

Residential Ratepayers' Advisory Board

April 25, 2022, Meeting Minutes

Present for the Board:

Claira Monier-Acting Chair
Kenneth Mailloux
Yolanda Baumgartner
Ryan Clouthier
James Garrity
Matthew Kfoury
Neal Kurk

Present for the OCA:

Donald Kreis
Jamie Breen
Josie Gage
Julianne Desmet
Maureen Reno

Guest Speakers: New Hampshire Electric Cooperative's (NHEC) General Manager Jim Bakas, board members Bill Darcy and Leo Dwyer, legal counsel Terri Pastori

Public: Robert Backus, Patricia Martin, and John Tuthill

Ms. Monier called the meeting to order at 2:00 p.m. Introductions were made around the room.

1. Minutes of January 24th Meeting

Ms. Monier moved to approve the minutes. Mr. Clouthier seconded the motion. Board members agreed unanimously.

2. Presentation from the New Hampshire Electric Cooperative

Mr. Bakas, Mr. Darcy and Mr. Dwyer shared the attached slide presentation and answered questions throughout. Mr. Bakas discussed the electric cooperative history, including the service areas in America, infrastructure and purpose of the electric co-ops, as well as their growth today. He explained that electric cooperatives are customer-owned utilities versus utilities owned by shareholders. He noted that NHEC is not-for-profit and owned and governed by its members. According to Mr. Bakas, although NHEC is a deregulated utility exempt from most Public Utilities Commission (PUC) oversight, the Co-op does have to abide by some rules. For example, he noted, the NHEC is required to file quarterly reports and participate in the statewide ratepayer-funded energy efficiency programs, i.e., NHSaves. He noted that NHEC has also begun providing broadband in New Hampshire via a subsidiary. The broadband project is currently building out in Acworth and Sandwich. Mr. Darcy noted that the cooperative offers customers a straightforward broadband plan with no promotional rates or hidden fees.

There was also discussion of the NHEC's state-court litigation against Consolidated Communications over expenses related to tree trimming around poles owned by Consolidated, or jointly owned by Consolidated and the NHEC, in the NHEC service territory. It was noted that the case is likely to be tried in 2023 and is a contrast with the approach Eversource has taken in addressing a similar dispute with Consolidated (settling and agreeing to buy out Consolidated's interest in poles within the Eversource service territory, an agreement now pending before the PUC for approval).

3. Legislative Update

The Board received a current list of House and Senate Bills prior to the meeting. Mr. Kreis discussed Senate Bill 271, concerning ratepayer support for the wood-burning Burgess BioPower generation facility in Berlin. He noted that the House Science Technology and Energy Committee would on April 26 be considering an amendment that would essentially defer the problem for another year. Mr. Kreis said the OCA supported this amendment as superior to the version of the bill sent to the House, which would essentially forgive a \$60 million debt owed by Burgess BioPower to Eversource customers. Mr. Kreis also noted that HB 549, the bill relative to the system benefits charge and ratepayer-funded energy efficiency, was signed by the Governor in February, overruling the PUC and paving the way for the continued existence of ratepayer funded energy efficiency programs. Mr. Kurk and Mr. Garrity proposed writing informative Op-eds for the public in the future regarding some of the legislative/docket topics covered in the RRAB meetings.

4. Case Update

The Board received a current Activity List prior to the meeting, Mr. Kreis touched upon briefly on the following dockets:

- **DE 21-020** Eversource-Consolidated Joint Petition to Approve Pole Asset Transfer
- **DW 20-117** Hampstead Area Water Company Rate Case
- **DW 20-184** Aquarion Rate Case
- **DG 17-152** Liberty Least Cost Integrated Resource Plan

5. Any other topics or issues that the Board wishes to discuss

Mr. Kurk stated he would like to discuss three items:

1. Would it be possible for the Electric Assistance Program (EAP) to make a policy change to their program? Instead of the funds coming out of ratepayers to fund low-income people for this fund, would it be possible for it to come out of a general fund or have the money come out of a subsidy or another program?
2. Why is my electric bill high? Could New Hampshire pass a law that could cap return on equity that utilities earn? Mr. Kreis replied that it would be unconstitutionally confiscatory.
3. How does Mr. Kreis justify his request that the Governor include in the next biennial budget the hiring of another staff attorney within the OCA? Mr. Kreis explained that the additional staff member would do regional and federal work. Mr. Kreis noted that the OCA's counterparts in other states also devote staff resources to regional and federal matters.

6. Adjournment

Ms. Monier moved to adjourn. Mr. Kfoury seconded the motion, which was adopted unanimously by the Board. The meeting was adjourned at 4:25 p.m.