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Via Electronic Mail Only

Daniel C. Goldner, Chairman
New Hampshire Public Utilities Commission
21 South Fruit Street, Suite 10
Concord, NH 03301-2429

RE: Docket No. DE 23-062 Complaint Against Public Service Company of New Hampshire
d/b/a Eversource Energy
Eversource Update Regarding CPCNH Complaint

Chairman Goldner:

In response to the Commission's April 24, 2024 procedural order, Public Service Company of New Hampshire d/b/a Eversource Energy ("Eversource" or the "Company") provides the following update. Eversource agrees with the Commission's assessment that there are issues raised in the complaint that are common to other active Commission dockets, particularly Docket No. DE 23-063, the New Hampshire Utilities' request for a waiver from Puc 2205.15(d)(1) and consideration of the Utilities' bill-ready billing proposal. In fact, it is Eversource's position that the only valid consideration of Eversource's compliance with the Puc 2200 rules is occurring in that docket. Eversource maintains its stance that the complaint brought by the Community Power Coalition of New Hampshire ("CPCNH") is without merit, as Eversource is either 1) complying with the legal and regulatory provisions cited to in the complaint, or 2) the law or rule cited contains no compliance obligation that Eversource could have violated, and therefore the complaint should be dismissed with prejudice and this docket closed.

In addition, and more fundamentally, Eversource also respectfully notes that, since this docket was opened, HB 385—included with this update as Attachment A—was enacted in 2023, amending RSA 53-E:7, X to transfer jurisdiction of complaints for violations of the Puc 2200 rules to the New Hampshire Department of Energy ("DOE" or "Department"). CPCNH also filed a complaint with the DOE on June 13, 2023, which the Department docketed, and that matter remains open pending a DOE decision on the complaint. Most recently, on April 24, 2024, the DOE issued a letter—included with this update as Attachment B—summarizing the process to date and giving CPCNH a final opportunity to supplement the record and clarify its complaint by May 15. Eversource will then have an opportunity to reply to any clarification by May 29, after which the Department will render its decision regarding the complaint.

RSA 53-E:7, X now provides that, after the DOE's investigation of a complaint involving the Puc 2200 rules, either the Department or the party bringing the complaint may petition the Commission for resolution through an adjudication. If the DOE believes there are grounds for an

adjudication at the conclusion of its investigation, or if CPCNH is unsatisfied with the DOE's disposition of the complaint, either may petition the Commission to open a new docket to adjudicate the complaint. Unless and until one of those things occurs, with respect to both the CPCNH complaint originally filed with the DOE and the CPCNH complaint filed with the Commission in this docket, the proper course would be for the Commission to dismiss this complaint and close this docket.

Consistent with current Commission policy, this filing is being made electronically only; paper copies will not follow.

Regards,

A handwritten signature in black ink, appearing to read 'JAC', with a stylized flourish at the end.

Jessica A. Chiavara
Senior Counsel, Eversource Energy

Attachments

cc: DE 23-062 Service List