

Amendment to HB 549

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

2  
3 AN ACT relative to the system benefits charge and the energy efficiency and sustainable  
4 energy board.  
5

6 Amend the bill by replacing all after the enacting clause with the following:

7  
8 1 Restructuring Policy Principles; System Benefits Charge. Amend RSA 374-F:3, VI to read as  
9 follows:

10 VI. Benefits for All Consumers. Restructuring of the electric utility industry should be  
11 implemented in a manner that benefits all consumers equitably and does not benefit one customer  
12 class to the detriment of another. Costs should not be shifted unfairly among customers.

13 ***VI-a. System Benefits Charge.***

14 (a) A nonbypassable and competitively neutral system benefits charge applied to the use  
15 of the distribution system may be used to fund public benefits related to the provision of electricity.  
16 ~~[Such benefits]~~ ***This charge***, as approved by regulators, may ~~[include, but not necessarily be limited~~  
17 ~~to, programs for low-income customers, energy efficiency programs, funding for the electric utility~~  
18 ~~industry's share of commission and department expenses pursuant to RSA 363-A, support for~~  
19 ~~research and development, and investments in commercialization strategies for new and beneficial~~  
20 ~~technologies. Legislative approval of the New Hampshire general court shall be required to increase~~  
21 ~~the system benefits charge. This requirement of prior approval of the New Hampshire general court~~  
22 ~~shall not apply to the energy efficiency portion of the system benefits charge if the increase is~~  
23 ~~authorized by an order of the commission to implement the 3-year planning periods of the Energy~~  
24 ~~Efficiency Resource Standard framework established by commission Order No. 25,932 dated August~~  
25 ~~2, 2016, ending in 2020 and 2023, or, if for purposes other than implementing the Energy Efficiency~~  
26 ~~Resource Standard, is authorized by the fiscal committee of the general court; provided, however,~~  
27 ~~that no less than 20 percent of the portion of the funds collected for energy efficiency shall be~~  
28 ~~expended on low-income energy efficiency programs. Energy efficiency programs should include the~~  
29 ~~development of relationships with third-party lending institutions to provide opportunities for low-~~  
30 ~~cost financing of energy efficiency measures to leverage available funds to the maximum extent, and~~  
31 ~~shall also include funding for workforce development to minimize waiting periods for low-income~~  
32 ~~energy audits and weatherization.]~~ ***fund:***

1                   (1) *Energy efficiency programs.*

2                   (2) *Programs that promote and describe the consumer advantages of energy*  
3 *efficiency across all ratepayer classes.*

4                   (3) *The electric utility industry's share of commission and department*  
5 *expenses pursuant to RSA 363-A.*

6                   (4) *Support for research and development.*

7                   (5) *Investments in commercialization strategies for new and beneficial*  
8 *technologies.*

9                   (b) *The energy efficiency portion of the systems benefits charge shall be set at*  
10 *the level adopted at the end of the 3-year planning period ending in 2020 as authorized by*  
11 *the commission in Order No. 25,932 dated August 2, 2016.*

12                   (c) *The department shall thereafter authorize adjustments to the system*  
13 *benefits charge on a yearly basis in the amount of the 3-year average of the consumer price*  
14 *index (CPI-W) plus 0.25 percent.*

15                   (d) *One percent of system benefits charge funds collected annually shall be used*  
16 *to promulgate the benefits of energy efficiency according to guidelines developed as*  
17 *specified in RSA 125-O:5-a, I(c).*

18                   (e) *No less than 20 percent of the portion of the funds collected for energy*  
19 *efficiency shall be expended on low-income energy efficiency programs.*

20               2 New Section; Ratepayer-Funded Energy Efficiency Programs for Gas Utilities. Amend RSA  
21 374 by inserting after section 62 the following new section:

22               374:63 Ratepayer-Funded Energy Efficiency Programs for Gas Utilities. The commission may  
23 authorize a public utility providing natural gas service to participate in and recover costs associated  
24 with statewide energy efficiency programs, including any utility-specific aspects of such programs,  
25 provided that when the costs of such programs are recovered via the public utility's local distribution  
26 adjustment charge or a similar rate mechanism, any such charges be made subject to the  
27 requirements of RSA 374-F:3, VI-a for the energy efficiency portion of electric utility system benefits  
28 charges.

29               3 Energy Efficiency and Sustainable Energy Board; Duties. Amend RSA 125-O:5-a, I to read as  
30 follows:

31               I. An energy efficiency and sustainable energy board is hereby created to promote [~~and~~  
32 ~~coordinate~~] energy efficiency, demand response, and sustainable energy programs in the state. The  
33 board's duties shall include but not be limited to:

34                   (a) Review available energy efficiency, conservation, demand response, and sustainable  
35 energy programs and incentives and compile a report of such resources in New Hampshire.

36                   (b) [~~Develop a plan to achieve the state's energy efficiency potential for all fuels,~~  
37 ~~including setting goals and targets for energy efficiency that are meaningful and achievable.~~]

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~~(e) Develop a plan for economic and environmental sustainability of the state's energy system including the development of high efficiency clean energy resources that are either renewable or have low net greenhouse gas emissions.~~

~~(d) [Repealed.]~~

(e) Explore opportunities to coordinate programs targeted at saving more than one fuel resource, including conversion to renewable resources and coordination between natural gas and other programs which seek to reduce the overall use of nonrenewable fuels.

(f) (c) Develop **strategies, concepts, and** tools to enhance outreach and education programs to increase knowledge **and awareness** about energy efficiency and sustainable energy among New Hampshire residents and businesses.

(g) (d) Expand upon the state government's efficiency programs to ensure that the state is providing leadership on energy efficiency and sustainable energy including reduction of its energy use and fuel costs.

(h) (e) Encourage municipalities and counties to increase investments in energy efficiency and sustainable energy through financing tools, and to create local energy committees.

(i) (f) Work with community action agencies and the office of strategic initiatives to explore ways to ensure that all customers participating in programs for low-income customers and the Low Income Home Energy Assistance Program (LIHEAP) have access to energy efficiency improvements, and where appropriate, renewable energy resources, in order to reduce their energy bills.

(j) (g) Investigate potential sources of funding for energy efficiency and sustainable energy development and delivery mechanisms for such programs, coordinate efforts between funding sources to reduce duplication and enhance collaboration, and review investment strategies to increase access to energy efficiency and renewable energy resources.

4 Effective Date. This act shall take effect January 1, 2022.

2021-2205h

**AMENDED ANALYSIS**

This bill changes the programs and expenses that system benefits charges may fund, and adjusts the procedure for setting and increasing the rate of the system benefits charge. The bill also modifies the duties of the energy efficiency and sustainable energy board.