) The utility and the CPA shall jointly file with the commission any agreement to implement any of the alternatives provided for in (a) above for review by the commission through an adjudicative proceeding.
- (c) The commission shall approve any such agreement if it finds that the agreement is for the public good and that the terms and conditions of the agreement are just and reasonable.
- (d) If a CPA and a utility cannot agree to terms and conditions for enabling CPA meter reading or access to interval meter data, the CPA may submit a proposal for such implementation to the commission for adjudication, and the commission shall approve the proposal if it finds that the proposal is for the public good, pursuant to RSA 53-E:4, IV.

Puc 2007.23 Net Metering by CPAs.

(a) CPAs shall determine the terms, conditions, and prices under which they agree to provide generation supply to and credit, as an offset to supply, or purchase the generation output exported to the distribution system from CPA customers with customer-sited distributed generation.

(b) Pursuant to RSA 362-A:9, II, such generation output shall be accounted for as a reduction to the CPA customers' electricity supplier's wholesale load obligation for energy supply as an LSE, net of any applicable line loss adjustments, as approved by the commission.

(c) CPA customers with customer-sited distributed generation who are net metered shall net meter pursuant to the applicable utility tariff with respect to transmission and distribution service charges and credits.

Puc 2007.24 Billing Services Provided to CPAs.

(a) Prior to enrolling any customers, a CPA shall determine which of the following two utility services to use for billing and notify the electric distribution utility of that determination:

(1) Separate billing service, whereby the CPA separately bills customers for the cost of the electric power supply and energy services to be provided to such customers and may combine such billing with billing for other municipal services pursuant to RSA 53-E:3-a; or

(2) Consolidated billing service, whereby the utility will issue a single monthly bill which will include the CPA's charges for electric power supply and energy services for such customers as well as the utility's charges for electric service.

(b) Changes in the determination of billing service for any customers shall be implemented for the next bill reading cycle, provided that the CPA has notified the utility of any applicable rates and services in accordance with (d) below.

(c) The terms and conditions provided by the utility for CPA billing services shall:

(1) Require that customers contacting the utility regarding the billed amount for CPA services or any other CPA issues are provided with the CPA's customer service number; and

(2) Permit the CPA to define on-peak, mid-peak, and off-peak periods or other pricing options and rate structures that are different from those defined in the utility's applicable tariffs on file with the commission, and to request enhanced metering services for customer participation in programs and services in addition to the provision of basic electricity supply service, provided that all incremental costs incurred to provide any special metering, data management, or billing system modifications shall be assigned to and paid by the CPA, in which case such costs shall be:

a. estimated by the utility to the CPA prior to implementing any such changes; and

b. if approved for implementation by the CPA, shall be charged to and paid by the CPA.

(d) When a CPA elects to utilize consolidated billing service for any customers, the CPA shall also elect either to:

(1) Calculate the charges or credits for electricity supply and services for the customers in accordance with the CPA's customer classes or rate structures, based upon customer usage data

provided by the utility, and provide such charges or credits to the utility for presentment on the customers' bills; or

(2) Provide the customers' utility with either:

a. the custom rate applicable to the customers; or

b. the non-custom, complete schedule of electricity rates and service pricing options applicable to the customers' class and rate structure.

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**APPENDIX**

<b>Rule</b>	<b>Specific State Statute the Rule Implements</b>
Puc 2001	RSA 53-E:7, X
Puc 2002	RSA 53-E:7, X
Puc 2007	RSA 53-E:7, X