

July 7, 2020

New Hampshire Public Utilities Commission  
Debra Howland, Executive Director  
21 South Fruit Street, Suite 10  
Concord, NH 03301-2429

Dear Ms. Howland,

The Rockingham Planning Commission (RPC) is seeking to renew its registration as an aggregator in New Hampshire. Regional Planning Commissions in New Hampshire operate under RSA 36 (copy attached). The RPC serves the twenty-seven communities in the southeast corner of the state. It is the intention of the RPC to continue to provide aggregator services to this geographic area only. A map of the region is available at <https://www.therpc.org/communities>.

As required under PUC 2006.02, an original and 2 copies of this cover letter and application form are included in this mailing. In addition, pursuant to PUC 2003.06 (c), a renewal fee of \$125.00 is included with this application. An electronic copy in PDF format has been emailed to [Executive.Director@puc.nh.gov](mailto:Executive.Director@puc.nh.gov).

We understand that pursuant to PUC 2003.06 (a) RPC was required to submit our renewal application at least 60 days prior to the expiration of the approved registration term, on or before June 16, 2020. We recognize that this deadline has past, however, we are asking for leniency due to staffing difficulties related to the Covid-19 pandemic.

If you have any questions regarding this renewal application, please do not hesitate to contact me at 603-658-0518 or [troache@therpc.org](mailto:troache@therpc.org). Thank you for your time.

Sincerely,



Timothy M. Roache  
Executive Director



### Electric Load Aggregation Application Form

This form may be used to: (1) apply for initial registration as an electric load aggregator in New Hampshire, (2) apply for renewal of registration as an electric load aggregator in New Hampshire, and (3) notify the Commission of any changes to information in a previously-filed electric aggregator application form. *This form is provided as a convenience for filing only; you are required to provide all information specified under Puc 2006.02 when applying for initial or renewal registration as an electric aggregator, but you are not required to use this form when doing so.*

Indicate whether this application is for an initial registration or for a renewal. Initial <input type="checkbox"/> Renewal <input checked="" type="checkbox"/>	
Applicant's General Information	
Puc 2006.02(a)	Legal Name Rockingham Planning Commission
	Trade Name (d/b/a) (if applicable)
Puc 2006.02(b)	Business Mailing Address 156 Water Street Exeter, NH 03833
	Telephone Number 603-778-0885
	E-Mail Address
	Website Address (if applicable) www.therpc.org
	Provide the name(s), title(s), business address(es), telephone number(s), and e-mail address(es) of the applicant, if an individual, or of the applicant's principal(s), <sup>1</sup> if the applicant is anything other than an individual. Use additional sheets if your response exceeds the space provided on the form.
Puc 2006.02(c)	Name Timothy Roache
	Title Executive Director
	Business Mailing Address 156 Water Street Exeter, NH 03833
	Telephone Number 603-658-0518
	E-Mail Address troache@therpc.org
	Name Annette Pettengill
	Title Business Manager
	Business Mailing Address 156 Water Street Exeter, NH 03833
	Telephone Number 603-778-0855
	Email Address apettengill@therpc.org
	Name
	Title
	Business Mailing Address
	Telephone Number - -
	E-Mail Address

<sup>1</sup> "Principals" means, for a corporation, any of its officers, directors, or controlling shareholders, for a limited liability company, any of its managers or controlling members, for a partnership, any of its general partners, and for any other business entity, any of its personnel exercising executive functions and any of its controlling equity owners.



Customer Service Contact		
Puc 2006.02(d)	Name	Timothy Roache
	Title	Executive Director
	Telephone Number	603-658-0518
	Toll-Free Telephone Number (if available)	- -
	E-Mail Address	troache@therpc.org

Customer Complaints Contact		
Puc 2006.02(e)(1)	Name	Timothy Roache
	Title	Executive Director
	Business Mailing Address	156 Water Street
		Exeter, NH 03833
	Telephone Number	603-778-0885
E-Mail Address	troache@therpc.org	

Regulatory Compliance Matters Contact		
Puc 2006.02(e)(2)	Name	Timothy Roache
	Title	Executive Director
	Business Mailing Address	156 Water Street
		Exeter, NH 03833
	Telephone Number	603-778-0885
E-Mail Address	troache@therpc.org	

Commission Assessment Payments Contact		
Puc 2006.02(e)(3)	Name	Timothy Roache
	Title	Executive Director
	Business Mailing Address	156 Water Street
		Exeter, NH 03833
	Telephone Number	603-778-0885
E-Mail Address	troache@therpc.org	

Separate Attachments: Business Authority and Trade Name	
Puc 2006.02(f)	Provide, as a separate attachment, evidence of the applicant's authorization to do business in New Hampshire from the New Hampshire secretary of state by submitting either of the following: (1) a recent printout of the applicant's listing on the N.H. Secretary of State website with the status "In Good Standing" or words of similar import; or  (2) a copy of a certificate from the N.H. Secretary of State's office stating that the applicant is authorized to do business in New Hampshire.
Puc 2006.02(g)	Provide, as a separate attachment, evidence of the applicant's registration of the trade name, if any, to be used by the applicant in New Hampshire from the New Hampshire secretary of state by submitting either of the following: (1) a recent printout of the applicant's trade name on the N.H. Secretary of State website with the status "Active" and indicating that the trade name is owned by the applicant; or  (2) a copy of a certificate from the N.H. Secretary of State's office indicating that the applicant has registered as doing business under the trade name.

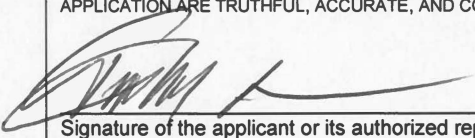


Statements Regarding Applicant and its Principals		
Please respond to each of the following questions with either "Yes" or "No."		
Puc 2006.02(h)(1)	Has applicant or any of its principals ever been convicted of any felony that has not been annulled by a court?	NO
Puc 2006.02(h)(2)	Has applicant or any of its principals, within the 10 years immediately prior to application, had any civil, criminal, or regulatory sanctions or penalties imposed against it, him, or her pursuant to any state or federal consumer protection law or regulation?	NO
Puc 2006.02(h)(3)	Has applicant or any of its principals, within the 10 years immediately prior to application, settled any civil, criminal, or regulatory investigation or complaint involving any state or federal consumer protection law or regulation?	NO
Puc 2006.02(h)(4)	Is applicant or any of its principals currently the subject of any pending civil, criminal, or regulatory investigation or complaint involving any state or federal consumer protection law or regulation?	NO
Puc 2006.02(h)(5)	Has applicant or any of its principals been denied authorization to provide competitive electricity supply service or electric aggregation service in any other state or jurisdiction?	NO
If an affirmative answer is provided to any item above, then provide a detailed explanation of the occurrence and the related circumstances. Use additional sheets as needed.		

Other States		
Puc 2006.02(i)	Please list other states or jurisdictions in which the applicant currently conducts business relating to the aggregation of electric customers.	NONE

Statement Regarding Supplier Representation		
Puc 2006.02(j)	Please respond to the following question with either "Yes" or "No." Is the applicant representing any supplier interest?	NO
If the response to the preceding question is "Yes," please list the supplier(s) represented. Use additional sheets if needed.		

Expected Marketing Start Date		
Puc 2006.02(k)	Provide the date upon which the applicant expects to commence marketing its services to customers in New Hampshire.	12/1/20 Date

Attestation and Signature		
Puc 2006.02(l) and (m)	<p>BY SIGNING BELOW, THE APPLICANT REPRESENTATIVE CERTIFIES THAT IT HAS THE AUTHORITY TO FILE THE APPLICATION ON BEHALF OF THE AGGREGATOR AND ATTESTS THAT THE CONTENTS OF THE APPLICATION ARE TRUTHFUL, ACCURATE, AND COMPLETE.</p>  <p>Signature of the applicant or its authorized representative</p> <p>Name: TIMOTHY ROACHE</p> <p>Title: EXECUTIVE DIRECTOR</p>	<p>7/7/20 Date</p>

Filing Instructions		
<p>1) Mail an original and two paper copies of this form and all separate attachments to:            Executive Director, NHPUC, 21 South Fruit St., Suite 10, Concord, NH 03301</p> <p>2) E-mail a PDF of this form and all separate attachments to:  <u><a href="mailto:Executive.Director@puc.nh.gov">Executive.Director@puc.nh.gov</a></u></p>		



## **CHAPTER 36**

### **REGIONAL PLANNING COMMISSIONS**

**36:45 Purposes.** – The purpose of this subdivision shall be to enable municipalities and counties to join in the formation of regional planning commissions whose duty it shall be to prepare a coordinated plan for the development of a region, taking into account present and future needs with a view toward encouraging the most appropriate use of land, such as for agriculture, forestry, industry, commerce, and housing; the facilitation of transportation and communication; the proper and economic location of public utilities and services; the development of adequate recreational areas; the promotion of good civic design; and the wise and efficient expenditure of public funds. The aforesaid plan shall be made in order to promote the health, safety, morals and general welfare of the region and its inhabitants. To promote these purposes the office of energy and planning shall delineate planning regions for the state so that each municipality of the state will fall within a delineated region and shall have the opportunity of forming or joining the regional planning commission for that planning region. In determining these regions the office shall consider such factors as community of interest and homogeneity, existing metropolitan and regional planning agencies, patterns of communication and transportation, geographic features and natural boundaries, extent of urban development, relevancy of the region for provision of governmental services and functions and its use for administering state and federal programs, the existence of physical, social and economic problems of a regional character, and other related characteristics. To accommodate changing conditions, the office may adjust the boundaries of the planning regions, after consultation with the respective regional planning commissions.

**Source.** 1969, 324:1, eff. Aug. 29, 1969. 2000, 200:2, eff. July 29, 2000. 2003, 319:9, eff. July 1, 2003. 2004, 257:44, eff. July 1, 2004.

#### **36:46 Formation of Regional Planning Commissions. –**

I. If no regional planning commission exists in any specific planning region as delineated by the office of energy and planning, then 2 or more municipalities in said planning region and having planning boards may, by ordinance or resolution adopted by the respective legislative bodies of said municipalities, form a regional planning commission.

II. If a regional planning commission already exists in any specific planning region as delineated by the office of energy and planning, then any municipality in said planning region and having a planning board may, by ordinance or resolution adopted by the respective legislative body of said municipality, become a member of the regional planning commission. A regional planning commission may also include municipalities located in an adjacent state.

III. Each municipality which shall become a member of a regional planning commission shall be entitled to 2 representatives on said commission. A municipality with a population of over 10,000 but less than 25,000 shall be entitled to have 3 representatives on said commission and a municipality with a population of over 25,000 shall be entitled to have 4 representatives on said commission. Population as set forth in this section shall be deemed to be determined by the last federal census. Representatives to a regional planning commission shall be nominated by the planning board of each municipality from the residents thereof and shall be appointed by the municipal officers of each municipality. Representatives may be elected or appointed officials of the municipality or county. In any county or counties in which a regional planning commission has been formed, the county may, by resolution of its county commissioners, become a member of said regional planning commission and shall be entitled to appoint 2 representatives on said

commission. The terms of office of members of a regional planning commission shall be for 4 years, but initial appointments shall be for 2 and 4 years. In municipalities entitled to 3 or more representatives, initial appointment shall be for 2, 3 and 4 years. Vacancies shall be filled for the remainder of the unexpired term in the same manner as original appointments. Municipalities and counties may also appoint alternate representatives. A representative to a regional planning commission shall, when acting within the scope of his official duties and authority, be deemed to be acting as an agent of both the regional planning commission and of the municipality or county which he represents. In addition, regional planning commissions are encouraged to consult, at their discretion, with agencies and institutions operating within the region whose activities influence planning and development in that region.

**Source.** 1969, 324:1. 1991, 72:4, eff. July 12, 1991. 2000, 200:3, eff. July 29, 2000. 2003, 319:9, eff. July 1, 2003. 2004, 257:44, eff. July 1, 2004.

### **36:47 General Powers and Duties. –**

I. A regional planning commission's powers shall be advisory, and shall generally pertain to the development of the region within its jurisdiction as a whole. Nothing in this subdivision shall be deemed to reduce or limit any of the powers, duties or obligations of planning boards in individual municipalities. The area of jurisdiction of a regional planning commission shall include the areas of the respective municipalities within the delineated planning region. It shall be the duty of a regional planning commission to prepare a comprehensive master plan for the development of the region within its jurisdiction, including the commission's recommendations, among other things, for the use of land within the region; for the general location, extent, type of use, and character of highways, major streets, intersections, parking lots, railroads, aircraft landing areas, waterways and bridges, and other means of transportation, communication, and other purposes; for the development, extent, and general location of parks, playgrounds, shore front developments, parkways, and other public reservations and recreation areas; for the location, type, and character of public buildings, schools, community centers, and other public property; and for the improvement, redevelopment, rehabilitation, or conservation of residential, business, industrial and other areas; including the development of programs for the modernization and coordination of buildings, housing, zoning and subdivision regulations of municipalities and their enforcement on a coordinated and unified basis. A regional planning commission may authorize its employees or consultants to render assistance on local planning problems to any municipality or county which is not a member of said regional planning commission. The cost of such assistance shall be paid entirely by the municipality or county to which the service is rendered or partly by said municipality or county and partly by any gift, grant, or contribution which may be available for such work or by combination thereof. Said commission shall keep a strict account of the cost of such assistance and shall provide such municipality or county with an itemized statement.

II. For the purpose of assisting municipalities in complying with RSA 674:2, III(1), each regional planning commission shall compile a regional housing needs assessment, which shall include an assessment of the regional need for housing for persons and families of all levels of income. The regional housing needs assessment shall be updated every 5 years and made available to all municipalities in the planning region.

III. In preparing a comprehensive plan for the development of the region within its jurisdiction, each regional planning commission may use the framework for the state's comprehensive development plan in RSA 9-A:1, III as the basis for its plan. Such plan shall be updated every 5 years or sooner if desired by the regional planning commission. Prior to its adoption, the plan shall be distributed to every library, planning board, and board of selectmen/aldermen/city council in each of the communities within the region, and to the office of energy and planning. The regional planning commission shall address in writing all comments

received prior to the publication of a final draft. A public hearing shall be held by the regional planning commission with 30 days' notice published in all newspapers of general circulation in the region, and shall state where the document can be viewed, the time and place of the public hearing, and shall allow for written comments. For each regional plan, the office of energy and planning shall offer comments as to its consistency with the state plan. The first regional development plans affected by this statute shall be adopted within 5 years of the effective date of this paragraph and renewed at least every 5 years thereafter.

IV. Regional planning commissions shall make a good faith effort to inform and respond to their local communities regarding the purposes and progress of their work in developing the regional development plan.

**Source.** 1969, 324:1. 1988, 270:2, eff. July 1, 1988. 2002, 178:6, eff. July 14, 2002; 229:8, eff. July 1, 2002. 2003, 319:9, eff. July 1, 2003. 2004, 257:44, eff. July 1, 2004.

**36:48 Organization, Officers, and Bylaws.** – A regional planning commission shall elect annually from among its members a chairman, vice-chairman, and such other officers as it deems necessary. Meetings shall be held at the call of the chairman and at such other time as the commission may determine. A commission shall keep minutes of its proceedings and such minutes shall be filed in the office of the commission and shall be a public record. A commission may adopt such bylaws as it deems necessary to the conduct of its business.

**Source.** 1969, 324:1, eff. Aug. 29, 1969.

**36:49 Finances.** – A regional planning commission shall determine on a reasonable and equitable basis the proportion of its costs to be borne respectively by each municipality or county which is a member of said commission. A commission may accept and receive in furtherance of its functions, funds, grants, and services from the federal government or its agencies, from departments, agencies and instrumentalities of state, municipal or local government or from private and civic sources. Such funds may be used in conjunction with other funds from federal or state governments or from gifts, grants or contributions available for such work. Municipalities or counties are hereby authorized to appropriate funds to the use of a regional planning commission and to furnish a regional planning commission legal or other services which it may deem reasonable. Failure upon the part of any municipality or county to pay its proportionate annual share of the cost as determined by a regional planning commission shall constitute a termination of such municipality's or county's vote in the commission's affairs until such annual share is paid. Municipalities or counties are hereby authorized to enter into contracts with a regional planning commission for the furnishing of funds or services in connection with the preparation of a comprehensive regional master plan and any special planning work to be done by a regional planning commission for any member municipality or county. Within the amounts appropriated to it or placed at its disposal by gift, grant, or contribution, a regional planning commission may engage employees, contract with professional consultants, rent offices, and obtain such other goods, or services and incur short-term operating debt, not to exceed a term of one year and/or a line of credit secured by the assets of the commission, as are necessary to it in the carrying out of its proper function. Member municipalities and counties shall not be liable for any debt or line of credit incurred by a regional planning commission. Any private gifts or funds when received shall be deemed a contribution to the regional planning commission for a public purpose within the meaning of any federal or state laws relative to tax exemptions.

**Source.** 1969, 324:1, eff. Aug. 29, 1969. 2000, 200:4, eff. July 29, 2000.



**36:50 Relationship To Local Planning Boards.** – A regional planning commission may assist the planning board of any municipality within the delineated region to carry out any regional plan or plans developed by said commission. A regional planning commission may also render assistance on local planning problems. A regional planning commission may make recommendations on the basis of its plans and studies to any planning board, to the legislative body of any city and to the selectmen of any town within its region, to the county commissioners of the county or counties in which said region is located and to any state or federal authorities. Upon completion of a comprehensive master plan for the region or any portion of said comprehensive master plan, a regional planning commission may file certified copies of said comprehensive master plan or portion thereof with the planning board of any member municipality. Such planning boards may adopt all or any part of such comprehensive master plan which pertains to the areas within its jurisdiction as its own master plan, subject to the requirements of RSA 674:1-4.

**Source.** 1969, 324:1, eff. Aug. 29, 1969. 2000, 200:5, eff. July 29, 2000.

**36:51, 36:52 Repealed.** – [Repealed 2000, 200:8, eff. July 29, 2000.]

**36:53 Additional Powers and Duties of Regional Planning Commissions.** – In order to implement any of the provisions of a regional plan, which has been adopted or is in preparation, a regional planning commission may, in addition to its powers and duties under RSA 36:47 undertake studies and make specific recommendations on economic, industrial and commercial development within the region and carry out, with the cooperation of municipalities and/or counties within the region, economic development programs for the full development, improvement, protection and preservation of the region's physical and human resources.

**Source.** 1969, 324:1, eff. Aug. 29, 1969.

**36:54 Purpose.** – The purpose of this subdivision is to:

- I. Provide timely notice to potentially affected municipalities concerning proposed developments which are likely to have impacts beyond the boundaries of a single municipality.
- II. Provide opportunities for the regional planning commission and the potentially affected municipalities to furnish timely input to the municipality having jurisdiction.
- III. Encourage the municipality having jurisdiction to consider the interests of other potentially affected municipalities.

**Source.** 1991, 300:1, eff. Jan. 1, 1992.

**36:55 Definition.** – In this subdivision "development of regional impact" means any proposal before a local land use board which in the determination of such local land use board could reasonably be expected to impact on a neighboring municipality, because of factors such as, but not limited to, the following:

- I. Relative size or number of dwelling units as compared with existing stock.
- II. Proximity to the borders of a neighboring community.
- III. Transportation networks.
- IV. Anticipated emissions such as light, noise, smoke, odors, or particles.
- V. Proximity to aquifers or surface waters which transcend municipal boundaries.
- VI. Shared facilities such as schools and solid waste disposal facilities.

**Source.** 1991, 300:1, eff. Jan. 1, 1992.



**36:56 Review Required.** – A local land use board, as defined in RSA 672:7, upon receipt of an application for development, shall review it promptly and determine whether or not the development, if approved, reasonably could be construed as having the potential for regional impact. Doubt concerning regional impact shall be resolved in a determination that the development has a potential regional impact.

**Source.** 1991, 300:1, eff. Jan. 1, 1992.

**36:57 Procedure.** –

I. Upon determination that a proposed development has a potential regional impact, the local land use board having jurisdiction shall afford the regional planning commission and the affected municipalities the status of abutters as defined in RSA 672:3 for the limited purpose of providing notice and giving testimony.

II. Within 144 hours of reaching a decision regarding a development of regional impact, the local land use board having jurisdiction shall, by certified mail, furnish the regional planning commission and the affected municipalities with copies of the minutes of the meeting at which the decision was made. The local land use board shall, at the same time, submit an initial set of plans to the regional planning commission, the cost of which shall be borne by the applicant.

III. At least 14 days prior to public hearing, the local land use board shall notify, by certified mail, all affected municipalities and the regional planning commission of the date, time, and place of the hearing and their right to testify concerning the development.

**Source.** 1991, 300:1, eff. Jan. 1, 1992. 2003, 220:1, eff. Aug. 30, 2003. 2005, 39:1, eff. July 16, 2005.

**36:58 Applicability.** – The provisions of this subdivision shall supersede any contrary or inconsistent provisions of local land use regulations enacted under RSA 155-E and RSA 674.

**Source.** 1991, 300:1, eff. Jan. 1, 1992.

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