

ENERGY EFFICIENCY AND SUSTAINABLE ENERGY BOARD

RSA 125-O:5-a

21 South Fruit Street, Suite 10

Concord, N.H. 03301-2429

Minutes for April 16, 2021

Attendees:

Board Members: Madeleine Mineau (Clean Energy NH); Donald Perrin (DAS); D. Maurice Kreis (OCA); Becky Ohler (DES); Mark Sanborn (OSI); Kate Peters (Eversource); Eric Stanley (Liberty Utilities); Ray Burke (NH Legal Assistance); Bruce Clendenning (The Nature Conservancy); Tonia Chase (BIA); Karen Cramton (PUC); Cindy Carroll (Unitil); Ryan Clouthier (Southern NH Services); Carol Woods (NHEC); Jack Ruderman (NH Housing Finance Authority); Scott Maslansky (CDFA); Marc Prindiville (NH State Fire Marshal's Office); Representative Kat McGhee (NH House of Representatives); Representative Michael Vose (NH House of Representatives).

Others: Representative Lee Oxenham; Azanna Wishart (PUC); Brianna Fiorillo (Clean Energy NH); Megan Ulin (Revision Energy); Brian Buckley (PUC); Steve Eckberg (PUC); Mark Lemanger (Eversource); Liz Nixon (PUC); Meghan Hoye; Andrew Hatch; Pat Martin; Chris Skoglund (DES); Joshua Singer (Clean Energy NH); Kelly Buchanan (Clean Energy NH); Dick Henry; Bob Backus; Susan Richmond; Christa Shute (OCA).

1. Welcome and Introductions

- Madeleine Mineau called the meeting to order at 9:02 a.m.

2. Approval of the March 19, 2021 EESE Board Meeting Minutes.

- Becky Ohler moved. Bruce Clendenning seconded.
- Approval of the amended March 19, 2021 minutes. All in favor with two abstentions.

3. Discussion – Reforming the EERS Committee

- There is a proposal in the 2021-2023 Triennium Plan that the EERS sub-committee of the EESE Board be replaced with an advisory council. Since this triennium plan has not yet been approved by the Commission, this council has not been formed. In the interim, should the EERS sub-committee be reinstated?

- Question: Is the delay in the Commission issuing an Order on the Triennium Plan due to the lack of appointment of a new Commissioner? Response: It is a hypothesis, yes.
- Question: If the Board reinstates the EERS Committee, will the Committee continue to have support from an outside consultant? Response: The consultant's contract established under the previous triennium plan has expired. If the 2021-2023 triennium plan defined in the settlement agreement includes a provision for a consultant, then the settlement agreement must be approved for either the EERS Committee or Advisory Council to access consulting services.
- Question: OSI is supportive of re-engaging the EERS conversation. During a previous EESE Board meeting, the OSI voted against the proposed EERS Triennium Plan because the OSI believes that there should be legislative oversight over the Systems Benefits Charge (SBC) and due to the amount of the SBC increase. How would the board accomplish reopening the EERS discussion? Response: The goal would not be to advocate or seek approval for the Plan. Whatever the outcome of the Order, there will be work to do.
- Question: Last year the EERS Committee completed its work at the beginning of the adjudicative process. How would the committee function given the fact that there is still a pending settlement? Response: The pending settlement agreement calls for a stakeholder advisory council. The purpose of the council will be to serve as the stakeholder forum for the planning process for the next triennium. Had the Commission approved the agreement, the action would have shifted to the council. The only thing we can do with a pending decision is to reconstitute the EERS Committee as a de facto stakeholder forum. Renegotiation of the settlement terms is not an option. If the Commission does not approve the agreement, the Consumer Advocate will either withdraw their support and force a re-litigation, or pursue a rehearing and potential appellate proceeding under RSA 541.
- The purpose of the EERS Committee is to build consensus amongst stakeholders prior to the adjudicative process. How much can be accomplished while there is a pending order? Response: Should there be no stakeholder engagement? Should there be public discussions?
- It is almost impossible to predict what will have to be figured out once there is an order from the Commission. There are too many scenarios to try to play them all out beforehand. It was noted earlier that there would be two choices if the agreement were not approved. Perhaps a third choice it to take what the Commission orders and figure out how to make it work best for our customers and programs.
- As signatories to the settlement plan, it is not helpful to express a willingness to deviate from the terms of the agreement.
- Eversource is 100% committed to the settlement agreement. It is fair to acknowledge that we do not know what we are going to with the Commission's order until we get it.

- The key issue is what kind of authority is endowed to this group in order for it to be reconstituted?
- Question: Is there another way to accomplish the goal of creating conversation? Perhaps reconvening the sub-committee is not the right thing to do.
- Mark Sanborn offered to put together a forum to discuss broad and specific energy efficiency topics. Possibly include this topic in the upcoming updates to the state energy strategy. It may be a way to broach the EERS sub-committee topic.
- There was not broad agreement amongst the Board on this issue. A vote was not taken.

4. Discussion – EESE Board Chair - June to December

- Madeleine Mineau resigned her position with Clean Energy NH and will therefore no longer be eligible to serve as Chair of the EESE Board.
- The statement of governing principles reads, “One of the Vice Chair’s responsibilities is to serve as the Chair during his or her absence or during a transition if there is no Chair.” Therefore, when Madeleine steps down, Bruce will serve as Chair until an election is held in January. An option would be to amend the governance document to put in a provision that would allow the Board to hold a special election to fill a vacancy.
- Bruce Clendenning offered to fill the role of Chair of the EESE Board.
- There was a brief discussion about who would fill the empty Vice Chair seat. The Board agreed to work ad hoc without a Vice Chair until the end of the year.
- Madeleine expressed that Clean Energy NH would like to continue to have a seat on the Board.

5. Legislative Updates – Representatives Vose and McGhee

- The Science, Technology, and Energy (ST&E) Committee heard thirty-two bills during its first session. Fourteen bills were retained. Eight of the fourteen were study committee bills. The remainder were voted ought to pass or ITL.
- Monday the 19th the ST&E will hold a public hearing on SB78 (relative to continually appropriating the renewable energy fund to the PUC) and SB91 (adopting omnibus legislation on renewable energy utilities). ST&E will hear testimony on SB113 (relative to the alternative compliance payments for renewable energy obligations not met through the purchase of renewable energy credits) in two weeks. Then, there will be an executive session on those three bills.
- There will be full committee work sessions on the fourteen retained bills. The deadline for all retained bills is in November.
- The House will not conduct business (i.e., work sessions) in July and August, but will resume its work in September.

- HB315 (relative to the aggregation of electric customers) passed on a voice vote by the Senate Energy and Natural Resources Committee. A board member asked for clarification on HB315. Response by Representative Vose: The stakeholder amendment that was passed unanimously by the committee attempted to clarify how we can protect non-aggregation ratepayers while still permitting community aggregation and community power proponents to implement the changes that they want to make to move grid modernization forward.
- HB614 (exempting the state and political subdivisions from payment of the costs of compliance with the RPS) was retained by the House Ways and Means Committee. The amendment added that municipalities could opt out of RPS compliance (purchase of RECs and alternative compliance payments). This bill could have significant impact on funding to the Renewable Energy Fund.
- There was an attempt to increase RGGI funding to be used for energy efficiency, which failed.
- HB119 (relative to legislative approval of the New Hampshire general court for increases in the system benefits charge) was ILL'd.
- HB351 (relative to the system benefits charge) passed last week.
- SB91 (adopting omnibus legislation on renewable energy and utilities) – There are five components to the bill. The fifth component adopts the language that was in the original HB315. If it passes without the removal of that language, it would be a step backward. It would undo what was fixed through ST&E's collaborative process.
- Clean Energy NH did a mid-session wrap up webinar on Monday. Contact Madeleine by email for a link to the recording.

6. Board and Program Updates

- PUC – Karen Cramton
 - Under the Renewable Energy Fund (REF), the Commission has temporarily closed the Residential Solar Rebate program. There is a waitlist of applications totaling approximately \$20,000 in requested funding. The Residential Pellet Program has minimal funds available. C&I Solar Program has funding available. C&I Pellet Program is experiencing low demand. The two RFPs for Non Residential Grant Program and LMI Community Solar Program have closed. The proposals have been scored and the contracting process is underway. There have been questions raised regarding what happens to in-house rebate applications not incentivized by the end of the fiscal year due to REF funding no longer defined as continually appropriated. The PUC is working with the Department of Justice to find a solution.
 - A proposal for use of the Clean Energy Fund has been filed with the Commission.
 - On March 29th the Commission held a public hearing on the 2020 Renewable Portfolio Standard (RPS) Class III Obligation, which is the biomass/methane class of the RPS. The Commission is will issue an Order.

- There is a docket open for the investigation of energy storage. A technical session will take place on May 27th. ISO-NE will attend to provide an update on FERC Order 2222.
 - The statewide energy database docket is moving forward.
 - The rules for community power aggregation are moving forward.
 - A question was asked about the sale of biomass companies. See link:
<https://www.vnews.com/Maine-company-buys-Springfield-biomass-plant-and-four-others-in-Twin-States-39885601>
- Bruce Clendenning – The Nature Conservancy
 - Energy Week has kicked off. There are three more events next week.
<http://nhenergyfuture.org/agenda/>

6. Meeting adjourned at 10:33 a.m.