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DEPARTMENT OF ENERGY
21 S. Fruit St., Suite 10
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May 23, 2024

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

Re: DE 22-043 Low Income Electric Assistance Program, 2022-2023 Electric Assistance Program Budgets, DOE's Objection and Partial Response to Supplemental Record Requests Issued May 22, 2024

Dear Chairman Goldner:

On May 22, 2024 the Commission issued supplemental record requests and directed the Department to respond. *See* Procedural Order re: Briefing Schedule at 1. The requests were:

- RR-7 Please provide, to the extent possible, the final status of the \$10 million in emergency energy-cost funding provided in 2022-2023 and referenced in the DOE EAP Audit Report (Exhibit 6); and
- RR-8 Please specify which late payment/invoice issues referenced in the DOE EAP Audit Report (Exhibit 6), if any, have been ameliorated.

See Procedural Order re: Briefing Schedule at 1. The Department filed six responses to the Commission's April 18, 2024 record requests on May 23, 2024, and accordingly has designated these supplemental requests as RR-7 and as RR-8 respectively.

With regard to RR-8, the Department respectfully objects to this question. *Cf.* NH Admin R. Puc 203.09 (f)(g). The referenced \$10 million in emergency electricity-cost funding was appropriated to the Department for non-EAP enrollees. *See* HB 2023 (2022) 346:2 (codified as Laws 2022, Chapter 346:2). The information requested is irrelevant because it has no bearing on the EAP administrative budgets, the EAP program design, or whether EAP Enrollees are entitled to enroll with third party suppliers. For that reason, the Department objects to providing any information and objects to any information regarding the final status of the \$10 million being entered into evidence or otherwise considered by the Commission in resolving this docket.

Without waiving this objection, the DOE's Director of Consumer Services states that the Department filed a report with the Legislature regarding "the amount of moneys paid under this act [HB 2023, 346:2] for the fiscal year ending June 30, 2023." *See* HB 2023, 346:2, IV. That public report is the only analysis in the Department's possession and is provided here, as a courtesy, as

“Attachment RR-7” (Letter from Deputy Commission Christopher J. Elms, Jr. to The Honorable Ken Weyler, Chairman, Fiscal Committee of the General Court dated August 30, 2023). *See* RR-7, attached.

The Department has already provided the substantive answer to RR-8 in the form of DOE’s Response to Record Requests (May 23, 2024) at RR-2 Bates Pages 00011 and 00012 (updates to Audit Issue 5 and Audit Issue 6).

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)
Amanda O. Noonan Director Consumer Services
Karen J. Moran, Director Audit
Encl.