

**THE STATE OF NEW HAMPSHIRE  
PUBLIC UTILITIES COMMISSION**

**Docket No. DE 20-092**

**Electric and Gas Utilities  
2021-2023 Triennial Energy Efficiency Plan**

**CONSERVATION LAW FOUNDATION  
PETITION TO INTERVENE**

Conservation Law Foundation (CLF) hereby petitions to intervene in the above-captioned proceeding in accordance with N.H. Admin. Rules, Puc 203.17 and with the standards of RSA 541-A:32. In support of its petition to intervene, CLF avers as follows:

1. CLF is a private, non-profit organization dedicated to protecting New England's environment for the benefit of all people. CLF uses the law, science, and markets to create solutions that build healthy communities, sustain a vibrant economy, and preserve natural resources, including resources affected by the generation, transmission, and distribution of electric power and the transportation and use of natural gas. Consistent with its mission to promote thriving, resilient communities, CLF advances sound clean energy policies that strengthen New England's—and New Hampshire's—economic vitality. CLF has approximately 4,800 members in New England, including over 680 members in New Hampshire.

2. In this docket, the Public Utilities Commission (Commission) will review the draft statewide 2021-2023 energy efficiency plan proposed by the New Hampshire utilities in a filing on September 1, 2020. The filing raises issues including, *inter alia*, whether the proposed programs are reasonable, cost effective, and in the public interest; whether the proposed programs

will properly utilize funds as required by RSA 125-O-23; and whether, pursuant to RSA 374:2, proposed performance incentives and lost base revenue calculations are just and reasonable.

3. CLF represents itself and the interests of its members in securing the many economic and environmental benefits associated with increased energy efficiency deployment. A robust and well-targeted energy efficiency program will help New Hampshire meet climate change and other environmental targets, lower the overall electricity bills that families and businesses must pay every month, constrain New Hampshire's otherwise-growing share of regional grid costs, keep more money and jobs within the Granite State, and improve the health and welfare of New Hampshire communities including low-to-moderate income residents.

4. Energy efficiency has been a major CLF priority since CLF spearheaded the publication in 1987 of "Power to Spare," which was the first comprehensive, regional effort to assess the economic and technical potential for increased energy efficiency and to set a policy and action agenda for public officials and utilities to achieve that potential. "Power to Spare" laid the groundwork for the energy efficiency programs underway throughout New England.

5. CLF has engaged in a wide range of advocacy to advance the region's energy efficiency policies, including the energy efficiency programs overseen by the state public utility commissions. CLF's history of participation in Commission dockets regarding energy efficiency dates to at least 1997 in DR 97-211. More recently, CLF constructively participated in the docket that established the Energy Efficiency Resource Standard (EERS), Docket DE 15-137, and was a signatory to the settlement that was approved by the Commission on August 2, 2016, in Order No. 25,932. CLF also participated in workshops and other public programs related to the development of the 2018-2020 statewide energy efficiency plan. In particular, CLF was a member of the EERS Committee of the Energy Efficiency and Sustainable Energy (EESSE) Board, where, together with

other stakeholders, it developed initial recommendations for strengthening various components of the draft 2018-2020 statewide energy efficiency plan. Certain of those recommendations were adopted by the EESE Board and provided to the utilities. Moreover, CLF participated in the docket for the 2018-2020 statewide energy efficiency plan, Docket DE 17-136, and was a signatory to the settlement agreement for the 2018-2020 plan, which was approved by the Commission on January 2, 2018, in Order No. 26,095.

6. Additionally, CLF participated in workshops and other public programs related to the development of the 2021-2023 statewide energy efficiency plan, the subject of the instant docket, as a voting member of the EERS Committee. Together with other stakeholders on the EERS Committee, CLF made recommendations for strengthening various components of the 2021-2023 statewide energy efficiency and participated in the vote where the Committee voted in favor of the New Hampshire utilities' draft plan. After the EERS Committee referred the draft plan to the EESE Board, the EESE Board also voted in favor of the plan.

7. CLF has also intervened in numerous other dockets before the Commission over the past two decades, including the following Docket Nos.: DE 01-057; DE 07-064; DE 08-103; DE 08-145; DE 09-033; DE 10-160; DE 10-188; DE 10-261; DE 11-215; DE 11-250; DE 13-108; DE 13-275; DE 14-120; DE 14-238; IR 15-124; IR 15-296; DE 16-241; DE 16-576; DE 16-693; DE 16-817; DE 17-124; DG 17-152; DE 17-189; DG 17-198; DE 19-033; DE 19-104; and IR 20-004.

8. CLF and CLF's New Hampshire members have a direct and substantial interest in the outcome of this proceeding. The 2021-2023 statewide energy efficiency plan will set the direction for state energy efficiency work for years to come. CLF has substantial expertise that will support the Commission's review of this plan. CLF has a long and constructive history of

working closely with the utilities and other stakeholders on energy efficiency, including in DE 15-137, DE 17-136, and on the EERS Committee, to improve energy efficiency programs in the state. In addition, intervention in this proceeding will allow CLF to represent the interests of CLF members who stand to benefit from the direct and indirect cost savings associated with energy efficiency investments, as well as those who will benefit from reduced emissions.

9. Allowing CLF to intervene will not impair the orderly and prompt conduct of the proceedings. Given the deadline for the Commission to approve the 2021-2023 statewide energy efficiency plan, CLF is open to innovative approaches to briefing, discovery, hearings, and settlement that will focus the proceedings in appropriate ways.

WHEREFORE, CLF respectfully requests that it be granted full intervenor status in this proceeding.

Respectfully submitted,

CONSERVATION LAW FOUNDATION

By: */s/Nicholas A. Krakoff*  
Nicholas A. Krakoff, Staff Attorney  
27 North Main Street  
Concord, NH 03301  
(603) 225-3060 x 3015  
[nkrakoff@clf.org](mailto:nkrakoff@clf.org)

September 2, 2020

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Petition to Intervene has, on this 2<sup>nd</sup> day of September 2020, been sent by email to the service list in Docket No. DE 20-092.

Respectfully submitted,

By: /s/Nicholas A. Krakoff  
Nicholas A. Krakoff, Staff Attorney  
Conservation Law Foundation  
27 North Main Street  
Concord, NH 03301  
(603) 225-3060 x 3015  
[nkrakoff@clf.org](mailto:nkrakoff@clf.org)