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September 26, 2022

Daniel C. Goldner, Chair
New Hampshire Public Utilities Commission
21 S. Fruit Street, Suite 10
Concord, New Hampshire 03301

Re: IR Docket 22-053 Electric and Gas Utilities
Investigation of Energy Commodity Procurement (Renewable Portfolio Standard; Default
Service Electric Power; Cost of Gas) Methodology and Process

Dear Chair Goldner:

On September 6, 2022, the New Hampshire Public Utilities Commission (the “Commission”) issued an Order of Notice (the “Order”) initiating the above-referenced docket and investigation. The Order set an intervention deadline of September 20, 2022, and scheduled a prehearing conference for October 5, 2022. Order at 4-5. The Order also stated electric and gas utilities and interested stakeholders were encouraged to pre-file comments by September 26, 2022. Order at 5. New Hampshire Electric Cooperative, Inc. (“NHEC”) submits the following comments prior to the October 5th prehearing conference.

As indicated in the Order, this investigation arose out of the Commission’s review of rate impacts resulting from regulated electric utility default service and Renewable Portfolio Standard (“RPS”) resource procurements. See Order No. 26,582, Order No. 26,643 and Order No. 26,645. Additionally, the Commission also referenced recent mid-season adjustments to gas utilities’ Cost of Gas rates. See Order No. 26, 618, Order No. 26,626, Order No. 26, 627, Order No. 26,649 and Order No. 26,669. The Commission cites the following statutory provisions as the subject of this investigation: RSA 374:2, 374:4, 374:8, 374:10, 374:11, 374:13, 378:5, 378:7, 378:8, RSA Chapter 362-F, and RSA Chapter 374-F.

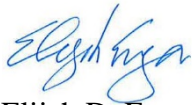
NHEC is a rural electric cooperative for which a certificate of deregulation is on file with the Commission pursuant to RSA 301:57 and, as such, is not considered a “public utility” under most of the Commission’s jurisdictional statutes. RSA 362:2, II. Moreover, the genesis for this investigation – rate impacts to regulated utilities resulting from resource procurement – is not an area where the Commission’s jurisdiction reaches NHEC, as the Commission does not regulate NHEC’s power procurement or electric rates. With a couple of minor exceptions in RSA Chapter 374-F dealing with deregulation, the statutes cited by the Commission do not apply to NHEC as a “public utility.”¹ The issues for investigation listed in the Order do not touch upon

¹ NHEC is required to comply with RPS resource requirements under RSA Chapter 362-F, but that is because RSA 362-F:3 applies to “providers of electricity.” RSA Chapter 362-F is not one of the statutory provisions applicable to NHEC as a “public utility.” RSA 362:2, II.

any of the few areas where the Commission regulates NHEC. For these reasons, NHEC does not interpret the Commission's statement that "electric and gas utilities of this State shall be mandatory parties to this investigation" as being applicable to NHEC. Order at 4. Additionally, NHEC does not intend to petition to intervene in this docket in order to become a party. Notwithstanding the foregoing, a representative from NHEC will attend the prehearing conference on October 5th and will continue to monitor the docket over the course of the investigation.

NHEC requests that you add emerson@primmer.com to the service list in this matter. Thank you for your attention in this matter.

Regards,

A handwritten signature in blue ink, appearing to read "Elijah D. Emerson".

Elijah D. Emerson

CC: Service List via electronic mail
Alyssa Clemsen Roberts, NHEC
Brian Callnan, NHEC