

**STATE OF NEW HAMPSHIRE  
PUBLIC UTILITIES COMMISSION**

**DE 13-177**

**PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE**

**2013 Least Cost Integrated Resource Plan**

**Order on PSNH's Motion to Reconsider or Clarify**

**ORDER NO. 25,676**

**June 12, 2014**

In this order we grant PSNH's motion to reconsider that part of Order No. 25,659 which required PSNH to file its next LCIRP by June 6, 2015. PSNH must file an LCIRP limited to transmission and distribution planning no later than June 21, 2015, two years from the date PSNH made its 2013 LCIRP filing.

**I. PROCEDURAL HISTORY**

In Order No. 25,459 (January 29, 2013), the Commission accepted a least cost integrated resource plan (LCIRP) filed by Public Service Company of New Hampshire (PSNH) in 2010. In that order, the Commission required PSNH to file an LCIRP in 2013 limited to transmission and distribution planning. The Commission also set forth its expectation that PSNH file a "full" LCIRP, that is, an LCIRP that includes planning for generation and energy supply, transmission, and distribution, "subsequent to the resolution of the IR 13-020 investigation [into PSNH's continued ownership of generation], and after PSNH's abbreviated 2013 LCIRP filing." Order No. 25,459 at 21.

PSNH made its transmission and distribution LCIRP filing as directed on June 21, 2013. On May 1, 2014, the Commission issued Order No. 25,659 accepting and finding adequate

PSNH's 2013 LCIRP. Although the Commission recognized that legislation was then pending before the New Hampshire Legislature that would affect the timing and content of future LCIRP filings by electric utilities, the Commission directed PSNH to file its next LCIRP no later than June 6, 2015, unless ordered otherwise. PSNH timely filed a Motion for Rehearing/Reconsideration or Clarification (Motion) of Order No. 25,659 on June 2, 2014. PSNH requested rehearing or clarification with respect to the timing and the content of its next LCIRP filing.

## **II. PSNH's MOTION**

PSNH pointed out that Order No. 25,459, the 2013 order on PSNH's 2010 LCIRP, described in detail the Commission's expectations and recommendations for the content of PSNH's next full LCIRP. PSNH also noted that pending legislation could soon be signed into law. PSNH expressed uncertainty as to how to comply with the new statutory requirements given the direction provided by the Commission in Order No. 25,459. PSNH further observed that in Order No. 25,659, the order at issue here, the Commission directed PSNH to include certain specific matters in its next LCIRP, but did not address or modify the provisions of Order No. 25,459. PSNH requested that the Commission reconsider or clarify whether PSNH's next LCIRP should be a full filing or something less than a full filing.

PSNH also stated that Order No. 25,459 contemplated that PSNH would file its next full LCIRP "subsequent to the resolution of the IR 13-020 investigation, and after PSNH's abbreviated 2013 LCIRP filing." Order No. 25,459 at 21. PSNH projected that the investigation in IR 13-020 could last into 2014 and/or be tied to other legislative or regulatory matters which could last well into 2015. Because PSNH's next full LCIRP is supposed to be submitted

following the resolution of the investigation, PSNH stated that it may not be able to file a full LCIRP by the June 6, 2015, deadline set by the Commission in Order No. 25,659.

### **III. COMMISSION ANALYSIS**

The Commission may grant rehearing or reconsideration for “good reason” when the moving party demonstrates that a decision is unlawful or unreasonable. RSA 541:3, RSA 541:4. *See Rural Telephone Companies*, Order No. 25,291 (November 21, 2011). Good reason may exist if there are matters that the Commission “overlooked or mistakenly conceived in the original decision,” *Dumais v. State*, 118, N.H. 309, 311 (1978) (quotation and citation omitted), or if the movant presents new evidence not previously available, *Hollis Telephone Inc.*, Order No. 25,088 (April 2, 2010). A motion for rehearing that merely restates prior arguments and asks for a different outcome will fail. *Public Service Co. of N.H.*, Order No. 25,168 (November 12, 2010).

We find that PSNH presented information regarding our prior rulings in Order No. 25,459 that compel us to grant PSNH’s motion. In this order we clarify the content of PSNH’s next LCIRP filing and make a small adjustment to the date of such filing. PSNH correctly summarizes Order No. 25,459 regarding the timing of PSNH’s next full LCIRP. PSNH is also correct that the issue regarding PSNH’s retention of its generation assets is the subject of pending legislation. Therefore, pursuant to our authority under RSA 378:38-a, we waive the requirement that PSNH file a full LCIRP until the conclusion of the investigation that is the subject of IR 13-020 and Commission action regarding PSNH’s retention of its generation assets.

In Order No. 25,659, we directed PSNH to file its next LCIRP no later than June 6, 2015. Upon review, we realize that we made a minor error in setting that date. PSNH filed its 2013


LCIRP on June 21, 2013, and pursuant to statute PSNH must file an LCIRP every two years unless the Commission waives that requirement. Therefore, we modify Order No. 25,659 and direct PSNH to file an LCIRP limited to transmission and distribution no later than June 21, 2015, two years from its 2013 LCIRP filing. The limited LCIRP shall conform to the guidance in Order No. 25,459 related to transmission and distribution planning, to Order No. 25,659, and to any related statutory changes made to RSA 378:38. The limited LCIRP, due June 21, 2015, need not address supply options, diversity of supply sources, consideration of the Clean Air Act (as amended) or the assessment of the plan's impact on the environment, economy, energy price and supply in New Hampshire.


**Based upon the foregoing, it is hereby**


**ORDERED**, that PSNH's Motion for Rehearing/Reconsideration or Clarification filed on June 2, 2014, is hereby GRANTED; and it is

**FURTHER ORDERED**, that PSNH shall file an LCIRP limited to transmission and distribution planning no later than June 21, 2015.


By order of the Public Utilities Commission of New Hampshire this twelfth day of June, 2014.

  
Amy L. Ignatius  
Chairman

  
Robert R. Scott (KNS)  
Commissioner

  
Martin P. Honigberg  
Commissioner

Attested by:

  
Debra A. Howland  
Executive Director

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**SERVICE LIST - EMAIL ADDRESSES- DOCKET RELATED**

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**Pursuant to N.H. Admin Rule Puc 203.11 (a) (1): Serve an electronic copy on each person identified on the service list.**

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