

**HB 543 - AS INTRODUCED**

2015 SESSION

15-0638  
06/03

HOUSE BILL           **543**

AN ACT               repealing the electric renewable portfolio standard.

SPONSORS:       Rep. Fromuth, Hills 7; Rep. O'Connor, Rock 6; Rep. Gould, Hills 7;  
Rep. Abramson, Rock 20; Rep. Potucek, Rock 6; Sen. Sanborn, Dist 9

COMMITTEE:       Science, Technology and Energy

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ANALYSIS

This bill repeals the electric renewable portfolio standard.

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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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Fifteen*

AN ACT                    repealing the electric renewable portfolio standard.

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

1            1 Repeal. RSA 362-F, relative to electric renewable portfolio standard, is repealed.

2            2 Electric Utility Investment in Distributed Energy Resources; Purpose. Amend RSA 374-G:1 to  
3 read as follows:

4            374-G:1 Purpose. Distributed energy resources can increase overall energy efficiency and  
5 provide energy security and diversity by eliminating, displacing, or better managing traditional fossil  
6 fuel energy deliveries from the centralized bulk power grid~~[- in keeping with the objectives of~~  
7 ~~RSA 362-F:1]~~. It is therefore in the public interest to stimulate investment in distributed energy  
8 resources in New Hampshire in diverse ways, including by encouraging New Hampshire electric  
9 public utilities to invest in renewable and clean distributed energy resources at the lowest  
10 reasonable cost to taxpayers benefiting the transmission and distribution system under state  
11 regulatory oversight.

12            3 Disclosure of Energy Sources by Providers of Electricity. Amend RSA 378:49 to read as  
13 follows:

14            378:49 Disclosure of Electric Service Energy Sources and Environmental Characteristics.

15            I. The public utilities commission shall, after notice and hearing, by order or rule, approve a  
16 standard format and methodology that providers of electricity~~[- as defined in RSA 362-F:2, XIV,]~~  
17 shall use when providing information to existing or prospective customers regarding the energy  
18 sources and environmental characteristics of their electric service. Such information shall include  
19 but not be limited to:

20                    (a) A presentation of energy sources used to generate the electricity and their respective  
21 contributions to the service's total energy mix, by percentage;

22                    (b) The environmental characteristics of the service's energy mix, including but not  
23 limited to air pollutant emission rates; and

24                    (c) A comparison of source and emissions data between the service's energy mix and the  
25 average energy mix of the region available from the Independent System Operator of New England.

26            II. Each provider of electricity~~[- as defined in RSA 362-F:2, XIV,]~~ shall in standard format:

27                    (a) Provide and make easily accessible on the provider's Internet site the information for  
28 each electric service that it sells in the state;

29                    (b) Update such information at least annually; and

30                    (c) Provide such information to electric customers at least annually in conjunction with  
31 billing, whether distributed through the mail or online, or other mailed or online communication to

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1 customers, as approved by the commission.

2 III. Appropriate access or reference to relevant public information, including emissions by  
3 source, that is more detailed than that contained in the standard format shall be included in the  
4 standard format.

5 4 Regional Greenhouse Gas Initiative; Reserve for Voluntary Purchase of Renewable Energy  
6 Credits. Amend RSA 125-O:25 to read as follows:

7 125-O:25 Set Aside for Voluntary Purchase of Renewable Energy Certificates.

8 I. The department shall reserve from auction, for retirement purposes, a quantity of budget  
9 allowances, not to exceed one percent of the annual budget, ~~[equivalent to the CO2 emissions~~  
10 ~~reductions associated with renewable energy certificates recognized under RSA 362-F and]~~  
11 purchased voluntarily by electricity customers and not resold.

12 II. Budgeted allowances reserved under paragraph I not retired at the end of each year shall  
13 be auctioned the following calendar year.

14 5 Energy Facility Siting; Wind Energy Systems. Amend RSA 162-H:10-a, I to read as follows:

15 I. To meet the objectives of this chapter, ~~[and with due regard for the renewable energy goals~~  
16 ~~of RSA 362-F,]~~ including promoting the use of renewable resources, reducing greenhouse gas and  
17 other air pollutant emissions, and addressing dependence on imported fuels, the general court finds  
18 that appropriately sited and conditioned wind energy systems subject to committee approval have  
19 the potential to assist the state in accomplishing these goals. Accordingly, the general court finds  
20 that it is in the public interest for the site evaluation committee to establish criteria or standards  
21 governing the siting of wind energy systems in order to ensure that the potential benefits of such  
22 systems are appropriately considered and unreasonable adverse effects avoided through a  
23 comprehensive, transparent, and predictable process. When establishing any criteria, standard, or  
24 rule for a wind energy system or when specifying the type of information that a wind energy  
25 applicant shall provide to the committee for its decision-making, the committee shall rely upon the  
26 best available evidence.

27 6 Default Service. Amend RSA 374-F:3, V(c) to read as follows:

28 (c) Default service should be designed to provide a safety net and to assure universal  
29 access and system integrity. Default service should be procured through the competitive market and  
30 may be administered by independent third parties. ~~[Any prudently incurred costs arising from~~  
31 ~~compliance with the renewable portfolio standards of RSA 362-F for default service or purchased~~  
32 ~~power agreements shall be recovered through the default service charge.]~~ The allocation of the costs  
33 of administering default service should be borne by the customers of default service in a manner  
34 approved by the commission. If the commission determines it to be in the public interest, the  
35 commission may implement measures to discourage misuse, or long-term use, of default service.  
36 Revenues, if any, generated from such measures should be used to defray stranded costs.

37 7 Renewable Energy Source Option. Amend RSA 374-F:3, V(f)(7) to read as follows:

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1                   (7) For purposes of consumer protection and the maintenance of program integrity,  
2 reasonable efforts should be made to assure that the renewable energy source component of an RES  
3 option is not separately advertised, claimed, or sold as part of any other electricity service or  
4 transaction[~~including compliance with the renewable portfolio standards under RSA 362-F~~].

5           8 Utility Rates; Determination of Public Interest. Amend RSA 374-G:5, II(b) to read as follows:

6                   (b) The efficient and cost-effective realization of the purposes of the [~~renewable portfolio~~  
7 ~~standards of RSA 362-F and the~~] restructuring policy principles of RSA 374-F:3.

8           9 Repeal. The following are repealed:

9                   I. RSA 374-G:3, IV, relative to biomass-fueled generation.

10                  II. RSA 374-G:4, III, relative to additional nonrenewable generation.

11                  III. RSA 374-F:3, V(f)(8), relative to renewable energy fund.

12                  IV. RSA 374-F:3, V(f)(1), relative to definition of renewable energy source.

13                  V. RSA 6:12, I(b)(253), relative to renewable energy fund.

14                  VI. RSA 162-H:21, II, relative to one-time grant for renewable energy fund.

15           10 Effective Date. This act shall take effect 60 days after its passage.