

**STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

DE 23-069

**TOWN OF DERRY
14 Manning Street
Derry, NH 03038**

**Request for Approval of Derry Community Power
Electric Aggregation Plan**

Approval of Community Power Aggregation Plan

O R D E R N O. 26,881

September 5, 2023

In this order, the Commission approves the Town of Derry's (Derry) Community Power Electric Aggregation Plan (Plan).

I. BACKGROUND

On July 6, 2023, Derry submitted a request for approval of a community power aggregation plan to provide electric power supply and services for residents, businesses, and other entities in Derry pursuant to RSA chapter 53-E. Accompanying its request, Derry submitted the text of its Plan.

On July 10, 2023, the Commission issued an order of notice establishing a deadline for comments on Derry's Plan. The New Hampshire Electric Cooperative, Inc. (NHEC) filed comments on July 13.

Derry's request, along with all subsequent docket filings, other than any information for which confidential treatment is requested of or granted by the Commission, is posted at: <https://www.puc.nh.gov/Regulatory/Docketbk/2023/23-069.html>.

II. COMMISSION ANALYSIS

The Commission reviewed Derry's Plan pursuant to RSA 53-E:7, II, as amended, which states that

The commission shall approve any plan submitted to it unless it finds that it does not meet the requirements of this chapter 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.

RSA 53-E:7, II also provides specific direction on the process to be used for the submission of such plans, including the following requirements: 1) on the same day the plan is submitted to the Commission, copies shall be provided to the Office of the Consumer Advocate and any electric distribution utility providing service within the jurisdiction of the municipality; 2) the Commission shall accept public comments for 21 days thereafter; and 3) the Commission's review of the plan and comments shall not require a contested case. N.H. Code Admin R. Puc 2204.01 (a) also requires notification of aggregation plan filings be made with the New Hampshire Department of Energy. Derry's submission complied with these procedural requirements.


The NHEC noted that it has been granted waiver of portions of Puc 2200 Rules, that its proposed purchase of receivables program is under review, that net metering through consolidated billing rate designs is subject to limitations under the current Electronic Data Interchange standards. NHEC did not express significant concerns with the Plan subject to these limitations and realistic deployment timelines. The Commission notes that the three other electric distribution utilities serving Derry are presently seeking waiver of portions of the Puc 2200 rules related to billing capabilities and the provision of usage data in Docket No. DE 23-063. These waiver requests relate to data sharing and billing options for certain groups of customers, such as customers on net metering and time of use tariffs. We are satisfied that Derry's Plan "reflects

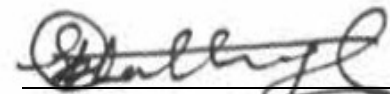
options currently available or expected,” Plan at Page 1, and include processes designed to provide information to relevant customer groups to ensure they can make informed decisions on their participation in the program.

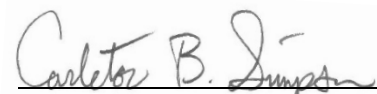
Based on our review of the Plan, we have determined that Derry’s Plan does not substantially fail to meet applicable requirements of RSA Chapter 53-E or applicable rules. Derry’s Plan contains an adequate level of detail of RSA 53-E:6’s statutory criteria, other applicable statutory requirements, and applicable rules including N.H. Admin R. ch. 2200.

Based upon the foregoing, it is hereby determined that Derry’s request for Plan approval is GRANTED.

By order of the Public Utilities Commission of New Hampshire this fifth day of September, 2023.


Daniel C. Goldner
Chairman


Pradip K. Chattopadhyay
Commissioner


Carleton B. Simpson
Commissioner

Service List - Docket Related

Docket#: 23-069

Printed: 9/5/2023

Email Addresses

ClerksOffice@puc.nh.gov
dcaron@derrynh.org
Energy-Litigation@energy.nh.gov
ocalitigation@oca.nh.gov