

CHAPTER 85  
HB 385 - FINAL VERSION

9Mar2023... 0360h

2023 SESSION

23-0642  
10/04

HOUSE BILL

***385***

AN ACT            relative to the approval of community electric aggregation plans by the department of energy.

SPONSORS:       Rep. Vose, Rock. 5

COMMITTEE:      Science, Technology and Energy

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ANALYSIS

This bill clarifies the procedure for complaints to the department of energy concerning community electric aggregation plans.

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                         Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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

AN ACT                      relative to the approval of community electric aggregation plans by the department of energy.

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

1            85:1 Definition Added; Aggregation of Electric Customers. Amend RSA 53-E:2, VI-a to read as  
2 follows:

3            V-a. ***"Department" means the department of energy.***

4            VI-b. "Energy services" means the provision of electric power supply solely or in combination with  
5 any or all of the services specified in RSA 53-E:3.

6            85:2 Community Electric Aggregation Plans; Complaints. Amend RSA 53-E:7, X to read as follows:

7            X. The commission shall adopt rules, under RSA 541-A, to implement this chapter and, to the  
8 extent authorities granted to municipalities and counties by this chapter materially affect the interests of  
9 electric distribution utilities and their customers, to reasonably balance such interests with those of  
10 municipalities and counties for the public good, which may also be done through adjudicative proceedings  
11 to the extent specified or not addressed in rules. Such rules shall include but not be limited to rules  
12 governing the relationship between municipal and county aggregators and distribution utilities, metering,  
13 billing, access to customer data for planning and operation of aggregations, notice of the commencement  
14 or termination of aggregation services and products, and the reestablishment of a municipal or county  
15 aggregation that has substantially ceased to provide services. Where the commission has adopted rules  
16 ***or issued orders*** in conformity with this chapter, complaints [tø] ***pertaining to actions undertaken or omitted***  
17 ***by any municipal or county aggregator or electric distribution utility arising under this chapter, applicable***  
18 ***rules, or orders of the commission, shall be made to the department. Thereupon, the department shall***  
19 ***cause a copy of said complaint to be forwarded to the municipal or county aggregator or electric***  
20 ***distribution utility complained of, which may be accompanied by an order, requiring that the matters***  
21 ***complained of be satisfied, or that the charges be answered in writing within a time to be specified by the***  
22 ***department. If the charges are not satisfied and it shall appear to the department that there are***  
23 ***reasonable grounds therefor, it shall investigate the same in such manner and by such means as it shall***  
24 ***deem proper. After investigation, the department may bring proceedings on its own motion before the***  
25 ***commission, with respect to any complaint or violation arising under this chapter, applicable rules, or***  
26 ***orders of the commission. If the party bringing the complaint is unsatisfied with the disposition of the***  
27 ***complaint by the department, then they may petition the commission to resolve the matter through an***  
28 ***adjudicative proceeding. Notwithstanding any other provision of law to the contrary, municipal and county***  
29 ***aggregators shall be subject to the jurisdiction of the department for purposes of this paragraph. For non-***  
30 ***residential ratepayers, the department shall docket and make public any received complaint. Complaints***  
31 ***to the department*** and proceedings before the commission shall not be subject to RSA 541-A:29 or RSA  
32 541-A:29-a.

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- 1       85:3 Application of Amended Complaint Procedure; Community Electric Aggregation Plans. The  
2 procedure for complaints pursuant to RSA 53-F:7, X as amended by this act, shall apply to complaints  
3 filed with the department of energy on and after the effective date of this act.

85:4 Effective Date. This act shall take effect upon its passage.

Approved: June 20, 2023  
Effective Date: June 20, 2023