

Amendment to SB 165

1 Amend the bill by replacing sections 1 and 2 with the following:

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3 1 Public Utilities; Online Energy Data Platform. RSA 378:51, IV is repealed and reenacted to
4 read as follows:

5 IV. Prior to undertaking the construction of the platform, the utilities subject to this section
6 shall jointly file with the department, the office of the consumer advocate, and the commission a
7 detailed plan for the platform including a capital and operating budget. Within 60 days of its receipt
8 of this filing, the department or the consumer advocate may request that the commission defer the
9 implementation of the statewide, multi use, online energy data platform for reasons of cost. Upon
10 such a request, the commission shall conduct an adjudicative proceeding and shall thereafter either
11 approve such plan for implementation of the platform by the utilities, or defer the implementation of
12 the platform if it determines that the cost of the platform to be recovered from customers is
13 unreasonable and not in the public interest. In the absence of such a request by the department or
14 the consumer advocate, the utilities shall be authorized to implement the platform and recover any
15 expenses or capital expenditures incurred, as proposed in the filing.

16 2 New Paragraph; Online Energy Data Platform; Application. Amend RSA 378:51 by inserting
17 after paragraph IV the following new paragraph:

18 V. Nothing in this section shall be construed as authorizing the commission to manage,
19 direct, or supervise the development of the statewide, multi-use, online energy data platform. By
20 virtue of Order No. 26,589, issued by the commission on March 2, 2022, the commission shall be
21 deemed to have discharged its responsibilities to conduct an adjudicative proceeding as set forth in
22 paragraph II. The commission may review any costs incurred by utilities under this section in the
23 same manner it reviews other costs that utilities intend to recover from customers. The utilities
24 shall recover all costs incurred consistent with the plan submitted and on file with the department,
25 office of the consumer advocate, and the commission.