

THE STATE OF NEW HAMPSHIRE

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February 9, 2018

Re: DRM 18-017, Rulemaking, N.H. Code Admin. Rules Puc 2500
Electric Renewable Portfolio Standard Rules
Thermal REC Eligibility of Methane Gas Sources

To Interested Persons:

On January 19, 2018, in connection with its conditional approval of the Commission's readoption with amendments of the Electric Renewable Portfolio Standard (RPS) Rules, N.H. Code Admin. Rules Puc 2500, the Joint Legislative Committee on Administrative Rules (JLCAR) included a petition for further rulemaking pursuant to RSA 541-A:4. *See* Docket DRM 16-829.

The JLCAR petitioned the Commission to immediately initiate a further rulemaking proceeding to address the potential inclusion in the Puc 2500 rules of methane gas as an eligible source of Class I thermal renewable energy certificates (RECs), with a target completion date of the earlier of August 31, 2018 or 90 days following enactment of clarifying legislation.

The Commission has granted the JLCAR's petition for further rulemaking and has opened Docket DRM 18-017 to facilitate that further rulemaking process. In addition, the Commission has scheduled a technical session with interested stakeholders to consider and discuss the following issues related to the potential inclusion of methane gas as an eligible source for production of RPS Class I thermal RECs:

- statutory interpretation of RSA 362-F:4, I provisions applicable to useful thermal energy production;
- relevant legislative history of Senate Bill 218, enacted as 2012 N.H. Laws Chapter 272;
- proposed rules language amendments that would be necessary to permit inclusion of methane gas as an eligible source of Class I thermal RECs; and
- procedures for the metering, verification, and reporting of useful thermal energy output for methane gas sources if determined to be eligible.

The technical session will be held on March 26, 2018, at 1:00 p.m., at the Commission's offices.

Sincerely,

A handwritten signature in blue ink that reads 'Debra A. Howland / ad'.

Debra A. Howland
Executive Director

cc: Docket File/Service List