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DEPARTMENT OF ENERGY  
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**Transmitted via Email Only**

April 24, 2024

Clifton Below  
Community Power Coalition of New Hampshire  
P.O. Box 840  
Concord, NH 03302  
[Clifton.Below@communitypowernh.gov](mailto:Clifton.Below@communitypowernh.gov)

Re: CPT 2023-002, Complaint of Community Power Coalition of New Hampshire against Public Service Company of New Hampshire d/b/a Eversource Energy; New Hampshire Department of Energy Letter to Community Power Coalition of New Hampshire

Dear Mr. Below:

The Department of Energy (DOE) is writing this letter to respectfully request additional information regarding CPT 2023-002 in response to your email sent to the DOE on February 29, 2024.

On July 13, 2023, you on behalf of Community Power Coalition of New Hampshire (CPCNH) filed your Complaint against Public Service Company of New Hampshire d/b/a Eversource Energy (Eversource or Company), which was docketed as CPT 2023-002 (DOE Complaint). One of the issues raised in the DOE Complaint was whether Eversource was providing TOU usage data or providing the CPCNH customers with the TOU rate. That same date, you filed a similar Complaint with the Public Utilities Commission (PUC), which was docketed as DE 23-062 (PUC Complaint). There has been no further action in the PUC docket since CPCNH filed its Reply on July 13, 2023.

On June 14, 2023, Eversource, Liberty Utilities (Granite State Electric) Corp. d/b/a Liberty, and Until Energy Systems filed a petition for a waiver from certain provisions of the Puc 2200 rules, which the PUC docketed as DE 23-063. On July 24, 2023, Public Service Company of New Hampshire d/b/a Eversource Energy (Eversource) submitted a response to your DOE Complaint. On October 30, 2023, the DOE sent a letter to Eversource asking the Company to clarify its response as it relates to Section 6.1 of the DOE Complaint. On December 14, 2023, the Company provided a formal response to the DOE. On January 9, 2024, Eversource, CPCNH, and the DOE met to discuss the Complaint. At the end of the meeting, CPCNH agreed that it would provide

an updated outline/table addressing all resolved and outstanding issues raised at this meeting. CPCNH also agreed that it would specify in the outline if any of the issues were also raised in the PUC Complaint, in DE 23-063, or in the EDI Working Group.<sup>1</sup> At the conclusion of the meeting, CPCNH informed the participants that it would distribute its outline shortly.

On February 29, 2024, CPCNH provided a twenty-six page status update. Later that same day, CPCNH sent an email to Eversource and the DOE stating that “Eversource’s EDI operations team had reversed position from their previous advice that 2-part TOU rates could be provided to customers on rate LG, to say that in fact their system would not support 2-part TOU rates for LG customers with interval metering, so not for any rate class for CEPS or CPAS trying to use consolidated billing.” The email also stated that some of the statements in the February 29, 2024 status update were no longer accurate. In summary CPCNH wrote that it would “prepare a letter with the corrections for the record.” To date the Department has not received this letter.

In the interest of administrative efficiency and providing a swift and accurate resolution of this Complaint, the Department will allow CPCNH one more opportunity to supplement the record. CPCNH is required to provide an update addressing only the issue raised in the February 29, 2024 email by Tuesday **May 15, 2024**. If the Department does not receive a response from CPCNH by then it will exclude this issue from the final decision. CPCNH would then be welcome to file a new Complaint with the Department regarding this issue. If CPCNH provides a response to this issue by May 15, 2024 then Eversource will have the opportunity provide a response by **May 29, 2024**. The Department reserves the right to exclude any information submitted by Eversource after the aforementioned deadline. In addition, the Department may choose to not consider any information that does not address whether Eversource is providing certain CPCNH customers with two-part TOU rates.

The DOE has waived the filing of paper copies in this matter and this letter is being sent electronically only.

Sincerely,

*/s/ Molly M. Lynch*

Molly M. Lynch  
Staff Attorney/Hearings Examiner  
Department of Energy

cc (electronically only): Clifton Below; Office of Consumer Advocate; Amanda Noonan; Matthew Young, Esq.; Brian Callnan.

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<sup>1</sup> On December 5, 2023, the Department announced that it would be convening an EDI Working Group in early 2024 with the first meeting focused on working group governance, future agenda items, and other relevant issues.