

CHAPTER 276  
SB 191-FN-A – FINAL VERSION

03/14/13 0805s  
5June2013... 1900h  
06/26/13 2183EBA

2013 SESSION

13-0538  
06/09

SENATE BILL ***191-FN-A***

AN ACT establishing a state energy strategy.

SPONSORS: Sen. Odell, Dist 8; Sen. Stiles, Dist 24; Sen. Forrester, Dist 2; Sen. Fuller Clark, Dist 21; Sen. Woodburn, Dist 1; Rep. Borden, Rock 24; Rep. Suzanne Smith, Graf 8; Rep. Rappaport, Coos 1; Rep. Kaen, Straf 5

COMMITTEE: Energy and Natural Resources

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AMENDED ANALYSIS

This bill establishes a state energy council to develop a strategy plan.

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Explanation: Matter added to current law appears in ***bold italics***.  
Matter removed from current law appears [~~in brackets and struck through~~].  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Thirteen*

AN ACT                    establishing a state energy strategy.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1            276:1 State Energy Strategy; Purpose. Development of a state energy strategy is necessary to  
2 ensure that the state's energy policies and programs support the state's economic, environmental,  
3 and public health goals.

4            276:2 State Energy Strategy; Findings.

5            I. The general court finds that a comprehensive energy strategy will:

6                    (a) Provide forward-looking guidance on electric, gas, and thermal energy strategies.

7                    (b) Optimize the ready availability of energy supply, energy affordability, the retention  
8 in-state of energy expenditures, the retention of jobs, and the use of renewable energy sources and  
9 energy efficiency policies, including demand-side policies.

10                    (c) Minimize negative impacts to the economy, the environment, and the natural beauty  
11 of our state.

12            II. The general court further finds that the use of funding sources under the jurisdiction of  
13 the public utilities commission, notwithstanding requirements under other provisions of law, to fund  
14 the development of a state energy strategy is in the public interest.

15            276:3 New Chapter; State Energy Strategy. Amend RSA by inserting after chapter 4-D the  
16 following new chapter:

CHAPTER 4-E

STATE ENERGY STRATEGY

19            4-E:1 State Energy Strategy.

20            I. The office of energy planning, in consultation with the state energy advisory council  
21 established in RSA 4-E:2, with assistance from an independent consultant and with input from the  
22 public and interested parties, shall prepare a 10-year energy strategy for the state. The office shall  
23 review the strategy and consider any necessary updates in consultation with the senate energy and  
24 natural resources committee and the house science, technology and energy committee, after  
25 opportunity for public comment, at least every 3 years starting in 2017. The state energy strategy  
26 shall include, but not be limited to, sections on the following:

27                    (a) The projected demand for consumption of electricity, natural gas, and other fuels for

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1 heating and other related uses.

2 (b) Existing and proposed electricity and natural gas generation and transmission  
3 facilities, the effects of future retirements and new resources, and consideration of possible  
4 alternatives.

5 (c) Renewable energy and fuel diversity.

6 (d) Small-scale and distributed energy resources, energy storage technologies, and their  
7 potential in the state.

8 (e) The role of energy efficiency, demand response, and other demand-side resources in  
9 meeting the state's energy needs.

10 (f) The processes for siting energy facilities in the state and the criteria used by the site  
11 evaluation committee in giving adequate consideration to the protection of the state's ecosystems  
12 and visual, historic, and aesthetic resources in siting processes.

13 (g) The relationship between land use and transportation policies and programs on  
14 electricity and thermal energy needs in the state.

15 (h) New Hampshire's role in the regional electric markets, how the regional market  
16 affects the state's energy policy goals, and how the state can most effectively participate at the  
17 regional level.

18 II. The strategy shall include a review of all state policies related to energy, including the  
19 issues in paragraph I, and recommendations for policy changes and priorities necessary to ensure  
20 the reliability, safety, fuel diversity, and affordability of New Hampshire's energy sources, while  
21 protecting natural, historic, and aesthetic resources and encouraging local and renewable energy  
22 resources. The strategy shall also include consideration of the extent to which demand-side  
23 measures including efficiency, conservation, demand response, and load management can cost-  
24 effectively meet the state's energy needs, and proposals to increase the use of such demand resources  
25 to reduce energy costs and increase economic benefits to the state.

26 III. The strategy development process shall include review and consideration of relevant  
27 studies and plans, including but not limited to those developed by the independent system operator  
28 of New England (ISO-NE), the public utilities commission, the energy efficiency and sustainable  
29 energy board, legislative study committees and commissions, and other state and regional  
30 organizations as appropriate. The strategy shall also include consideration of new technologies and  
31 their potential impact on the state's energy future.

32 4-E:2 New Hampshire State Energy Advisory Council.

33 I. There is established the New Hampshire state energy advisory council.

34 (a) Members of the council shall be the following, or his or her designee:

35 (1) The director of the office of energy and planning, who shall serve as the  
36 chairperson.

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1                   (2) The chairperson of the public utilities commission.

2                   (3) The commissioner of the department of environmental services.

3                   (b) Legislative members of the council shall be:

4                   (1) One member of the senate, appointed by the president of the senate.

5                   (2) One member of the senate, appointed by the senate minority leader.

6                   (3) One member of the science, technology and energy committee, appointed by the  
7 speaker of the house of representatives.

8                   (4) One member of the science, technology and energy committee, appointed by the  
9 house minority leader.

10                  (5) One member of the house of representatives, appointed jointly by the speaker of  
11 the house and the house minority leader.

12                  II. Legislative members may receive mileage for attendance at meetings and hearings of the  
13 council.

14                  4-E:3 Public Participation. The state energy advisory council shall provide duly noticed  
15 opportunities for public and stakeholder participation in the development of the strategy. In  
16 addition, at least 4 duly noticed public hearings shall be held in different regions of the state to seek  
17 public input during the development of the energy strategy. Public comment shall be sought by the  
18 office of energy and planning, the senate energy and natural resources committee, and the house  
19 science, technology and energy committee prior to updating the strategy.

20                  4-E:4 Costs. The office of energy and planning is authorized to expend up to \$200,000 from the  
21 energy efficiency portion of the system benefits charge, the renewable energy fund established under  
22 RSA 362-F:10, the energy efficiency fund established under RSA 125-O:23, or other funding sources  
23 under the jurisdiction of the public utilities commission for the development of the strategy, and may  
24 utilize any other sources available to the office necessary to fulfill the requirements of this chapter.  
25 The office of energy and planning is encouraged to seek other funding to support the development  
26 and updating of the strategy.

27                  4-E:5 Reports. A draft state energy strategy shall be completed no later than May 1, 2014, and  
28 shall be provided to the public for comment. A final state energy strategy shall be completed no later  
29 than September 1, 2014. The final strategy shall be provided to the governor, the senate president,  
30 the speaker of the house of representatives, the chairperson of the senate energy and natural  
31 resources committee, the chairperson of the house science, technology and energy committee, and the  
32 state library.

33                  276:5 Repeal. RSA 4-E:2 through RSA 4-E:5, relative to New Hampshire state energy council, is  
34 repealed.

35                  276:6 Effective Date.

36                  I. Section 5 of this act shall take effect December 31, 2014.

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

2

3   Approved: July 24, 2013

4   Effective Date:    I. Section 5 shall take effect December 31, 2014.

5                       II. Remainder shall take effect July 24, 2013