

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DE 22-004

CLEAN ENERGY FUND

Order On Rehearing

O R D E R N O. 26,636

June 7, 2022

This order provides further guidance to parties relating to the administration of the Clean Energy Fund, following the re-hearing on May 19, 2022.

I. PROCEDURAL HISTORY

On March 21, 2022, the Office of the Consumer Advocate (OCA), the New Hampshire Department of Energy (DOE), Public Service Company of New Hampshire d/b/a Eversource Energy (Eversource), Clean Energy New Hampshire, and the Conservation Law Foundation, (collectively, Moving Parties) jointly filed a Motion for Rehearing of Order No. 26,577 (Motion), which had been issued by the Commission in Docket Nos. DE 11-250 and DE 14-238 on February 4, 2022, on a *nisi* basis with an effective date of March 4, 2022. (Order No. 26,577 closed the consolidated DE 14-238 and DE 11-250 dockets and opened the DE 22-004 proceeding for consideration of the matters arising from the Clean Energy Fund).

The Motion incorporated by reference a series of comment letters filed by the OCA (on February 15, 2022), the DOE (February 18, 2022), and Eversource (February 24, 2022), which also addressed the matters presented in the Motion, and generically requested a hearing by the Commission. The Motion was granted by the Commission in Order No. 26,600 (March 31, 2022), and a hearing on May 19, 2022, was scheduled.

Representatives of the OCA, the DOE, and Eversource appeared at the May 19 hearing, and provided oral arguments, and responses to Commission inquiries.

The Motion and associated docket filings are posted on the Commission's website at <https://www.puc.nh.gov/Regulatory/Docketbk/2022/22-004.html>

II. COMMISSION ANALYSIS

At hearing, the OCA, DOE, and Eversource provided their feedback and perspectives regarding the administration of the \$5.2 million in Clean Energy Fund monies going forward. The Commission will not attempt to distill these parties' nuanced arguments regarding the best way to proceed, but it is clear that all three of these Moving Parties share a desire to facilitate the expeditious deployment of the Clean Energy Fund resources for qualifying projects. The Commission also shares this concern. We seek a pragmatic approach that will enable the stakeholder process to move forward while ensuring ongoing oversight pursuant to the directives of the 2015 Settlement Agreement and related enabling legislation so that the funds are expended wisely.

As a form of procedural relief, and to accommodate the concerns of the Moving Parties as expressed in their pleadings and their oral statements at the May 19, 2022, hearing, we first clarify that the denial without prejudice of the programs in Part 3 of our Order No. 26,577 (February 4, 2022) in this docket was not final, but rather, an invitation for the stakeholders, as coordinated by the DOE and described in the April 14, 2021 Joint Proposal as "not yet sufficiently developed for a determination that they conform to the four objectives of the 2015 Settlement Agreement", to further develop such programs for subsequent approval by the Commission and inclusion in Clean Energy Fund programs. We therefore request that the DOE, after working with stakeholders appropriately, submit a written proposed procedural schedule for Clean Energy Fund implementation with respect to programs approved by the Commission in

Order No. 26,577 and recommendations regarding the future inclusion of the following programs: A) A low-moderate income program for Eversource's residential customers, funded at \$750,000; and B) A financing program for Eversource's Commercial and Industrial customers, funded at \$1.6 million. *See* Order No. 26,577 at 7.

We further clarify that the reporting requirements outlined in Part 4 of Order No. 26,577 are modified herein to enable the parties to develop such requirements as deemed prudent, so that reporting embraces the following elements as suggested in the DE 11-250 and DE 14-238 April 14, 2021 Amended Joint Proposal: annual reports shall be filed each year on May 1 beginning in 2023 and shall include details regarding participation levels in each program, on-bill financing and rebate payments, and each program's administrative costs. The additional reporting requirements of Subparts A through C of Part 4 in Order No. 26,577 are suspended, pending further developments in the Clean Energy Fund programmatic roll-out. *See* Order No. 26,577 at 8. However, to prevent delays in funding, we require an audit of these annual reports by June 1 each year, beginning in 2023, to be submitted to the Commission for our review, as contemplated by Subpart D of Part 4 in Order No. 26,577. *Id.* As mentioned by the parties we wish to minimize non-program costs and therefore suggest, but not require, that the audit be completed by the Department of Energy.

With regards to the question of the Clean Energy Fund accruing interest charges to be paid by Eversource, we have considered Eversource's expressed concerns regarding the compliance costs associated with this element of Order No. 26,577. *Id.* at 8-9. We further recognize that the \$200,000 addition to the Clean Energy Fund could be thought of as a reasonable proxy for accrued interest, especially in light of the generally low rates of interest paid on custodial accounts in the post-2015 period. Therefore, we will not require that the Clean Energy Fund be subject to a Prime Rate interest charge. However,

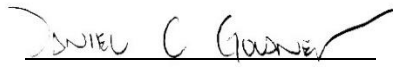
we still require that the Clean Energy Fund monies be kept by Eversource in a separate bookkeeping account so that all associated funds, income, and disbursements can be tracked.

Aside from these modifications and directives, we leave the provisions of Order No. 26,577 intact, namely, the approval of the allocation between residential and commercial/industrial customers, and the approval of \$2,850,000 in Clean Energy Fund programming discussed in that Order.

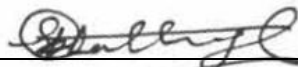
Based upon the foregoing, it is hereby

ORDERED, that the stakeholder process for the administration of the Clean Energy Fund proceed according to the steps outlined in this Order.

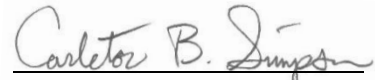
By order of the Public Utilities Commission of New Hampshire this seventh day of June, 2022.



Daniel C. Goldner
Chairman



Pradip K. Chattopadhyay
Commissioner



Carleton B. Simpson
Commissioner

Service List - Docket Related

Docket# : 22-004

Printed: 6/7/2022

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