

**HB 80 - AS INTRODUCED**

2021 SESSION

21-0038

10/06

HOUSE BILL            **80**

AN ACT                relative to expenditures from the energy efficiency fund.

SPONSORS:            Rep. Mann, Ches. 2; Rep. Cali-Pitts, Rock. 30; Rep. McWilliams, Merr. 27

COMMITTEE:          Science, Technology and Energy

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ANALYSIS

This bill requires the public utilities commission to include school districts in the allocation of energy efficiency funds, increases the statewide allocation for energy efficiency programs, and requires rebates from the use of auction proceeds to all commercial and industrial retail energy ratepayers.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty One*

AN ACT relative to expenditures from the energy efficiency fund.

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

1 1 Findings.

2 I. New Hampshire participates in the Regional Greenhouse Gas Initiative (RGGI), a multi-  
3 state program aimed at reducing the production of greenhouse gases, by measures that include  
4 investing in energy efficiency measures statewide.

5 II. Currently about 5 million dollars of RGGI-sourced funds are distributed annually to  
6 residential ratepayers in the form of “rebates,” providing on average a reduction in electricity bills of  
7 about 90 cents per month per household.

8 III. Low-cost energy efficiency measures, such as installing light-emitting diode (LED)  
9 bulbs, can provide benefits far more valuable than the rebate program.

10 IV. Once installed, a durable energy efficiency measure produces a continuing savings  
11 stream for its life, with no further investment.

12 V. A program regularly producing a new savings stream, such as a family regularly  
13 installing another LED bulb or New Hampshire regularly retrofitting another building with  
14 insulation, produces an accelerating gain in retained wealth over time – while, similarly, failure to  
15 regularly invest in energy efficiency work results in an accelerating avoided-lost-revenue stream for  
16 energy suppliers. The longer the rebate scheme continues the greater the accelerating transfer of  
17 wealth from New Hampshire to oil interests. As of 2020, this transfer has been going on for 8 years.

18 VI. Accordingly, and in view of climate concerns, the general court finds it both reasonable  
19 and necessary to immediately end the rebate to residential ratepayers of revenue derived from the  
20 regional greenhouse gas initiative and invest it all, as originally intended, on effective and on-going  
21 energy efficiency programs.

22 2 Regional Greenhouse Gas Initiative; Energy Efficiency Fund and Use of Auction Proceeds.  
23 Amend RSA 125-O:23, II and III to read as follows:

24 II. All amounts [~~in excess of the threshold price of \$1 for any allowance sale~~] shall be  
25 ***allocated to the commercial and industrial retail electric ratepayers and the residential***  
26 ***retail electric ratepayers consistent with the kilowatt-hour delivery sales of electric***  
27 ***distribution utilities as determined by the commission. All of the commercial and***  
28 ***industrial retail electric ratepayer allocations shall be*** rebated to all ***commercial and retail***  
29 ***industrial*** [~~retail electric~~] ratepayers in the state on a per-kilowatt-hour basis, in a timely manner  
30 to be determined by the commission.

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1           III. All remaining proceeds received by the state from the sale of allowances, excluding the  
2 amount used for commission and department administration under paragraph I, shall be allocated  
3 by the commission as follows:

4           (a) At least ~~[15]~~ **35** percent to the low-income *utility* core energy efficiency program.

5           (b) Beginning January 1, ~~[2014]~~ **2021**, ~~[up to \$2,000,000]~~ **no more than \$5,000,000**  
6 annually to utility core *energy efficiency* programs for municipal, *school district*, and local  
7 government energy efficiency projects, including projects by local governments that have their own  
8 municipal utilities. Funding elements shall include, but not be limited to, funding for direct  
9 technical and project management assistance to identify and encourage comprehensive projects and  
10 incentives structured to assist municipal and local governments funding energy efficiency projects.  
11 In calendar years 2014~~[-2015, and 2016,]~~ **through 2020** any unused funds allocated to municipal  
12 and local government projects under this paragraph remaining at the end of the year shall roll over  
13 and be added to the new calendar year program funds and continue to be made available exclusively  
14 for municipal and local government projects. Beginning in calendar year ~~[2017]~~ **2021**, and all  
15 subsequent years, funds allocated to municipal and local government projects under this paragraph  
16 shall be offered first to municipal and local governments as described in this paragraph for no less  
17 than 4 full calendar months. If, at the end of this time, municipal and local governments have not  
18 submitted requests for eligible projects that will expend the funds allocated to municipal and local  
19 government projects under this paragraph within that program year, the funds shall be offered on a  
20 first-come, first-serve basis to business and municipal customers who fund the system benefits  
21 charge.

22           (c) The remainder to all-fuels, comprehensive energy efficiency programs administered  
23 by qualified parties which may include electric distribution companies as selected through a  
24 competitive bid process. The funding shall be distributed among residential, commercial, and  
25 industrial customers ~~[based upon each customer class's electricity usage]~~ **divided evenly between**  
26 **the 2 existing customer classes** to the greatest extent practicable as determined by the  
27 commission. Bids shall be evaluated based on, but not limited to, the following criteria:

- 28           (1) A benefit/cost ratio analysis including all fuels.
- 29           (2) Demonstrated ability to provide a comprehensive, fuel neutral program.
- 30           (3) Demonstrated infrastructure to effectively deliver such program.
- 31           (4) Experience of the bidder in administering energy efficiency programs.
- 32           (5) Ability to reach out to customers.
- 33           (6) The validity of the energy saving assumptions described in the bid.

34           3 Effective Date. This act shall take effect 60 days after its passage.