

THE STATE OF NEW HAMPSHIRE
BEFORE THE
NEW HAMPSHIRE PUBLIC UTILITIES COMMISSION
JOINT PREPARED REBUTTAL TESTIMONY FOR THE 2021-2023 EERS TRIENNIAL
PLAN

KATHERINE PETERS, ERIC STANLEY, MARY DOWNES, and CAROL WOODS
OF EVERSOURCE, LIBERTY, UNITIL and the NHEC, RESPECTIVELY

Docket No. DE 20-092

December 3, 2020

1 **Q. Please state your name, business address and position.**

2 A. My name is Eric M. Stanley. My business address is 15 Buttrick Road, Londonderry, New
3 Hampshire. I am employed by Liberty Utilities Service Corp. (“Liberty”) which provides
4 services to Liberty Utilities (Granite State Electric) Corp. (“Granite State” or the
5 “Company”) and Liberty Utilities (EnergyNorth Natural Gas) Corp. (“EnergyNorth”). I am
6 the Manager of Energy Efficiency & Customer Programs at Liberty.

7 **Q. Have you previously testified before this Commission?**

8 A. Yes. I have testified in numerous proceedings before the Commission.

9 **Q. Please describe your educational and professional experience, including the**
10 **responsibilities for your current role for your company.**

11 A. I received an MBA from Southern New Hampshire University in 2015 and a Bachelor’s of
12 Science degree in Business Administration from the University of New Hampshire in 2000.
13 Since 2012, I have worked as Liberty Utilities Manager of Energy Efficiency & Customer
14 Programs in New Hampshire, responsible for program planning, implementation, marketing,

1 reporting and analytics. Prior to this role, I worked at National Grid from 2001 to 2012 in a
2 variety of capacities including most recently as the Manager, Marketing Strategy – Energy
3 Efficiency from 2009 to 2012 where I was responsible for developing energy efficiency
4 strategies across Massachusetts, New Hampshire, New York and Rhode Island. From 2007
5 to 2009, I was the Manager of Gas Residential Advertising, responsible for customer growth
6 direct marketing activities. From 2004 to 2007, I was a Senior Marketing Analyst
7 responsible for new product and growth marketing activities. From 2001 to 2003, I was an
8 Energy Efficiency Analyst, responsible for planning and evaluation activities related to the
9 Company’s Massachusetts natural gas energy efficiency programs. Prior to National Grid,
10 from 1999 to 2001, I worked as an Analyst at Ellacoya Networks responsible for data
11 analytics and market intelligence research.

12 **Q. Ms. Downes, please state your name, business address, and position.**

13 A. My name is Mary A. Downes, and my business address is 325 West Road, Portsmouth, New
14 Hampshire. I am the Manager of Energy Efficiency Administration and Compliance and I
15 supervise staff to meet the administrative and regulatory requirements associated with the
16 Unital companies’ energy efficiency programs in New Hampshire and Massachusetts.

17 **Q. Have you previously testified before this Commission?**

18 A. Yes, I have testified before the Commission on behalf of Unital regarding energy efficiency
19 matters. Most recently, I testified before the Commission on behalf of Unital in support of the
20 2018 – 2020 Three Year Plan in docket DE 17-136, as well as the 2020 Three Year Plan
21 update.

1 **Q. Please describe your educational and professional experience, including the**
2 **responsibilities for your current role for your company.**

3 A. Before starting my current position at Unitil in 2012, I worked for several years in New
4 Hampshire's state energy office, helping to administer State Energy Program funding,
5 including over \$100 million in federal Recovery Act funds. I earned a Master's degree in
6 Resource Administration and Management from the University of New Hampshire and serve
7 on the Town of Durham's Local Energy Committee. In my role at Unitil, I oversee the
8 administrative aspects of planning for, reporting on, and evaluating energy efficiency
9 program activities in both New Hampshire and Massachusetts.

10 **Q. What is the purpose of your testimony?**

11 A. While I am generally familiar with all aspects of the Plan and Settlement, my testimony
12 specifically supports the benefit-cost modeling, the function of the performance incentive,
13 the role of the Technical Reference Manual, evaluation, and the Evaluation Measurement and
14 Verification ("EM&V") Working Group as they relate to the Plan, and the benefits of
15 moving to a true Three-Year Plan framework.

16 **Q. Ms. Woods, please state your full name, business address, and position.**

17 A. My name is Carol M. Woods and my business address is 579 Tenney Mountain
18 Highway Plymouth, New Hampshire. I am an Energy Solutions Executive for New
19 Hampshire Electric Cooperative. My responsibilities include management of planning
20 and regulatory support for the company's energy efficiency programs.

1 **Q. Please describe your educational background and training.**

2 A. I graduated from Plymouth State University in 1996 with a Bachelor of Science Degree
3 in Accounting. I received a Master of Business Administration from Southern New
4 Hampshire University in 2008.

5 **Q. Please describe your professional experience.**

6 A. I was hired by New Hampshire Electric Cooperative in 2001 to perform my current job
7 responsibilities.

8 **Q. Have you previously testified before the New Hampshire Public Utilities
9 Commission?**

10 A. Yes, I have testified on multiple occasions before the Commission.

11 **Q. Ms. Peters, please state your name, business address and position.**

12 A. My name is Katherine W. Peters. My business address is 73 West Brook Street, Manchester,
13 NH 03105. My position is Manager, Regulatory Planning and Evaluation and in that position,
14 I provide service to the Energy Efficiency programs operated by Eversource.

15 **Q. Have you previously testified before the Commission?**

16 A. Yes. I have testified before the Commission in Docket No. DE 17-136.

17 **Q. Please describe your educational background and professional experience.**

18 A. I graduated from Cornell University in Ithaca, NY in 2002 with a Bachelor of Arts degree in
19 Government. I've held multiple positions in implementation and planning for the New
20 Hampshire energy efficiency programs at Eversource since 2013. My present responsibilities

1 include regulatory proceedings and stakeholder engagement related to the energy efficiency
2 programs, as well as program planning, coordination and outreach. Prior to joining
3 Eversource I managed the federally funded Better Buildings energy efficiency program at the
4 New Hampshire Community Development Finance Authority and held several positions in
5 the office of Governor John H. Lynch and the New Hampshire State Senate.

6 **Q. What is the purpose of your joint testimony?**

7 A. The purpose of this testimony is to support the settlement agreement filed by the NH Utilities
8 along with OCA, CENH, CLF, SNHS and TWH, and to rebut certain positions taken by the
9 Commission Staff in their direct testimony, in order to most fully inform the Commissioners
10 regarding the key factors relating to adoption of the 2021-2023 Statewide Energy Efficiency
11 Plan.

12 **Q. What are the primary interrelated elements of the Plan and Settlement Agreement and**
13 **what would be the result of adjusting them on an individual basis?**

14 A. The primary interrelated elements are (1) the energy savings targets, (2) the budgets and
15 resulting SBC and LDAC rates, and (3) the energy savings assumptions reflected in the
16 benefit cost models and TRM. Each of these elements are highly dependent on the others and
17 must be considered in conjunction with each other in order to create an achievable Plan. A
18 change to any of these elements would necessitate a change to at least one of the others.

19 For example, a reduction in budget or rates would result in a reduction of planned energy
20 savings. The NH Utilities have carefully estimated the costs for achieving energy savings in
21 each program and category of measures within the 2021-2023 Plan and have worked with the

1 Settling Parties (NH Utilities, OCA, CENH, CLF, TWH, SNHS) to review and incorporate
2 additional areas of opportunity for energy savings as compared to the September 1 Plan.
3 Conversely, an increase in the energy savings targets would necessarily result in a need to
4 increase budgets and rates. For energy savings assumptions, additional adjustments beyond
5 those stipulated in the Settlement Agreement, such as application of lower realization rates to
6 measures, would result in a reduction of claimable energy savings, which would result in a
7 lowering of the energy savings targets without lowering the budget required to achieve them.

8 Underlying the savings targets, budgets, and energy savings assumptions is the framework
9 for a true three-year planning process, which is also a critical element of the plan. The three-
10 year structure makes it possible to achieve the energy savings goals within the proposed
11 budgets by providing flexibility for achievement across program years and stable market
12 conditions that allow for confident partnerships with contractors, vendors and customers.

13 **Q. Are there particular factors or circumstances that contribute to the cost for the**
14 **Eversource C&I Sector?**

15 A. The Eversource C&I customer base historically contributes the largest savings across all
16 utilities in the state and likewise presents the largest opportunity for energy savings. In order
17 to achieve significantly higher energy savings than have ever been achieved previously, in a
18 time when the opportunity for relatively inexpensive savings from lighting measures is
19 shrinking due to market transformation, other measure types, with higher costs to achieve,
20 must become a larger part of the plan. Achieving higher energy savings while concurrently
21 reducing reliance on lighting savings means reaching customers that have not previously

1 participated or have minimally participated in energy efficiency and convincing them to
2 implement efficiency measures. Capturing savings from these harder to reach customers will
3 likely require new outreach efforts, new vendor partnerships and new incentive structures.
4 Achieving higher energy savings means that more savings than ever before will come from
5 non-lighting measures such as HVAC, refrigeration, process engineering, motors and drives,
6 which are all more expensive and are more complicated than installing lighting. These higher
7 cost measures need to be part of comprehensive projects that make financial sense for
8 customers to implement. Combined, current market conditions and the need to achieve higher
9 energy savings lead to a cost for the Eversource C&I sector that is reasonable, supportable,
10 cost-effective, yet more expensive than past programs were.

11 **Q. Could you explain the Eversource allocation of income-eligible program costs by**
12 **percent of sales as referenced in the Settlement, and compare it to the September 1**
13 **Plan?**

14 A. Yes. RSA 374-F:3, VI requires that 20 percent of total SBC funds be allocated to the income-
15 eligible programs. Both the residential and the C&I sectors contribute to funding the income-
16 eligible program. In the September 1 Plan Eversource allocated the cost of the income-
17 eligible program based on the percent of total efficiency program budget for each of the
18 sectors, 20 percent residential and 80 percent C&I in 2023. With the settlement Eversource is
19 now allocating the cost of the income-eligible program based on the percent of total sales for
20 each of the sectors, 42 percent residential and 58 percent C&I in 2023. Both methodologies
21 for allocation are valid and reasonable. For Eversource, the change in allocation has led to a

1 reduction of the contribution from the C&I sector and corresponding reduction in the C&I
2 SBC rate, which was an important aim of the Settlement.

3 **Q. Are there direct short-term economic benefits of EERS programs in addition to long-**
4 **term energy savings?**

5 A. There are many direct positive economic impacts created by the EERS programs. Investing
6 in efficiency boosts the state's economy by creating jobs and reducing energy costs for
7 consumers and businesses. Energy Efficiency activities employed 11,733 New Hampshire
8 residents, in whole or in part, in the design, installation, and manufacture of energy efficiency
9 products and services, adding nearly 400 net jobs in 2018 alone, a nearly four percent
10 increase in energy efficiency-related jobs reflecting the concrete short-term economic
11 stimulus created by the EERS programs. Energy efficiency professional and business
12 services, other services, wholesale trade, and manufacturing all gained jobs, with
13 professional and business services increasing by more than 240 jobs, other services
14 increasing by almost 140 jobs, wholesale trade increasing by 56 jobs, and manufacturing
15 increasing by nearly 30 jobs. Over 1,600 New Hampshire residents are now employed in
16 manufacturing jobs, producing ENERGY STAR® certified products and energy efficient
17 building materials. ([https://www.aceee.org/topic-brief/economic-development-state-ee-](https://www.aceee.org/topic-brief/economic-development-state-ee-toolkit)
18 [toolkit](https://www.aceee.org/topic-brief/economic-development-state-ee-toolkit)).

19 Energy efficiency is the cheapest and cleanest energy resource. Additionally, the
20 Commission requirement that New Hampshire's EERS programs must be "cost effective"
21 means that each dollar spent on the programs yields at least one dollar in benefits. Efficiency
22 is beneficial to more than just those customers who participate in efficiency programs.

1 Reducing New Hampshire's energy use, especially during expensive peak times such as the
2 hottest and coldest days of the year, saves money for all energy customers. To ensure
3 reliable provision of energy at the most crucial times energy infrastructure is built to meet the
4 state's needs during peak demand. Reducing that peak means less burden on and degradation
5 of costly transmission, distribution, and generation infrastructure, consequently generating
6 savings on repairing that infrastructure. As the Commission noted in Order 26,207 at page
7 17, energy efficiency also benefits participants and non-participants alike by mitigating
8 increased regional transmission and capacity costs.

9 **Q. How were the savings goals in the September 1 Plan determined?**

10 A. The savings goals were determined through a robust stakeholder process established by the
11 Settlement Agreement in DE 17-136 and approved by the Commission in Order 26,207. The
12 EESE Board through its EERS Committee conducted an extensive collaborative stakeholder
13 processes beginning in December 2019 and culminating in the September 1 Plan. The EERS
14 Committee members included several members of the EESE Board as well as other
15 interested stakeholders including members of a local municipal energy committee. The
16 Committee had 16 members who represented a diversity of perspectives and interests. In
17 addition, the Staff of the Commission was also fully engaged in the stakeholder process. The
18 goal to achieve electric savings of five percent of 2019 sales over the course of the 2021-
19 2023 term, and natural gas savings of three percent of 2019 sales over the course of the term
20 were developed as a result of feedback from the majority of the EERS Committee as well as
21 comments submitted to the Committee by various members of the Committee and other non-
22 Committee member stakeholders. Having received this feedback, the NH Utilities presented

1 a framework of adjustments to the draft plan with recommended revisions that were
2 responsive to the stakeholder feedback by achieving the five percent and three percent
3 savings targets. On August 10, 2020 the EERS Committee met and voted unanimously (with
4 the four utility members abstaining, and the Office of Strategic Initiatives not present) to
5 support the adjusted July 1 Draft Plan as proposed by the NH Utilities. Voting members of
6 the EERS Committee included members and former members of the General Court, Office of
7 Consumer Advocate, Clean Energy New Hampshire, Conservation Law Foundation, New
8 Hampshire Legal Assistance, Department of Environmental Services, Business and Industry
9 Association, Southern New Hampshire Services, GDS Associates, and Acadia Center. The
10 EESE Board then voted in support of what became the September 1 Plan with a strong
11 majority at the Board's August 14 meeting.

12 **Q. Why have the goals in the proposed Settlement Agreement been lowered from those**
13 **enumerated in the September 1 plan filing?**

14 A. While all parties to the settlement agreement supported the five percent and three percent
15 savings goals in the September 1 filing, the Settling Parties made adjustments to the savings
16 targets in the Settlement Agreement to reflect issues and concerns expressed by some parties
17 during the administrative docket process related to customer bill impacts and the application
18 of certain EM&V factors. In order to implement the agreed-upon modifications to the
19 September 1 Plan, as detailed in the Settlement Agreement, the Settling Parties determined
20 that revised goals were necessary. Notwithstanding these adjustments, the Settling Parties still
21 believe the adjusted goals effectively advance energy efficiency policy in New Hampshire for
22 the 2021-2023 term.

1 **Q. Is spending-per-customer a relevant measure of program performance?**

2 A. No. Spending per total number of customers in a utility’s service territory, while indicative of
3 how much is being spent per customer, does not indicate whether a utility is cost-effectively
4 capturing energy efficiency potential. Application of such a metric fails to consider how
5 many customers are being directly or indirectly served, or whether they are being served
6 effectively. For example, a large, expensive project serving a single customer could result in
7 the same ratio of dollars invested per customer as thousands of small projects serving
8 thousands of customers, and both approaches are appropriate strategies in the pursuit of cost-
9 effective energy efficiency. This metric was not included in the many evaluation factors used
10 in the stakeholder process, but rather is used in isolation in Staff testimony as an otherwise
11 unsupported premise of cost inefficiency and does not aid the Commission in making a
12 determination of whether the plan is a reasonable iteration of the Commission’s mandate for
13 the EERS and the triennial plan process.

14 **Q. How do you respond to Staff concerns regarding some of the proposed SBC rates?**

15 A. The concerns expressed in Staff’s testimony appear to be based on inaccurate and/or
16 incomplete information, and do not appear to be germane to the issues relating to the
17 proposed SBC rates. For example, the assertion that the proposed Eversource C&I SBC rate
18 is the “highest in New England” (Nixon at 14-15) is incorrect, as Massachusetts¹ has higher
19 energy efficiency portions of the C&I rates approved for the July 1, 2020 through June 30,

¹ Eversource Massachusetts tariff, General Service, Total Energy Efficiency Charge.
https://www.eversource.com/content/docs/default-source/rates-tariffs/ma-electric/1-tariff-ma.pdf?sfvrsn=769dc462_30

1 2021 period and Rhode Island² has higher planned 2021 rates to fund energy efficiency
2 programs than those proposed in the September 1 Plan and the Settlement Agreement before
3 the Commission. In addition, since direct testimony was filed, Rhode Island has proposed a
4 full plan for the 2021-2023 term. The rates Rhode Island is proposing for each year of its
5 plan surpass the correlating proposed rates for New Hampshire contained in the Settlement
6 Agreement before the Commission in this docket³. Other nearby states such as Massachusetts
7 and Connecticut have not yet planned or filed proposed rates for energy efficiency programs
8 in 2022 and 2023.

9 More importantly, how the proposed SBC rates compare to neighboring states should not be
10 a factor in determining the reasonableness of such rates to accomplish the goals of the New
11 Hampshire 2021-2023 Energy Efficiency Plan. The proposed rates in the September 1 Plan
12 and the Settlement Agreement demonstrate a clearly articulated plan to maximize cost-
13 effective energy savings in New Hampshire consistent with the state's ten-year energy
14 strategy and the Commission's establishment of the EERS. In the conclusion of its Order
15 25,932 (Aug. 2, 2016) establishing the EERS, the Commission stated that "the establishment
16 of an EERS is remarkable as it is based on the setting of savings targets, not dollars spent."
17 Order at 63. The context within which the proposed SBC rates should be considered is: how
18 well the plan reflects the input of the Commission-directed stakeholder process and the
19 policy objectives of its participants, and whether that process resulted in a plan for New

² Rhode Island, Docket 5076 – 2021 Annual Energy Efficiency Program Plan, Revised Tables E-1 and G-1, December 1, 2020. <http://www.ripuc.ri.gov/eventsactions/docket/5076page.html>

³ Rhode Island Docket No. 5076, October 15, 2020 filing, Bates Page 148.
<http://www.ripuc.ri.gov/eventsactions/docket/5076page.html>

1 Hampshire's energy efficiency programs and savings targets that are just and reasonable and
2 in the public interest.

3 While executing the 2021-2023 Plan, including the terms of the proposed Settlement
4 Agreement, requires increases to SBC rates across sectors and utilities to varying degrees, the
5 proposed rates carefully balance a myriad of interests and concerns including but not limited
6 to bill impacts, savings, and benefits to both participants and non-participants. All sectors,
7 across all utilities, benefit directly and indirectly from advancing energy efficiency policies
8 statewide. Additionally, New Hampshire's economy benefits from energy efficiency
9 program investments as well as the jobs they create and support. Cost-effective programs
10 will more than offset the investment required to implement them and provide benefits to all
11 customers and the State of New Hampshire. The 2021-2023 Plan articulates a sound
12 roadmap for the next triennial period that incorporates these factors, and the proposed SBC
13 rates should be deemed reasonable and appropriate by the Commission.

14 **Q. Are there specific factors relating to the proposed SBC rates for which you would like**
15 **to provide additional clarification on or support?**

16 A. Yes. The funding of energy efficiency programs throughout New England differs from state
17 to state, and is not, as suggested by Staff, uniform when compared with New Hampshire.
18 New Hampshire programs are funded through the System Benefits Charge ("SBC"),
19 Regional Greenhouse Gas Initiative ("RGGI"), and the Forward Capacity Market ("FCM").
20 Other New England states' programs receive similar buckets of funding but collect different
21 percentages or amounts from each. For instance, other New England states direct a larger
22 proportion of their state's total RGGI revenues towards the energy efficiency programs, thus

1 providing downward pressure on their dedicated energy efficiency rates. Additionally,
2 programs in Massachusetts are funded through Energy Efficiency Charge (“EEC”), but also
3 by an Energy Efficiency Reconciliation Factor (“EERF”) to act as a secondary SBC rate to
4 further increase energy efficiency program funding, and could give the appearance of
5 artificially lower energy efficiency rates in Massachusetts when used in comparison to New
6 Hampshire’s SBC rates.

7 The September 1 Plan and the settlement agreement set forth the best plan to achieve New
8 Hampshire’s energy efficiency and savings objectives, consistent with New Hampshire’s
9 State Energy Strategy and developed through a process approved by the New Hampshire
10 Public Utilities Commission. However, if a comparison to other states is to be made, it should
11 be noted that the proposed SBC rates for all years of the 2021-2023 Plan, as well as historical
12 New Hampshire SBC rates, are lower than their New England counterparts for each year
13 available⁴. What’s more, the savings targets proposed in the settlement agreement bring
14 New Hampshire much more in-line with the savings being achieved by top performing states
15 such as Massachusetts and Rhode Island⁵, which has been a perennial objective of New
16 Hampshire energy efficiency policy.

⁴ See Rebuttal Attachment 1 and Docket Nos. DE 17-136 and DE 14-216.

⁵ 2019 Energy Efficiency Scorecard, ACEEE, page 29

<https://www.aceee.org/sites/default/files/publications/researchreports/u1908.pdf>

1 **Q. Why is there substantial variance across the NH Utilities for the proposed rates in the**
2 **Plan, and what factors contributed to this difference in the various proposed rates?**

3 A. Sector-specific rates that differ for each utility are a more appropriate funding mechanism
4 than a uniform, across-the-board rate for all utilities. The NH Utilities possess different
5 customer counts and customer sector splits across their respective service territories. This
6 creates different areas of increased or decreased opportunity among the NH Utilities. To best
7 account for these factors in program planning, the NH Utilities focus on customer sectors and
8 measures and developing utility and customer sector-specific rates accordingly. These
9 differentiated rates among the NH Utilities reflect a tailored plan in a way that better
10 balances the cost drivers of customer need, program opportunity, and advancing the policy
11 objectives achieved by evolving energy efficiency programs.

12 **Q. What would be the impacts of making the proposed rates of the NH Utilities more**
13 **uniform?**

14 A. Setting uniform rates would return New Hampshire to the energy efficiency paradigm in
15 place before the establishment of the EERS. Before the Commission established the EERS,
16 the CORE energy efficiency programs were designed to deliver as much energy efficiency
17 savings as possible within the bounds of uniform funding. As noted above, the EERS
18 established the approach where savings goals are set based on savings potential with a
19 consideration of the level of program funding. In addition, while uniform rates may simplify
20 plan review, substituting the rates proposed in the plan and settlement agreement with
21 uniform rates will have a ripple effect, impacting other factors such as increasing the costs of
22 the programs in order to attain savings goals or needing to drastically reduce the savings

1 goals themselves. The Utilities currently have uniform funding rates for both sectors that
2 apply for all electric utilities. The result has been artificially high rates for some utilities. If
3 one utility needs increased funding, it triggers an unnecessary rate increase for all utilities.
4 Additionally, all utilities are not necessarily able to apply the additional funding with
5 additional measures or program offerings, an inefficiency of funding that has in some cases
6 resulted in large annual carryovers. Using all-utility uniform rates to achieve the savings
7 goals proposed in the settlement agreement, rather than the proposed utility-specific rates,
8 would create even larger annual carryovers; this inefficiency created by uniform rates is less
9 sensitive to customer short-term bill impacts. Assigning a lower uniform rate also frustrates
10 the purpose of the EERS, as the savings goals would need to be lower than those currently in
11 place, resulting in a regression of the programs and the EERS itself.

12 **Q. Do you agree with Staff’s recommendations with respect to planning structure and the**
13 **mid-term modification process?**

14 A. No. Staff’s recommendations would unnecessarily broaden the scope of events that trigger a
15 mid-term modification (“MTM”) and allow any party to request such a modification. These
16 recommendations would convert a process that is intended to be efficient and streamlined
17 into one that is unduly burdensome for the NH Utilities as well as the other parties to the
18 docket, including the Commission and its staff. One of the primary objectives of a true three-
19 year planning period is to shift the focus of stakeholder attention from annual adjudicative
20 sessions to less formal and more frequent collaboration, without the need for annual
21 intervention by the Commission, and the human and financial resources such intervention
22 entails. The process proposed by Staff would essentially undermine this advantage, an

1 advantage acknowledged by all parties to this docket as well as Staff, by requiring the
2 equivalent of a continuation of the annual hearings before the Commission at which changes
3 to the approved Plan could be requested by any party. That would significantly increase not
4 only the burden on the NH Utilities to defend already approved plans, but would increase the
5 uncertainty for the NH Utilities, and their implementation vendors, that a three-year term is
6 designed to minimize.

7 Concerns over transparency and oversight with a three-year implementation period have been
8 addressed by a commitment to quarterly and annual reporting on program achievement and
9 activity, a commitment to regular stakeholder discussions, a set of specific adjustments that
10 require notification to the Commission, and a set of material changes that would require a
11 formal request to the Commission for modification of the Plan. Additionally, the three-year
12 implementation period is aligned with Commission priorities regarding transparency and
13 inclusion concerning the EERS, while facilitating a streamlined program performance and
14 budgeting process that will foster increased customer participation and adoption of energy
15 efficiency measures, thereby maximizing the possible benefits of those measures. Allowing
16 the MTM process to be used broadly—either by who can file an MTM or why an MTM can
17 be filed—will defeat the purpose of transitioning to a three-year implementation period.
18 However, the same assurances can be achieved with the reporting elements outlined above
19 and in the settlement agreement without impeding the progress created by a three-year
20 period.

1 **Q. How do the NH Utilities respond to the Staff recommendation for retrospective**
2 **realization rates and net-to-gross evaluations? Are such adjustments necessary to**
3 **transition away from an annually updated plan?**

4 A. The Settling Parties agree that there is merit in correcting calculation errors that result in
5 changes to realization rates, particularly for high-impact custom projects to which
6 prescriptive calculations or algorithms do not apply, such as those in the C&I programs. As
7 recommended in the settlement agreement, such corrections should be applied retrospectively
8 during the term, and then prospectively until the evaluation results are next updated. The
9 Settling Parties propose that all other results of impact evaluations, including but not limited
10 to prescriptive program realization rates and net-to-gross evaluations, be applied
11 prospectively and reflected in the subsequent update of the technical reference manual, which
12 will be updated annually.

13 The NH Utilities' understand that application of realization rates for certain high-impact
14 custom projects should balance program accountability (i.e., ensuring claimed savings are
15 accurate) with program manageability (i.e., ensuring that it is feasible for programs to meet
16 their goals within the available budget). For example, if a customer reports a certain process
17 load on the project application, and subsequent evaluation reveals that the process load was
18 different after project installation, it would affect the calculation of savings, and the
19 adjustment would be captured in the realization rate. It is very difficult for programs to
20 predict these types of operational parameter adjustments, and thus programs must wait until
21 the evaluation results come in to discover them. If the evaluation results are based on impact
22 evaluations conducted at the end of the term (or after the term) and then applied

1 retrospectively to the first year of the three-year plan, it would be very difficult to manage the
2 program to reach the goal. Programs would have to simply assume a certain realization rate
3 for planning purposes but would not have the ability to optimize the measure mix or the
4 program spending needed to achieve planned savings.

5 The EM&V Working Group is finalizing a contract for a large business process and impact
6 evaluation, which will produce realization rates for the Large Business Energy Solutions
7 program. This evaluation will include recommended realization rates for both custom and
8 prescriptive measures. The results of this evaluation are expected late in 2021. The NH
9 Utilities will apply applicable realization rates for custom measures resulting from this
10 evaluation to 2021, as recommended by the evaluation contractor and agreed to by the
11 EM&V Working Group. The NH Utilities propose that evaluation-recommended
12 prospective realization rates be used for the remainder of the 2021-2023 term, consistent with
13 the approach that New Hampshire has used in the past. The NH Utilities have historically
14 performed impact evaluations activities for New Hampshire's large C&I programs about
15 every five years, and the next impact study that would update realization rates would likely
16 occur during the 2024-2026 triennial EERS period.

17 In addition to application of the large C&I custom realization rates to projects taking place
18 beginning in 2021 and running through the end of the term, the NH Utilities support the
19 OCA's proposal to make retroactive adjustments for verification of data accuracy. In the
20 case of typographical or mathematical errors identified through data quality checks, the

1 Utilities propose to correct the errors as soon as they are identified, including after a program
2 year is complete.

3 The NH Utilities propose that all other impact evaluation factors, aside from those applicable
4 to custom measures, be applied prospectively only. This includes deemed savings reflected
5 in the TRM and Net to Gross ratios. Applying these impact factors prospectively and
6 allowing for annual updates appropriately balances the need to ensure predictability in
7 program savings. This in turn facilitates program management while ensuring program
8 accountability by updating impact factors on an annual basis. This approach ensures TRM
9 values and claimed savings are based on the most recent evaluation studies and allows the
10 NH Utilities to plan and manage the programs to reach the savings goals within the allocated
11 budgets.

12 **Q. Why should the Commission adopt the performance incentive calculation proposed in**
13 **the September 1 Plan?**

14 A. The September 1 Plan proposed two alterations to the 2020 performance incentive (PI)
15 calculation: 1) lowering the minimum threshold to begin earning PI back to 65 percent to
16 account for additional risk in the 2021-2023 term related to the combined factors of
17 significantly increased savings goals along with uncertainty created by the COVID-19
18 pandemic, the related economic conditions and effect the pandemic may have on customers'
19 ability and/or willingness to participate in programs, and 2) adding a five percent weighting
20 within the demand savings component of the PI formula to be allocated to the newly
21 proposed Active Demand Response ("ADR") programs.

1 Designing the PI formula, which includes determining the program elements that should earn
2 PI and how heavily weighted each of those elements should be, was a critical and
3 significantly discussed task for the PI Working Group. All parties discussed which elements
4 should be included and what weightings, if any, should be applied to each. The end result
5 was a compromise among the parties. Informing the working group discussion was how
6 historical program performance compared to historical and more modest goals, which
7 showed that the 65 percent threshold had nearly always been exceeded.

8 The PI Working Group final report from July 2019, did not and could not anticipate certain
9 exceptional factors referenced above that have developed since the report's issuance. For
10 example, neither the ambitious savings goals proposed for the 2021-2023 Plan nor
11 unpredictable circumstances resulting from the coronavirus pandemic could not have been
12 predicted for the working group's consideration.

13 A PI threshold of 65 percent has long been accepted as reasonable in New Hampshire. If
14 circumstances in mid-2019 suggested that confidence in program performance justified an
15 increase in the threshold, those circumstances have quite obviously been superseded by an
16 unpredictable and potentially economy-changing event that has impacted almost every facet
17 of personal and commercial activity in the State. It simply is not reasonable to suggest that
18 the NH Utilities should be held to a higher PI threshold that does not and could not account
19 for the effects of a global pandemic. To do so would be to effectively penalize the NH
20 Utilities, notwithstanding their best efforts, for circumstances well beyond their control.
21 However, simply reducing the goals and keeping the PI threshold at 75 percent is not an

1 appropriate response to the uncertain circumstances. Although there are unknowns in the
2 marketplace, setting and striving to achieve higher energy efficiency savings goals over the
3 next three years maintains forward progress in achieving the benefits of energy efficiency in
4 New Hampshire, including short-term, concrete economic benefits. A PI threshold of 65
5 percent allows the NH Utilities to strive for higher energy savings targets while mitigating
6 the risk posed by economic uncertainty.

7 Additionally, the PI formula proposed in the working group's report only accounted for
8 existing program offerings and did not propose weightings or accommodation for future
9 program offerings. The working group did spend a significant amount of time determining
10 the weighting of the three primary categories of program achievement: kWh savings (both
11 lifetime and annual), kW savings (both winter and summer), and net benefits, that latter of
12 which takes into account both the benefits produced by the programs and the cost to achieve
13 them.

14 **Q. What are the implications for performance of the NH Utilities should the performance**
15 **threshold be set at 65 percent?**

16 A. The reasons just discussed show why a derivation from the recommendation of the PI
17 Working Group is warranted, and also justify altering the PI threshold and formulas as
18 recommended in the September 1 Plan, as they are consistent with the purpose of the PI.
19 Furthermore, the proposed modifications to the PI more appropriately reward program
20 performance by the NH Utilities, and do not create any risk for underperformance or any
21 other undesired behavior. Neither the Settling Parties as a group nor the NH Utilities as a

1 stakeholder are recommending adding or changing the PI components recommended by the
2 working group.

3 The proposed modifications to the PI are consistent with the purpose of the PI formula. The
4 purpose of establishing a minimum threshold for the PI is to encourage performance above
5 an established minimum level, as a percentage of the savings goals, before *any* incentive can
6 be earned. The PI itself exists to encourage the NH Utilities to meet or exceed the planned
7 savings goals in a cost-effective manner.

8 Setting a performance incentive minimum and maximum threshold at appropriate levels,
9 taken in conjunction with sufficient budgets and an aggressive yet achievable savings goal
10 result in a scenario where the NH Utilities are motivated to deliver above the minimum
11 threshold and strive for attaining the maximum threshold. The circumstances discussed
12 above warrant a reversion to the minimum PI of 65 percent, where it has been for every year
13 except 2020.

14 **Q. What is the net effect of lowering the performance incentive threshold when applied to**
15 **the proposed savings targets in the settlement agreement?**

16 A. The 4.50 percent savings goal in the Settlement Agreement is based on achieving 4.50
17 percent annual savings compared to 2019 baseline sales, over the 2021-2023 term. This
18 savings goal additionally incorporates new kinds of adjustments to gross savings that have
19 not previously been applied, resulting in a savings goal percentage that is lower than it would
20 have been in prior years. If using consistent methodology to calculate savings in the 2018-
21 2020 term, the savings goal would be in excess of 5.00 percent. Achieving just the minimum

1 threshold of 65 percent of the savings goal over the upcoming term will result in savings that
2 are higher than the expected savings achieved over the 2018-2020 term, at a time when
3 lighting measures, which have been by far the largest and lowest cost component of
4 achieving savings goals historically, are contributing lower annual savings attributable to
5 program activity given market transformation.

6 **Q. Why is leaving the PI threshold at 75 percent not appropriate for the 2021-2023 Plan?**

7 A. Staff asserts in testimony that 75 percent is the minimum percentage to be considered
8 “exemplary performance” and recommends that is the threshold to begin earning a
9 performance incentive. Staff neglects to provide any specifics on the other aspects needed to
10 develop a balanced performance incentive - budget levels and an aggressive yet achievable
11 savings goal. In the absence of specific recommendations on these other two aspects, it is not
12 possible to conclude that 75 percent is an appropriate or even attainable threshold.

13 Using Staff’s logic for the PI discourages pursuing rigorous energy efficiency for New
14 Hampshire by making progressive savings goals a riskier undertaking. Conversely, a 65
15 percent threshold does not encourage the NH Utilities to perform somewhere between 65 and
16 75 percent of design, as the NH Utilities would prefer and will endeavor to exceed not only
17 the 65 percent performance threshold, but the 100 percent design performance. Rather, the
18 65 percent PI threshold allows for growth of the EERS programs from their current reach and
19 provides some leeway to administration of the programs to attain aggressive savings goals
20 given the unpredictability of the current economic climate. A 65 percent PI threshold will
21 not reward substandard performance and in fact will result in an overall increase in

1 performance when applied to the 4.5 percent savings goal compared to current goals.

2 Returning to the 65 percent PI threshold simply removes the possibility of penalizing the NH
3 Utilities for satisfactory performance (between 65 and 75 of performance incentive goals)
4 while undertaking to advance New Hampshire energy efficiency in the face of conditions
5 outside the control of the NH utilities.

6 To demonstrate how a 75 percent PI threshold can operate as a penalty and actively set back
7 overall energy savings, we offer the following example. If the proposed savings goal were
8 1.50 percent over the three-year term, which would represent a drastic drop in savings even
9 from the current term , under the 75 percent PI threshold would equate to “exemplary
10 performance” and the Utilities would therefore begin earning a performance incentive at only
11 1.125 percent (1.50% x 75%), whereas achieving anything under 3.375 percent (4.50% x
12 75%) in the proposed Settlement Agreement would not be considered “exemplary
13 performance” and would receive no PI. The Settling Parties agree that a 65 percent minimum
14 threshold, when coupled with the challenge of the 4.50 percent savings target, strikes an
15 appropriate balance that ensures the performance incentive does not act as a *disincentive* for
16 setting ambitious goals for the EERS programs, and properly motivates program
17 implementation and performance.

18 **Q. Why should the five percent metric for weighting PI for active demand be included in**
19 **the overall kW savings category, rather than reducing the net-benefits category?**

20 A. Because, as acknowledged by the PI Working Group, the active demand reduction program is
21 focused on reducing peak kW and is therefore well aligned with the existing metrics

1 associated with reductions in summer and winter kW. Together, the active demand programs,
2 and the passive winter and summer demand reductions that result from the energy efficiency
3 measures, achieve the total of the kW reduction goals for the Plan. This is why in Appendix
4 D: Glossary of Terms of the PI Working Group report, the PI Working Group defined
5 Demand Savings for the purposes of PI as “Demand savings is the reduction in electricity
6 demand (kW). Demand savings can result from active resources, which are activated when
7 dispatched (i.e., demand response), or passive resources (e.g., installation of more efficient
8 equipment) and not in response to a dispatch instruction. For purposes of the PI calculation,
9 the peak demand savings are coincident with ISO-NE system peak demand periods.” (Page
10 21). Continuing the overall weighting for kW reduction recommended by the PI Working
11 Group and shifting some of it to the new active demand component is well aligned with both
12 the intentions of the working group and with the peak reduction goals of the Plan.

13 Additionally, keeping the new active demand component within the existing kW weighting is
14 logical given that the PI components are designed to encourage performance on the part of
15 the NH Utilities. The passive kW elements of the PI do not encourage any significant level of
16 additional action or effort on the part of the NH Utilities because, by definition, those kW
17 savings are a passive outcome of implementing the energy efficiency measures that achieve
18 the annual and lifetime kWh goals. The PI component recognizes the importance of kW
19 savings overall, but the passive kW goals do not lend themselves to encouraging specific
20 utility action. The active demand element brings with it a new impetus for achievement of
21 kW reduction for the Utilities and thus it is appropriate that it absorb a portion of the passive
22 kW weighting. In order to achieve the active kW portion of the goal, the NH Utilities must

1 work with customers to implement new measures designed specifically to achieve kW
2 reduction.

3 The net-benefits component of the PI framework is the only component that directly takes
4 into account the cost to achieve the goals, encouraging the NH Utilities to achieve their goals
5 in a manner at a lower cost, and not at a higher cost, than their plan. Reducing the weight of
6 this metric, as proposed by Staff in their testimony, would signal that the utility cost to
7 achieve savings this cost signal is less important than the PI Working Group originally
8 intended.

9 **Q. Is it reasonable to depart from the PI Working Group's determination on PI weighting**
10 **in favor of the shift proposed by Staff?**

11 A. The September 1 Plan and Settlement Agreement propose to honor those weightings, which
12 were agreed to by all parties to that working group, including Staff. The PI Working Group
13 ultimately determined the weighting of PI that should be attributable to demand reduction
14 (20%), net benefits (35%), annual savings (10%) and lifetime savings (35%). ADR programs
15 focus on demand reduction savings, and therefore should be incorporated into the appropriate
16 section of the PI. There is no justification nor sufficient support for shifting the PI weighting
17 and diminishing the importance of net benefits in favor of ADR. Such a shift is also
18 inconsistent with the amount of program focus assigned to ADR in the September 1 Plan.

1 **Q. How does the position of the Settling Parties compare with the recommendation to use a**
2 **net savings figure for C&I downstream lighting offerings that is similar to midstream**
3 **lighting offerings?**

4 A. The Settling Parties propose calculating net savings based on NTG ratios used for
5 downstream, rather than midstream, lighting in other states. Midstream and downstream
6 programs are fundamentally different regarding implications to free ridership rates, so
7 applying the net savings target proposed by the Settling Parties is more appropriate and
8 effective. Midstream programs do not have a mechanism to screen customers for free
9 ridership, and typically are used to incentivize customers to install more efficient lighting
10 when they are seeking to replace lighting at the end of its useful life, which results in a lost
11 opportunity of energy savings created by earlier adoption of an energy efficient measure. In
12 this situation, some customers are likely to consider upgrading to more efficient equipment
13 regardless of program incentives, and these free riders are accounted for in the mid-stream
14 NTG ratio. This is in contrast to downstream programs, which actively encourage the early
15 adoption of energy efficient retrofits to lighting that is still working. Given this difference in
16 behaviors, a downstream NTG ratio is the most appropriate for calculating net savings for
17 downstream lighting. In Connecticut, a 2019 evaluation found that downstream retrofit
18 lighting had an NTG ratio of 94 percent. The Settling Parties propose to apply this 94
19 percent NTG ratio to C&I downstream lighting savings in New Hampshire in 2021 to
20 calculate net savings. However, in subsequent years, the NTG factor may be adjusted
21 downward to account for expected market changes. The Settling Parties propose to use an
22 NTG ratio for C&I downstream lighting of 89 percent in 2022 and 84 percent in 2023.

1 **Q. Do the NH Utilities propose to apply NTG ratios to savings beyond midstream and**
2 **downstream C&I lighting programs?**

3 A. As noted by Staff in testimony (Elizabeth Nixon, page 22, lines 2-5), a primary benefit of
4 using net savings is to help program administrators understand when a market has
5 transformed. Therefore, the EM&V Working Group shall identify if there are any additional
6 market besides lighting where there is significant market transformation, and if so, identify
7 which net to gross factors should be applied. The Utilities will continue to apply NTG factors
8 to midstream programs for all measure types, since midstream programs are particularly at
9 risk for free ridership. For this plan, the incorporation of additional net to gross factors
10 beyond lighting and midstream programs will be accompanied by a corresponding change in
11 the term goals, with updated BC models reflecting the changes to be shared with the Council
12 and provided to the Commission in an informational filing.

13 **Q. What is the functionality and purpose of the EM&V Working Group's role in relation**
14 **to the proposed Plan and how do the Commission Staff and OCA factor into that**
15 **purpose?**

16 A. The framework under which the EM&V Working Group operates has been working well
17 over the current triennium, and no major changes are proposed by the Utilities or the Settling
18 Parties for the coming term. Currently, there designated representation by both Commission
19 Staff as well as stakeholder representative (currently appointed by the EESE Board, and in
20 the future to be appointed by the proposed Stakeholder Advisory Council, or "Council"). The
21 EM&V Working Group is supported by one or more evaluation consultants retained by the

1 Commission. The EM&V Working Group collaboratively oversees all evaluation related
2 activity related to the EERS Plan, which will continue in the coming term.

3 A strategic evaluation plan is currently being developed by the working group, which will
4 guide the research agenda over the coming term. To the extent that policy questions have
5 been, or will be, identified by the EM&V Working Group that are beyond the scope of that
6 group to address, the working group will be expected to seek input and advice from the
7 proposed Council. Examples of such policy questions might be: “When to stop offering
8 rebates on certain lighting equipment?”; “How to handle changes in federal or state policy
9 impacting efficiency standards?”, or; “Whether to adopt measurement practices that might
10 have undue impacts on one or more customer types?”. Given their representation on both the
11 EM&V Working Group and the Council, Commission Staff as well as stakeholders will have
12 ample opportunity to weigh in on both evaluation-related questions as well as those more
13 focused on policy.

14 **Q. How do the September 1 Plan and the Settlement Agreement treat the ADR programs?**

15 A. Both the September Plan filing and the Settlement Agreement account for the ADR programs
16 as full-fledged programs and not pilot programs. The pilot programs for ADR were
17 conducted in 2019 and 2020, and the Settling Parties are proposing full program offerings
18 moving forward. The September 1 Plan also offers a proposed PI calculation to incorporate
19 the addition of the ADR programs while keeping the importance of existing full program
20 offerings relatively weighted.

1 **Q. How do the NH Electric Utilities respond to Staff's testimony that proposes certain**
2 **ADR programs remain a pilot?**

3 A. The Settling Parties assert that all residential and C&I ADR offerings begin the term as
4 programs based on the 2020 program year experience of the New Hampshire residential Wi-Fi
5 & Storage ADR pilots, 2019 & 2020 program year experience of the New Hampshire C&I
6 curtailment pilot, an evaluation of the 2019 New Hampshire C&I pilot, and the evaluations
7 and experiences with nearly identical residential ADR and C&I storage programs offered by
8 both Unitil and Eversource in Massachusetts.

9 The residential pilot in 2020 and C&I pilots in 2019 and 2020 have achieved their intended
10 goals and the NH Utilities have gathered the required learnings in order to offer these as
11 programs in 2021.

12 Furthermore, the NH Utilities agree to investigate the benefits that might accrue to New
13 Hampshire customers as a result of ADR measures for residential and/or commercial or
14 industrial customers during the non-summer months and report back to both stakeholders and
15 the PUC on our investigation. ADR measures may be developed and evaluated in other
16 jurisdictions that can be readily adopted in New Hampshire without the expense and delay
17 that a full-fledged evaluation would require, as occurs for standard energy efficiency
18 measures. For such new ADR measures, the NH Utilities and Settling Parties propose to
19 retain the flexibility of offering them mid-term with notification to the Commission, which
20 may decide to open a hearing for further investigation if the scale and impact of the proposed
21 measure warrants such action.

1 **Q. How do the September 1 Plan and the Settlement Agreement treat the ADR programs**
2 **and EO pilot related to performance incentives and LBR in comparison to Staff**
3 **positions on the same issue?**

4 A. Both the September 1 Plan and the Settlement Agreement propose to incorporate the ADR
5 programs as full program offerings and incorporate them into the performance incentive
6 calculation, as noted previously. However, the Settling Parties agree that the EO pilot should
7 be excluded from the performance incentive calculation as significant questions remain to be
8 investigated. The savings from both the ADR programs and the EO pilot will be excluded
9 from LBR.

10 **Q. How do the utilities respond to the Staff’s concerns about the proposed Energy**
11 **Optimization (“EO”) pilot?**

12 A. In their testimony, Staff states the purpose of the EO pilot as “to determine if energy
13 optimization measures, such as heat pumps, could improve the load factor, and also to
14 evaluate how to account for unregulated fuels savings and increased electricity
15 consumption.” (Nixon page 26, line 11). This assessment of the purpose of the EO pilot is
16 an overly narrow one, as the purpose of the pilot as described in detail in Chapter 7 of the
17 September 1 Plan, is much broader and involves assessing the overall benefits of energy
18 optimization to customers and to the electric grid. In short, energy optimization, in which the
19 most efficient use of *all* energy inputs is pursued regardless of their source (i.e., electricity or
20 delivered fuels), is a framework for the capture of energy efficiency that the NH utilities seek
21 to explore with an EO pilot.

1 Staff are unclear about the target audience for the pilot, stating that it will target residential
2 customers “who have or would like to install air conditioning”. The EO pilot will focus on
3 customers most likely to realize energy savings and benefits as a result of displacing some or
4 all of their winter fossil fuel usage with high efficiency electric heat pumps. Within that
5 population, the NH Utilities propose to target customers who already have or are planning for
6 air conditioning in order to minimize impacts of the pilot on summer peak load.

7 Staff also mischaracterize the utilities’ intentions around evaluation of the EO pilot. As
8 described in sections 7.7 and 7.8 of the Plan, the electric Utilities’ proposed evaluation, to be
9 managed by the EM&V Working Group and therefore not yet fully fleshed out, will address
10 both impact and process aspects of the program, analyse heat pump usage data from
11 integrated control systems installed as required by the pilot, review customers’ delivered
12 fuels billing data as well as electric usage and billing data before and after heat pump
13 installation. Customers will be surveyed to determine baseline conditions and counterfactuals
14 (i.e., what would have happened without the utilities’ intervention). Per the Settlement,
15 further details regarding the design of the EO pilot will be developed in conjunction with
16 relevant stakeholders, and the Utilities will make an informational filing with the
17 Commission describing those plans.

18 **Q. What are the proposals before the Commission in this docket?**

19 A. The Settlement Agreement reached among the NH Utilities, OCA, CENH, CLF, TWH, and
20 SNHS is the only proposal before the Commission. There are no alternative proposals before
21 the Commission in this docket for an energy efficiency plan for the 2021-2023 triennium.