

NEW HAMPSHIRE



ENERGY EFFICIENCY AND SUSTAINABLE ENERGY BOARD

RSA 125-O:5-a
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February 19, 2019

Senator David Watters
New Hampshire Senate

Representative John Mann
New Hampshire House of Representatives

RE: Recommendations from the Energy Efficiency and Sustainable Energy (EESE) Board relative to changes to the Board's enabling statute, RSA 125-O:5-a

Dear Senator Watters and Representative Mann,

At its January 18, 2019 meeting the EESE Board discussed the changes to the Board's enabling statute, RSA 125-O:5-a, as proposed by each of your bills, Senate Bill 205 and House Bill 413. While supportive of both proposals, the Board felt that additional updates to the statute were warranted and tasked a small work group to review the statute for further discussion at the February EESE Board meeting.

The EESE Board respectfully requests your consideration of incorporating the changes to RSA 125-O:5-a in your bills shown in the attached document. These changes were discussed and approved by the Board on February 15, 2019.

Sincerely,

A handwritten signature in cursive script that reads "Rebecca E. Ohler".

Rebecca E. Ohler
Chair

Recommendations for changes to the Energy Efficiency and Sustainable Energy Board enabling statute, as approved by the Board on February 15, 2019

Section 125-O:5-a

125-O:5-a Energy Efficiency and Sustainable Energy Board. –

I. An energy efficiency and sustainable energy board is hereby created to promote and coordinate energy efficiency, demand response, and sustainable energy programs in the state. The board's duties shall include but not be limited to:

- (a) Review available energy efficiency, conservation, demand response, and sustainable energy programs and incentives and compile ~~a report~~ *reports as necessary* of such resources in New Hampshire.
 - (b) Develop ~~a plan~~ *plans as necessary* to achieve the state's energy efficiency potential for all fuels, including setting goals and targets for energy efficiency that are meaningful and achievable.
 - (c) Develop ~~a plan~~ *plans as necessary* for economic and environmental sustainability of the state's energy system including the development of high efficiency clean energy resources that are either renewable or have low net greenhouse gas emissions.
 - (d) ~~[Repealed.]~~ *Serve as a stakeholder forum that makes recommendations to program administrators and the public utilities commission with respect to ratepayer-funded energy efficiency programs.*
 - (e) Explore opportunities to coordinate programs targeted at saving more than one fuel resource, including conversion to renewable resources and coordination between natural gas and other programs which seek to reduce the overall use of nonrenewable fuels.
 - (f) Develop tools to enhance outreach and education programs to increase knowledge about energy efficiency and sustainable energy among New Hampshire residents and businesses.
 - (g) Expand upon the state government's efficiency programs to ensure that the state is providing leadership on energy efficiency and sustainable energy including reduction of its energy use and fuel costs.
 - (h) Encourage municipalities and counties to increase investments in energy efficiency and sustainable energy through financing tools, and to create local energy committees.
 - (i) Work with community action agencies and the office of strategic initiatives to explore ways to ensure that all customers participating in programs for low-income customers and the Low Income Home Energy Assistance Program (LIHEAP) have access to energy efficiency improvements, and where appropriate, renewable energy resources, in order to reduce their energy bills.
 - (j) Investigate potential sources of funding for energy efficiency and sustainable energy development and delivery mechanisms for such programs, coordinate efforts between funding sources to reduce duplication and enhance collaboration, and review investment strategies to increase access to energy efficiency and renewable energy resources.
- II. The members of the board shall be as follows:
- (a) The chairman of the public utilities commission, or designee.
 - (b) The director of the office of strategic initiatives, or designee.
 - (c) The consumer advocate, or designee.
 - (d) The commissioner of the department of environmental services, or designee.
 - (e) The commissioner of the department of business and economic affairs, or designee.
 - (f) The president of the Business and Industry Association of New Hampshire, or designee.

- (g) The executive director of the New Hampshire Municipal Association, or designee.
- (h) The executive director of New Hampshire Legal Assistance, or designee.
- (i) The president of the Homebuilders & Remodelers Association of New Hampshire, or designee.
- (j) Two members of the house *of representatives, at least one of whom shall be from the* science, technology and energy committee appointed by the speaker of the house of representatives.
- (k) One member of the senate ~~energy, environment and economic development committee~~ *energy and natural resources committee*, appointed by the president of the senate.
- (l) ~~Three~~ *Five* representatives from not-for-profit groups representing energy, environmental, consumer, or public health issues and knowledgeable in energy conservation policies and programs, appointed by the chairman of the public utilities commission.
- (m) The commissioner of the department of administrative services, or designee.
- (n) The state fire marshal, or designee.
- (o) The executive director of the New Hampshire housing finance authority, or designee.
- (p) The executive director of the New Hampshire community development finance authority, or designee.*

III. The board shall include, as nonvoting participants, the following:

- (a) One representative from each utility-administered electric and natural gas energy efficiency program appointed by the chairman of the public utilities commission.
- (b) A representative of energy services companies delivering energy efficiency services to residential and business customers, appointed by the chairman of the public utilities commission.
- (c) A representative of a business or association of businesses selling or installing sustainable or renewable energy systems, appointed by the chairman of the public utilities commission.
- (d) A representative from the investment, *financial services or lending* community with expertise in efficiency *and/or renewable energy* investments and financing, appointed by the chairman of the public utilities commission.
- (e) A representative of the New Hampshire Bankers Association, appointed by the chairman of the public utilities commission.*

IV. The chairman of the public utilities commission shall call the first meeting of the board. The board shall elect a chairperson from among its members. ~~Seven~~ *A majority of voting* members of the board shall constitute a quorum. The board shall make an annual report on ~~December 1~~ *January 31* to the governor, the speaker of the house of representatives, the president of the senate, the house science, technology and energy committee, the senate energy, environment and economic development committee, and the public utilities commission, to provide an update on ~~its~~ activities *during the preceding calendar year* and recommendations for action including possible legislation.

V. The board shall be administratively attached to the public utilities commission under RSA 21-G:10.

VI. Legislative members of the commission shall receive mileage at the legislative rate when attending to the duties of the board.

VII. No member of the board shall vote on a matter in which the member, his or her spouse or dependent, or the organization or entity represented by or employing the member, has a private interest which may directly or indirectly affect or influence the performance of his or her duties.

Source. 2008, 292:1. 2012, 281:10, I, eff. Jan. 1, 2013. 2017, 156:14, II, 64, eff. July 1, 2017.

NOTE: Paragraph (d) as originally adopted in 2008 read: “Provide recommendations at least annually to the public utilities commission on the administration and allocation of energy efficiency and renewable energy funds under the commission’s jurisdiction.”