

STATE OF NEW HAMPSHIRE

COMMISSIONER
Jared S. Chicoine

DEPUTY COMMISSIONER
Christopher J. Ellms, Jr.



TDD Access: Relay NH
1-800-735-2964

Tel. (603) 271-3670

Website:
www.energy.nh.gov

DEPARTMENT OF ENERGY
21 S. Fruit St., Suite 10
Concord, N.H. 03301-2429

May 31, 2024

Daniel C. Goldner, Chairman
New Hampshire Public Utilities Commission
21 South Fruit Street
Concord, NH 03301

Re: DG 22-043 Low Income Electric Assistance Program, 2022-2023 Electric Assistance Program Budgets, DOE Anticipates Courtesy Brief to be Filed June 14, 2024.

Dear Chairman Goldner:

At the hearing on April 18, 2024, the Public Utilities Commission (Commission) asked whether the DOE would be agreeable filing a legal brief on two legal questions. *See* Transcript of April 18, 2024 Hearing at 157 (brief). The DOE agreed, and the Commission set a deadline of May 23, 2024 for filing. Subsequently, in response to the Department's request, the Commission extended the deadline to May 31, 2024. *See* Procedural Order (May 22, 2024). Despite best efforts, the DOE is unable to provide that briefing today. The Department anticipates filing a courtesy brief to respond to the Commission's questions on or before June 14, 2024. The Department regrets any inconvenience to the Commission this may cause.

Because, in the Department's view, the legal questions are not relevant to resolving the pending matters in this docket,¹ the Department would understand if the Commission were to decide the pending issues before receiving the Department's courtesy brief. *See* Exhibit 7 (providing information regarding the Department's interpretation and application of HB 2023 (2022) as a courtesy to the Commission). Consistent with the Commission's current practices, this letter is being filed only in electronic form. Thank you for your assistance in this matter.

Sincerely,

/s/ Mary E. Schwarzer

Mary E. Schwarzer, Esq.
Hearings Examiner

cc: Service List (Electronically)

¹ Pending matters in this docket consist of the Electric Assistance Program (EAP) program design, as informed by the *Colton Report*, and the Commission's concerns with regard to EAP Enrollees' opportunity to consider third party electric suppliers. *See* Prehearing Order (Sept. 15, 2023) at 2-3 (defining scoping areas); Procedural Order (January 5, 2024) (rejecting targeted scoping areas regarding questions of appropriate modification to the EAP program identified in July and August 2023); Transcript of April 18, 2024 Hearing at 157-58, 190.

ClerksOffice@puc.nh.gov
Adam.Yusuf@Libertyutilities.com
Alyssa.Maston@libertyutilities.com
amanda.o.noonan@energy.nh.gov
beaulieuc@unitil.com
campbellm@unitil.com
david.j.shulock@energy.nh.gov
david.wiesner@eversource.com
demeris@unitil.com
donald.m.kreis@oca.nh.gov
dvenora@keeganwerlin.com
elizabeth.r.nixon@energy.nh.gov
Energy-Litigation@energy.nh.gov
ereynolds@capbm.org
Erica.Menard@libertyutilities.com
gouldingc@unitil.com
hanssk@nhec.com
jagri@bm-cap.org
jessica.chiavara@eversource.com
john.braswell@eversource.com
joshua.w.elliott@energy.nh.gov
jralston@keeganwerlin.com
leah.l.richards@energy.nh.gov
main@unitil.com
mary.e.schwarzer@energy.nh.gov
Matthew.C.Young@energy.nh.gov
melissa.price@eversource.com
Melissa.Samenfeld@libertyutilities.com
Michael.J.Crouse@oca.nh.gov
michael.sheehan@libertyutilities.com
Michelle.Azulay@libertyutilities.com
nawazelski@unitil.com
nhregulatory@eversource.com
ocalitigation@oca.nh.gov
rburke@nhla.org
SaretteR@nhec.com
sgeiger@orr-reno.com
stearnsj@unitil.com
stower@nhla.org
taylorp@unitil.com
theresa.washington@eversource.com
thomas.c.frantz@energy.nh.gov