

STATE OF NEW HAMPSHIRE

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May 7, 2018

Ms. Debra A. Howland  
Executive Director  
New Hampshire Public Utilities Commission  
21 South Fruit Street, Suite 10  
Concord, New Hampshire 03301

Re: Docket No. DE 18-059  
Peterborough Retirement Community at Upland Farm, Inc.  
Request for Waiver of N.H. Code Admin. Rules Puc 303.02

Dear Ms. Howland:

Please be advised that the Office of the Consumer Advocate (OCA) opposes the request filed in this docket for a waiver of the rule requiring individual electric metering for each unit of a multi-tenant building.

As you know, there has in recent months been a flurry of such requests from nonprofit organizations that own low-income housing projects. As the statutorily designated advocate for residential utility customers, we have consistently supported these waiver requests because they promote meaningful efforts to make energy efficient housing available to Granite Staters who could not otherwise afford it.

This request, however, comes from a continuing care retirement community (CCRC) that (according to its web site) offers residents two auditoriums, two libraries, a movie theater, two fitness centers, an art studio, two billiards/games rooms, a woodworking shop, a greenhouse, an art gallery, an indoor heated pool, the choice of six dining options, two private dining rooms, two hair salons, three conference rooms, a living room, underground parking, covered parking, a croquet court, a river deck, raised garden beds, an outdoor barbeque and picnic area, woodland walking trails, two patios, a business center, a card room, a pub with personal liquor lockers, screened/glassed-in porches, four guest suites and a country store.<sup>1</sup>

According to the Peterborough Retirement Community at Upland Farm, Inc., which apparently does business as RiverMead, the requested waiver is in the public interest because RiverMead is a tax-exempt organization under Section 501(c)(3) of the Internal Revenue Code, will retain that

<sup>1</sup> <https://www.rivermead.org/services>, accessed on May 6, 2017.

status essentially in perpetuity, and includes utilities in the entrance and monthly fees charged to residents. According to RiverMead, allowing it to master-meter certain new units it is constructing will help “keep construction costs low so that the savings can be passed on to the residents.” It is obvious, however, that a CCRC with amenities such as those listed above does not depend on providing low-cost services to achieve its mission. Nothing prevents the CCRC from allowing residents to pay their electric bills individually and, even if they do not, the use of individual meters would allow RiverMead to reward residents who are energy efficient either through recognition or otherwise. This could certainly take its place among the amenities promoted on the RiverMead web site.

The basis of the requested rules waiver reduces to one of inconvenience to the developer and owner of this CCRC. Should that become the basis for exemption of the “no master metering rule,” it would be time for the Commission to abrogate the rule altogether. The rule has an important purpose and should not be eviscerated in this fashion.

Thank you for considering our position on the requested rules waiver. Please feel free to contact me if there are any questions or concerns about the foregoing.

Sincerely,

A handwritten signature in blue ink, appearing to read 'D. Maurice Kreis', written in a cursive style.

D. Maurice Kreis  
Consumer Advocate

cc: Service List