

STATE OF NEW HAMPSHIRE  
BEFORE THE  
PUBLIC UTILITIES COMMISSION

Docket No. DE 23-004

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

Proposed Purchase of Receivables Program

CPCNH COMMENTS ON HEARINGS EXAMINER'S

REPORT AND RECOMMENDED ORDER

January 12, 2024

Pursuant to the Procedural Orders issued by the New Hampshire Public Utilities Commission ("Commission") on September 1, 2023 and December 29, 2023, the Community Power Coalition of New Hampshire ("CPCNH") respectfully submits these Comments on the Hearings Examiner's Report and Recommended Order filed on December 22, 2023 (the "Report").

1. As stated in Eversource's filing of today's date (1/12/24) CPCNH supports the comments and exceptions submitted by Eversource.

2. CPCNH further suggests a clarification to the proposed Examiner's Report and Recommended Order at section 5 on page 11 to add the text as shown in red on the next page in ¶4. This addition pertains to recognizing the fact that the inclusion of POR into Eversource Tariff Terms & Conditions for Suppliers (T&Cs) and Supplier Agreement (SA) necessarily requires the incorporation of Community Power Aggregations (CPAs) into those documents, which *may* in turn necessitate reconciling conflicts between those T&Cs and SAs with Puc 2200 rules and RSA 53-E. See Exhibit 3 at 8-9 for further explanation.<sup>1</sup>

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<sup>1</sup> CPCNH expressed several concerns about Eversource's proposed tariff and supplier agreement edits to enable POR that they only shared in response to discovery, the second of which stated: "while we greatly appreciate that Eversource has made a good faith effort to incorporate non-POR related edits to bring the supplier Terms & Conditions in their Tariff and their Supplier Agreement into conformity with RSA 53-A and Puc 2200 with regard to bringing CPAs into these documents, necessary to implement POR, these do go beyond the noticed scope of this proceeding."

3. This possibility and need for additional notice was recognized in the text of the Settlement Agreement (Exh. 5) at Bates pages 1 and 5, which, respectively, stated:

This Settlement Agreement also provides for a second phase of the proceeding to address amendments necessary for POR implementation to the Company's Tariff NHPUC No. 10 – Electricity ("Tariff") terms and conditions and to its form of Electric Supplier Services Master Agreement ("ESSMA"), as described in paragraph II.H below.

H. The specific terms and conditions of the Company's Tariff and ESSMA required to be amended in order to implement the POR program, **including how the Tariff and ESSMA apply to CPAs**, shall be the subject of a subsequent phase of this proceeding, to begin within thirty (30) days following Commission approval of this Settlement Agreement . . .

4. The highlighted settlement text above is proposed to be paraphrased in the recommended order as shown in red below:

**5. Tariff and Supplier Services Agreements**

The Settlement Agreement also requests that this proceeding be continued into a separately noticed phase to consider amendments to Eversource's Electric Supplier Services Master Agreement and Tariff NHPUC No. 10 – Electricity necessary to implement the POR program, including how the Tariff and supplier services agreement apply to CPAs. Exh. 5 at Bates pages 1 and 5. The parties agree that changes to Eversource's tariff and supplier services agreements are necessary to implement the POR program and that additional public notice would be advisable due to the scope of the Commission's Notice. The Commission's Notice was limited to whether

5. In order to provide potentially affected or interested parties good notice that Eversource's Tariff and T&Cs for suppliers will be incorporating not just POR but also CPAs and Competitive Electric Power Suppliers (CEPS) when serving CPAs into the provisions of these documents for the first time ever, CPCNH suggests, if possible and appropriate, that the title of the docket in the Supplemental Order of Notice be supplemented along the following lines:

DE 23-004

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

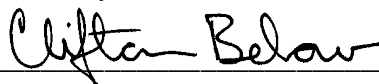
**Proposed Purchase of Receivables Program and Revisions to Electric Supplier Services Master Agreement and Tariff Terms and Conditions for Competitive Suppliers incorporating Municipal and County Aggregations**

6. CPCNH recommends adding to the text of the second paragraph of the proposed Supplemental Order of Notice as follows:

The Commission denied the Settlement Agreement, but approved parts of the POR program described therein, and continued this proceeding to a second phase to further develop inputs in the calculation of discount percentage rate of the POR program, and to address necessary revisions to Eversource's Tariff NHPUC No. 10 – Electricity and Electric Supplier Services Master Agreement- to incorporate the POR program and municipal and county aggregations into those documents. Order No. xx,xxx (ADMIN INSERT DATE). This order is to provide supplemental notice of the additional issues presented in this proceeding: the consideration of revisions to Eversource's Tariff NHPUC No. 10 – Electricity and Electric Supplier Services Master Agreement necessary to implement the POR program and incorporate municipal and county aggregations under Puc 2200 rules into those documents. The Commission

7. WHEREFORE, CPCNH respectfully requests that the Hearing Examiner incorporate the suggested edits into their Report and Recommended Order and Recommended Supplemental Order of Notice.

Community Power Coalition of New Hampshire



by CPCNH Chair Clifton Below  
P.O. Box 840 Concord, NH 03302 | (603) 448-5899  
[Clifton.Below@CommunityPowerNH.gov](mailto:Clifton.Below@CommunityPowerNH.gov)

cc: DE 23-004 service list