

STATE OF NEW HAMPSHIRE



TDD Access: Relay NH  
1-800-735-2964

Tel. (603) 271-2431

FAX No. 271-3878

Website:  
www.puc.nh.gov

CHAIRMAN  
Thomas B. Getz

COMMISSIONERS  
Clifton C. Below  
Amy Ignatius

EXECUTIVE DIRECTOR  
AND SECRETARY  
Debra A. Howland

PUBLIC UTILITIES COMMISSION

21 S. Fruit St., Suite 10  
Concord, N.H. 03301-2429

G+C 8/19/09  
Item# 51H  
Approved ✓

August 6, 2009

His Excellency, Governor John H. Lynch  
and the Honorable Council

State House  
Concord, NH 03301

**REQUESTED ACTION**

1. Authorize the Public Utilities Commission to award grant funds in the amount of \$83,685 to the Merrimack Valley School District, Vendor #177202, for the purpose of lowering energy costs and reducing CO<sub>2</sub> emissions. The project will begin upon Governor and Council approval through December 31, 2009. Funding is 100% Greenhouse Gas Emissions Reduction fund.
2. Further authorize the PUC to make an advance payment of \$41,842.50, 50% of the total grant award, upon Governor & Council approval.

Funding is available in account, Grants to Institutions – State, as follows:

02-81-81-811010-54530000 Public Utilities Commission - Greenhouse Gas 125-O:23:	
	FY 2010
010-081-54530000-073-500583 Grants to Schools	\$83,685

**EXPLANATION**

The Public Utilities Commission (PUC) is charged with administering the Greenhouse Gas Emissions Reduction Fund (GHGERF) created by RSA 125-O:23 to support energy efficiency, conservation and demand response programs aimed at reducing greenhouse gas emissions generated within New Hampshire. On February 23, 2009, the PUC issued a Request for Proposals (RFP) for programs to be funded by GHGERF grants. In response to the February RFP, the Commission received 84 proposals requesting a total of more than \$50 million in grant funds. Attachment A provides additional information on the grant review and award process.

August 6, 2009

Page 2

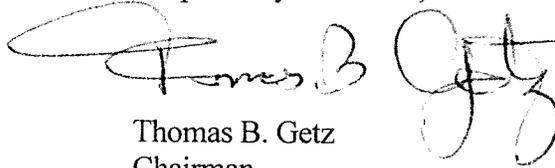
With these funds, the Merrimack Valley School School District will:

1. Link the SAU office building to the existing biomass heating plant;
2. Update the aging inefficient air handling system and controls; and,
3. Install energy efficient lighting.

Implementation of this program will replace about 3,000 therms of natural gas with 37 tons of wood chips for heating. Electrical consumption will be reduced by about 35 percent. Total emissions reductions for all three projects will be 69,836 pounds of CO<sub>2</sub> per year.

In the event that GHGERF funds become no longer available, General Funds will not be requested to support this program.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Thomas B. Getz". The signature is stylized with a large initial "T" and "G".

Thomas B. Getz  
Chairman

## ATTACHMENT A – GRANT REVIEW PROCESS

The PUC issued a Request for Proposals on February 23, 2009. The RFP was developed in consultation with the state's Energy Efficiency and Sustainable Energy Board, created by the legislature in 2008 "to promote and coordinate energy efficiency, demand response, and sustainable energy programs in the state."

The RFP was circulated electronically to a list of more than 300 individuals and organizations known to have an interest in energy policy and programs, including members of the Energy Efficiency and Sustainable Energy Board (EESB Board); posted on the PUC and Office of Energy and Planning websites; advertised in the Union Leader on February 28, April 1 and April 2; and announced via press release to major media outlets in the state.

The PUC formed a grant review committee to evaluate each of the 84 proposals that were submitted. The team consisted of four members of the PUC - Chairman Thomas Getz, Commissioners Clifton Below and Graham Morrison, and Jack Ruderman, Director, Sustainable Energy Division – plus Eric Steltzer of the Office of Energy and Planning, and Richard Ober of the New Hampshire Charitable Foundation. Mr. Ober also serves as the Chair of the EESB Board.

The proposals were broken down into eight separate categories<sup>1</sup> in order to allow for an "apples to apples" comparison. The proposals were then individually evaluated by the review committee using a list of thirteen criteria specified in the PUC administrative rules for the Greenhouse Gas Emissions Reduction Fund (Chapter 2600). The committee then met as a group on a regular basis to identify the strongest proposals within each category, and to assign an overall letter grade to each proposal based on the consensus of the group.

The committee has selected a total of thirty proposals to fund. The first nine were approved at the July Governor and Council meeting. Seven awards (including this one) are now before Governor and Council, and fourteen more will be presented in September and October. In all, the thirty grant awards will amount to more than \$17 million.

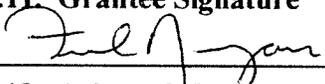
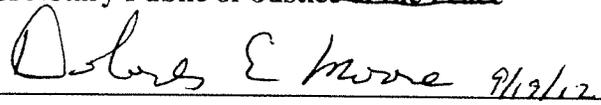
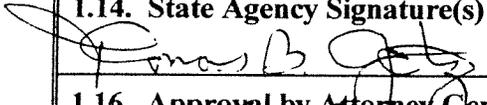
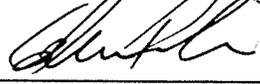
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<sup>1</sup> The eight categories are: job development, monitoring and measurement, multi-objective, outreach and education, revolving loan fund, public entity, commercial entity, and non-profit/educational entity.

The State of New Hampshire and the Grantee hereby mutually agree as follows:

GENERAL PROVISIONS

1. Identification and Definitions.

<b>1.1. State Agency Name</b> Public Utilities Commission		<b>1.2. State Agency Address</b> 21 S. Fruit Street, Suite 10 Concord, NH 03301	
<b>1.3. Grantee Name</b> Merrimack Valley School District		<b>1.4. Grantee Address</b> 105 Community Dr. Penacook, NH 03303	
<b>1.5. Effective Date</b> G&C approval	<b>1.6. Completion Date</b> 12/31/09	<b>1.7. Audit Date</b>	<b>1.8. Grant Limitation</b> \$83,685.00
<b>1.9. Grant Officer for State Agency</b> Jack Ruderman		<b>1.10. State Agency Telephone No.</b> 603-271-2431	
<b>1.11. Grantee Signature</b> 		<b>1.12. Name &amp; Title of Grantee Signor</b> Fred Reagan, Projects Administrator	
<b>1.13. Acknowledgment:</b> State of <i>NH</i> , County of <i>MERRIMACK</i> , on <i>7/27/09</i> <i>11</i> , Before the undersigned officer, personally appeared the person identified in block 1.11., known to me (or satisfactorily proven) to be the person whose name is signed in block 1.12., and acknowledged that <u>he</u> executed this document in the capacity indicated in block 1.12.			
<b>1.13.1 Signature of Notary Public or Justice of the Peace</b> (Seal)  <i>9/12/12</i>			
<b>1.13.2. Name and Title of Notary Public or Justice of the Peace</b> <i>Dolores E Moore</i>			
<b>1.14. State Agency Signature(s)</b> 		<b>1.15. Name &amp; Title of State Agency Signor(s)</b> Thomas B. Getz, Chairman	
<b>1.16. Approval by Attorney General (Form, Substance and Execution)</b> By:  Assistant Attorney General, On: <i>8/13/09</i>			
<b>1.17. Approval by the Governor and Council</b>  <p style="text-align: center;">On: <i>11</i></p>			

2. **SCOPE OF WORK:** In exchange for grant funds provided by the State of New Hampshire, acting through the agency identified in block 1.1 (hereinafter referred to as "the State"), the Grantee identified in block 1.3 (hereinafter referred to as "the Grantee"), shall perform that work identified and more particularly described in the scope of work attached hereto as EXHIBIT A (the scope of work being hereinafter referred to as "the Project"). Except as otherwise specifically provided for herein, the Grantee shall perform the Project in the State of New Hampshire.

## EXHIBIT A

### SCOPE OF SERVICES

In exchange for receiving grant funds in the amount of \$83,685 from the New Hampshire Public Utilities Commission (PUC), SAU 46 Merrimack Valley School District (Grantee or SAU 46) agrees to link the SAU 46 office building to the existing wood chip heating plant at the Merrimack Valley High School. The specific tasks that SAU 46 will accomplish are set forth in its proposal to the PUC dated March 20, 2009, which is hereby incorporated by reference. The requirements set forth in the PUC's Request for Proposal dated February 23, 2009 are also incorporated by reference. SAU 46 agrees to undertake any additional measures necessary to achieve the program goals set forth in its proposal. The following is intended as a summary of the proposal.

Task 1: Connect the heating main to the existing biomass plant.

Task 2: Update inefficient air handling units, air conditioners and controls.

Task 3: Conduct a lighting retrofit, decreasing electricity consumption by 35%.

### DELIVERABLES

1. The grantee agrees to prepare and submit quarterly reports to the PUC, in a form and manner prescribed by the PUC, beginning 90 days from the date of Governor and Council approval of this grant agreement and continuing throughout the life of the grant. Reports shall include a detailed summary of all work completed, including an account of milestones achieved, and a description of any obstacles encountered as well as any planned milestones that were not achieved. Within thirty (30) days of the conclusion of the grant award, in lieu of a quarterly report, Grantee shall submit a final report providing a detailed summary of the results of the grant project, obstacles encountered, and any work from the Scope of Services that was not completed.
2. The grantee agrees to carefully track any and all reductions in energy use resulting from the programs and activities funded herein. Grantee will take all steps necessary to document pre-project (baseline) energy use and energy expenditures based on at least three years of data. In addition, Grantee will report on reductions in energy use on a quarterly basis to the PUC and the University of New Hampshire, Carbon Solutions New England (CSNE), for purposes of documenting reductions in energy use and greenhouse gas emission reductions. Energy reductions shall be reported, in a format provided by CSNE, for the following fuels as appropriate: electricity, natural gas, distillate fuel oil (#1, 2 & 4), residual fuel oil (#5 & 6), kerosene, and LPG (propane).

Grantee Initials



Date

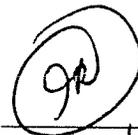
7/28/09

**EXHIBIT B**

**GRANT AMOUNT, TERMS AND METHODS OF PAYMENT**

1. In consideration of the satisfactory performance of the services described in Exhibit A, as determined by the State, the State agrees to pay SAU 46, Merrimack Valley School District (Grantee) an amount not to exceed \$83,685.
2. All obligations of the State, including the continuance of any payments, are contingent on the availability of funds derived from the Greenhouse Gas Emissions Reduction Fund pursuant to RSA 125-O:23.
3. Upon approval of this grant award by Governor and Council, Grantee will invoice the PUC for 50% of the total grant award, or \$41,842.50. Upon completion of the project Grantee will invoice the PUC for the remaining 50%, or \$41,842.50. Invoices shall be supported by a summary of activities and a detailed listing and documentation of expenses incurred.
4. Invoices will be reviewed and measured against the scope of services and approved by the Director of the Sustainable Energy Division or his designee.
5. The State agrees to make payments to the Grantee within 30 days from the receipt of approved invoices.
6. Invoices will be submitted to: Business Office, New Hampshire Public Utilities Commission, 21 South Fruit Street, Suite 10, Concord, New Hampshire 03301-2429.

Grantee Initials



Date

7/28/09

**EXHIBIT C**  
**SPECIAL PROVISIONS**

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Grantee Initials

gn

Date

7/28/09

MICHAEL J. MARTIN  
*Superintendent of Schools*

CHRISTINE BARRY  
*Assistant Superintendent*

**School Administrative Unit No. 46**

Andover-Merrimack Valley  
105 Community Drive  
Penacook, New Hampshire 03303

ROBIN HEINS  
*Business Administrator*

KATHLEEN BOUCHER  
*Human Resources Manager*

July 22, 2009

To The State of New Hampshire:

This letter will authorize Fred Reagan, Projects Administrator, to act as the agent on behalf of the Merrimack Valley School District.

If you have any questions please feel free to contact me.

Sincerely,



Mike Martin, Superintendent  
Superintendent of Schools

MJM/dm

Virginia M. Barry, Ph.D.  
Commissioner of Education  
Tel. 603-271-3144



STATE OF NEW HAMPSHIRE  
DEPARTMENT OF EDUCATION  
101 Pleasant Street  
Concord, N.H. 03301  
FAX 603-271-1953  
Citizens Services Line 1-800-339-9900

July 30, 2009

To Whom It May Concern:

This letter certifies that the Merrimack Valley School District is a legally organized school district of the State of New Hampshire with all inherent rights and responsibilities thereof.

A handwritten signature in cursive script that reads "Judith D. Fillion".

Dr. Judith Fillion  
Division Director of Program Support  
New Hampshire Department of Education



## CERTIFICATE OF COVERAGE

The New Hampshire Public Risk Management Exchange (Primex<sup>3</sup>) is organized under the New Hampshire Revised Statutes Annotated, Chapter 5-B, Pooled Risk Management Programs. In accordance with those statutes, its Trust Agreement and bylaws, Primex<sup>3</sup> is authorized to provide pooled risk management programs established for the benefit of political subdivisions in the State of New Hampshire.

Each member of Primex<sup>3</sup> is entitled to the categories of coverage set forth below. In addition, Primex<sup>3</sup> may extend the same coverage to non-members. However, any coverage extended to a non-member is subject to all of the terms, conditions, exclusions, amendments, rules, policies and procedures that are applicable to the members of Primex<sup>3</sup>, including but not limited to the final and binding resolution of all claims and coverage disputes before the Primex<sup>3</sup> Board of Trustees. The Additional Covered Party's per occurrence limit shall be deemed included in the Member's per occurrence limit, and therefore shall reduce the Member's limit of liability as set forth by the Coverage Documents and Declarations. The limit shown may have been reduced by claims paid on behalf of the member.

The below named entity is a member in good standing of the New Hampshire Public Risk Management Exchange. The coverage provided may, however, be revised at any time by the actions of Primex<sup>3</sup>. As of the date this certificate is issued, the information set out below accurately reflects the categories of coverage established for the current coverage year.

This Certificate is issued as a matter of information only and confers no rights upon the certificate holder. This certificate does not amend, extend, or alter the coverage afforded by the coverage categories listed below.

<b>Participating Member:</b> SAU #46 105 Community Drive Penacook, NH 03303		<b>Member Number:</b> 753	<b>Company Affording Coverage:</b> NH Public Risk Management Exchange - Primex <sup>3</sup> Bow Brook Place 46 Donovan Street Concord, NH 03301-2624	
Type of Coverage	Effective Date (mm/dd/yyyy)	Expiration Date (mm/dd/yyyy)	Limits - NH Statutory Limits May Apply	
<input checked="" type="checkbox"/> <b>General Liability (Occurrence Form)</b> <b>Professional Liability (describe)</b> <input type="checkbox"/> Claims Made <input type="checkbox"/> Occurrence	7/1/2009	7/1/2010	Each Occurrence	\$ 1,000,000
			General Aggregate	\$ 1,000,000
			Fire Damage (Any one fire)	\$
			Med Exp (Any one person)	\$10000
<input checked="" type="checkbox"/> <b>Automobile Liability</b> Deductible    Comp and Coll: \$1,000 <input type="checkbox"/> Any Auto	7/1/2009	7/1/2010	Combined Single Limit (Each Accident)	\$ 1,000,000
			Aggregate	\$ 1,000,000
<input checked="" type="checkbox"/> <b>Workers' Compensation &amp; Employers' Liability</b>	7/1/2009	7/1/2010	<input checked="" type="checkbox"/> Statutory	
			Each Accident	\$ 1,000,000
			Disease - Each Employee	\$ 1,000,000
			Disease - Policy Limit	\$
<input checked="" type="checkbox"/> <b>Property (Special Risk includes Fire and Theft)</b>	7/1/2009	7/1/2010	Blanket Limit, Replacement Cost (unless otherwise stated)	Deductible: \$ 1,000
<b>Description:</b> Proof of coverage for Bio-Mass grant monies, 8/1/2009-12/31/2009.				

<b>CERTIFICATE HOLDER:</b>	<b>Additional Covered Party</b>	<b>Loss Payee</b>	Primex <sup>3</sup> - NH Public Risk Management Exchange
State of NH Public Utilities Commission Attn: Diane Bateman, Jack Ruderman 21 Fruit Street Concord, NH 03301			By: <i>Monica Pincot</i>
			Date: 8/3/2009    mpanait@nhprimex.org
			Please direct inquiries to: <b>Primex<sup>3</sup> Risk Management Services</b> 603-225-2841 phone 603-228-0650 fax



## CERTIFICATE OF COVERAGE

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The below named entity is a member in good standing of the New Hampshire Public Risk Management Exchange. The coverage provided may, however, be revised at any time by the actions of Primex<sup>3</sup>. As of the date this certificate is issued, the information set out below accurately reflects the categories of coverage established for the current coverage year.

This Certificate is issued as a matter of information only and confers no rights upon the certificate holder. This certificate does not amend, extend, or alter the coverage afforded by the coverage categories listed below.

<b>Participating Member:</b> Merrimack Valley Regional School District SAU #46 105 Community Drive Penacook, NH 03303		<b>Member Number:</b> 735	<b>Company Affording Coverage:</b> NH Public Risk Management Exchange - Primex <sup>3</sup> Bow Brook Place 46 Donovan Street Concord, NH 03301-2624		
Type of Coverage	Effective Date (mm/dd/yyyy)	Expiration Date (mm/dd/yyyy)	Limits - NH Statutory Limits May Apply		
<input checked="" type="checkbox"/> <b>General Liability (Occurrence Form)</b> <b>Professional Liability (describe)</b> <input type="checkbox"/> Claims Made <input type="checkbox"/> Occurrence	7/1/2009	7/1/2010	Each Occurrence	\$ 2,000,000	
			General Aggregate	\$ 2,000,000	
			Fire Damage (Any one fire)	\$	
			Med Exp (Any one person)	\$10000	
<input checked="" type="checkbox"/> <b>Automobile Liability</b> Deductible    Comp and Coll: \$1,000  <input type="checkbox"/> Any Auto	7/1/2009	7/1/2010	Combined Single Limit (Each Accident)	\$ 2,000,000	
			Aggregate	\$ 2,000,000	
<input checked="" type="checkbox"/> <b>Workers' Compensation &amp; Employers' Liability</b>	7/1/2009	7/1/2010	<input checked="" type="checkbox"/> Statutory		
			Each Accident	\$ 1,000,000	
			Disease - Each Employee	\$ 1,000,000	
			Disease - Policy Limit	\$	
<input checked="" type="checkbox"/> <b>Property (Special Risk includes Fire and Theft)</b>	7/1/2009	7/1/2010	Blanket Limit, Replacement Cost (unless otherwise stated)	Deductible: \$ 1,000	
<b>Description:</b> Proof of coverage for Bio-Mass grant monies, 8/1/2009-12/31/2009.					

<b>CERTIFICATE HOLDER:</b>	<b>Additional Covered Party</b>	<b>Loss Payee</b>	<b>Primex<sup>3</sup> - NH Public Risk Management Exchange</b>
State of NH Public Utilities Commission Attn: Diane Bateman, Jack Ruderman 21 Fruit Street Concord, NH 03301			By: <i>Monica Panait</i>
			Date: 8/3/2009    mpanait@nhprimex.org
			Please direct inquires to: <b>Primex<sup>3</sup> Risk Management Services</b> 603-225-2841 phone 603-228-0650 fax