



### VOICE SUPPORT to PASS SB 321

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**SB 321 would allow Community Power Aggregations to (1) accelerate the development of local renewable and battery storage projects and (2) offer programs that reduce transmission and capacity charges for customers!**

**Bill Summary:** [Senate Bill 321](#) is a top priority that needs immediate support. CPCNH members have been working to advance this critical legislation for 3+ years. In brief:

- ✦ SB 321 would fix NH law to ensure that Community Power Aggregations & Competitive Suppliers that source power from local distributed energy resources are properly credited for lowering energy, transmission, and capacity charges.
  - By providing credit for actual cost reductions, these reforms would immediately increase the cost-effectiveness of local projects without relying on cross-subsidies of any kind. It's a game changer that would open the market for competitive project development across the entire state!
  - Absent this change in law, development of distributed generation and storage will continue to be limited to Net Metering and utility programs, which are quite limited. Cost-effective project opportunities for Community Power programs would continue to be artificially constrained.
- ✦ CPCNH's 18 member communities represent ~20% of the state's population and are working to launch Community Power programs beginning in April 2023:
  - SB 321 would (1) broaden the number of cost-effective contracting opportunities to develop local energy projects, and (2) allow the savings to be passed on to customers. Community Power programs would be able to reduce transmission and capacity charges (in addition to supply costs) for customers!
  - SB 321 could also immediately enhance the near-term project economics for CPCNH member communities that have already been working to develop portfolios of local projects (such as Lebanon's new landfill gas-to-energy project, Nashua's hydroelectric dams, and a number of solar installations).

**Bipartisan Sponsors:** David Watters (D, Prime), Jeb Bradley (R), Tom Sherman (D), Rebecca Perkins Kwoka (D), Jacqueline Cali-Pitts (D), Rebecca McWilliams (D)

**Senate Hearing:** the Energy and Natural Resources Committee will hear SB 321 on Tuesday, February 22<sup>nd</sup> at 9:15 AM in State House room 103 ([online meeting schedule](#)).

### ✦ Call to Action ✦

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- ✦ [Register in SUPPORT of Senate Bill 321](#) — see next page for instructions!
- ✦ Spread the word and forward this action alert to other community stakeholders!
- ✦ Vice Chair Below will provide testimony on behalf of CPCNH and is available at [Clifton.Below@cpcnh.org](mailto:Clifton.Below@cpcnh.org) and (603) 448-5899 to answer questions.

To support SB 321, [CLICK HERE](#) or navigate to: [www.gencourt.state.nh.us/remotecommittee/senate.aspx](http://www.gencourt.state.nh.us/remotecommittee/senate.aspx)

That brings you to the "Senate Remote Sign In Sheet"



### Select Date of the Hearing

February 2022						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
	31	1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	1	2	3	4	
7	8	9	10	11		

- 1 Click on Feb 22 to access the next 5 items: committee, bill SB-321, about you, & position on bill

1 Select the Committee Senate Energy and Natural Resources

2 Choose the Bill 9:15 am - SB321

3 I am: A Member of the Public

4 I'm Representing Myself

Indicate Your Position on this Bill  
 Support this Bill  Oppose this Bill  I'm neutral on this Bill

#### Your Selection

Date: 2/22/2022  
Committee: Senate Energy and Natural Resources  
Legislation: 9:15 am - SB321  
I Am: A Member of the Public  
Representing: Myself  
I am in **SUPPORT** of this Bill

Attention: The sign-in sheet will close for purposes of registering your opinion at 11:59 p.m. the day of the hearing.

Tip: After completing each section, click on "Continue" to advance to the next section.

Continue Cancel



### Personal Information:

First [ ] Last [ ]

Town [ ] State [ New Hampshire ]

Email Address [ ]

Attention: The sign-in sheet will close for purposes of registering your opinion at 11:59 p.m. the day of the hearing.

Continue Cancel



- 2 About you

### Final Review:

Please Verify the information Below:

Name [ ]  
Phone Email [ ] Your name & email address will appear here

Hearing Date 2/22/2022  
Committee Senate Energy and Natural Resources  
Legislation 9:15 am - SB321  
I am A Member of the Public  
I am in **SUPPORT** of this Bill  
I **DO Not** Wish to Speak on this Bill

By clicking this checkbox, you agree that the information you have provided is truthful, to the best of your knowledge.  
Attention: The sign-in sheet will close for purposes of registering your opinion at 11:59 p.m. the day of the hearing.

Continue Cancel

- 3 Verify your information & position on the bill



Thank you for registering  
Hearing Details: 9:15 am, SB321 on 2/22/2022.

Please email written testimony and documents you wish to share with the Committee to [to the Committee Members](#).

If you have questions or concerns, please contact Daley Frenetteat (603) 271-3042.

Attention: The sign-in sheet will close for purposes of registering your opinion at 11:59 p.m. the day of the hearing.

Sign Up Again

If you wish to say more, click on "to the Committee" to auto-address an email to all Committee Members

# Policy Brief

- ✦ In-state renewable and battery storage projects (1) lower the **energy supply** purchased from the ISO New England wholesale electricity market on an hour-by-hour basis and (2) lower the **transmission & generation capacity** charges paid for by New Hampshire customers by lowering “coincident peak loads”.
- ✦ On average, **energy supply** purchases represent ~30% of customer electricity bills, while **transmission & generation capacity** charges account for another ~30% (the remaining ~40% pays for the utility’s distribution grid).
- ✦ Under current market rules, utility-administered programs can capture the full benefits of local distributed energy (energy, transmission, and capacity savings), but in practice, Community Power Aggregations and Competitive Suppliers only receive credit for energy savings — not transmission or capacity savings!
- ✦ This has suppressed the construction of new projects in New Hampshire, because utility programs are very limited, and non-utilities are unable to cost-effectively develop projects. (Note that [utility programs across New England](#) are increasingly cost-effective because of transmission and capacity savings, not just energy savings.)
- ✦ Consequently, organizers of CPCNH have been championing reforms that would fix the market and allow third-parties to develop projects: last year, [advocacy in support of SB 91](#) led to the creation of the “[Commission to Study Limited Electrical Energy Producers](#)”. SB 321 was drafted in consideration of the concerns raised in the Commission’s findings — the [Final Report & Appendix](#) (with CPCNH’s written testimony that provides more detailed explanation of issues) and [ISO-NE comments](#).
- ✦ [Senate Bill 321](#) would amend LEEPA ([Limited Electrical Energy Producers Act](#)), which governs Net Energy Metering (NEM) as well as market-based contracts for local generation. As context:
  - LEEPA was intended to provide small-scale local resources with market-based compensation as an alternative to relying on Investor-Owned Utility programs. It reflects the Legislature’s belief that it is *“in the public interest to provide for small scale and diversified . . . electrical production that uses indigenous and renewable fuels and has beneficial impacts on the environment and public health . . . in a competitive environment pursuant to the restructuring policy principles set forth in [the Electric Utility Restructuring Act].”*
  - Unfortunately, market-based contracting under LEEPA currently only ensures credit for reducing the energy supply purchased from the ISO New England wholesale electricity market — and fails to provide credit for lowering transmission and generation capacity charges paid by retail customers.
- ✦ SB 321 would clarify that electricity sourced from in-state distributed energy resources (less than 5 megawatts in size) for sale or resale to NH customers will be accurately credited (on a metered, hourly basis) for lowering transmission and generation capacity charges paid by retail customers.
- ✦ These reforms would immediately increase the cost-effectiveness of local projects and open the market for competitive project development on a statewide basis!