

STATE OF NEW HAMPSHIRE DEPARTMENT OF ENERGY

ELECTRIC RENEWABLE PORTFOLIO STANDARD

Adjustment to Renewable Portfolio Standard 2023 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 2023 compliance year. The Department will consider whether an adjustment should be made to the Class III requirement for 2023. If the Department makes no change, the Class III RPS requirement will be 8.0 percent of retail sales for 2023.

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.

The Department is aware of reduced production from a number of Class III certified biomass facilities during the 2023 calendar year. Combined with uncertain demand and market dynamics on the regional scale, these reductions 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 2023.

Based on that market uncertainty, the Department has determined that a potential adjustment to the Class III RPS requirement for the 2023 compliance year should be considered. Accordingly, the Department will hold a virtual public comment hearing on February 7, 2024, at 10:00am to gather information regarding the 2023 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 2023. The Department encourages interested parties to submit written comments to the Department by February 1, 2024 to Proceedings@energy.nh.gov.

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 2023, pursuant to RSA 362-F:4, VI, and, if so, how that adjustment should be calculated.

Based upon the foregoing, it is hereby

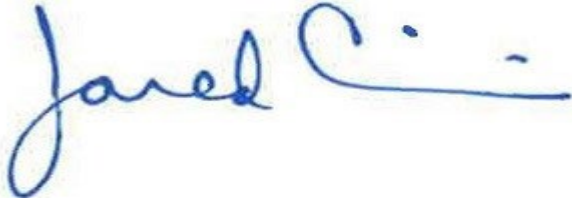
ORDERED, that a public comment hearing shall be held before the Department on **February 7, 2024, at 10:00 am** through remote access at the following link: [Click here to join the meeting](#).¹ Interested parties may also join by telephone (audio only) at the following number and passcode: +1 603-931-4944, 436074186#. During this public comment hearing, any interested stakeholder may provide comments regarding the potential modification of the Class III RPS obligation for compliance year 2023. **If you have any difficulty obtaining access to**

¹ Participants may also join via Teams using the following Meeting ID and Passcode:
Meeting ID: 251 296 456 213
Passcode: gHDhRy

this remote event, please notify the Department by calling (603) 271-3670 as soon as possible; and it is

FURTHER ORDERED, that, the Department shall provide this order of notice by electronic mail and shall also publish this order of notice on the Department's website no later than two business days after the date of issue. Individuals wishing to be added to the distribution list for this proceeding may send an email to Proceedings@energy.nh.gov which includes the email(s) to be added.

So ordered this 17th day of January 2023.



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.