

HB 633-FN - AS INTRODUCED

2023 SESSION

23-0693

10/05

HOUSE BILL

***633-FN***

AN ACT                   relative to electric distribution company market share, prohibiting certain electric rate increases, and requiring enforcement against Eversource.

SPONSORS:           Rep. Horrigan, Straf. 10; Rep. Petrigno, Hills. 43; Rep. Read, Rock. 10; Rep. Wheeler, Hills. 33

COMMITTEE:       Science, Technology and Energy

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ANALYSIS

This bill requires that electric distribution companies shall not raise electric rates by an amount that exceeds the annual increase in the Consumer Price Index. The bill also prohibits electric distribution companies from having market share greater than 50 percent and requires the attorney general to bring an action against Eversource.

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                          Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

## STATE OF NEW HAMPSHIRE

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

AN ACT                    relative to electric distribution company market share, prohibiting certain electric rate increases, and requiring enforcement against Eversource.

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

1            1 Repeal. RSA 362-H:2, V, relative to electric distribution companies recovery of certain energy  
2 purchase costs under the renewable generation fuel diversity requirements, is repealed.

3            2 Public Utilities; Rates and Charges. Amend RSA 378:5 to read as follows:

4            378:5 Higher Rates. Whenever any schedule shall be filed with the commission stating new and  
5 higher rates, fares, charges or prices, which the public utility filing the same proposes to put into  
6 force, the commission may investigate the reasonableness of such proposed rates, fares, charges or  
7 prices. ***Provided that, no electric distribution company shall be permitted to raise its rates***  
8 ***to consumers by an amount that exceeds the annual increase in the Consumer Price Index***  
9 ***(CPI-U) as published by the Bureau of Labor Statistics.***

10           3 Regulation of Monopolies; Electric Distribution Companies. Amend RSA 356:3 to read as  
11 follows:

12           356:3 Monopolies Prohibited.

13           ***I.*** The establishment, maintenance or use of monopoly power, or any attempt to establish,  
14 maintain or use monopoly power over trade or commerce for the purpose of affecting competition or  
15 controlling, fixing or maintaining prices is unlawful.

16           ***II.*** ***No electric distribution company shall be permitted to have more than 50***  
17 ***percent of the market share in this state.***

18           4 Department of Justice. The attorney general shall bring an action in the name of the state for  
19 enforcement of the requirement in RSA 356:3, II against Eversource to restore market competition in  
20 New Hampshire.

21           5 Effective Date. This act shall take effect July 1, 2024.

LBA  
23-0693  
1/10/23

**HB 633-FN- FISCAL NOTE  
AS INTRODUCED**

AN ACT                      relative to prohibiting electric company monopolies and dividing Eversource.

**FISCAL IMPACT:**

Due to time constraints, the Office of Legislative Budget Assistant is unable to provide a fiscal note for this bill, as introduced, at this time. When completed, the fiscal note will be forwarded to the House Clerk's Office.

**AGENCIES CONTACTED:**

Departments of Energy and Justice, and Public Utilities Commission