

Amendment to HB 624-FN

1 Amend the title of the bill by replacing it with the following:

2
3 AN ACT relative to site evaluation committee monitoring and enforcement responsibilities,
4 and relative to net energy metering by hydroelectric generators.
5

6 Amend the bill by replacing section 1 with the following:

7
8 1 Site Evaluation Committee; Powers and Duties. Amend RSA 162-H:4, III to read as follows:

9 III. The committee may delegate the authority to monitor the construction or operation of
10 any energy facility granted a certificate under this chapter to ~~[the administrator or such]~~ **any** state
11 agency or official as it deems appropriate, but **the committee** shall ensure that the terms and
12 conditions of the certificate are met. Any authorized representative or delegate of the committee
13 shall have a right of entry onto the premises of any part of the energy facility to ascertain if the
14 facility is being constructed or operated in continuing compliance with the terms and conditions of
15 the certificate. During normal hours of business administration and on the premises of the facility,
16 such a representative or delegate shall also have a right to inspect such records of the certificate-
17 holder as are relevant to the terms or conditions of the certificate.
18

19 Amend the bill by replacing all after section 3 with the following:

20
21 4 Site Evaluation Committee; Enforcement. Amend RSA 162-H:12, I to read as follows:

22 I. Whenever the committee, or ~~[the administrator as designee]~~ **appropriate state agency**
23 **so designated**, determines that any term or condition of any certificate issued under this chapter is
24 being violated, ~~[it]~~ **the committee** shall, in writing, notify the person holding the certificate of the
25 specific violation and order the person to immediately terminate the violation. If, 15 days after
26 receipt of the order, the person has failed or neglected to terminate the violation, the committee may
27 suspend the person's certificate. Except for emergencies, prior to any suspension, the committee
28 shall give written notice of its consideration of suspension and of its reasons therefor and shall
29 provide opportunity for a prompt hearing.

30 5 Net Energy Metering; Hydroelectric Generators. Amend RSA 362-A:9, XX to read as follows:

31 XX. **Notwithstanding any provision of law to the contrary**, a hydroelectric generator
32 with a total peak generating capacity that is at or below the capacity eligibility requirements set

1 forth in RSA 362-A:1-a, II-b and that first became operational before July 1, 2021 and that shares
2 equipment or facilities with other generators, **energy storage facilities**, or electric utility
3 customers for interconnection to the electric grid, shall be eligible to participate in net energy
4 metering as a customer-generator even if the aggregate capacity of the generators **and energy**
5 **storage facilities** sharing equipment or facilities for interconnection to the electric grid exceeds the
6 capacity eligibility requirements set forth in RSA 362-A:1-a, II-b. Such a hydroelectric generator
7 shall be eligible to participate in net energy metering as a customer-generator based on its
8 individual total peak generating capacity **and shall be eligible as a customer-generator as a**
9 **matter of law without regard to whether such hydroelectric generator is the electric utility**
10 **customer account of record at the point of interconnection to the electric grid. A**
11 **hydroelectric generator eligible under this paragraph may, in reliance on revenue-grade**
12 **meters, utilize a financial settlement methodology to determine generation eligible to**
13 **participate in net energy metering; provided, that such a hydroelectric generator shall, for**
14 **review and approval, submit to the department of energy, prior to participating in net**
15 **metering, a description of the financial settlement methodology that will be used on an**
16 **hourly, monthly and annual basis. If the department of energy does not review and**
17 **approve the methodology within 90 days from the date of submission, then the submission**
18 **shall automatically be deemed approved. Nothing in this provision shall be deemed to**
19 **approve or allow the participation of energy storage facilities in net energy metering**
20 **unless otherwise approved or allowed by law or an order or decision issued or rule adopted**
21 **by the department of energy or the public utilities commission.**

22 6 Effective Date.

23 I. Sections 1-4 of this act shall take effect 60 days after its passage.

24 II. The remainder of this act shall take effect upon its passage.

Amendment to HB 624-FN
- Page 3 -

2022-1524s

AMENDED ANALYSIS

This bill requires the site evaluation committee to establish procedures for investigating complaints related to an energy facility certificate. The bill also provides for additional participation by hydroelectric generators in net energy metering.