

# ENERGY EFFICIENCY AND SUSTAINABLE ENERGY BOARD

RSA 125-O:5-a

21 South Fruit Street, Suite 10

Concord, N.H. 03301-2429

## Draft Minutes for December 17, 2021

### Attendees:

Board Members: Ryan Clouthier (Southern NH Services); D. Maurice Kreis (OCA); Becky Ohler (DES); Kate Peters (Eversource); Eric Stanley (Liberty Utilities); Ray Burke (NH Legal Assistance); Bruce Clendenning (The Nature Conservancy); Bryan Buckley for Chris Ellms (Department of Energy); Tom Palma for Cindy Carroll (Unitil); Carol Woods (NHEC) *via call-in*; Representative Kat McGhee (NH House of Representatives); Representative Michael Vose (NH House of Representatives); Philip Biron (NH State Fire Marshal's Office); Scott Maslansky (CDFA) *via call-in*; Jack Ruderman (NHHFA) Matthew Siska (GDS Associates).

Others: Chris Skoglund (DES); Azanna Wishart (Department of Energy); Mark Lemenager (Eversource) *via call-in*; Kelly Buchanan (Clean Energy NH); Megan Ulin (ReVision Energy) *via call-in*; Julianna Desmet (OCA); Maureen Reno (OCA) *via call-in*; Kim Dragoo (Liberty Utilities) *via call-in*; Greg Caggiano (Franklin Energy) *via call-in*; John Davis (PSD Consulting) *via call-in*; Tom Rooney (TRC Solutions) *via call-in*.

### 1. Welcome and Introductions

- The meeting was held in person at the New Hampshire Department of Environmental Services with remote call-in capability.
- Bruce Clendenning called the meeting to order at 9:04 a.m.

### 2. Approval of the November 19, 2021 EESE Board Meeting Minutes.

- Becky Ohler moved. Representative Kat McGhee seconded.
- Approval of the November minutes. All in favor. One abstention.

### 3. Consideration of EESE Board 2021 Annual Report.

- Jack Ruderman moved. Ryan Clouthier seconded.
- Approval of the EESE Board 2021 Annual Report. All in favor.

#### 4. Discussion – Nominations and voting for EESE Board officers at January meeting

- A primary responsibility of the Chair is to provide a robust agenda.
- Consider amending governance document regarding Vice Chair position as it relates to unanticipated situations.
  - Becky Ohler nominated Bruce Clendenning for Chair. Jack Ruderman seconded. No vote was taken.

#### 5. Updates related to PUC Order 26,533 – Triennial EE Plan and discussion of potential EESE Board actions.

- There have been several actions in response to Order 26,533: Requests for re-hearing, requests for reconsideration, lawsuits for a stay on the Order, letters of concern from legislators, private organizations, and citizens. There has been media attention via blogs, op-eds, and social media.
- Board member entities and organizations that are taking action include:
  - Office of the Consumer Advocate (OCA) is seeking a re-hearing. Along with Eversource, the motion was put through on December 10<sup>th</sup>.
  - Don Kreis has written two columns in InDepth.
  - New PUC Commissioner Pradip Chattopadhyay has taken office. He issued a memorandum that he will not be disqualifying himself from the proceedings regarding the Order. He invited anyone who disagrees with his decision to file a motion. The OCA has taken that step.
  - NH Legal Assistance filed a motion for re-hearing. They joined the motion of other settling parties as well as the utilities motion but filed their own so they could address issues regarding low-income programs.
  - The Department of Energy filed it's first ever re-hearing motion. The motion highlights substantive issues in the Order that require clarification. The Governor issued a press statement supporting the Department's motion.
  - The Community Action Program (CAP) agencies have submitted an impact statement to the PUC.
  - Clean Energy NH filed a suit with the NH Superior Court for an immediate stay of the Order. The court date is Monday, December 27<sup>th</sup>.
  - Liberty Utilities filed a motion for an immediate stay.
- It was noted that the EESE Board played a pivotal role and has served as a forum where the utilities can collaborate with stakeholders for energy efficiency plans rather than the utilities planning on their own. These collaborative efforts have produced two consensus driven Triennial Energy Efficiency plans. The Commission did not have sufficient justification for denying the Order and is, in fact, inconsistent with itself. In response to the Restructuring Act of 1996, the Commission issued an Energy Efficiency working group that would create statewide energy plans. There have been two decades of progress since that time.
- Should there be action taken by the EESE Board?

- It was noted that House Bill 549 (HB549) will modify the makeup of the duties of the EESE Board by deleting its participation in developing and planning energy efficiency programs.
  - A board member suggested a letter be sent from the Board in support of those entities that are filing motions. There was a discussion about creating a sub-group or having the newly formed EE Committee to draft the letter. It was agreed that the EE Committee would be the appropriate vehicle.
  - Representative Kat McGhee motioned that action be taken by the EE Committee and to report back to the Board by the second week in January. Jack Ruderman seconded. All in favor. One abstention.
- Legislative Updates
    - Representative Michael Vose reported that there are eighteen bills in ST&E for 2022 as of yesterday. The committee will begin work on them on the second week in January.
  - Board & Program Updates
    - DES
      - Becky Ohler announced that Chris Skoglund is resigning from DES and will be working for Clean Energy NH. Chris has brought a high level of quality work to the Board and to DES. He steered a diverse group of individuals to create the first climate action plan. We hope that he will continue his work with the EE Committee.
      - NHDES released amendment #2 to the VW Environmental Mitigation Trust Direct Current Fast Charging Infrastructure Request for Proposals on December 3, 2021. The amendment deletes “Make-ready costs not covered by utility(ies)” as an eligible expense under the RFP, as well as makes other minor corrections. This change was made when it became clear that inclusion of the language in the RFP was potentially going to interfere with Eversource getting approval for \$2 million in make-ready funding in a pending rate case (Docket DE 21-078). The response deadline to the RFP was also extended until January 28, 2022.
    - Department of Energy
      - Bryan Buckley reported that Jared Chicoine was officially approved as Commissioner of the Department of Energy. There are a number of RFP’s out currently.
  - Motion to Adjourn
    - Becky moved. Ryan seconded. All in favor.
    - Meeting adjourned at 10:45 a.m.