

STATE OF NEW HAMPSHIRE
BEFORE THE
PUBLIC UTILITIES COMMISSION

Public Service Company of New Hampshire d/b/a Eversource Energy
2024 Default Energy Service Solicitations
Docket No. DE 24-046

Liberty Utilities (Granite State Electric) Corp. d/b/a Liberty
2024 Default Energy Service Solicitations
Docket No. DE 24-061

Unitil Electric Systems, Inc.
2024 Default Energy Services Solicitations
Docket No. DE 24-065

Motion for Partial Reconsideration of Supplemental Orders of Notice

NOW COMES the Office of the Consumer Advocate (“OCA”), a party to this docket, and moves for partial reconsideration of the supplemental orders of notice entered in the above-captioned dockets on August 23, 2024. In support of this request, the OCA states as follows:

Each of these proceedings concerns the default energy service offered by one of the state’s three investor-owned electric distribution utilities pursuant to RSA 374-F:3, V(c). On August 23, 2024, the Commission entered a supplemental order of notice in each docket (tab 28 in DE 24-046, tab 23 in DE 24-061, and tab 19 in DE 24-065), identical in substance. The Commission noted that each utility had recently filed a proposal for “an expanded ISO-New England market-based procurement approach” to the provision of default energy service, as directed by the

Commission, and the Commission therefore scheduled hearings on September 11, 2024 in DE 24-061 and DE 24-061 and on September 12, 2024 in DE 24-065 to consider whether to modify each utility's procurement process along the proposed lines.

The Office of the Consumer Advocate agrees that the issuance of supplemental orders of notice was appropriate in these circumstances, and further agrees with the list of issues to be addressed at the upcoming hearings. The purpose of this motion is to request reconsideration of the accelerated schedule adopted by the Commission, without consultation with the parties, to hear questions related to such a potentially consequential change to the way in which investor-owned utilities acquire the retail energy service that is, pursuant to RSA 374-F:3, V(c). "designed to provide a safety net and to assure system access and system integrity." Specifically, the OCA requests leave to submit prefiled written testimony in each docket after adequate time to prepare such testimony on an accelerated basis. As necessary, the Commission should consider providing other parties the opportunity to conduct discovery on our prefiled testimony, after which we would be prepared to adopt the testimony at hearing and defend it accordingly. The testimony, being prepared by Director of Economics and Finance Marc Vatter, will propose one or more alternatives to the provision of default energy service as the utilities have proposed it at the behest of the Commission.

In DE 24-046, Public Service Company of New Hampshire proposes to "self-supply" 30 percent of the default energy service offered to its small customer group

(which includes residential customers) via the hourly ISO New England day-ahead market, with the remainder to be acquired the traditional way via one or more all-requirements contracts entered into with wholesale suppliers. Unitil has proposed likewise in DE-24-065. In DE 24-061, Liberty is seeking to serve *half* of the load associated with its small customer group via the day-ahead market. The Commission, meanwhile, has suggested it may require these utilities to serve *all* of their default energy service load for residential customers via the spot market. Whether it's 30 percent or 100 percent, this is a consequential change with far-reaching implications for a customer class that, historically, values price certainty and insulation from market volatility. In these circumstances, principles of due process and fundamental fairness require the Commission to provide the OCA with the opportunity to present its case to the Commission along the lines described herein.

We expect to submit testimony that will be identical in each docket. Our witness is prepared to submit prefiled written direct testimony as early as September 13, 2024. We believe allocating the following week for discovery, with hearings thereafter, is reasonable.¹ The Commission may wish to consider holding a single, consolidated hearing in all three dockets inasmuch as the issues are identical or nearly so.

WHEREFORE, the OCA respectfully request that this honorable Commission:

¹ The Consumer Advocate will be out of state on September 26 and 27 and therefore respectfully requests hearings *not* be scheduled on either of those dates.

- A. Revise the procedural schedules set forth in the supplemental orders of notice entered in the above-captioned dockets, along the lines proposed herein, and
- B. Grant such further relief as shall be necessary and proper in the circumstances.

Sincerely,



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August 26, 2024

Certificate of Service

I hereby certify that a copy of this pleading was provided via electronic mail to the individuals included on the Commission's service lists for the above-captioned dockets.



Donald M. Kreis