

**STATE OF NEW HAMPSHIRE
DEPARTMENT OF ENERGY**

ELECTRIC RENEWABLE PORTFOLIO STANDARD

Adjustment to Renewable Portfolio Standard Class III Requirement

ORDER OF NOTICE OF PUBLIC COMMENT HEARING

The Department of Energy (Department) has determined to evaluate whether a sufficient supply of Class III (Existing Biomass/Methane) renewable energy certificates (RECs) will be available for New Hampshire electricity providers to comply with New Hampshire's Renewable Portfolio Standard (RPS) requirements under RSA chapter 362-F for the 2021 compliance year. The Department will consider whether an adjustment should be made to the Class III requirement for 2021. If the Department makes no change, the Class III RPS requirement will be 8.0 percent of retail sales for 2021.

Pursuant to statute, the Department is authorized to adjust Class III RPS requirements as necessary and consistent with the purposes of RSA chapter 362-F. The law allows the Department, after notice and hearing, to modify Class III requirements "such that the requirements are equal to an amount between 85 percent and 95 percent of the reasonably expected potential annual output of available eligible sources after taking into account demand from similar programs in other states." RSA 362-F:4, VI.

Potentially reduced production from a number of Class III certified biomass facilities, combined with uncertain demand and market dynamics on the regional scale, call into question the ability of electricity providers to procure sufficient New Hampshire Class III RECs to satisfy the Class III RPS requirement for compliance year 2021.

Based on that market uncertainty, the Department has determined that a potential adjustment to the Class III RPS requirement for the 2021 compliance year should be considered.

Accordingly, the Department will hold a public comment hearing on March 3, 2022, at 1:00 p.m., to gather information regarding the 2021 annual electric generation output of certified Class III eligible sources, the regional market demand for the RECs produced by those sources, and the corresponding availability of New Hampshire Class III RECs to meet the Class III RPS requirement for compliance year 2021.

This order of notice raises, *inter alia*, issues related to whether it is appropriate and reasonable for the Department to adjust RPS Class III requirements for compliance year 2021, pursuant to RSA 362-F:4, VI, and, if so, how that adjustment should be calculated. Each party has the right to have an attorney represent the party at the party's own expense.

Based upon the foregoing, it is hereby

ORDERED, that a public comment hearing shall be held before the Department through remote access at the following link: [Click here to join the meeting](#), or by telephone (audio only) at the following number and passcode: [+1 603-931-4944, 733944704#](#), on March 3, 2022, at 1:00 p.m., during which any interested stakeholder may provide comments regarding the potential modification of the Class III RPS obligation for compliance year 2021. **If you have any difficulty obtaining access to this remote event, please notify the Department by calling (603) 271-3670 as soon as possible;** and it is

FURTHER ORDERED, that, pursuant to N.H. Code of Administrative Rules Puc 203.12 and RSA 12-P:14, the Department shall provide this order of notice by electronic mail to the service list for PUC Docket No. DE 21-037 and shall also publish this order of notice on the Department's website no later than two business days after the date of issue.

So ordered this 21st day of January, 2022.



Jared S. Chicoine
Commissioner

Individuals needing assistance or auxiliary communication aids due to sensory impairment or other disability should contact the Department of Energy, 21 South Fruit Street, Suite 10, Concord, New Hampshire 03301-2429; 603-271-3670; TDD Access: Relay N.H. 1-800-735-2964. Notification of the need for assistance should be made one week prior to the scheduled event.