

Public Stakeholders Initial Proposal for Puc 2200 Rules for CPAs

1 **Adopt Chapter Puc 2200 to read as follows:**

2  
3 CHAPTER Puc 2200 MUNICIPAL AND COUNTY AGGREGATION RULES

4  
5 PART Puc 2201 PURPOSE AND APPLICATION OF THE RULES

6  
7 Puc 2201.01 Purpose.

8  
9 The purpose of Puc 2200 is to implement the provisions of RSA 53-E to provide for implementation and  
10 operation of community power aggregation programs and their interactions with electric distribution utilities.

11  
12 Puc 2201.02 Application of Rules. This chapter shall apply to:

13  
14 (a) Community power aggregations as defined in Puc 2202.05;

15  
16 (b) Committees as defined in Puc 2202.04;

17  
18 (c) Competitive electric power suppliers (CEPS) to the extent they are serving community power  
19 aggregations as a load serving entity; and

20  
21 (d) Electric distribution utilities in their relationship and interaction with community power aggregations  
22 and committees.

23  
24 Puc 2201.03 Waiver of Rules. The commission shall consider and determine any request for a waiver  
25 from the provisions of these rules pursuant to Puc 201.05.

26  
27 PART Puc 2202 DEFINITIONS

28  
29 Puc 2202.01 “Aggregation plan” or “community power aggregation plan” means a proposed or approved  
30 electric aggregation plan developed pursuant to RSA 53-E:6.

31  
32 Puc 2202.02 “Anonymized” means customer data presented in a way that removes information that can  
33 be used to identify the individual customer that it pertains to, such that it does not constitute “individual customer  
34 data” as defined by RSA 363:37, I.

35  
36 Puc 2202.03 “Commission” means the New Hampshire public utilities commission.

37  
38 Puc 2202.04 “Committee” has the meaning set forth in RSA 53-E:2, IV, namely, an “electric aggregation  
39 committee established under RSA 53-E:6” and includes any person or entity acting as an agent for such a  
40 committee.

41  
42 Puc 2202.05 “Community power aggregation (CPA)” or “aggregation” means a municipal or county  
43 aggregation program established pursuant to RSA 53-E to group retail electric customers to provide, broker, or  
44 contract for energy services for such customers as defined by RSA 53-E:2, V-a and RSA 53-E:3, II(a), including  
45 a group of such entities operating jointly pursuant to RSA 53-E:3, II(b) and RSA 53-A and any person or entity  
46 acting as an agent for a municipal or county aggregation program.

47  
48 Puc 2202.06 “Competitive electric power supplier (CEPS)” has the meaning set forth in Puc 2002.08,  
49 except that it does not include community power aggregations as the Puc 2000 rules do not generally apply to  
50 community power aggregations pursuant to Puc 2001.02(b).

**Comment:** Should reference a particular, defined standard for anonymization rather than be left general.

Public Stakeholders Initial Proposal for Puc 2200 Rules for CPAs

1 Puc 2202.07 “Confidential customer information” means information that is collected as part of  
2 providing electric services to a customer that can identify, singly or in combination, that specific customer, and  
3 includes the customer name, address, and account number and the quantity, characteristics, or time of  
4 consumption by the customer, ~~and also includes specific customer payment, financial, banking, and credit~~  
5 ~~information.~~

**Comment:** These items are inconsistent with the definition of individual customer data in RSA 363:37, and are not appropriate for the types of transactions covered with these rules. Recommend deletion.

6  
7 Puc 2202.08 “CPA service area” means the municipality, municipalities, county, or counties served or  
8 proposed to be served by a community power aggregation.

9  
10 Puc 2202.09 “Customer” means any person or entity in this state, including any governmental unit, which  
11 purchases electricity at retail, and is the customer of record on the utility account.

12  
13 Puc 2202.10 “Default Service” has the meaning set forth in RSA 374-F:2, namely, “electricity supply  
14 that is available to retail customers who are otherwise without an electricity supplier and are ineligible for  
15 transition service and is provided by electric distribution utilities under RSA 374-F:3, V or as an alternative, by  
16 municipal or county aggregators under RSA 53-E.”

17  
18 Puc 2202.11 “Electronic data interchange (EDI)” means a standard set of data transactions used by  
19 electric distribution companies and CEPS or CPAs serving as LSEs to send and receive data.

**Comment:** Should reference or incorporate specific EBT standards in place in NH.

20  
21 Puc 2202.12 “Enrollment” means the commencement of a customer’s electricity supply service from a  
22 CPA serving as an LSE, or a CEPS serving a CPA under contract, effective on the meter read date described in  
23 Puc 2004.10(a) following successful EDI notification by a CEPS or a CPA serving as an LSE to the utility.

24  
25 Puc 2202.13 “ISO-NE” means ISO New England, Inc., the entity serving as the regional transmission  
26 operator and which oversees the operation of New England’s bulk electric power generation and transmission  
27 system and administers the regional wholesale markets for electric energy and other electricity products, or its  
28 successors.

29  
30 Puc 2202.14 “Load Serving Entity (LSE)” means an entity that is registered with ISO-NE as a market  
31 participant and secures and sells electric energy and related services, which may include transmission service  
32 if not provided by the distribution utility, to serve the demand of end-use customers at the distribution level.

33  
34 Puc 2202.15 “Utility” means any electric generation, transmission, and/or distribution company meeting  
35 the definition of a public utility under RSA 362:2 and RSA 362:4-a and includes rural electric cooperatives.

36  
37 PART Puc 2203 ELECTRIC AGGREGATION COMMITTEES AND REQUESTS FOR LOAD DATA

38  
39 Puc 2203.01 Notification of Formation of a Community Power Aggregation Committee.

40  
41 (a) A municipality or county that forms a committee pursuant to RSA 53-E:6, I shall provide notice to  
42 the commission in writing and by email at the addresses provided in Puc 103.01(m) and pursuant to Puc 202.06,  
43 and also to office of the consumer advocate, the department of energy, and the utility or utilities serving  
44 customers in such municipality or county at the addresses provided to the commission by utilities and posted  
45 on the commission’s website under (b) below.

46  
47 (b) Each utility shall provide to the commission current contact information that can be posted on the  
48 commission’s website as to the person or persons and mailing or email address to be used for notices to the  
49 utility required under these rules and for requests for information under these rules. That information as  
50 submitted by the utility shall be posted on the commission’s website.  
51

Public Stakeholders Initial Proposal for Puc 2200 Rules for CPAs

1 (c) The notice required under (a) above shall be sent not less than 10 days before any request by the  
2 committee for aggregated load information from the utility or utilities serving customers in the municipality or  
3 county becomes effective.

**Comment:** Should specify business or calendar days.

4 (d) The notice required under (a) above shall include the following:

**Comment:** Recommend including a requirement that this information be regularly updated. Perhaps "every six months, or when a change occurs" or similar language could be used.

- 5 (1) The name and email or postal address of the primary contact for the committee;
- 6
- 7 (2) The name, address, telephone number, and email address for the municipal or county official  
8 or employee who serves as the liaison or support person for the committee;
- 9
- 10 (3) Designation of person or persons identified under (1) or (2) above who are authorized to request  
11 information from the utility pursuant to Puc 2203.02; and
- 12
- 13 (4) The URL of any website page maintained by or for the committee.
- 14
- 15

16 Puc 2203.02 Request for Usage Information from Utilities.

17 (a) A committee may request aggregated usage information for all electric customers located within the  
18 applicable municipality or county from each utility serving such customers by making an electronic mail or  
19 written request for such data to each such utility with a copy provided to the commission consistent with the  
20 requirements of Puc 202.06 and to the office of the consumer advocate and the department of energy.

21 (b) Within 30 days following the date of a request made pursuant to (a) above, each utility shall provide  
22 the following load information for the customers it serves in the municipality or county:

**Comment:** Should reference one or more specific, defined standards for the information. For example "in CSV format through a secure email exchange" or similar language.

- 23 (1) The most recent 24 months of monthly usage data if available, or 12 months otherwise, for  
24 each customer rate class, aggregated and sorted by whether the customers were taking competitive  
25 electric power service or utility default service for each such month;
- 26
- 27 (2) Counts of customers in each rate class for each month, sorted by whether the customers were  
28 taking competitive electric power service or utility default service for each such month;
- 29
- 30 (3) Current counts of customers that participate in net energy metering in each rate class, sorted  
31 by whether the customers are taking competitive electric power service or utility default service, to  
32 the extent such data is readily available;
- 33
- 34 (4) Current counts of residential customers that participate in the electric assistance program, sorted  
35 by whether the customers were taking competitive electric power service or utility default service  
36 for each such month; and
- 37
- 38 (5) Until such time as the utility offers a Commission approved purchase of receivables program  
39 pursuant to RSA 53-E:9, revenues billed, actual receipts, and past due accounts receivable for utility  
40 default service for each rate class or by small customer group and large customer group for each of  
41 the most recent 12 months available.
- 42
- 43
- 44
- 45
- 46

**Comment:** CFA includes 12 months of data rather than 24 months.

**Comment:** CFA does not include Net Metering information.

**Comment:** CFA does not include Electric Assistance Program information.

**Comment:** CFA does not include Billing Past Due information. It is recommended that POR be in place prior to aggregation to avoid this need.

**Comment:** While this information may be retrievable from utility systems, it is not gathered or maintained in a manner conducive to dissemination as proposed. For example, while a utility will have information on past due accounts, that information is not kept on a municipality-specific basis. To provide this information would require creating specific reports from disparate utility systems.

47 (c) All customer usage data provided by the utility shall include consumption and exports to the grid in  
48 kWh for each reported monthly-interval.

**Comment:** There are security concerns with this being released. Customers would likely not want a third-party company to know they are having issues paying bills. While not personally identifiable information, without affirmative customer approval, this shouldn't be released.

49 (d) No individual customer data, as defined in RSA 363:37, I, shall be provided to a committee in  
50 response to a request made pursuant to (a) above.

Public Stakeholders Initial Proposal for Puc 2200 Rules for CPAs

(e) With respect to the monthly load data required to be provided pursuant to (b)(1) above:

(1) If there are fewer than 4 distinct customers or any one customer comprises 50% or more of the total usage in any one non-residential customer rate class reporting group, such usage data shall be combined with that of the most similar rate class or classes and shall be reported as the combined rate classes, provided that the overall reporting group contains at least 4 distinct customers and no one customer comprises 50 percent or more of the total usage for the reporting group; and

(2) If there are fewer than 10 distinct customers in any one residential customer rate class reporting group, such load data shall be combined with the usage of the most similar rate class or classes and shall be reported as the combined rate classes, provided that the overall reporting group contains at least 10 distinct customers.

(f) A committee may request to have the data provided by the utility updated to the most recent month available, but not more frequently than once every 3 months after the initial request.

PART Puc 2204 AGGREGATION PLANS AND LAUNCH OF COMMUNITY POWER PROGRAMS

Puc 2204.01 Submission of Electric Aggregation Plans to the Commission for Review and Approval.

(a) Every electric aggregation plan and any revision of a plan to include an opt-out default service program shall be submitted to the commission, either before or after being submitted by the governing body to the legislative body for approval, to determine whether the plan conforms to the requirements of RSA 53-E and applicable rules of the commission. Each such plan shall be submitted by the municipality or county to the commission in writing and by email at the addresses provided in [Puc 103.01\(m\)](#), and pursuant to [Puc 202.06](#), and shall also provide a copy of such plan to office of the consumer advocate under RSA 363:28, the department of energy, and the electric distribution utility or utilities serving customers in the municipality or county service area on the same date as submission to the commission.

(b) The consumer advocate, the department of energy, utilities, and members of the public may file comments about such plans within the first 21 days of their submission.

(c) The commission shall consider any comments filed pursuant to paragraph (b) in its review and approve any plan submitted to it unless it finds that it does not meet the requirements of RSA 53-E and other applicable rules and shall detail in writing addressed to the governing bodies of the municipalities or counties concerned, the specific respects in which the proposed plan substantially fails to meet the requirements of this chapter and applicable rules.

(d) Failure of the commission to disapprove a plan submitted hereunder within 60 days of its submission shall constitute approval thereof.

(e) A municipality or county may submit a plan that is revised to comply with applicable requirements as noted in a commission disapproval of a plan at any time and start the commission review process over.

(f) The submission of any aggregation plan to the commission hereunder shall include the following:

(1) A statement as to whether the plan has been approved by the legislative body of the municipality or county or if it is a proposed final plan submitted for review and approval in advance of a legislative body vote on whether to approve the plan;

**Comment:** This should match the standards agreed to in the data platform docket settlement agreement, approved by the Commission in Order 26,589 in Docket No. DE 19-197

**Comment:** CFA includes providing summarized monthly load data, analysis required in these sections e (1 and 2) would be done by Supplier Aggregator.

**Comment:** Business or calendar?

Public Stakeholders Initial Proposal for Puc 2200 Rules for CPAs

1 (2) The name, business address, telephone number, and email address for the municipal or county  
2 employee or official who serves as official liaison or the responsible person for questions about the  
3 approved or revised plan and who is authorized to request information from utilities under these  
4 rules; and

5  
6 (3) The URL of any website page that is maintained for the CPA.  
7

8 (g) If a plan submitted to the commission for review and approval under this section has not yet been  
9 approved by the legislative body or bodies of the CPA at the time of submission, once such plan has been  
10 approval or rejected the CPA shall notify the commission and distribution utilities serving the CPA service area  
11 in writing and by email of such final plan approval or rejection.  
12

13 (h) Commission review and approval of electric aggregation plans shall not require a contested case but  
14 shall allow time for submission and consideration of any such comments pursuant to paragraph (b) above.  
15

16 Puc 2204.02 Request for Anonymized Customer-Specific Information from Utilities.  
17

18 (a) After the commission has approved a final aggregation plan pursuant to Puc 2204.01 and the  
19 legislative body of a municipality or county has voted to approve the community power aggregation plan each  
20 utility serving the CPA service area shall provide to the municipality or county, within 30 days of a written  
21 request therefor the following anonymized customer-specific usage and related information for all customers  
22 currently receiving default service provided by the utility within the CPA service area, sorted or identified by  
23 customer rate class:  
24

25 (1) Individual capacity tags for the current power year beginning on June 1, and, if known and  
26 readily available, the prior power year and the next power year;

**Comment:** CFA includes Individual capacity tags for current year only (Prior & next year is not included).

27 (2) The most recent 12 to 24 months, if available, of usage data in kWh for each reported monthly interval;

**Comment:** CFA includes 12 months of data rather than 24 months

28 (3) The meter reading cycle for each customer meter;

**Comment:** Specific read dates, or reference the number used by the utility?

29  
30 (4) Whether the customer net meters and, if so, under which net energy metering terms, whether  
31 set forth in tariff or otherwise;

**Comment:** Unclear what this means. How would a utility net meter under terms other than those in its tariff?

32 (5) Whether the customer is a group net metering host or a member of a net metering group with  
33 on-bill crediting, if such information is known and readily available;

**Comment:** Identify specific group or is information about group membership generally sufficient?

34 (6) Whether a group net metered customer-generator operates as a low-moderate income  
35 community solar project pursuant to RSA 362-F:2, X-a and the Commission's Puc 900 rules;

36 (7) The size in kW-AC, or if not known, the size in kW-DC, of any such net-metered generation  
37 referenced in (5) above, if such information is known and readily available; and

38 (8) The year and month such distributed generation referenced in (7) above was placed into service,  
39 if such information is known and readily available.  
40  
41

**Comment:** Much of this information may be available in various systems, though not readily available for extraction to be provided externally. If available, could be provided depending on time/cost to develop.

42 (b) The information required to be provided pursuant to (a) above shall be provided in digital electronic  
43 format, such as a database or spreadsheet file, but not in the form of scanned images.  
44

**Comment:** CFA does not include items 4 – 8.

45 (c) No individual customer data, as defined in RSA 363:37, I, shall be provided to a CPA in response to  
46 a request made pursuant to (a) above.  
47  
48  
49  
50  
51

**Comment:** As above – should define and specify a standard and requirement for providing the information to assure security.

Public Stakeholders Initial Proposal for Puc 2200 Rules for CPAs

1  
2 (d) With respect to the data required to be provided pursuant to (a)(1) and (2) above:  
3

4 (1) If there are fewer than 4 distinct customers in any one non-residential customer rate class  
5 reporting group or if any one customer comprises 50% or more of the total usage for that reporting  
6 group, such customer data shall be combined with the customer data of the most similar rate class  
7 or classes and shall be reported as the combined rate classes, provided that the overall reporting  
8 group contains at least 4 distinct customers and no one customer comprises 50 percent or more of  
9 the total usage for that reporting group; and

10 (2) If there are fewer than 10 distinct customers in any one residential customer rate class reporting  
11 group, such customer data shall be combined with the customer data of the most similar rate class  
12 or classes and shall be reported as the combined rate classes, provided that the overall reporting  
13 group contains at least 10 distinct customers.

**Comment:** As above – should match data platform agreement approved by Order No. 26,589

14  
15  
16 (e) An approved CPA may request to have the data provided by the utility updated to the most recent  
17 month available, but not more frequently than once every 3 months after the initial request.  
18

19 Puc 2204.03 Request for Names, Addresses, and Account Numbers of Customers.  
20

21 (a) After a municipality or county has filed its approved community power aggregation plan with the  
22 commission, the office of consumer advocate, the department of energy, and each utility serving the CPA  
23 service area, each such utility shall provide to the municipality or county, or their agent, upon its written request  
24 the following information for every electric customer taking service within the municipality or county CPA  
25 service area:  
26

27 (1) the names and mailing addresses of each customer;

28 (2) their utility account number or numbers;

29 (3) any related meter number(s) or meter identification(s) for each account;

**Comment:** CFA does not include customer meter number.

30 (4) the rate class for each such account; and

31 (5) any other information necessary for successful enrollment of such customer accounts in the  
32 aggregation program through the utility's EDI.  
33  
34

35 (b) The information required to be provided pursuant to (a) above shall be provided in digital electronic  
36 format, such as a database or spreadsheet file, but not in the form of scanned images.  
37

**Comment:** Same as above referencing data platform on standard and security for data protection, Order No. 26,589

38 (c) The information required to be provided pursuant to (a) above shall be provided within 15 days of  
39 the municipality's or county's request therefor.  
40

**Comment:** Calendar or business?

41 (d) The municipality or county may request to have such information provided by the utility updated to  
42 the most recent month available, but not more frequently than once every 3 months after the initial request.  
43

44 Puc 2204.04 Notification of CPA Commencement of Service.  
45

46 (a) Each municipality or county initially implementing a community power aggregation plan shall  
47 provide written notice to the commission, the office of consumer advocate, the department of energy, and to  
48  
49  
50

Public Stakeholders Initial Proposal for Puc 2200 Rules for CPAs

1 each utility serving customers within the CPA service area prior to the enrollment of any electric customers in  
2 the CPA.

3  
4 (b) The notice required pursuant to (a) above for any CPA to be operated on an opt-out basis shall be  
5 provided prior to the commencement of service and the enrollment of any electric customers in the CPA by not  
6 less than:

7  
8 (1) 90 days if the commencement of service is to occur during the first two months of a utility  
9 default service supply period with for which rates are or will be fixed or known for 6 months or  
10 more; or

**Comment:** Presume calendar days, but needs to be made clear.

11  
12 (2) 45 days if the commencement of service is to occur after the first two months of a utility default  
13 service supply period with fixed or known rates of 6 months or more or if there is no distinct known  
14 or fixed rate default service supply period of 6 months or more.

**Comment:** Same as prior comment.

15  
16 (c) When a CPA service area is served by more than one utility, the applicable minimum notice time  
17 under (b) above shall be that for the utility with the largest default service usage within the CPA service area as  
18 most recently provided by the utilities for development of the CPA plan pursuant to Puc 2204.02. Such usage  
19 data and determination shall be included in the CPA's approved aggregation plan if approved after the first  
20 effective date of this rule, or in the notice required pursuant to (a) above if the plan was approved prior to the  
21 first effective date of this rule.

22  
23 Puc 2204.05 Notification of CPA Service Rates and Customer Enrollment.

24  
25 (a) Within 10 days of receipt of a CPA's written notification of commencement of service pursuant to  
26 Puc 2204.04(a), the department of energy shall provide to the CPA information on establishing credentials to  
27 access the shopping comparison website hosted by the department of energy so the CPA can input rate  
28 information to be posted on that website.

29  
30 (b) Prior to the mailing to customers required under RSA 53-E:7, III, if the CPA will be operated on an  
31 opt-out basis, the CPA shall input information regarding its rates and services for residential and small  
32 commercial customers, including any variable pricing policies, charges, and key terms, to be posted on the  
33 department of energy's shopping comparison website.

34  
35 (c) Each operating CPA shall update the required information input pursuant to (b) above whenever it  
36 changes but no less frequently than once per month.

37  
38 (d) A municipality or county that approves a final community power aggregation plan shall provide a  
39 mailing to all retail electric customers taking distribution service in the CPA service area and shall hold a public  
40 information meeting within 15 days of the mailing to answer questions regarding the approved plan.

41  
42 (e) No retail electric customer shall be enrolled in any such plan to be operated on an opt-out basis in  
43 which the customer does not know all of the rates or charges the customer may be subject to at least 30 days in  
44 advance and has the option, for a period of not less than 30 days from the date of the mailing, to opt-out of being  
45 enrolled in such program, unless the customer affirmatively responds to the notification or requests in writing,  
46 through e-mail, or through a secure customer portal or other electronic on-line enrollment to be included in the  
47 plan.

48  
49 (f) No retail electric customer shall be enrolled in any such plan to be operated on an opt-in basis unless  
50 the customer expressly requests to be included in the plan in writing, through e-mail, or through a secure  
51 customer portal or other electronic on-line enrollment process.

Public Stakeholders Initial Proposal for Puc 2200 Rules for CPAs

(g) Customers enrolled in a community power aggregation plan operated on an opt-out basis may elect to transfer to utility provided default service or to a competitive electric power supplier with adequate notice in advance of the next regular meter reading by the distribution utility, in the same manner as if they were on utility provided default service or as otherwise approved by the commission. No such customer shall be required to pay any exit fee or charge for such transfer. Customers requesting transfer of supply service upon dates other than on the next available regular meter reading date may be charged an off-cycle meter reading and billing charge. Upon request of the customer the CPA shall transfer the customer back to utility provided default service.

Puc 2204.06 Use of Electronic Data Interchange.

(a) Prior to the mailing to customers required under RSA 53-E:7, II, each CPA planning to use a CEPS to serve CPA customer loads shall confirm with the CEPS and each utility serving the CPA service area the CEPS's ability to use EDI for enrollment of default service customers in the CPA service area, excluding those that opt-out of the CPA, during the CPA commencement month.

(b) Each CPA that will serve customer loads as an LSE, or its contracted service provider for customer enrollment, shall:

- (1) Apply to and successfully complete the testing required to use each utility's EDI in the same manner and on the same terms as a CEPS; and
- (2) If the CPA will provide service on an opt-out basis, demonstrate the ability to use EDI for enrollment of default service customers in the CPA service area, excluding those customers that opt-out, during the CPA commencement month.

PART Puc 2205 OPERATION OF A CPA

Puc 2205.01 Provision of Electricity Supply Service.

(a) CPA customers shall be served by one or more CEPS, or by the CPA as an LSE, or by a combination of the two, that provide all-requirements service to meet each CPA customer's full load requirements, which may include electricity supply provided by distributed generation or other distributed energy resources that are not participants in wholesale electricity markets administered by ISO-NE. For the balance of customer load requirements, the CPA shall be responsible for:

- (1) the cost of supplying capacity, energy, ancillary services, and any other load-related charges from the ISO-NE market;
- (2) the cost to deliver the associated capacity, energy, and ancillary services to a point or points on ISO-NE pooled transmission facilities and from there to a point where it is delivered to the local distribution system to the extent not billed to and paid for by the electric distribution utility as part of ~~their~~ its retail transmission rate; and
- (3) any and all losses incurred on the local network transmission system and distribution system supplying load.

(b) Each customer account served by or through the CPA shall be assigned to the load asset for one CEPS or the CPA serving as an LSE for each utility meter reading cycle.

**Comment:** To the extent that CPAs act like LSEs, they should be treated as other LSEs moving power across utility systems and should be subject to the same requirements, including any relevant fees or charges.

**Comment:** Unclear what this means in this context. Electricity supplied by DG or DER is generally energy only and not "all-requirements" service. If customers are required to be supplied with "all-requirements" service, DG or DER supply may not qualify.

Public Stakeholders Initial Proposal for Puc 2200 Rules for CPAs

1 Puc 2205.02 Application of Puc 2000 to CEPS When Providing Electricity Supply to CPA Customers.

2  
3 (a) Puc 2000 rules shall apply to CEPS providing electricity supply service to CPA customers as their  
4 LSE, except as otherwise provided in (b) below.

5  
6 (b) Puc 2004 shall not apply to a CEPS if and only to the extent that a CEPS is providing electricity  
7 supply service to CPA customers, except as follows:

8  
9 (1) Puc 2004.03(k), Puc 2004.05, Puc 2004.10(a), Puc 2004.12, Puc 2004.13, Puc 2004.15, Puc  
10 2004.16, Puc 2004.17, Puc 2004.18, Puc 2004.19, and Puc 2004.20 shall apply to any such CEPS;  
11 and

12  
13 (2) The CEPS shall be subject to any other provisions of Puc 2004 that are specified to apply to  
14 CEPS serving CPA customers in:

- 15  
16 a. The approved final community power aggregation plan; or  
17  
18 b. The contract with the CEPS for electricity supply service to CPA customers.

19  
20 Puc 2205.03 Utility Services to CPAs. Electric distribution utilities shall provide services, including, if  
21 requested, passthrough or complete billing services to CPAs on the same terms and conditions and at the same  
22 rates and charges as apply to CEPS, except as otherwise provided by statute or under these rules.

23  
24 Puc 2205.04 County CPAs That Contain Municipalities with Adopted or Planned CPAs. As required  
25 under RSA 53-E:7, VII, municipal community power aggregations shall take priority or precedence over any  
26 county community power aggregations with respect to customer enrollment and each such aggregation shall be  
27 responsible for assuring that customers are enrolled with the correct aggregation. A county plan may also  
28 provide an aggregation program for all or a subset of municipalities within the county that request to participate  
29 by a majority vote of their respective governing bodies.

30  
31 Puc 2205.05 New Utility Service Customers.

32  
33 (a) Electric customers who apply for new service provided by a utility within the CPA service area of a  
34 CPA providing opt-out alternative default service pursuant to RSA 53-E:7, III, after the supply of customer  
35 names and addresses by the utility for the customer notification mailing required under RSA 53-E:7, III, shall  
36 initially be enrolled in default service provided by the utility unless the customer has relocated within a single  
37 utility's service area and is continuing with service provided by a CEPS, or has relocated within a CPA service  
38 area and is continuing with service provided by or through the CPA.

39  
40 (b) Upon request of a CPA, but not more frequently than monthly following provision of the customer  
41 list for the initial mailing pursuant to Puc 2204.05, the utility shall make available to each operating municipal  
42 CPA, or county CPA where there is no municipal CPA, the names, account numbers, mailing addresses, and  
43 any other information necessary for successful enrollment in the aggregation of customers that are then  
44 currently on utility default service and are located within the CPA service area.

45  
46 (c) The CPA shall periodically mail a written notification to such new customers that have not previously  
47 opted out of the CPA's service and shall enroll them in the CPA consistent with the requirements of Puc  
48 2204.05.

49  
50 Puc 2205.06 Termination of CPA. If a municipality or county intends to terminate a CPA, it shall provide  
51 written notice of the termination to the commission, the office of the consumer advocate, the department of

**Comment:** 2204.03 and 2205.05 are reports that ask for duplicative information.

Public Stakeholders Initial Proposal for Puc 2200 Rules for CPAs

1 energy, and each utility serving customers in the CPA service area not less than 90 days prior to the termination  
2 date. The CPA shall undertake all necessary EDI transactions to drop its customers and return those customers  
3 to utility default service, consistent with the required minimum 90 days prior notice.  
4

5 Puc 2205.07 Unexpected Cessation of CPA Service. In the event of suspension from regional wholesale  
6 market participation by ISO-NE or another event causing the CPA to be unable to provide service to its  
7 customers within the CPA service area, the CPA shall provide immediate written notice to the commission  
8 describing the market suspension or other event, the effective time of the inability to provide service, and the  
9 notice provided to customers of the timing and consequences of the cessation of CPA service. A copy of such  
10 notice shall be provided at the same time to the office of the consumer advocate, the department of energy, and  
11 each utility serving customers in the CPA service area.  
12

13 Puc 2205.08 Restart of an Aggregation Program After Termination. If a CPA is terminated, the  
14 municipality or county that sponsored the CPA shall not implement another community power aggregation plan  
15 for a period of 12 months following the effective date of such termination.  
16

17 Puc 2205.09 Sales Reporting. Each CPA that serves as an LSE for its participating customers shall  
18 submit a confidential quarterly sales report containing the information specified in Puc 2006.03, as and when  
19 such submission is required to be made by a CEPS pursuant to Puc 2003.04(a) and Puc 2006.03. Each CEPS  
20 providing electricity supply service to CPA customers shall report its sales to such customers through separate  
21 entries on its reports submitted pursuant to Puc 2003.04(a) and Puc 2006.03.  
22

23 Puc 2205.10 Renewable Portfolio Standard Reporting. By July 1 of each year, each CPA that serves as  
24 an LSE for its participating customers shall file the Annual Renewable Portfolio Standard Compliance Filing  
25 required by Puc 2503.03 and shall pay to the department of energy any alternative compliance payment due  
26 pursuant to Puc 2503.  
27

28 Puc 2205.11 Environmental Disclosure Label.

29  
30 (a) Each CPA that serves as an LSE for its participating customers shall, not less frequently than once  
31 each year, provide to each of its customers an environmental disclosure label identifying the sources of its  
32 electric energy service and the environmental characteristics of such sources, using the customer's preferred  
33 form of communication, as and when such actions are required of a CEPS pursuant to Puc 2004.05.  
34

35 (b) Each CPA that serves as an LSE for its participating customers shall comply with all other  
36 requirements of Puc 2004.05, as and when such actions are required of a CEPS pursuant to Puc 2004.05.  
37

38 Puc 2205.12 Complaints and Dispute Resolution.

39  
40 (a) The commission shall hear and decide complaints or disputes between committees, CPAs, and  
41 utilities, as well as complaints regarding a CPA's or utility's compliance with the requirements of RSA 53-E  
42 and these rules.  
43

44 (b) Complaints submitted to the commission under these rules shall be made pursuant to Puc 204, and,  
45 consistent with RSA 53-E:7, VI, shall not be subject to RSA 541-A:29 or RSA 541-A:29-a.  
46

47 Puc 2205.13 Individual Customer Billing Information. Once an individual utility customer has become  
48 a customer of a CPA, the utility shall provide to the CPA the following information, which may be provided  
49 through EDI access, for each such customer, to the extent applicable, known, and readily available:  
50

51 (a) Name of customer:

**Comment:** Should be 53-E:7, X.

**Comment:** Anything not currently in EDI will not be added to EDI for the CFA

**Comment:** The list below is unreasonable and unnecessary, inconsistent with requirements for aggregations in other states, and inconsistent with requirements for EDI. This list should be revised to match what is provided through EDI because EDI was established for the purpose of exchanging information between utilities and suppliers.

Attempting to provide the information sought will create requirements outside of EDI and applicable only to CPAs, rather than all suppliers. Moreover, the costs of providing the information and the timeline for developing the systems to provide it are currently unknown, but would likely be substantial.

Public Stakeholders Initial Proposal for Puc 2200 Rules for CPAs

- 1
- 2 (b) Name of customer contact, if different from customer name;
- 3
- 4 (c) Mailing address;
- 5
- 6 (d) Service address;
- 7
- 8 (e) Account number and related meter number(s) or meter identification(s);
- 9
- 10 (f) Home or company phone number;
- 11
- 12 (g) Mobile phone number;
- 13
- 14 (h) Email address;
- 15
- 16 (i) Billing account number;
- 17
- 18 (j) Preferred billing and communication method;
- 19
- 20 (k) Billing cycle;
- 21
- 22 (l) Meter reading date or reading cycle;
- 23
- 24 (m) Form or type of meter reading or meter model and communication module identifier;
- 25
- 26 (n) Capacity tag information for the customer for the preceding 2 years, current power year, and
- 27 forecasted next power year;
- 28
- 29 (o) The most recent 24 months of electricity usage data;
- 30
- 31 (p) Current and historic status of the customer regarding:
  - 32
  - 33 (1) Whether the customer owns or purchases power from a distributed generation resource located
  - 34 behind the customer's meter;
  - 35
  - 36 (2) The size in kW-AC of any such distributed generation located behind the customer's meter;
  - 37
  - 38 (3) Whether the customer net meters and, if so, under which net metering terms, whether set forth
  - 39 in tariff or otherwise;
  - 40
  - 41 (4) Whether the customer is a group net metering host or member with on-bill crediting;
  - 42
  - 43 (5) Whether the customer's distributed generation facility has been determined to be a low-
  - 44 moderate income community solar project;
  - 45
  - 46 (6) Whether the customer participates in the Liberty Utilities battery storage pilot program or any
  - 47 other battery storage program;
  - 48
  - 49 (7) Whether the customer is currently enrolled in the electric assistance program;
  - 50
  - 51 (8) Whether the customer is currently on a payment plan or a budget billing plan; and

**Comment:** Redundant – same data as part (e)

**Comment:** The utilities need additional clarification on what this provision is specifically asking for.

**Comment:** Eversource and Unitil have 12 months; Liberty has 24

**Comment:** More clarity needed on what is being requested here.

Public Stakeholders Initial Proposal for Puc 2200 Rules for CPAs

(9) The utility rate class of the customer; and

(q) Other information typically made available to CEPS through the utility EDI.

Puc 2205.14 Enabling Meter Reading Authority and Access to Interval Meter Data.

(a) For the purpose of enabling meter reading authority pursuant to RSA 53-E:3, II(a)(4) and to enable CPA collection and use of interval meter data for load settlement purposes, including capacity tag allocation, the provision of energy services, and near real-time customer access to such data pursuant to RSA 53-E:4, IV for its customers, a CPA may, upon request to and approval by the utility and approval by the commission:

(1) Propose and implement with the utility an arrangement to enable the CPA to directly read existing utility meters, including meters capable of reporting load data at intervals of hourly or more frequently;

(2) Propose and implement with the utility an arrangement to enable the CPA to have near real time access to meter data as it is collected and electronically stored by the utility;

(3) Contribute to the cost of utility-provided meter upgrades to enable the collection of such interval meter data, by paying the incremental cost of such meter upgrades that are in excess of the then current cost of a standard replacement meter up to the utility's unobligated annual budget for new and replacement meters;

(4) Propose to jointly own with the utility a new interval meter, which may include supporting communications equipment and systems, with the utility required to contribute not less than the cost of a standard replacement meter, up to the utility's unobligated annual budget for new and replacement meters, with ownership shares to be proportional to the relative cost contributions of the CPA and the utility, provided that the utility's ownership share in all cases shall be greater than 50 percent and all such meters shall remain under the control of the utility; or

(5) Install a secondary revenue grade meter provided by the CPA that is in addition to the meter installed and maintained by the utility, including arrangements for the CPA to share or transfer data from such meters to the utility for load settlement purposes.

(b) The utility and the CPA shall jointly file with the commission any agreement to implement any of the alternatives provided for in (a) above for review by the commission through an adjudicative proceeding.

(c) The commission shall approve any such agreement if it finds that the agreement is for the public good and that the terms and conditions of the agreement are just and reasonable.

(d) If a CPA and a utility cannot agree to terms and conditions for enabling CPA meter reading authority or access to interval meter data, the CPA may submit a proposal for such implementation to the commission for adjudication, and the commission shall approve the proposal if it finds that the proposal is for the public good, pursuant to RSA 53-E:4, IV.

Puc 2205.15 Net Metering by CPAs.

(a) CPAs shall determine the terms, conditions, and prices under which they agree to provide generation supply to and credit, as an offset to supply, or purchase the generation output exported to the distribution system from CPA customers with customer-sited distributed generation.

**Comment:** Problematic because CPAs would need more than customer billing data and utilities "official" ISO load settlement numbers may not exactly match what CPAs calculate. This could be extremely burdensome particularly with customers moving in and out of the CPA's.

**Comment:** Eversource and Liberty cannot provide hourly data

**Comment:** The PUC should be free to determine that a different level of contribution is appropriate.

**Comment:** There is no reason for this to be in the rule. If the CPA and utility can reach a mutually agreed resolution that complies with the law (which requires that the utility maintain control and majority ownership), there is no reason to specify exactly how things would be paid for by rule.

**Comment:** Aside from the cost and logistics issues this presents, it also raises who would be responsible for fixing jointly owned meters and what types of delays could this cause for Load Settlement. Also, what happens to CPA's share of the meter if they default? Lastly, as the host participant/ISO level, the utilities must own the meters.

Need to ensure no risk to the grid or meter reads as this affects financial reporting and compliance to Sarbanes Oxley. Also, how does this work with multiple CPAs? We need one back end system to collect and manage the data. If the data is also part of what is used for load forecasting, then CPAs need to protect the data similar to what we do. Needs additional explanation.

**Comment:** 1) this would potentially cause delays in ISO Load Settlement reporting if utilities are not the meter reader and have to rely on the CPAs to successfully transfer that data to the utilities in a timely manner (in order to meet ISO reporting deadlines)  
2) Could this potentially lead to billing disputes?  
3) This would likely have to be resolved at the ISO level because currently, host participants "own and read" meters, and that requirement cannot be overridden by these rules.

**Comment:** ISO New England must agree too.

Public Stakeholders Initial Proposal for Puc 2200 Rules for CPAs

(b) Pursuant to RSA 362-A:9, II, such generation output shall be accounted for as a reduction to the CPA customers' electricity supplier's wholesale load obligation for energy supply as an LSE, net of any applicable line loss adjustments, as approved by the commission.

(c) CPA customers with customer-sited distributed generation who are net metered shall net meter pursuant to the applicable utility tariff with respect to transmission and distribution service charges and credits.

Puc 2205.16 Billing Services and Purchase of Receivables for CPAs.

(a) Prior to enrolling any customer, a CPA shall determine which of the following ~~two~~ utility services to use for billing and notify the electric distribution utility of that determination:

(1) Separate billing service, whereby the CPA will separately bill customers for the cost of the electric power supply and energy services provided to such customers, and may combine such billing with billing for other municipal services pursuant to RSA 53-E:3-a; or

(2) Consolidated billing service, whereby the utility will issue a single monthly bill which will include the CPA's charges for electric power supply and energy services for such customers as well as the utility's charges for electric service.

(b) Changes in the determination of billing service for any customer shall be implemented for the next bill reading cycle, provided that the CPA has notified the utility of any applicable rates and services in accordance with (d) below.

(c) ~~Terms and conditions provided by the utility for CPA billing services shall:~~

~~(1) Require that customers contacting the utility regarding the billed amount for CPA services or any other CPA issue are provided with the CPA's customer service number; and~~

~~(2) Allow a CPA to define on-peak, mid-peak, and off-peak periods or other pricing options and rate structures that are different from those defined in the utility's applicable tariffs on file with the commission, and to request enhanced metering services for customers to participate in programs and services beyond the provision of basic electricity supply service, provided that all incremental costs incurred to provide any special metering, data management, or billing system modifications shall be assigned to and paid by the CPA, in which case such costs shall be:~~

~~a. estimated by the utility to the CPA prior to the start of implementing such changes; and~~

~~b. if approved for implementation by the CPA, shall be charged to and paid by the CPA.~~

(d) When a CPA elects to utilize consolidated billing service for any customer, the CPA shall also elect to :

(1) Calculate the charges or credits for electricity supply and services for the customer in accordance with the CPA's customer classes or rate structures, based upon customer usage data provided by the customer's utility, and provide such charges or credits to the utility for presentment on the customer's bill; or

(2) Provide the customer's utility with either:

**Comment:** Unclear why utilities should modify terms and conditions as described and be committed to implementing individualized "pricing options and rate structures".  
  
Moreover, utility meters and systems are not designed to accommodate the myriad "pricing options and rate structures" that may be proposed. To the extent a CPA may desire this level of functionality, it should implement that outside of a utility's systems.

**Comment:** This is not consolidated billing. In consolidated billing, the CPA would provide a rate to be billed and the utility would make the calculation and issue the bill, as it does with any other suppliers. The utility does not provide usage information to another party for it to calculate and return for inclusion on a bill.

Public Stakeholders Initial Proposal for Puc 2200 Rules for CPAs

- a. the custom rate applicable to the customer; or
- b. the non-custom, complete schedule of electricity rates and service pricing options applicable to the customer's class and rate structure.

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8  
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10

~~(e) Within 90 days of the effective date of these rules, each electric distribution utility shall propose to the commission for review and approval through an adjudicated proceeding a program for the purchase of receivables of CPAs functioning as load serving entities and CEPS serving CPA customers consistent with the provisions of RSA 53-E:9.~~

**Comment:** Unnecessary, as utility proposals are in progress

APPENDIX

Rule	Specific State Statute the Rule Implements
Puc 2201	RSA 53-E:7, X
Puc 2202	RSA 53-E:7, X
Puc 2203	RSA 53-E:7, X
Puc 2204	RSA 53-E:7, X
Puc 2205	RSA 53-E:7, X

11  
12  
13  
14

Public Stakeholder Initial Proposed Puc 2200 Rules for CPAs, compared with DOE proposal, 12/01/21

**Note: highlighted text is additional or materially different language than in 10/25/21 DOE proposal.**