

STATE OF NEW HAMPSHIRE  
PUBLIC UTILITIES COMMISSION

January 13, 2010 - 10:21 a.m.  
Concord, New Hampshire

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RE: DE 09-186  
PUBLIC SERVICE OF NEW HAMPSHIRE:  
Proposed Renewable Default Energy  
Service Rate.

PRESENT: Chairman Thomas B. Getz, Presiding  
Commissioner Clifton C. Below  
Commissioner Amy L. Ignatius

Sandy Deno, Clerk

APPEARANCES: Reptg. Public Service of New Hampshire:  
Gerald M. Eaton, Esq.

Reptg. Unitil Energy Systems, Inc.:  
Susan S. Geiger, Esq. (Orr & Reno)

Reptg. Residential Ratepayers:  
Meredith Hatfield, Esq., Consumer Advocate  
Kenneth E. Traum, Asst. Consumer Advocate  
Office of Consumer Advocate

Reptg. PUC Staff:  
Suzanne G. Amidon, Esq.  
Thomas C. Frantz, Director - Electric Div.  
Al-Azad Iqbal, Electric Division

Court Reporter: Steven E. Patnaude, LCR No. 52

ORIGINAL

## I N D E X

## PAGE NO.

WITNESS PANEL:        RHONDA J. BISSON  
                         RICHARD C. LABRECQUE  
                         AL-AZAD IQBAL

Direct examination by Mr. Eaton	7, 32
Direct examination by Ms. Amidon	24
Cross-examination by Ms. Hatfield	33
Interrogatories by Cmsr. Below	51, 62
Interrogatories by Cmsr. Ignatius	56
Redirect examination by Ms. Amidon	64

## STATEMENTS REGARDING PROCEDURE BY:

## PAGE NO.

Mr. Eaton	65
Ms. Hatfield	66

## CLOSING STATEMENTS BY:

## PAGE NO.

Ms. Geiger	67
Ms. Hatfield	70
Ms. Amidon	71
Mr. Eaton	73

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
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18  
19  
20  
21  
22  
23  
24

## E X H I B I T S

EXHIBIT NO.	D E S C R I P T I O N	PAGE NO.
1	Testimony and attachments of Rhonda J. Bisson and Richard C. Labrecque (09-30-09)	10
2	Partial Settlement Agreement (01-07-10)	11
3	Chart entitled "Renewable Default Energy Service Options Incremental Monthly Bill Impacts Based on Price = 4.66 cents/KWH"	20

## P R O C E E D I N G

CHAIRMAN GETZ: Okay. Good morning, everyone. Apologize for the delay in getting started this morning. We'll open the hearing in docket DE 09-186, Public Service Company of New Hampshire. On September 30, PSNH filed a request for approval of a new Renewable Default Service Rate Option for its customers pursuant to RSA 374-F:3, V, Subsection (f), which requires New Hampshire Electric utilities to offer one or more renewable energy source options to its customers. And, an order suspending the tariff and scheduling a prehearing conference was issued on October 9, and subsequently, on October 30, a secretarial letter was issued scheduling a hearing on the merits, which was rescheduled to today.

So, can we take appearances please.

MR. EATON: For Public Service Company of New Hampshire, my name is Gerald M. Eaton. Good morning.

CHAIRMAN GETZ: Good morning.

MS. GEIGER: Good morning. Susan Geiger, from the law firm of Orr & Reno, representing Unitil Energy Systems, Inc. And, with me this morning from the Company is Mr. Rob Furino.

CHAIRMAN GETZ: Good morning.

{DE 09-186} {01-13-10}

1 MS. HATFIELD: Good morning,  
2 Commissioners. Meredith Hatfield, from the Office of  
3 Consumer Advocate, on behalf of residential customers.  
4 And, with me for the office is Ken Traum.

5 CHAIRMAN GETZ: Good morning.

6 MS. AMIDON: Good morning. Suzanne  
7 Amidon, for Commission Staff. And, with me today is Tom  
8 Frantz, who is the Director of the Electric Division, and  
9 Al-Azad Iqbal, who is an Analyst with the Electric  
10 Division.

11 CHAIRMAN GETZ: Okay. Good morning.  
12 And, note for the record that we have a Partial Settlement  
13 Agreement that was filed on January 7. And, Mr. Eaton,  
14 how do you propose to proceed?

15 MR. EATON: We would propose a panel of  
16 Mrs. Rhonda Bisson and Rick Labrecque. I think they will  
17 be joined by Al-Azad Iqbal of the Staff.

18 CHAIRMAN GETZ: Okay. I guess, before  
19 we do that, let me make sure I have a full understanding  
20 of who the parties are. So, there was a Petition to  
21 Intervene previously by National Grid. But we have the  
22 Petition to Intervene by Unitil, which was filed on the  
23 13th.

24 Is there any objection to the Petition

1 to Intervene?

2 MS. AMIDON: No. And, I did speak with  
3 counsel for National Grid, and they indicated they would  
4 not be present today.

5 CHAIRMAN GETZ: Okay. Thank you. All  
6 right. Well, let's -- noting that there's no objection to  
7 the Petition to Intervene, and recognizing that the  
8 proceeding -- the status of the proceeding will proceed as  
9 has been previously scheduled, we'll recognize that UES  
10 has stated a right, duty or interest that may be affected  
11 by this proceeding, we'll grant the petition.

12 MS. GEIGER: Thank you.

13 CHAIRMAN GETZ: Ms. Eaton.

14 MR. EATON: I'd like to call to the  
15 stand Mrs. Rhonda Bisson and Mr. Richard Labrecque.

16 MS. AMIDON: Mr. Iqbal will be joining  
17 them.

18 (Whereupon *Rhonda Bisson*,  
19 *Richard Labrecque* and *Al-Azad Iqbal* were  
20 duly sworn and cautioned by the Court  
21 Reporter.)

22 RHONDA J. BISSON, SWORN

23 RICHARD C. LABRECQUE, SWORN

24 AL-AZAD IQBAL, SWORN

## 1 DIRECT EXAMINATION

2 BY MR. EATON:

3 Q. Mrs. Bisson, would you please state your name for the  
4 record.

5 A. (Bisson) My name is Rhonda Bisson.

6 Q. For whom are you employed?

7 A. (Bisson) I'm employed as a Senior Analyst at Public  
8 Service Company of New Hampshire.

9 Q. What are your duties?

10 A. (Bisson) As a Senior Analyst in the Rate and Regulatory  
11 Services group, I administer and interpret PSNH's  
12 Deliver Service tariff. I also prepare regulatory  
13 filings and prepare analyses in support of the  
14 regulatory filings.

15 Q. Have you previously testified before this Commission?

16 A. (Bisson) Yes, I have.

17 Q. Mr. Labrecque, would you please state your name for the  
18 record?

19 A. (Labrecque) Richard Labrecque.

20 Q. For whom are you employed?

21 A. (Labrecque) I am Manager of Supplemental Energy Sources  
22 at PSNH.

23 Q. And, what are your duties?

24 A. (Labrecque) We manage, we provide interconnection

[WITNESS PANEL: Bisson|Labrecque|Iqbal]

1 services and contract administration services to small  
2 power producers that are interconnected or seeking to  
3 be interconnected with the PSNH distribution system.  
4 We administer the Net Metering Program, and also manage  
5 compliance with the Renewable Portfolio Standard.

6 Q. Have you previously testified before the Commission?

7 A. (Labrecque) Yes.

8 Q. Mr. Iqbal, what is your -- would you please state your  
9 name for the record.

10 A. (Iqbal) My name is Al-Azad Iqbal.

11 Q. And, for whom are you employed?

12 A. (Iqbal) I'm employed by the Public Utility Commission  
13 New Hampshire.

14 Q. And, what is your position?

15 A. (Iqbal) I am an Analyst here with the Electric  
16 Division.

17 Q. And, what are your duties in that position?

18 A. (Iqbal) I work as an analyst in different dockets  
19 related to the Electric Division.

20 Q. And, have you testified before the Commission?

21 A. (Iqbal) No.

22 Q. Mrs. Bisson, before you, do you have a package with a  
23 cover letter dated September 30th, 2009, signed by me,  
24 with the note "Proposed Renewable Default Energy



[WITNESS PANEL: Bisson|Labrecque|Iqbal]

1 Service Rate"?

2 A. (Bisson) Yes, I do.

3 Q. And, could you please describe that document.

4 A. (Bisson) Excuse me? You just want me to describe the  
5 document?

6 Q. Well, what does it contain?

7 A. (Bisson) Oh, it contains the testimony and attachments  
8 of myself and Mr. Rick Labrecque, in describing a new  
9 Renewable Default Energy Service Rate Option that PSNH  
10 is proposing to offer to its customers.

11 Q. And, what prompted this filing?

12 A. (Bisson) This filing was made in response to the  
13 passage of House Bill 395 in the 2009 Legislative  
14 Session, which requires utilities to offer a renewable  
15 Default Energy Service Option to its customers.

16 Q. Do either of you have any corrections to make to that  
17 filing?

18 A. (Bisson) No, I do not.

19 A. (Labrecque) No.

20 Q. And, if you were asked those questions today, you would  
21 respond in the same way?

22 A. (Bisson) Yes.

23 A. (Labrecque) Yes.

24 MR. EATON: Could we have that marked

{DE 09-186} {01-13-10}

[WITNESS PANEL: Bisson|Labrecque|Iqbal]

1 for identification as "Exhibit 1"?

2 CHAIRMAN GETZ: So marked.

3 (The document, as described, was  
4 herewith marked as Exhibit 1 for  
5 identification.)

6 MR. EATON: We have previously provided  
7 a copy to the Clerk and the Stenographer.

8 BY MR. EATON:

9 Q. Mrs. Bisson, could you please look at a document with a  
10 cover letter dated January 7th. It's signed by Suzanne  
11 G. Amidon, and notes this docket. Could you describe  
12 that document.

13 A. (Bisson) This document is a Partial Settlement  
14 Agreement in this docket currently before the  
15 Commission.

16 Q. Are there any corrections that you would like to make  
17 to this document?

18 A. (Bisson) There is one correction on Page 2, under  
19 Section B.1, "Program Description". Sentence three  
20 should read that "Class I generation resources are  
21 defined as new renewable resources that began operation  
22 after January 1st, 2006."

23 Q. So, the word "operation" should be substituted for  
24 "option"?

[WITNESS PANEL: Bisson|Labrecque|Iqbal]

1 A. (Bisson) Correct.

2 MR. EATON: With that correction, Mr.  
3 Chairman, could we mark the Partial Settlement Agreement  
4 that was filed on January 7th as "Exhibit 2"?

5 CHAIRMAN GETZ: So marked.

6 (The document, as described, was  
7 herewith marked as **Exhibit 2** for  
8 identification.)

9 BY MR. EATON:

10 Q. Ms. Bisson, did the Settlement Agreement substantially  
11 change -- the Partial Settlement substantially change  
12 the filing that the Company made on September 30th?

13 A. (Bisson) I wouldn't say that it "substantially changed"  
14 the original testimony that was filed. There are four  
15 areas that are described in the Settlement that we  
16 agreed with the Commission Staff on.

17 Q. Could you please describe the offering that PSNH will  
18 make to its customers for the Renewable Energy Default  
19 Service?

20 A. (Bisson) Under the Renewable Energy Default Service  
21 Option that PSNH is proposing to offer to its  
22 customers, our customers will be given the opportunity  
23 to support the market of new renewable sources of  
24 generation here in New England. And, we plan to

[WITNESS PANEL: Bisson|Labrecque|Iqbal]

1 purchase and retire either Class I or Class II  
2 Renewable Energy Certificates on behalf of those  
3 customers that are participating in the program. And,  
4 they will match -- the number of Renewable Energy  
5 Certificates that we'll purchase will match either all  
6 or a portion of the customer's actual energy usage. We  
7 plan to offer three separate options to our customers;  
8 a 100 percent option, a 50 percent option, and a  
9 25 percent option.

10 Under the 100 percent option, we'll  
11 purchase and retire Renewable Energy Certificates to  
12 match 100 percent of the customer's actual usage.  
13 While, under the 50 percent option, we would purchase  
14 and retire RECs to match 50 percent of the customer's  
15 actual usage.

16 We plan to bill customers at PSNH's  
17 Default Energy Service rate, plus an additional charge.  
18 And, that additional charge would be in cents per  
19 kilowatt-hour, based on the option that's chosen by the  
20 customer, whether it's the 100 percent, 50 percent, or  
21 25 percent option.

22 And, this option will be available to  
23 all of PSNH's customers, although they will need to  
24 take this Energy Service Option in conjunction with

{DE 09-186} {01-13-10}

[WITNESS PANEL: Bisson|Labrecque|Iqbal]

1 Default Energy Service, in order to participate in the  
2 program. In addition, we do not plan to offer the  
3 program to customers who are currently enrolled in the  
4 Statewide Electric Assistance Program or to customers  
5 who are currently receiving electric service bill  
6 payment assistance through the Fuel Assistance Program.

7 And, finally, just customers will be  
8 given the opportunity to enroll in and drop from the  
9 program on a billing cycle basis.

10 Q. Does your testimony describe the reasons why the  
11 Company is not offering the rate to low income  
12 customers who receive assistance either through the Low  
13 Income Fuel Assistance Program or the Electric  
14 Assistance Program?

15 A. (Bisson) Well, my understanding is that there are  
16 limited funds available through those programs. And  
17 that, by allowing those customers to participate in a  
18 program that's going to increase the size of their  
19 bill, that this program could then further limit those  
20 funds that are available.

21 Q. Why did PSNH choose the option of supplying this  
22 service directly from the utility, as opposed to the  
23 other option in the statute?

24 A. (Bisson) There are really three main reasons why PSNH

[WITNESS PANEL: Bisson|Labrecque|Iqbal]

1 chose to offer this Renewable Energy Service Option  
2 directly to our customers, rather than providing retail  
3 access to competitive energy suppliers. The first  
4 reason is because it was just much simpler for PSNH to  
5 develop and to implement the program internally. We  
6 have existing -- excuse me -- we have an existing  
7 internal infrastructure that we currently have in place  
8 for the acquisition of Renewable Energy Certificates,  
9 also for compliance reporting to the Commission. And,  
10 we also have an infrastructure in place to perform the  
11 rate-setting and the cost recovery of this particular  
12 rate option. We currently purchase RECs in support of  
13 the New Hampshire Renewable Portfolio Standard, and  
14 purchasing incremental RECs will not require a great  
15 deal of additional time or resources on the part of  
16 PSNH. And, also, as far as the cost recovery and  
17 rate-setting process, it's very similar to the process  
18 that we currently use for Default Energy Service. And,  
19 we plan to use existing resources and our  
20 infrastructure in place to administer this rate as  
21 well.

22 And, what we found when we began looking  
23 at providing retail access to competitive sellers, that  
24 it would require a number of additional activities and

{DE 09-186} {01-13-10}

1 additional administrative tasks; such as issuing an  
2 RFP, selecting a vendor, developing vendor contracts,  
3 monitoring vendor compliance with those contracts. We  
4 would also need to begin tracking revenue by vendor.  
5 And, in addition, we would need to administer vendor  
6 payments as well.

7 So, again, the first main reason was  
8 because it was just much simpler, and would require  
9 fewer resources and less time for PSNH to implement the  
10 rate. Secondly, we felt that this program would have a  
11 greater revenue impact on the renewable resource  
12 market, because 100 percent of the revenue collected  
13 would be used to purchase Renewable Energy  
14 Certificates. Under the retail access model, a portion  
15 of the revenue collected would be used for vendor  
16 profit. So, again, we felt that administering the  
17 program ourselves would have a greater revenue impact  
18 on the market.

19 And, finally, we just feel that a  
20 utility-sponsored and administered program will likely  
21 have a higher participation rate, and will create  
22 higher public awareness for and support for renewable  
23 resources.

24 Q. The Settlement Agreement, at Page 3, has a paragraph

[WITNESS PANEL: Bisson|Labrecque|Iqbal]

1        regarding "Marketing and Promotion Costs". Is there a  
2        -- is there a figure that PSNH is proposing for what  
3        the marketing/promotional costs would be during  
4        implementation of the rate?

5    A.    (Bisson) We are currently estimating that the marketing  
6        and promotion costs for the first year of the rate  
7        would likely fall in the range between \$100,000 and  
8        \$125,000.

9    Q.    Is that the only additional cost that PSNH will be  
10       seeking to recover from customers?

11   A.    (Bisson) Yes.

12   Q.    So, the rest of the administration of this rate can be  
13       performed with existing resources within the Company,  
14       correct?

15   A.    (Bisson) Yes.

16   Q.    And, where would that cost be collected?

17   A.    (Bisson) PSNH is proposing to collect those costs  
18       through PSNH's distribution rates.

19   Q.    Mr. Labrecque, the Settlement Agreement also talks  
20       about filing tariff pages. Could you describe some of  
21       the procedures you think will be involved in not only  
22       setting this initial rate, but also in revising it from  
23       time to time?

24   A.    (Labrecque) Yes. The Settlement notes that, prior to



[WITNESS PANEL: Bisson|Labrecque|Iqbal]

1 February 1st, we'll be filing tariff pages and a  
2 technical statement describing the derivation of the  
3 rate, the separate kilowatt-hour rate that we would be  
4 seeking approval for. The process we intend to use to  
5 determine a rate I can walk you through today, and I  
6 don't anticipate a lot of changes in the next couple  
7 weeks.

8 As described in our testimony, our  
9 intent is to establish a price that is somewhere  
10 between the current market price for the Renewable  
11 Energy Certificates we wish to procure, and the  
12 alternative compliance payment rate for those same  
13 RECs. Currently, New Hampshire Class I certificates  
14 are offered at approximately \$36 a REC; Class II  
15 certificates are offered at \$125 a REC. Neither of  
16 these markets, especially Class II, is particularly  
17 liquid such that these -- these prices aren't  
18 guarantied. A lot of them are subjected to direct  
19 negotiations with individual suppliers, and prices may  
20 vary, is what I'm trying to say.

21 But, using those two market benchmarks  
22 as of today, and as I described earlier, our intent, we  
23 certainly don't want to under-collect in this rate.  
24 So, our intent is to add a level of conservatism to the

[WITNESS PANEL: Bisson|Labrecque|Iqbal]

1 rate that would provide protection against upward  
2 movement in the market for RECs, between the time the  
3 rate was established and the time in which PSNH  
4 actually procures RECs to satisfy the obligation  
5 relative to this rate.

6 So, for Class I RECs, I used a benchmark  
7 price of \$45. And, for Class II RECs, I'm proposing to  
8 stay with the current market benchmark of \$125. I used  
9 a relative ratio of 98 percent Class I RECs and  
10 2 percent Class II RECs. We'll be marketing this  
11 program to customers noting that we will be buying  
12 Class I and Class II RECs. We believe those are the --  
13 those are the renewable resource types that customers  
14 are going to be most familiar with, most comfortable  
15 with, most satisfied that their additional payment is  
16 going to support those types of resources; primarily  
17 wind and solar is what comes to mind when you think of  
18 Class I and Class II RECs.

19 While we're not -- while we're not  
20 suggesting a rigid ratio of 98 percent and 2 percent  
21 Class I and Class II, we will use that as a target in  
22 establishing the rate. And, that target is based on  
23 the relative requirements in those two classes in the  
24 RPS rules for the year 2025. That was the basis for

{DE 09-186} {01-13-10}

[WITNESS PANEL: Bisson|Labrecque|Iqbal]

1       that split fraction.

2                   Putting all that math together gets you  
3       a rate of 4.66 cents per kWh, which would be applied to  
4       the 100 percent option. If you were taking the  
5       50 percent option, the way the billing would work is  
6       the rate would be cut in half, but it would be applied  
7       to your full kilowatt-hours energy usage.

8                   When we file for a rate, we will request  
9       that that rate remain in effect through the end of  
10      2010. Subsequent rate changes would occur either on  
11      January 1st or July 1st of any given year, to coincide  
12      with rate changes in our Energy Service rate.

13                  I think I'm done, Mr. Eaton.

14   Q.   Mrs. Bisson, did you prepare a bill impact analysis of  
15       what would be the changes to a typical bill if this  
16       rate were approved?

17   A.   (Bisson) Yes, I did.

18   Q.   And, does this document that I've been handing out,  
19       does this resemble a chart that was in your prefiled  
20       testimony or an attachment to your testimony?

21   A.   (Bisson) Yes.

22   Q.   Could you please describe this exhibit or this chart.

23   A.   (Bisson) This chart summarizes the incremental monthly  
24       bill impact based on a Renewable Energy Service price

[WITNESS PANEL: Bisson|Labrecque|Iqbal]

1 of 4.66 cents per kilowatt-hour. And, it's broken up  
2 into two categories; one for a residential customer  
3 using 500 kilowatt-hours per month, and a small  
4 business customer using 10,000 kilowatt-hours per  
5 month. And, as shown, under the "25 percent Option",  
6 the monthly bill impact would be \$5.83 for a  
7 residential customer, and would be \$116.50 for a small  
8 business customer.

9 MR. EATON: Could we have this marked  
10 for identification?

11 CHAIRMAN GETZ: That will be marked as  
12 "Exhibit 3" for identification.

13 (The document, as described, was  
14 herewith marked as **Exhibit 3** for  
15 identification.)

16 BY MR. EATON:

17 Q. Mr. Labrecque, could you describe what will happen with  
18 over and under-recoveries in the Default Energy Service  
19 Renewable Option?

20 A. (Lebanon) Yes. As described in our testimony, over or  
21 under-collections will normally be reconciled in the  
22 next rate change related to the Renewable Default  
23 Energy Service. However, we've also proposed that,  
24 should there be significant under-collections or

[WITNESS PANEL: Bisson|Labrecque|Iqbal]

1 over-collections in the rate, significant to the point  
2 where their incorporation in a subsequent rate would  
3 result in a rate that no longer is reflective of the  
4 current market conditions, that we would propose to  
5 reconcile that large over or under-collection in a  
6 coincident adjustment to the Default Energy Service  
7 rate.

8 Q. Do you think that the Company can avoid significant  
9 over and under-collections?

10 A. (Labrecque) Yes. I have confidence that there will  
11 never be a significant over or under-collection for a  
12 number of reasons. As I said earlier, we're going to  
13 put a margin of conservatism in the rate that should  
14 accommodate most sudden upward movements that could  
15 occur in the REC markets certainly over a six month  
16 period. I say "six months" because, in most annual  
17 cycles, we'll have open to us the option of a July 1  
18 rate change that we could request from the Commission.

19 In addition, we don't propose to procure  
20 RECs until we've established a firm quantity of RECs  
21 that have enrolled in the program. For example, we're  
22 not going to go out and buy RECs on a forecasted basis,  
23 which would expose us to significant over or  
24 under-collections if we bought too much and had to

[WITNESS PANEL: Bisson|Labrecque|Iqbal]

1 resell them at a loss. I'm thinking we'll probably  
2 make quarterly purchases of RECs or thereabouts. We'll  
3 accumulate enrollment kilowatt-hours over the course of  
4 a quarter, to the point where we have a significant  
5 quantity that would justify going out and making a  
6 purchase. Based on that, I don't anticipate a large  
7 over or under-collection.

8 Q. And, Mrs. Bisson, is there anything in the Settlement  
9 Agreement that allows the parties to revisit the design  
10 that's been presented today?

11 A. (Bisson) Yes, there is. In the Settlement Agreement,  
12 we agree to issue a report to the Commission Staff  
13 after the program has been in effect for a 12-month  
14 period. And, after that report has been issued, we  
15 agree to meet with the Commission Staff, the Office of  
16 Consumer Advocate, or any other interested parties, to  
17 consider possible changes to the program.

18 Q. Either of you or both of you could answer this  
19 question. There is one issue we were not able to  
20 resolve with the Commission. And, I don't want you to  
21 testify concerning what the law says, but do you feel  
22 comfortable in offering this to all customers, but  
23 requiring customers to take standard Default Service in  
24 conjunction with the Renewable Option?

[WITNESS PANEL: Bisson|Labrecque|Iqbal]

1 A. (Labrecque) Yes. In my opinion, customers should first  
2 be procuring their energy service from PSNH, then they  
3 should be procuring renewable energy service from PSNH.  
4 I don't think it's appropriate for a customer procuring  
5 energy from a retail supplier to be purchasing green  
6 energy service from PSNH.

7 Q. Do you have anything to add to that, Mrs. Bisson?

8 A. (Bisson) Not really. I mean, just the fact that, from  
9 PSNH's perspective, we view this Renewable Default  
10 Energy Service rate as an option under Energy Service,  
11 under Default Energy Service. Customers that are not  
12 receiving their energy service from PSNH are not energy  
13 service customers of PSNH. And, therefore, we would  
14 not provide them with a Renewable Energy Service  
15 Option. We feel that customers that are taking their  
16 service from a competitive energy supplier are very  
17 likely to purchase their renewable option from the  
18 competitive market and from their competitive supplier.

19 Q. Do either of the two of you have anything to add to  
20 your testimony?

21 A. (Bisson) No, I do not.

22 A. (Labrecque) No, I do not.

23 MR. EATON: I think now Attorney Amidon  
24 will conduct her direct examination of Mr. Iqbal.

{DE 09-186} {01-13-10}

[WITNESS PANEL: Bisson|Labrecque|Iqbal]

1 MS. AMIDON: Thank you.

2 BY MS. AMIDON:

3 Q. Mr. Iqbal, did you read House Bill 395, which is  
4 codified as RSA 374-F:3, V(f)(2)?

5 A. (Iqbal) Yes.

6 Q. And, this is the section which requires the utility to  
7 offer the Renewable Energy Service option, is that  
8 correct?

9 A. (Iqbal) Yes.

10 Q. According to the law, there are two ways in which a  
11 utility may offer a Renewable Service Option, is that  
12 correct?

13 A. (Iqbal) Yes.

14 Q. Could you explain these two options as you understand  
15 them.

16 A. (Iqbal) The two options are -- one is the utilities can  
17 provide the Renewable Energy Option by themselves or  
18 provide access to competitive market.

19 Q. And, PSNH has elected the option described in the  
20 statute, Paragraph (4), in the second sentence, in that  
21 the RECs that PSNH will purchase will represent  
22 renewable energy generated in New England, is that  
23 correct?

24 A. (Iqbal) Yes.



[WITNESS PANEL: Bisson|Labrecque|Iqbal]

1 Q. And, as you said, as an alternative, a utility could  
2 direct a customer to competitive REC suppliers to  
3 support Renewable Energy Service, is that correct?

4 A. (Iqbal) Yes.

5 Q. And, in fact, another company, National Grid, has made  
6 a filing where they would propose to comply with this  
7 legislation by affording their customers access to the  
8 retail REC market, is that right?

9 A. (Iqbal) Yes.

10 Q. Would RECs purchased in that manner, in other words,  
11 not National Grid necessarily, but purchased from a  
12 retail REC supplier, necessarily come from renewable  
13 resources in New England?

14 A. (Iqbal) Under this legislation, it is not required that  
15 it should be purchased from the New England area. It  
16 says that it is an option, but it doesn't limit that.

17 Q. And, so, the RECs could represent renewable energy that  
18 comes from other parts of the country?

19 A. (Iqbal) Yes, that's my understanding.

20 Q. And, if there was an abundant supply of, say, wind from  
21 the Midwest, then those RECs might be less expensive  
22 than the RECs that come from New England?

23 A. (Iqbal) It's possible.

24 Q. Okay. Now, you've read the statute -- you indicated

[WITNESS PANEL: Bisson|Labrecque|Iqbal]

1       that you read the statute. The statute doesn't direct  
2       a utility to adopt one approach over another, does it?

3   A.   (Iqbal) No. The statute give two option. The  
4       utilities can take either one or both.

5   Q.   And, Mr. Iqbal, did you read the legislative history to  
6       House Bill 395?

7   A.   (Iqbal) Yes, I did.

8   Q.   And, in the legislative history, did you find anything  
9       that would indicate that the Legislature was directing  
10      utilities to one option over another or gave preference  
11      to one option over another?

12   A.   (Iqbal) I didn't see any indication that they are  
13      preferring one over another.

14   Q.   Okay. Mr. Eaton asked a question regarding Paragraph  
15      B.2, on Page 3, which is the marketing and promotion  
16      costs that the parties agreed to or how we have  
17      proposed to deal with the marketing and promotion  
18      costs. Are you in agreement with Mrs. Bisson that the  
19      upper limit of anticipated costs for these activities  
20      would be \$125,000?

21   A.   (Iqbal) That's my recollection from the technical  
22      session. Yes, we talked about this. And, we added  
23      that there should be some limit. And, we agreed that  
24      this range was ultimately made \$125,000.

{DE 09-186} {01-13-10}

[WITNESS PANEL: Bisson|Labrecque|Iqbal]

1 Q. And, in that section, it's the last sentence, indicates  
2 that "This provision will be reviewed after the first  
3 year of the program and adjusted as appropriate." Is  
4 that correct?

5 A. (Iqbal) Yes.

6 Q. And, then it refers to "Section B.5 below." Could you  
7 explain for the Commission the benefits of the report  
8 that PSNH would provide after 12 months of operation of  
9 the program?

10 A. (Iqbal) Yes. From the beginning, we had the challenge  
11 that we don't have any experience on this in New  
12 Hampshire particularly with the Renewable Energy  
13 Option. So, it was important for us to know, from the  
14 secondary literature or data, to find out a reasonable  
15 way to approach this option. So, it was reasonable to  
16 ask, as an analyst and as a professional, that we have  
17 to run this program to get a understanding of the New  
18 Hampshire market, on renewable option market  
19 particularly. And, this Settlement Agreement actually  
20 gives us that opportunity, Paragraph 5. We can review  
21 this program. We have the primary data and primary  
22 experience, and that gives us a better insight for  
23 future administration of this program, future design of  
24 this program, and as well as the marketing/promotional

{DE 09-186} {01-13-10}

[WITNESS PANEL: Bisson|Labrecque|Iqbal]

1 plan or the strategy for this program.

2 Q. And, Mr. Iqbal, do you anticipate, when you review the  
3 filings made by usage Services, Inc., and National  
4 Grid, that you will anticipate that a similar reporting  
5 requirement would be applied to those companies as  
6 well?

7 A. (Iqbal) That's my expectation.

8 Q. And, what would be the benefit of that?

9 A. (Iqbal) The benefit will be that there are some subtle  
10 difference particularly between Unitil and PSNH, but  
11 they are almost the same. But National Grid is taking  
12 the other option, which is access to the competitive  
13 supplier. So, we have two approach running  
14 simultaneously, if it is that good. And, from the  
15 data, primary data we get from either approach will  
16 gives us -- will give us a better understanding of the  
17 market and the approaches we choose.

18 Q. Thank you. Now, I wanted to draw your attention to  
19 Page 4, the item identified as "Paragraph C". And, in  
20 that section, that was the area where we agreed to  
21 disagree with the Company, and particularly asked for  
22 the Commission guidance regarding whether or not this  
23 Renewable Energy option should be offered to all  
24 customers or only Default Service customers. Could you

[WITNESS PANEL: Bisson|Labrecque|Iqbal]

1 explain your -- some of your thoughts regarding why  
2 this might be offered to all customers, regardless of  
3 whether or not they take Default Service?

4 A. (Iqbal) My understanding of this statute start with  
5 this notion that this statute doesn't identify any  
6 customer group. It says that "renewable option should  
7 be offered to the customers." And, on the other hand,  
8 "the administrative costs should be recovered from all  
9 customer." So, there is a subtle difference. But my  
10 understanding is, when it doesn't identify any customer  
11 group, like whether they're taking Default Service or  
12 not, so my understanding is that it should be offered  
13 to all customer as well.

14 And, from the RSA 374-F:3, F:3, V --  
15 V(f)(2), which actually gives two interpretation of  
16 this option. According to that, my understanding is  
17 that Renewable option or RECs could be identified as a  
18 different commodity, which is not tied to other  
19 commodity which the distribution utilities are  
20 providing. Or, they could -- they could do that. So,  
21 this gives them option. The understanding is, from the  
22 generation point, there are two products, two  
23 commodity; one is an energy, one is RECs. That is  
24 environmental attributes. And, we make our consumption

{DE 09-186} {01-13-10}

[WITNESS PANEL: Bisson|Labrecque|Iqbal]

1 green when we combine these two at the consumption  
2 point. It could be done at utility level, which PSNH  
3 are proposing, that they are saying that we are  
4 combining these two at the utility level, and then  
5 selling it to the customer. So, the 100 percent  
6 customer, the 100 percent option, the customer will  
7 take the 100 percent option, they're getting  
8 100 percent of their energy from renewable energy,  
9 because they are combining the RECs and energy  
10 together.

11 The other way it could be interpreted,  
12 that they are providing two different services; one is  
13 energy service, one is renewable attributes of energy.  
14 So, it -- we can interpret that where that these are  
15 two different product. And, as the legislation said,  
16 that it should be provided to customers, combining  
17 these two actually limits the option for the customer.  
18 That we have to be -- to access this Renewable option,  
19 we have to be Default Service customer. And, if you  
20 look at 374-F:3, V, or five, (f)(7), it specifically  
21 says, on Line 3, that "RES option is not" -- there are  
22 some other stuff in between -- "sold as part of any  
23 other electricity service." My understanding is,  
24 although they are giving two option, that combining it

{DE 09-186} {01-13-10}

[WITNESS PANEL: Bisson|Labrecque|Iqbal]

1 at utility level, but they're saying that it should not  
2 be tied to any other services, like Energy Service, my  
3 understanding. So, that's -- it, really, it is not  
4 clear to us. That's why we asked the guidance from the  
5 Commission at which -- of which should be taken.

6 Q. Very good. Why do you take the position that the  
7 Partial Settlement Agreement is reasonable and in the  
8 public interest?

9 A. (Iqbal) I think this Partial Settlement actually gives  
10 us several -- several opportunity to understand this  
11 program thoroughly. First of all, this program follow  
12 -- it meets all the statute, all the legislative  
13 requirement. And, second of all, as we have -- we  
14 don't have any primary data or experience on this, this  
15 Partial Settlement gives us the learning process, with  
16 some sort of learning on New Hampshire basis, from the  
17 New Hampshire basis data, like the marketing and  
18 promotional. It also gives us the -- gives us the  
19 control of the cost as well, because we are adding that  
20 the marketing cost should not exceed 125,000.

21 The most important thing I think that it  
22 also gives us the opportunity to review this program  
23 after one year. And, I think it is reasonable to get  
24 one year data and review it, and identify all the pros

[WITNESS PANEL: Bisson|Labrecque|Iqbal]

1 and cons, and do this program for future years. And,  
2 that's a reasonable -- reasonable process and way to  
3 approach any new program, to my understanding. And,  
4 that's why I think it is reasonable and public  
5 interest.

6 Q. Do you have anything that you'd like to add at this  
7 point?

8 A. (Iqbal) No, thanks.

9 MS. AMIDON: All right. Thank you.

10 MR. EATON: Excuse me, before the panel  
11 is available for cross, I have one question of Mrs. Bisson  
12 that I forgot to ask?

13 CHAIRMAN GETZ: Please.

14 BY MR. EATON:

15 Q. If the Commission decides that the rate should be  
16 available to customers who take competitive supply, as  
17 well as customers who take Default Energy Service, can  
18 PSNH implement the rate by May 1st?

19 A. (Bisson) No, we'll likely not be able to implement the  
20 rate by May 1st. If we do open the rate up to all  
21 customers, it could take an additional three to six  
22 months, just for additional programming time, in order  
23 to accommodate -- to accommodate that.

24 MR. EATON: Thank you. That's all I

{DE 09-186} {01-13-10}



[WITNESS PANEL: Bisson|Labrecque|Iqbal]

1 had.

2 CHAIRMAN GETZ: Thank you. Ms. Geiger?

3 MS. GEIGER: No thank you, Mr. Chairman.

4 CHAIRMAN GETZ: Ms. Hatfield?

5 MS. HATFIELD: Thank you, Mr. Chairman.

6 Good morning.

7 WITNESS LABRECQUE: Good morning.

8 CROSS-EXAMINATION

9 BY MS. HATFIELD:

10 Q. Mr. Iqbal, I wanted to follow up on something that I  
11 thought I heard you say. Do you recall, I think you  
12 were raising a risk or a downside with going with a  
13 third party provider, and I think you stated that it  
14 "would be possible for a third party provider of a  
15 renewable option to buy wind power from the Midwest."  
16 Did I hear you correctly?

17 A. (Iqbal) That's my understanding.

18 Q. If you look at this statute that created this program,  
19 which is 374-F:3, V, Paragraph (f), it states that -- I  
20 believe it states that under this program, a renewable  
21 energy source to be included in this program has to  
22 qualify under RSA 362-F:2, which is the New Hampshire  
23 Renewable Portfolio Standard. Do you also understand  
24 that?

{DE 09-186} {01-13-10}

[WITNESS PANEL: Bisson|Labrecque|Iqbal]

1 A. (Iqbal) I don't have that right in front of me.

2 Q. Do you have the bill in front of you?

3 A. (Iqbal) Yes, I have it.

4 Q. Right in the very first paragraph of the actual bill  
5 language, under the Paragraph (f)(1), it states "For  
6 purposes of subparagraph (f), "renewable energy source"  
7 means a source of electricity as defined in RSA  
8 362-F:2, XV, that would qualify to receive renewable  
9 energy certificates under RSA 362-F."

10 A. (Iqbal) Yes, I see that.

11 Q. Okay. So, is it your understanding that, in order to  
12 be included in this Renewable option, that source has  
13 to qualify for the New Hampshire RPS Program? Doesn't  
14 have to be certified as a New Hampshire resource, but  
15 it just has to qualify under the RPS?

16 MS. AMIDON: Mr. Chairman, I would  
17 request that Attorney Hatfield please read the whole  
18 section. Because, while the character of the renewable  
19 energy might be the same as in the statute, I understand  
20 the section to say that the source doesn't necessarily  
21 have to be qualified by the New Hampshire Commission to  
22 produce RECs. So, if you could please read the whole  
23 section, Ms. Hatfield.

24 MS. HATFIELD: Sure. "For purposes of

[WITNESS PANEL: Bisson|Labrecque|Iqbal]

1 subparagraph (f), "renewable energy source" [or] RES means  
2 a source of electricity, as defined in RSA 362-F:2, XV,  
3 that would qualify to receive renewable energy  
4 certificates under RSA 362-F, whether or not it has been  
5 designated as eligible under RSA 362-F:6, III."

6 BY MS. HATFIELD:

7 Q. So, my question was, would a renewable energy source  
8 have to qualify for the New Hampshire RPS law, which is  
9 RSA 362-F, in order to be included in the Renewable  
10 Energy Source option?

11 A. (Iqbal) My understanding was from the Paragraph (4).  
12 That it said that "regional generation information  
13 system of energy certificate administered by ISO-New  
14 England and the New England Power Pool should be  
15 considered at least one form of certification that is  
16 acceptable under this program." So, that gives -- my  
17 understanding is it's open the field a little bit more  
18 then.

19 Q. So, do you not agree that Paragraph (f)(1) states that  
20 it "means a source of electricity that would qualify to  
21 receive renewable energy certificates under the New  
22 Hampshire RPS law"?

23 A. (Iqbal) I'm not disagreeing with that. I agree with  
24 that.

[WITNESS PANEL: Bisson|Labrecque|Iqbal]

1 Q. Mr. Labrecque, in your role purchasing renewable -- or,  
2 purchasing RECs for PSNH to comply with the RPS, do you  
3 know, would Midwest wind qualify for the New Hampshire  
4 RPS?

5 A. (Labrecque) No, they wouldn't.

6 Q. Do you think Midwest wind would qualify under the  
7 Renewable Option law?

8 A. (Labrecque) No. I interpret the law to require that  
9 the RECs we purchase either be certified, qualified, I  
10 don't know the exact word, as New Hampshire RECs, or  
11 capable of earning such certification, if they went  
12 through the formal process and got the stamp of  
13 approval. And, to be capable of being approved, you  
14 need to be in New England or an adjoining control area,  
15 which would limit this to New England or New York,  
16 Hydro-Quebec, New Brunswick, I believe would be the  
17 population you could draw from.

18 Q. Thank you.

19 A. (Labrecque) And, to get RECs from an adjoining control  
20 area, there are other steps that you need to do, like  
21 to certify that the energy was physically imported into  
22 New England as well.

23 Q. Thank you. I appreciate that. That's very helpful.  
24 And, is it your understanding that, whether the

[WITNESS PANEL: Bisson|Labrecque|Iqbal]

1 Renewable option was provided by the utility as a  
2 Renewable Default Energy Service or provided by a third  
3 party, that either option would have to meet that  
4 requirement?

5 A. (Labrecque) That's my interpretation.

6 Q. I'd like to talk a little bit about the pricing. So,  
7 if you could look at Exhibit 3 for a moment. If you  
8 could also look -- I want to make sure I under,  
9 Exhibit 3 looks like it modifies the figures that you  
10 had in what's been marked as "Exhibit 1", your  
11 testimony, on Page 14, is that correct?

12 A. (Bisson) Correct.

13 Q. So, in your testimony, the range was 3.8 to 6.2, but,  
14 in Exhibit 3, you're able to give us a more -- a closer  
15 estimate, perhaps?

16 A. (Bisson) Correct. The exhibit we -- well, the exhibit  
17 we included in our testimony, what we wanted to do was  
18 to give a range. Kind of the high bound was the ACP  
19 price, and we also had the -- kind of the current  
20 market price at that time. So, that's what we were  
21 trying to show in our original testimony. The new  
22 exhibit is -- Rick did an updated estimate of what he  
23 would recommend setting the rate at today.

24 Q. And, as you've testified, that's your estimate. And,

{DE 09-186} {01-13-10}

[WITNESS PANEL: Bisson|Labrecque|Iqbal]

1       when you actually file the rate, it may be a little bit  
2       different?

3   A.   (Bisson) Correct.

4   Q.   And, do those amounts include administrative costs or  
5       promotion or marketing?

6   A.   (Bisson) No, they do not.

7   Q.   And, I think you stated that the actual amount the  
8       customer pays will depend on their own actual usage,  
9       did I get that right?

10  A.   (Bisson) Correct.

11  Q.   So, in a particular month, would the customer be paying  
12       for that option based on their prior month's usage?

13  A.   (Bisson) They would be paying based on their usage that  
14       occurs during a billing cycle.

15  Q.   So, it will be based on actual?

16  A.   (Bisson) Correct.

17  Q.   Also, in your testimony, on Page 9, at the bottom of  
18       the page, you provide what you call a "summary of the  
19       estimated cost to administer the Renewable Default  
20       Energy Service rate." Do you see that?

21  A.   (Bisson) Yes, I do.

22  Q.   And, I believe, in a technical session, you stated that  
23       the only two amounts that were incremental as a result  
24       of this program were the promotion and customer

{DE 09-186} {01-13-10}

[WITNESS PANEL: Bisson|Labrecque|Iqbal]

1 communication shown on Lines 24 and 25, is that  
2 correct?

3 A. (Bisson) Correct.

4 Q. And, that amount adds up to \$81,700, is that right?

5 A. (Bisson) Yes, it is.

6 Q. And, I believe the amount that you testified to earlier  
7 today was the range of approximately \$125,000?

8 A. (Bisson) Correct. Somewhere in the range of 100 to  
9 125,000.

10 Q. So, that would increase the total by roughly somewhere  
11 between 20 and \$40,000?

12 A. (Bisson) Correct.

13 Q. One of the things that I think you testified that the  
14 Company needs to do is undertake some billing system  
15 upgrades, is that right?

16 A. (Bisson) We do. We will need to implement the rates  
17 within our billing system and perform bill testing of  
18 those rates, and also ensure that, you know, the bill  
19 component shows up on customers' bills correctly. So,  
20 yes.

21 Q. Will you need to do billing system upgrades or would  
22 you need to do billing system upgrades if you were  
23 providing this program through a third party?

24 A. (Bisson) We would. We would still need to enter, you

[WITNESS PANEL: Bisson|Labrecque|Iqbal]

1 know, the rates onto our billing system. We would  
2 still need to test those rates. And, we would still  
3 need to do the type of bill testing to ensure that  
4 those rates and charges appear correctly on customers'  
5 bills.

6 Q. Did PSNH investigate the costs of using a third party  
7 supplier to provide the Renewable Option?

8 A. (Bisson) We did not.

9 Q. Why didn't you look at the potential costs?

10 A. (Bisson) Well, PSNH performed what I would call just a  
11 " cursory investigation". As we began to look at both  
12 options, we realized very quickly that it would require  
13 a number of additional administrative tasks, as I had  
14 testified previously. So, at that point in time, we  
15 felt it would be more efficient for us to administer  
16 the program ourselves.

17 Q. Would you agree that the pricing of the Renewable  
18 Energy Option could be very important to the number of  
19 customers that decide to choose the option?

20 A. (Bisson) It would be one component that could be  
21 important.

22 Q. Are you familiar with the Renewable Energy Service  
23 Option that PSNH's affiliate, Connecticut Light &  
24 Power, offers in Connecticut?

{DE 09-186} {01-13-10}



[WITNESS PANEL: Bisson|Labrecque|Iqbal]

1 A. (Labrecque) Yes.

2 Q. Is it similar to what PSNH is proposing?

3 A. (Labrecque) Similar, in that it results in purchases of  
4 RECs in a particular quantity and classification to be  
5 procured on behalf of an enrolling customer. But  
6 different in the fact that it's -- the REC procurement,  
7 the pricing is all determined by and performed by a  
8 third party supplier.

9 Q. So, is Connecticut Light & Power's role in  
10 administering that program similar to how a utility  
11 deals with a competitive supplier?

12 A. (Labrecque) A portion of it is, in the fact that  
13 they're collecting payments on behalf of a competitive  
14 supplier and forwarding payments to that supplier on a  
15 routine basis.

16 Q. Do you know if Connecticut Light & Power incurs any  
17 administrative costs to offer that third party option  
18 to their customers?

19 A. (Labrecque) There are some incremental manhours  
20 expended to administer the process, similar to what  
21 will be incurred at PSNH. But, as with PSNH's program  
22 design, those are not separately tracked and they're  
23 incorporated into existing resources, existent staff.

24 Q. Is it true that much of the program administrative

{DE 09-186} {01-13-10}

[WITNESS PANEL: Bisson|Labrecque|Iqbal]

1 costs in a third party program are charged directly to  
2 the third party supplier?

3 A. (Labrecque) They are the obligation of the third party  
4 supplier, most of them. I can't speak for all program  
5 designs. Some of them may have -- each program will  
6 have an agreement, terms and conditions, and a supplier  
7 services agreement that clearly describes the  
8 responsibilities of each party. I believe, in the case  
9 of CL&P, during the first few years, I think CL&P was  
10 obligated to do two bill inserts, and then it got to  
11 the point where I believe it transitioned to, they  
12 would continue to do bill inserts, but charge the  
13 supplier and -- other marketing costs would be the  
14 responsibility of the supplier.

15 Q. Do you recall that, in a response to a data request  
16 providing information about the Connecticut program,  
17 you included information about two third party  
18 providers and what their current costs were for the  
19 Connecticut Renewable Option?

20 A. (Labrecque) The rates they were charging?

21 Q. Yes.

22 A. (Labrecque) Yes, I recall it.

23 Q. And, do you recall what the 2009 cost for Sterling  
24 Planet is for those customers that choose the Renewable

[WITNESS PANEL: Bisson|Labrecque|Iqbal]

1 Option?

2 A. (Labrecque) 1.29 cents per kWh.

3 Q. Do you know if that was for the 100 percent option?

4 A. (Labrecque) That's the 100 percent option price.

5 Q. And, then, for Community Energy, which is another  
6 competitive supplier of renewable energy, do you recall  
7 what their cost per kilowatt-hour was?

8 A. (Labrecque) 1.30 cents per kWh.

9 Q. Do you know why PSNH's estimate of 4.77 cents is so  
10 much higher than what those third party suppliers were  
11 providing, at least as of October 2009?

12 A. (Labrecque) It's primarily a result of the different  
13 REC classifications that each program is procuring on  
14 behalf of their customers. PSNH's program is procuring  
15 Class I and Class II New England based renewables. The  
16 programs offered by the two suppliers you mentioned  
17 include -- I believe there's a significant percentage  
18 from low impact or small hydro, which I think  
19 translates into a Connecticut Class II or III, some  
20 class that is currently very oversupplied and very  
21 inexpensive RECs. I believe a significant portion also  
22 is -- I think it's termed "new wind" or "national  
23 wind", I don't know exactly, but it includes wind RECs  
24 from the Midwest and Texas or other places in the

[WITNESS PANEL: Bisson|Labrecque|Iqbal]

1 country that are oversupplied, and their REC prices are  
2 also very small.

3 Q. And, Mr. Labrecque, are you also familiar with the  
4 program that PSNH's Massachusetts affiliate, Western  
5 Mass. Electric Company, is intending to offer in that  
6 state?

7 A. (Labrecque) Somewhat.

8 Q. And, I believe, during technical sessions, when  
9 describing that program to us, you stated that the  
10 Company's proposal was still pending before the Mass.  
11 DPU?

12 A. (Labrecque) That's correct.

13 Q. Is that still the case?

14 A. (Labrecque) I haven't spoken to anyone since that tech  
15 session. I believe that's still the case.

16 Q. And, is that proposal more similar to the Connecticut  
17 approach or to the approach that PSNH is proposing  
18 here?

19 A. (Labrecque) It's also a third party supplier  
20 administered program. So, I guess that would be more  
21 similar in that aspect to the CL&P program.

22 Q. Turning back to your testimony, starting on I believe  
23 it's the bottom of Page 10, going onto Page 11, you  
24 discuss the issue that you previously discussed with us

{DE 09-186} {01-13-10}

[WITNESS PANEL: Bisson|Labrecque|Iqbal]

1       today of dealing with over and under-collections, do  
2       you recall that?

3   A.   (Labrecque) Yes.

4   Q.   You mention, on Page 10, Line 27, and also discussed on  
5       the following page, that there is the potential for  
6       what you call a "perverse outcome, such as an extremely  
7       low (or even [a] negative) rate." Do you recall that?

8   A.   (Labrecque) Yes.

9   Q.   Why would an "extremely low rate" be a negative  
10       outcome?

11   A.   (Labrecque) A low rate is not a negative outcome. I  
12       think a negative rate would be a negative outcome.  
13       Also, even a low rate, if it were low principally  
14       because of a large over-collection in a prior period,  
15       would drive the rate to be significantly booked below  
16       the current market price for RECs, and the danger would  
17       be, if it was so low that enrollment skyrocketed and  
18       you could not procure RECs at that price for the  
19       additional enrollment, thus getting you a large  
20       under-collection.

21   Q.   And, is that what, as you testified earlier, I believe,  
22       that that is what might cause the possibility of having  
23       to seek recovery of such under-collections from all  
24       Default Energy Service customers?

[WITNESS PANEL: Bisson|Labrecque|Iqbal]

1 A. (Labrecque) Yes. That would be, in an instance where  
2 we thought reconciling a large over or under-collection  
3 into a subsequent rate request would result in a  
4 resulting rate that did not make sense, when compared  
5 to the current market for RECs, either too high or too  
6 low, that would be an instance where we would propose  
7 to recover or to reconcile that through the Default  
8 Energy Service rate proceeding.

9 Q. So, if that case were to arise, then even customers who  
10 hadn't chosen the option might have their rates  
11 impacted by the Renewable Energy Option?

12 A. (Labrecque) Correct.

13 Q. And, would that ever occur if the offering was provided  
14 by a third party?

15 A. (Labrecque) Not if all things went smoothly. I imagine  
16 there could be some supplier default conditions or  
17 bankruptcy conditions or other -- other low probability  
18 events that could result in a pot of money needing to  
19 be reconciled in another rate mechanism.

20 Q. And, in the Connecticut program, do you know, have  
21 there been any over- or under-collections that have  
22 caused that to exist?

23 A. (Labrecque) I'm not aware of any.

24 Q. The process that you described of -- that you will use

{DE 09-186} {01-13-10}

[WITNESS PANEL: Bisson|Labrecque|Iqbal]

1 to determine the rate, would you need to undertake that  
2 process if a third party supplied the option?

3 A. (Labrecque) That particular process would no longer be  
4 required. It would be replaced by a number of other  
5 required processes. But, no, I would not personally  
6 have to set the rate, if that were the way the program  
7 was designed.

8 Q. And, Ms. Bisson, you testified that one of the reasons  
9 that PSNH chose not to choose or further explore a  
10 third party option was because it was so much simpler,  
11 did I get that right?

12 A. (Bisson) Yes.

13 Q. If you did choose a third party supplier, is it true  
14 that you wouldn't need to do the rate-setting and the  
15 cost recovery mechanism?

16 A. (Bisson) We wouldn't need to do the rate-setting and  
17 cost recovery mechanism. But I would assume that we  
18 would still need to come before the Commission to seek  
19 approval for an RFP and for the vendors that are  
20 selected and offer the contract terms and so forth.

21 Q. In terms of determining your timeline to be able to  
22 roll out the program, on Page 15 of your testimony,  
23 Exhibit 1, you state that "The proposed initial  
24 effective date...is March 1st." And, I'm wondering,

{DE 09-186} {01-13-10}

1 because where now it's 2010, has that moved out?

2 A. (Bisson) It has. We are currently projecting, if we  
3 were to receive a Commission order by March 1st, that  
4 we could implement the rate by May 1st of this year.  
5 Provided that the Commission agrees that the rate is  
6 only applicable to customers receiving Default Energy  
7 Service.

8 Q. I'd like to ask a few questions about the provision in  
9 the Settlement Agreement about the "Program Review"  
10 that appears on Page 3, at Paragraph 5. Does PSNH  
11 contemplate that that review would include whether it  
12 might be more appropriate to change the program to have  
13 a third party provider offer the program to customers?

14 A. (Bisson) I wouldn't contemplate that that change would  
15 take effect. That our discussions would be more  
16 related to advertising and promotion and marketing  
17 efforts, and whether those efforts have been successful  
18 during the first year of the program, and what  
19 additional efforts, you know, or changes we may make to  
20 improve those efforts. I would also think that we  
21 might talk about, you know, maybe the program design,  
22 maybe adding some additional options, if that would  
23 make sense, other than just the 100, 50, and 25 percent  
24 options.



[WITNESS PANEL: Bisson|Labrecque|Iqbal]

1 Q. Mr. Iqbal, do you think that the first review of the  
2 program after it's been in place for a year would  
3 include whether it might be more appropriate to change  
4 the program so that it's provided by a third party  
5 supplier?

6 A. (Iqbal) My understanding is it is possible. But, under  
7 the statute, I don't -- I don't think that we can force  
8 any utility to choose one over another.

9 Q. But that could be discussed during that annual review?

10 A. (Iqbal) Yes, that's possible.

11 Q. Ms. Bisson, I think you testified earlier about the  
12 costs of the program, and you were talking about the  
13 range of the marketing and promotion costs to be about  
14 100 to \$125,000, do you recall that?

15 A. (Bisson) Yes.

16 Q. And, then you referred to other costs. Would those  
17 other costs be the ones that are listed in the  
18 testimony on Page 9?

19 A. (Bisson) You'll have to refresh my memory on what  
20 exactly I said, as far as "other costs".

21 Q. There was a question and answer about that marketing  
22 and promotion costs being roughly \$125,000. And, then,  
23 I believe Mr. Eaton asked you "are those the only  
24 costs?" And, you said something to the effect that

1 "those are the only incremental costs."

2 A. (Bisson) Oh. Correct. Correct. Those are the only  
3 incremental costs. All of the other costs, as far as  
4 doing billing system upgrades, customer service  
5 training, and so forth, those are the other costs that  
6 PSNH would propose collecting through PSNH's  
7 distribution rates.

8 Q. But, if they're caused by this program, how are they  
9 not incremental?

10 A. (Bisson) Well, PSNH plans to use its existing resources  
11 to implement this rate.

12 Q. So, they may be incremental because they're new, but  
13 you're not intending to include them as a new charge?

14 A. (Bisson) Correct.

15 MS. HATFIELD: One moment please.

16 (Ms. Hatfield and Mr. Traum conferring.)

17 BY MS. HATFIELD:

18 Q. And, just to be clear on those marketing and promotion  
19 costs that you said are "incremental", your intention  
20 is to recover those through distribution rates?

21 A. (Bisson) Correct.

22 Q. And, you would be able to include that in the new  
23 distribution rate that the Commission is currently  
24 considering?

[WITNESS PANEL: Bisson|Labrecque|Iqbal]

1 A. That's our plan. As part of that docket, the PSNH's  
2 distribution rate docket that's currently before the  
3 Commission, we would work, you know, with the parties  
4 to seek agreement to recover those costs through the  
5 distribution rates.

6 MS. HATFIELD: I don't have any further  
7 questions. Thank you.

8 CHAIRMAN GETZ: Thank you. Commissioner  
9 Below.

10 CMSR. BELOW: Thank you.

11 BY CMSR. BELOW:

12 Q. Mr. Labrecque, another option that presented itself  
13 under the statute was that the provision of Renewable  
14 Energy Service could be done either by "purchasing  
15 electricity generated by renewable energy sources or  
16 the attributes of such generation, either in connection  
17 with or separately from the electricity produced." Is  
18 that correct?

19 A. (Labrecque) Yes.

20 Q. And, PSNH has chosen to propose to buy the attributes  
21 separately from the underlying energy supply itself,  
22 correct?

23 A. (Labrecque) Correct.

24 Q. And, in doing so, is it, in effect, that the basic

[WITNESS PANEL: Bisson|Labrecque|Iqbal]

1 Energy Service is still being supplied essentially as  
2 Default Service, with the renewable attribute or aspect  
3 being essentially an add-on to that underlying Default  
4 Service or standard Energy Service rate, is that  
5 correct?

6 A. (Labrecque) That's correct.

7 Q. Okay. So, in that sense, you feel that you comply with  
8 the notion that energy service options shall have  
9 either all or a portion of its service attributable to  
10 a renewable energy source component procured by the  
11 utility, with the remainder filled by standard Default  
12 Service?

13 A. (Labrecque) Correct.

14 Q. So, the portion that's really filled by standard  
15 Default Service is the whole underlying energy service,  
16 with the portion of the renewable energy service being  
17 -- being at the renewable attribute that's being  
18 procured separately from the underlying energy service,  
19 correct?

20 A. (Labrecque) Correct.

21 Q. Okay. With regard to the sort of  
22 under-collection/over-collection concern, you've  
23 suggested that tentatively you're thinking of using  
24 about -- well, you're using \$45 per REC as sort of the

[WITNESS PANEL: Bisson|Labrecque|Iqbal]

1 presumptive proxy, though the current market price is  
2 \$36 for Class I, correct?

3 A. (Labrecque) That's correct.

4 Q. Just to allow for the possibly upward price trend in  
5 that market?

6 A. (Labrecque) Correct.

7 Q. Have you been tracking or do you plan to track on a  
8 periodic basis where the market price is going for  
9 RECs, understanding it's not a very liquid market, but  
10 presumably you get some offers or standard quote sheets  
11 on a regular basis?

12 A. (Labrecque) Yes, we do.

13 Q. And, do you see that trend as being -- is it moving  
14 slowly or is it somewhat volatile and jumps around from  
15 week-to-week or day-to-day?

16 A. (Labrecque) I would say we're in a period now where  
17 it's been in the 32 to 36 range, maybe it's six months,  
18 maybe it's nine months. It's been a significant period  
19 of time where it's been fairly stable. Maybe it has  
20 ticked up two or three dollars in the last few months,  
21 but it's not wildly volatile at the moment. Although,  
22 I don't recall exactly when it occurred, but, maybe  
23 between a year to two years ago, the prices were 50 to  
24 \$55. So, there was a significant decline somewhere in

{DE 09-186} {01-13-10}

[WITNESS PANEL: Bisson|Labrecque|Iqbal]

1 the 12 to 24 month period. But it's been fairly  
2 consistent lately.

3 Q. And, do you attribute some of this potential lumpiness  
4 in the prices or the supply as being a function of the  
5 wind projects get built and supply RECs and come on  
6 line, as well as the incremental compliance  
7 requirements of all the different states in the New  
8 England market?

9 A. (Labrecque) Yes. Those are factors, new resources  
10 coming on line. Changes in the laws also, you know, if  
11 category eligibilities are relaxed a bit, you know, to  
12 include or exclude particular resources, that moves the  
13 market as well.

14 Q. Is it your understanding that Massachusetts recently  
15 removed biomass generation from qualifying for new  
16 RECs?

17 A. (Labrecque) I did read something about where they're --  
18 yes, they have put on hold all reviews, pending an  
19 investigation of CO2 neutrality of biomass or something  
20 similar to that.

21 Q. Looking at your benchmark, if you went with the 4.66  
22 cents per kilowatt-hour under the 100 percent option as  
23 sort of the incremental adder for the Renewable Option,  
24 and the price continued to stay around \$36 for Class I,

[WITNESS PANEL: Bisson|Labrecque|Iqbal]

1 just sort of ignoring the Class II component for the  
2 moment, is it possible -- well, it seems like you might  
3 be in a position that, at the end of whatever  
4 reconciliation period, if you were to readjust the  
5 rate, you would be swinging back to almost a penny per  
6 kilowatt-hour lower than the 36. You know, just  
7 looking at it, you know, you could go from 4.6 to 2.6,  
8 if the price happens to stay at the current market. Is  
9 that correct?

10 A. (Labrecque) Yes. One mechanism we would use in that  
11 instance is we, I know you said to "ignore Class II",  
12 but we might use some of the over -- the projected  
13 over-collection to buy more Class II to eat away at  
14 some of that. And, to the extent we didn't do that,  
15 and we still had an over-collection, if it was so  
16 significant as to do what you describe, change a 4.6  
17 rate to a 2.6 rate, that 2.6 rate being significantly  
18 lower than the current market, we would not propose to  
19 do that. We would either move the over-collection to  
20 the Energy Service docket, or I believe we either put  
21 in testimony or in data responses the option to make a  
22 contribution to the renewable energy fund with this  
23 surplus. But that the last resort would be to create  
24 an artificially low renewable rate.

{DE 09-186} {01-13-10}

[WITNESS PANEL: Bisson|Labrecque|Iqbal]

1 Q. Do you think the terms of the Settlement would allow  
2 you to hold some funds in reserve, so, for instance,  
3 you might lower the price to 3.7 cents, and just have  
4 some in reserve in case the price shot up so you could  
5 dampen that volatility? Is that an option under the  
6 Settlement?

7 A. (Labrecque) Yes, I believe it is. I don't think  
8 there's anything that would restrict that in the  
9 Settlement.

10 Q. But you're also saying you can use your procurement of  
11 the Class II to somewhat dampen the potential  
12 under/over-collection either way. You sort of got a  
13 target of two percent.

14 A. (Labrecque) Right.

15 Q. But, if you're running either long or short, you could  
16 either buy somewhat more or less of the Class II to try  
17 to bring you closer to your target, is that correct?

18 A. (Labrecque) Correct.

19 CMSR. BELOW: Okay. Thank you. That's  
20 all.

21 CHAIRMAN GETZ: Commissioner Ignatius.

22 CMSR. IGNATIUS: Thank you.

23 BY CMSR. IGNATIUS:

24 Q. I want to build on questions that Commissioner Below

{DE 09-186} {01-13-10}



1 was asking, to better understand some of the pricing  
2 options that might be there. Do you know,  
3 Mr. Labrecque, the current market price? You talked  
4 about the "ACP prices", but is there a current market  
5 price for a similar small commercial or residential  
6 green offering in New Hampshire?

7 A. (Labrecque) I am not aware of any. I'm sure there are  
8 suppliers offering rates. I haven't had discussions  
9 with any of them or any large customers about what --  
10 you're talking about other voluntary green options made  
11 available by marketers of those products. I'm not  
12 aware of any particular prices or offerings.

13 Q. You're aware of the prices in Connecticut fairly  
14 specifically. Why are you more familiar with the  
15 Connecticut prices for those than New Hampshire?

16 A. (Labrecque) Well, the Connecticut rate offering was the  
17 topic of discussion during tech sessions and discovery.  
18 So, I had an opportunity to get more educated on their  
19 program. It's also a program administered by a  
20 subsidiary and a department I used to actually report  
21 to. So, I'm more familiar with those programs. I'm  
22 not aware of any similar programs available in New  
23 Hampshire.

24 Q. You testified that the ACP price for Class I has been,

[WITNESS PANEL: Bisson|Labrecque|Iqbal]

1       although volatile at times, has been fairly stable for  
2       the last six to nine months. But you're proposing  
3       about a third -- about a 30 percent increase over that  
4       current rate going forward for more stability in the  
5       rate for this offering, correct?

6   A.   (Labrecque) Actually, we were discussing the current  
7       market prices for RECs. The ACP prices are currently  
8       about \$61 a REC for Class I and \$159 for Class II.

9   Q.   Thank you. I got those backwards and I appreciate the  
10       correction. So, the market price has been running you  
11       said "\$32 to \$36 for Class I" in the last six to nine  
12       months or so?

13   A.   (Labrecque) Correct.

14   Q.   Could you structure the pricing for a green option to  
15       either track the market price of the RECs or set it at  
16       a current market price and then adjust as need be?

17   A.   (Labrecque) Yes.

18   Q.   Do you see any difficulty in using that kind of a  
19       mechanism with the ability to come forward if you start  
20       to see a significant change in the REC market price?  
21       Without a significant change, it would roll forward.  
22       But that, if there were some significant change, there  
23       could be a mechanism to come into the Commission and  
24       seek a change to it?

{DE 09-186}   {01-13-10}

[WITNESS PANEL: Bisson|Labrecque|Iqbal]

1 A. (Labrecque) I don't -- I don't see a particular problem  
2 with that. Administratively, the concept makes sense.  
3 It would eliminate one level of conservatism and  
4 protection against over-collection. But, that said, in  
5 all but extreme market movements in the wrong  
6 direction, we could manage it with our mid-year rate  
7 adjustment that we would have available to us. And, in  
8 cases that were extreme, we would have open to us the  
9 option to seek recovery of a large under-collection  
10 through the Energy Service docket. So, yes, it could  
11 be administered that way.

12 Q. Ms. Bisson, do you see any technical reasons why  
13 offering to those who do not take Default Service would  
14 be presented to you, other than there would be  
15 additional programming you said in order to accommodate  
16 that? But are there any other reasons why it would not  
17 be possible to do?

18 A. (Bisson) No, there's no other reasons why it wouldn't  
19 be possible to do, other than the additional  
20 administrative costs of incorporating the new  
21 programming to accommodate that. I think you should  
22 also consider that, if a customer is taking their  
23 energy service from a competitive supplier, they are  
24 very likely receiving a separate bill for their energy

[WITNESS PANEL: Bisson|Labrecque|Iqbal]

1 service from that supplier. I think it may be  
2 confusing to customers to receive a bill for energy  
3 service from a competitive supplier, and then their  
4 renewable energy service from PSNH. So, from a  
5 customer's perspective, there may be some confusion.

6 Q. How would you -- how would you bill a customer, let's  
7 assume you have someone who has gone to a competitive  
8 supplier, and then they -- and if the program were open  
9 to all customers, which I understand is not your  
10 position, but let's assume that that's what the end  
11 result were. And, so, a customer who's on competitive  
12 supply opts for the 25 percent option from you. How  
13 would you bill that? I guess my question is,  
14 25 percent of what? If you're not supplying  
15 100 percent, how do you know what 25 percent of that  
16 would be?

17 A. (Bisson) We do have their meter readings, because we do  
18 have to bill for delivery service. So, we would know  
19 their kilowatt-hour use for the billing cycle. And,  
20 then, we would apply the cent per kilowatt-hour adder  
21 to that.

22 Q. But the coordination between your 25 percent supply and  
23 the competitive supplier is now 75 percent supply, how  
24 would that be worked out?

{DE 09-186} {01-13-10}

[WITNESS PANEL: Bisson|Labrecque|Iqbal]

1 A. (Bisson) The Renewable Default Energy Service rate is,  
2 actually, it's separate from the purchase of energy.  
3 So, we are purchasing incremental Renewable Energy  
4 Certificates on behalf of these customers.

5 Q. So, the competitive supplier would be supplying  
6 100 percent of the power. You would be purchasing  
7 25 percent of the -- RECs to cover 25 percent of the  
8 load?

9 A. (Bisson) Correct. Correct.

10 A. (Labrecque) I'm sorry, could I add one more thing on  
11 this topic?

12 Q. Please.

13 A. (Labrecque) In the event we ever were, if it were to be  
14 approved that we would have the option to seek recovery  
15 of large under-collections via the Energy Service rate,  
16 we thought that would be difficult or perhaps  
17 inappropriate, if we were offering this renewable rate  
18 to all customers, and, say, nearly 100 percent of the  
19 enrolled customers were on competitive supply. And,  
20 so, the entire under-collection in this event was the  
21 result of customers on competitive supply, it would be  
22 difficult to seek recovery of that through the Energy  
23 Service rate. It would present some complications.  
24 This is just another reason why we were seeking to

[WITNESS PANEL: Bisson|Labrecque|Iqbal]

1           limit the offering to be in conjunction with taking  
2           Energy Service.

3                       CMSR. IGNATIUS: All right. Thank you.  
4           Nothing else.

5                       CMSR. BELOW: Just to follow up on a  
6           couple of those points.

7 BY CMSR. BELOW:

8 Q.   Do you know if any competitive suppliers offer any  
9       renewable or green options or facilitate the purchase  
10      of RECs by retail customers?

11 A.   (Bisson) No.

12 A.   (Labrecque) Not specifically. I'm sure they do. I  
13       have a hard time believing that there aren't offerings  
14       out there. I mean, just, for example, the two  
15       suppliers that administer the Connecticut program, you  
16       know, they both have very exciting-looking websites.  
17       And, you know, "click on a state to see what we offer",  
18       and "call this account executive to discuss". You  
19       know, so there are suppliers out there that have, you  
20       know, account executives. You know, anyone will sell  
21       you anything under the right terms. So, I just don't  
22       know, I don't have any evidence from discussions with  
23       particular large customers that "yes, we're buying  
24       50 percent of our power -- RECs associated with 50

{DE 09-186} {01-13-10}

[WITNESS PANEL: Bisson|Labrecque|Iqbal]

1       percent of our power from Sterling Planet", or someone  
2       else. I just don't have any hard descriptions.

3   Q.   Mr. Iqbal, are you aware, one way or the other?

4   A.   (Iqbal) No, I am not aware of this.

5   Q.   Okay. Likewise, at least conceptually, as a retail  
6       customer, whether they took this Renewable Energy  
7       Service or not, whether they're on Default Service or  
8       with a competitive supplier, to your knowledge, could a  
9       retail customer purchase on their own and retire  
10      renewable energy credits, I guess, well, presuming they  
11      found somebody to facilitate that transaction with the  
12      NEPOOL GIS system?

13  A.   (Labrecque) Yes.

14                   CMSR. BELOW: Okay. Thank you.

15                   CHAIRMAN GETZ: Ms. Amidon, any  
16      redirect?

17                   MS. AMIDON: Yes. Does anyone else want  
18      a short break before we redirect or should we just move  
19      directly there? I'm just asking.

20                   CHAIRMAN GETZ: Well, let's leave it up  
21      to Mr. Patnaude.

22                   MR. PATNAUDE: Depends how long we're  
23      going to go.

24                   MS. AMIDON: Yes.

{DE 09-186} {01-13-10}

## REDIRECT EXAMINATION

BY MS. AMIDON:

Q. Well, first of all, Mr. Iqbal, I was reflecting on Ms. Hatfield's questions. And, you and I were talking yesterday about other competitive REC sellers, when I referred to the idea about something being imported from the Midwest, is that correct?

A. (Iqbal) Yes. My understanding was we are -- we are focusing on the pricing.

Q. Right.

A. (Iqbal) And, our understanding was the pricing also depends on the product mix. And, even if we don't go to the Midwest, even if it is a January 12 price, like Maine Class II REC was sold at 20 cents. So -- And, the highest is New Jersey solar, which was sold at \$670. So, it all depends on how the product -- this all depends on the product mix. The price depends on the product mix. If we buy the cheapest RECs 100 percent, it should be -- the per kilowatt-hour should -- the RECs should be or the option should be below one cent.

Q. But my point was that Ms. Hatfield was correct in that the statute says that "renewable energy source" means a source of electricity, as defined in RSA 362-F:2",



[WITNESS PANEL: Bisson|Labrecque|Iqbal]

1       which is the Renewable Portfolio Standard law, "that  
2       would qualify to receive renewable energy  
3       certificates", and that law limits those renewable  
4       energy certificates to be those generated through  
5       NEPOOL GIS, is that correct?

6   A.   (Iqbal) Yes.

7                   MS. AMIDON:   Okay.   So, I just wanted to  
8       take you out of that little nest of gnats that I got you  
9       into.   Thank you.

10                  CHAIRMAN GETZ:   Mr. Eaton.

11                  MR. EATON:   Nothing on redirect.   I  
12       think, in my closing statement, I'll be talking about the  
13       law and the issue that we still have disagreement on.

14                  CHAIRMAN GETZ:   Okay.   Then, is there  
15       any objection to striking the identifications and  
16       admitting the exhibits into evidence?

17                               (No verbal response)

18                  CHAIRMAN GETZ:   Hearing no objection,  
19       they will be admitted into evidence.   Anything we need to  
20       address before opportunities for closing?

21                  MR. EATON:   Perhaps I could talk about  
22       procedure.   This is the first time anyone has seen a 4.66  
23       rate.   And, we proposed in the Settlement to file that  
24       rate on February 1st, for effect on May 1st.   I would

{DE 09-186}   {01-13-10}

1 propose that the Commission decide on the design as  
2 presented here, but leave open the approval of that rate,  
3 so that some of the issues that were discussed today about  
4 the way we have -- we have calculated the rate could be  
5 further discussed and dealt with between February 1st and  
6 the proposed effective date of May 1st. That I don't  
7 think there's an adequate record to say that a 4.66 rate  
8 is a just and reasonable rate today, based upon just this  
9 calculation coming in now. So, you know, the Commission  
10 may want to -- may want to schedule another hearing or may  
11 want to just leave the issue open for more discussion  
12 among the parties, and as far as coming up with what an  
13 appropriate rate would be to going forward on May 1st.

14 CHAIRMAN GETZ: Any comment on that  
15 proposal? Ms. Hatfield.

16 MS. HATFIELD: I agree with Mr. Eaton  
17 that the Commission really should focus on the design that  
18 PSNH has proposed. And, I took that as being an  
19 illustrative figure based on today's numbers. And, I  
20 wouldn't think another hearing would be necessary, once  
21 the Commission approves the design. That PSNH would make  
22 a filing, and it would include the rate. But I don't  
23 think another hearing would be necessary. Thank you.

24 CHAIRMAN GETZ: Anyone else on that?

1 (No verbal response)

2 CHAIRMAN GETZ: Okay. Then, let's turn  
3 to opportunities for closing. Ms. Geiger.

4 MS. GEIGER: Yes. Thank you, Mr.  
5 Chairman. Unitil appreciates the opportunity to provide  
6 brief comments on the question that was reserved for  
7 resolution by the Commission in the Partial Settlement  
8 Agreement.

9 The Partial Settlement Agreement raises  
10 the question of whether RSA 374-F:3, V(f) may be  
11 interpreted to allow a utility to limit its Renewable  
12 Energy Default Service Option to its Default Service  
13 customers only. Unitil's position is that a proper  
14 reading of the statute permits a utility to offer a  
15 Renewable Energy Service Option only to its Default  
16 Service customers. The reasons for that position really  
17 are contained in a plain reading of the language contained  
18 in the statute.

19 RSA 374-F:3, V(f)(2) requires that an  
20 electric utility must provide its customers with one or  
21 more renewable service -- renewable energy service  
22 options. The statute goes onto say that those options  
23 "may include renewable default energy service provided by  
24 the utility or...retail access to competitive sellers of

1 renewable energy service attributes." The statute doesn't  
2 provide any specific details regarding either of those  
3 discretionary options, and doesn't compel that the option  
4 be provided to all customers.

5 RSA 374-F:3, V(f)(4) states that, if a  
6 company provides a renewable energy service option or  
7 offers it, "the customer shall be purchasing electricity  
8 generated by renewable energy [resources] or the  
9 attributes of such generation, either in connection with  
10 or separately from the electricity."

11 Under both PSNH's and Unitil's  
12 proposals, and Unitil's proposal, obviously, is the  
13 subject of another docket, but, under both of their  
14 proposals, the Renewable Default Energy Service Option  
15 allows Default Service customers, other than participants  
16 in the low income programs, to purchase the attributes of  
17 renewable energy sources through their distribution  
18 utility. Unitil doesn't believe that the statute should  
19 be interpreted to require an electric utility to provide a  
20 renewable energy service option to distribution customers  
21 who are purchasing the generation component of their  
22 service in the competitive market.

23 Because retail choice customers have  
24 already accessed the competitive market for their energy

1 service, it is more appropriate that they purchase  
2 renewable attributes in that market. Unitil believes that  
3 a utility-sponsored renewable energy option should be  
4 limited to Default Service customers who are not  
5 participating in the competitive generation market, and  
6 find nothing in the statute that compels a different  
7 conclusion.

8 In addition, from a practical  
9 perspective and from a competitive market perspective, it  
10 seems that the Company would have some problems in  
11 marketing an option to all customers, and may -- and may,  
12 in doing so, undermine the competitive supply market.  
13 Because, basically, what the Company would be doing is  
14 trying to solicit -- trying to solicit customers from the  
15 competitive market back onto Default Service for the  
16 purpose of taking the renewable option.

17 Unitil looks forward to discussing its  
18 proposed program in the context of docket DE 09-224.  
19 We're awaiting an order of notice in that docket.  
20 However, if the Commission decides today that it would  
21 like additional information about Unitil's position or the  
22 specific proposal for its renewable energy service, either  
23 Mr. Furino or I would be happy to try to answer those  
24 questions. Thank you.

1 CHAIRMAN GETZ: Thank you. Ms.  
2 Hatfield.

3 MS. HATFIELD: Thank you, Mr. Chairman.  
4 On the issue of whether or not the program should be  
5 limited to Default Service customers, the OCA does not  
6 take a position. But we did want to just point out to the  
7 Commission that, in National Grid's filing, which does  
8 propose the other option, they also do propose limiting  
9 it, even though it would be from a third party supplier,  
10 their proposal, as I understand it, is for -- to offer it  
11 to only those customers receiving Default Service from  
12 National Grid. So, I just wanted to point that out to the  
13 Commission.

14 We want to thank the Staff and PSNH for  
15 working with the OCA during the technical sessions in the  
16 discovery phase of this case, and also want to thank them  
17 for their work on the Settlement Agreement. And, I just  
18 briefly wanted to tell the Commission why the OCA wasn't  
19 signing onto the Settlement. And, it really was a matter  
20 of time, and our desire to explore some of the things that  
21 actually the Commissioners asked today in their  
22 questioning, about "what are the other options that might  
23 be available in New Hampshire?" "What is the pricing of  
24 them?" Because we understand that the statute does not

1     require the utility to provide the lowest cost option, but  
2     we think that subscription to this option will be largely  
3     driven by price. And, some of the projections by PSNH for  
4     what the costs might be of providing the option the way  
5     they propose to do so are quite significant additions to a  
6     customer's bill. So, it really is our interest to have  
7     this program be provided at the lowest cost possible,  
8     while supporting renewables in the region.

9             And, also, we're very pleased that PSNH  
10     and the Staff did include the "program review" section of  
11     the Settlement, and we're pleased that we're actually  
12     included in that section, so that we can be included in  
13     reviewing that report by the Company, and we will  
14     certainly do so. And, it's our hope that, in addition to  
15     the items that are specifically listed in that review and  
16     that discussion, that the parties would be open to really  
17     taking a fresh look at, at that point we'll have the  
18     experience of both PSNH and Unitil, and as well as  
19     National Grid, and we might have two different options to  
20     compare, really with the goal of trying to provide the  
21     lowest cost program that will get customers to subscribe.  
22     Thank you very much.

23             CHAIRMAN GETZ: Thank you. Ms. Amidon.

24             MS. AMIDON: Thank you. The Staff

1 worked with the Company and with the OCA to develop a  
2 Settlement Agreement. And, we think the Settlement  
3 Agreement is just and reasonable, because, taking into  
4 account that this is the first filing, first compliance  
5 filing with this law, we believe that PSNH did a good job  
6 in evaluating what they were going to offer and  
7 structuring the three tiered options, and in determining  
8 the cost recovery mechanism, a lot of thought went into  
9 it. Staff was instrumental in including in the Settlement  
10 Agreement the reporting requirement, which we believe is  
11 in the public interest, because it will allow the Staff  
12 and the Commission to review the participation in the  
13 program, the costs that were incurred, and other factors,  
14 to determine whether or not any adjustments need to be  
15 made as we go forward.

16 While it has been suggested, although  
17 not stated, that a third party supplier may be preferable  
18 and at a lower cost, the problem that we have at this  
19 point is that we have no solid support for that. This is  
20 the first option -- the first company that's come forward,  
21 and so we're dealing with this petition as it was  
22 presented to us.

23 We also are mindful that a third party  
24 option also is not a free lunch. In other words, a third



1 party is going to be taking on risk and looking for  
2 profit; risk, in terms of the quantity that might be  
3 guarantied to them in a direct access market, and also in  
4 terms of the costs of administering this program. My  
5 hope, I mean, on behalf of Staff, we hope that, a year  
6 from now, as we look at each of the programs that the  
7 Commission may approve, and consistent with the filings  
8 that have been made, that we will have more information on  
9 what is working in this state and be able to identify and  
10 maybe craft the best program for New Hampshire to procure  
11 this Renewable Energy Service Option.

12 At present, we believe the Partial  
13 Settlement Agreement goes a long way in addressing the  
14 concerns as we get this process started, and request  
15 approval of the Settlement Agreement.

16 CHAIRMAN GETZ: Thank you. Mr. Eaton.

17 MR. EATON: Thank you, Mr. Chairman. I  
18 would like to address the issue of -- a couple of issues.  
19 First of all, I think we believe that we have the option  
20 of supplying this service directly to customers, and we  
21 don't need to prove that it's the better option. We are a  
22 company that does supply energy service directly to our  
23 customers who choose Default Service. And, the statute is  
24 a subsection of the restructuring statute, and it's called

1 "universal service". But the sections that lead up to  
2 Section (f) all concern transition service and default  
3 service. So, when we get to Section (f), "a utility shall  
4 provide to its customers", I believe the Commission is  
5 justified in saying that it's the utility's energy service  
6 customers, formally transition service and now default  
7 service, as opposed to all customers. Because the statute  
8 later says that "prudently incurred administrative costs  
9 can be recovered from all customers", which suggest, as we  
10 have proposed, that that be collected through -- the  
11 \$125,000 of incremental costs for marketing and promotion  
12 be collected from all customers through the delivery  
13 charge.

14 And, more specifically, the statute says  
15 that, and this is in Section 3 of Subsection (f), "RES  
16 default service should have either all or a portion of its  
17 service attributable to a renewable energy source  
18 component procured by the utility, with any remainder  
19 filled by standard default service." And, as we have  
20 described, the renewable portion of the service is being  
21 supplied through the purchase and retirement of Renewable  
22 Energy Certificates, and the remainder, which is the  
23 energy portion, is being supplied by standard default  
24 service. We believe that that is a clear indication that

1 this was not designed by the Legislature to be offered to  
2 customers on a competitive energy supply.

3 And, a suggestion I think that, and I  
4 don't want to put words into your questions, but  
5 Commissioner Ignatius saying that "if you've got  
6 25 percent of your renewable energy service with  
7 certificates retired by PSNH, that 25 percent of your  
8 Energy Service would be supplied by PSNH Default Service,  
9 with 75 percent furnished by a competitive supplier," I  
10 don't really want to bring that back to the people at  
11 Customer Service to try to program that. That sounds like  
12 a very, very complicated thing to program, where we're  
13 splitting up competitive energy service and default energy  
14 service based upon how many -- what percentage of  
15 renewable service that the customer elects. I think it's  
16 pretty clear that this was designed to be an option under  
17 default service, as it was an option under transition  
18 service before. And, therefore, we do not need to supply  
19 it to customers who are taking competitive service. We  
20 will offer it to all customers and make it available to  
21 all customers. But we think the Legislature clearly said  
22 that the remaining portion should be supplied by standard  
23 default service.

24 We think that the cost of \$125,000 is

1 reasonable for the incremental costs. The rest of the  
2 costs of administering this rate will be absorbed by  
3 existing personnel and existing resources. And, I think  
4 that's one reason why this is a good option.

5 And, as I said, we will supply the  
6 tariff pages with a technical statement on February 1st,  
7 and the Commission can decide whether that rate is just  
8 and reasonable. But I would think that we would first  
9 have a decision by the Commission approving the design of  
10 this rate, and then approving the rate in a second order.

11 CMSR. IGNATIUS: Mr. Eaton, I just want  
12 to clarify. You were right that my question was heading  
13 down a different track about the possibility of splitting  
14 the actual delivery of power, and that isn't your  
15 proposal. And, Ms. Bisson clarified that we're talking  
16 about, if you had a competitive customer, they would  
17 receive 100 percent of their power, and it would be the --  
18 say, if they opted for a 25 percent option, that would be  
19 the number of RECs to cover 25 percent of the load being  
20 supplied by the competitive supplier.

21 If that's the case, are you saying that  
22 is a tremendous burden to take back to the Billing  
23 Department? Or, only if it were the first scenario that I  
24 was laying out incorrectly?

1 MR. EATON: Only the first scenario. I  
2 think Mrs. Bisson said it will take an additional time to  
3 do that, mostly because we're not collecting the data in  
4 the context, as I understand it, in the context of Default  
5 Service, we're collecting it in another part of our  
6 billing program for distribution rates. And, we'd have to  
7 transfer over that information. And, that's what is the  
8 complexity and perhaps the delay in implementing the rate  
9 on May 1st.

10 CMSR. IGNATIUS: Thank you.

11 CHAIRMAN GETZ: Okay. Anything further?

12 (No verbal response)

13 CHAIRMAN GETZ: Hearing nothing, then we  
14 will close this hearing and take the matter under  
15 advisement. Thank you, everyone.

16 (Whereupon the hearing ended at 12:20  
17 p.m.)