

HB 252 – AS INTRODUCED

2015 SESSION

15-0285
06/10

HOUSE BILL **252**

AN ACT relative to the divestiture of electrical generation facilities.

SPONSORS: Rep. Hoell, Merr 23; Rep. Itse, Rock 10; Rep. Martin, Merr 23; Rep. Kuch, Merr 23

COMMITTEE: Science, Technology and Energy

ANALYSIS

This bill provides that no generating assets owned by electric utilities regulated by the public utilities commission may be divested until default service prices meet certain criteria.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Fifteen

AN ACT relative to the divestiture of electrical generation facilities.

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

1 1 Purpose. The New England region is experiencing extreme cost increases and volatility in its
2 supply of fuels including electricity, natural gas, propane, oil, and wood. It is in the public interest to
3 take all short-term measures available to ensure that citizens of the state have access to necessary
4 energy sources at reasonable prices. One of the short-term measures available is to retain all
5 existing electric generating assets that fall within the jurisdiction of the public utilities commission.

6 2 Public Utilities; Divestiture of PSNH Generation Assets. Amend RSA 369-B:3-a to read as
7 follows:

8 I. ~~[Before January 1, 2015, the commission shall commence and expedite a proceeding to~~
9 ~~determine whether all or some of PSNH's generation assets should be divested. On or before March~~
10 ~~31, 2015, the commission shall submit a progress report to the legislative oversight committee on~~
11 ~~electric utility restructuring established under RSA 374 F:5.] **Unless and until there are**~~
12 **adequate supplies of electric generation within New England to ensure a reliable source of**
13 **electricity, such that default service prices for electricity provided by all electric utilities**
14 **regulated by the public utilities commission do not vary more than 10 percent on a**
15 **seasonal basis, no existing generating assets owned by such electric utilities may be**
16 **divested. Upon a finding by the public utilities commission that adequate supplies of**
17 **electric generation exist within New England, as demonstrated by 2 consecutive years**
18 **where default service prices for electricity provided by all electric utilities regulated by the**
19 **public utilities commission have not varied by more than 10 percent on a seasonal basis,**
20 **the commission may initiate a proceeding to determine whether all or some of the**
21 **generating assets owned by the state's regulated electric utilities should be divested.**
22 Notwithstanding RSA 374:30, the commission may **at such time** order ~~[PSNH to divest]~~ **the**
23 **divestiture of** all or some of ~~[its]~~ **such** generation assets if the commission finds that it is in the
24 ~~[economic]~~ **public** interest of ~~[retail customers of PSNH]~~ **the citizens of New Hampshire** to do so,
25 and provides for the cost recovery of such divestiture.

26 II. Prior to any divestiture of its generation assets, PSNH may modify or retire such
27 generation assets if the commission finds that it is in the ~~[economic]~~**public** interest of retail
28 customers of PSNH to do so, and provides for the cost recovery of such modification or retirement.

29 3 Effective Date. This act shall take effect 60 days after its passage.