

**STATE OF NEW HAMPSHIRE  
PUBLIC UTILITIES COMMISSION**

**DE 22-072**

**PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE d/b/a EVERSOURCE ENERGY**

**Petition for Approval of a Regulatory Asset and Petition  
for Waiver of Puc 2203.02(b)(5)**

**Order *Nisi* Granting Waiver of Puc 2203.02(b)(5)**

**O R D E R N O. 26,803**

**April 21, 2023**

In this order, the Commission grants Public Service Company of New Hampshire d/b/a Eversource Energy's (Eversource) request for partial waiver N.H. Admin. R. Puc 2203.02(b)(5) on a *nisi* basis based on the parties' joint stipulation, affording notice and opportunity for hearing to interested persons.

**I. BACKGROUND AND PROCEDURAL HISTORY**

On October 27, 2022, Eversource filed petitions requesting partial waiver of Puc 2203.02(b)(5) pursuant to Puc 201.05 and authorization to record a regulatory asset to recover the costs of complying with the newly adopted chapter Puc 2200 Municipal and County Aggregation Rules.

On December 2, 2022, the Commission convened an adjudicative proceeding to address these petitions, which included directions for the provision of notice of the Commission's proceeding to the public and interested persons, established a process for intervention, and scheduled a prehearing conference.

Eversource filed an affidavit of compliance with the Commission's directions for the provision of notice, the Office of the Consumer Advocate filed a letter of participation and appearance, the Department of Energy filed a letter of appearance, and the Community Power Coalition of New Hampshire petitioned to intervene.

On February 9, 2023, the Commission held a prehearing conference as noticed, granted the Community Power Coalition of New Hampshire's petition for intervention, and allowed the parties the opportunity to develop an assented-to procedural schedule in a technical session following the prehearing conference.

The parties filed an assented-to procedural schedule bifurcating the two petitions into separate tracks, which the Commission approved through a procedural order on February 23, 2023.

On March 30, 2023, the parties filed a joint stipulation of facts; affidavit of Katherine B. Provencher, Eversource's TCS Application Lead; and recommendation that the Commission grant Eversource's petition for waiver of Puc 2203.02(b)(5) through an order *nisi*.

Eversource's petitions and related docket filings, other than any information for which confidential treatment is requested of or granted by the Commission, are posted at: <https://www.puc.nh.gov/Regulatory/Docketbk/2022/22-072.html>.

## **II. STIPULATION OF FACTS**

The Parties' jointly filed stipulation of facts and affidavit of Katherine B. Provencher establish the following uncontested facts:

1. Eversource's billing systems do not track or otherwise record historical past due accounts receivable data; and
2. Electric aggregation committees can rely on information in Eversource's filed purchase of receivables program in lieu of historical past due accounts receivable data for information on Eversource's bad debt experience in New Hampshire.

### III. LEGAL STANDARD

As identified in the Commission's notice of adjudicative proceeding, the following rules apply:

1. Puc 2203.02(b)(5) requires utilities to provide to electric aggregation committees, until such time as the utility offers a commission approved purchase of receivables program, revenues billed, actual receipts, and past due accounts receivable for utility default service for each rate class or by small customer group and large customer group for each of the most recent 12 months available, if readily available, and if not, then the utility shall provide such information on a system-wide basis for a recent 12-month period in machine-readable format.
2. Puc 201.05 provides the standard by which the Commission shall waive the provisions of any of its rules. In pertinent part, the rule requires the Commission to grant waiver if it finds that: (1) the waiver serves the public interest; and (2) the waiver will not disrupt the orderly and efficient resolution of matters before the commission. In determining the public interest, the Commission shall waive a rule if: (1) compliance with the rule would be onerous or inapplicable given the circumstances of the affected person; or (2) the purpose of the rule would be satisfied by an alternative method proposed.

In addition, in filing their joint stipulation and recommendation, the parties identify another applicable rule:

3. Puc 203.20(c) requires the parties to any proceeding before the Commission to, by stipulation, agree upon the facts or any portion thereof involved in the hearing when such facts are not in dispute among the parties.

The Commission further notes that:

4. Puc 203.20(d) provides that an uncontested stipulation shall bind the commission as to the facts in question, and the commission shall consider the stipulation as evidence in the decision of the matter.

#### **IV. COMMISSION ANALYSIS**

In applying the rules to the facts in evidence above, the Commission finds that Eversource's request for partial waiver of Puc 2203.02(b)(5) serves the public interest and promotes the orderly and efficient resolution of matters before the Commission. Waiver serves the public interest because compliance with Puc 2203.02(b)(5) would be onerous under the circumstances because the information required by Puc 2203.02(b)(5) is not available to Eversource, therefore Eversource cannot provide it to electric aggregation committees. Furthermore, the purpose of the rule will be satisfied by an alternative method because electric aggregation committees can rely on information in Eversource's filed purchase of receivables program in Docket No. 23-004 for an understanding of Eversource's bad debt experience in New Hampshire.

**Based upon the foregoing, it is hereby**

**ORDERED *NISI***, that subject to the effective date below, Eversource's Petition for Waiver Puc 2203.02(b)(5) is GRANTED; and it is

**FURTHER ORDERED**, that Eversource shall post a copy of this order *nisi* on its website within two business days, such posting to be documented by affidavit filed with this office on or before May 5, 2023; and it is

**FURTHER ORDERED**, that a copy of this order *nisi* shall be posted on the Commission's website within two business days; and it is

**FURTHER ORDERED**, that all persons interested in responding to this order be notified that they may submit their comments or file a written request for a hearing

which states the reason and basis for a hearing no later than May 12, 2023, for the Commission's consideration; and it is

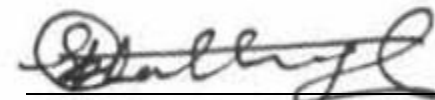
**FURTHER ORDERED**, that any party interested in responding to such comments or request for a hearing shall do so no later than May 19, 2023; and it is

**FURTHER ORDERED**, that this order shall be effective May 26, 2023 unless any publication or filing obligation set forth above is not complied with or the Commission provides otherwise in a supplemental order issued prior to the effective date.

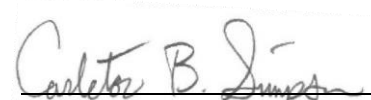
By order of the Public Utilities Commission of New Hampshire this twenty-first day of April 2023.



Daniel C. Goldner  
Chairman



Pradip K. Chattopadhyay  
Commissioner



Carleton B. Simpson  
Commissioner

# Service List - Docket Related

Docket#: 22-072

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