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NH DEPARTMENT  
OF ENERGY

**Mountain View Mill**  
**@ Troy, LLC**  
34 Rollins Rd.  
Epping NH 03042  
603 365-1820

State of New Hampshire  
Department of Energy  
21 S. Fruit St., Suite 10  
Concord NH 03301-2429

December 29, 2022

Re: Waiver of Puc 303.02

Dear Commissioner Chicoine:

Mountain View Mill at Troy, LLC ("MVM") requests a waiver of New Hampshire Code of Administrative Rules Puc 303.02, the so-called master metering rule. Puc 303.02 provides that, except in certain limited circumstances: "No utility shall install master metering in a building with multiple dwelling units. The energy in each dwelling unit in such a building shall be separately metered."

MVM respectfully requests you approve MVM's request based on four factors:

1. **Simplicity** -- The redesign of the former Troy (NH) Mills facility intends to incorporate as much of the existing infrastructure as possible. Adding hundreds of meters adds an unnecessary level of complexity to the project which is designed and approved for 100% low-income housing and various commercial uses, after being awarded one of thirty grants under the Capital Grant program.
2. **Public Interest** -- As a 100% low-income project, MVM is supplying 100% of utility cost including heating, cooling, hot water, internet service and the like. The necessity for multiple meters partially defeats the purpose of providing all utilities for low-income residents.
3. **Purpose** -- The project is viewed primarily as transitional housing for young people (akin to college dorm living) who have just left home, and mature people seeking their final housing solutions. The young lack experience and credit which can create hardship when attempting to obtain electricity and internet (Many require deposits under these circumstances) and the mature often leave the additional burden of canceling such services to their survivors.
4. **Efficiency** -- Meters do not make electrical distribution more efficient, better looking, or less expensive. If energy efficiency is a goal of Puc 302.02, the goal of MVM is to eventually have 100% sustainable energy powering the complex via Ground-source heating and cooling and water heating via heat pumps rather than resistive heat, for example.

It is our understanding that as of July 1, 2021, the DOE began controlling many functions previously performed by the Public Utilities Commission ("PUC"). Under RSA 12-P:14, "[e]xisting rules, orders, and approvals of the PUC which were associated with any functions, powers, and duties, transferred to the DOE pursuant to RSA 12-P:11.

This transfer of functions operates to authorize the DOE to consider and grant or deny waiver requests regarding rules for which the DOE exercises authority, consistent with the waiver standards established in Puc 201.05. Therefore the DOE has primary responsibility for the adoption of public utility meter standards, for example, as per RSA 370, as amended and effective July 1, 2021. The DOE is authorized to enforce the relevant provisions of Chapter Puc 300, including Puc 303.02, and to grant waivers of any such rules under the standards established in Puc 201.05, per RSA 12-P:14.

We have attached an electronic correspondence from Eversource, dated December 23, 2022, stating no objection to MVM's request for waiver of Puc 303.02. This is consistent with previous waivers granted to Optimus-Everbrook Senior Living and Prospect Woodward Home, for example.

The purpose of Puc 303.02 is to incentivize energy conservation and efficiency. MVM's project design is based entirely on efficiency and sustainability. No fossil fuels will be burned on this project. Efficient heat pumps are being utilized for heating both air and hot water for the entire project. Solar energy and geothermal are both part of the mix along with more standard energy code items like insulated, Krypton filled glass and various insulating and air infiltration methodologies. Low income housing in a project of this nature requires careful attention to ongoing costs, the greatest of which is the cost of energy. These alternative methods will meet or exceed the spirit and requirements of New Hampshire's Energy Code.

We believe that on every level, MVM's project serves the public interest and the granting of this waiver request will further that interest. We sincerely hope this waiver will not disrupt the orderly and efficient resolution of any matter before the DOE.

MVM understands that this rule waiver of Puc 303.02 does not swerve to waive any requirements of Eversource's tariff, nor State or local building codes, or any other local, state, or federal requirements.

Respectfully submitted:



Christopher E. Farris,  
Managing Member, Duly authorized,  
Mountain View Mill at Troy, LLC  
34 Old Nottingham Rd  
Epping NH 03042  
(603) 365-1820

**From:** Chiavara, Jessica A  
**Sent:** Friday, December 23, 2022 7:29 AM  
**To:** eric farris  
**Subject:** RE: Waiver of Puc 303.02

Good morning Eric,

I have inquired with the appropriate business groups within the company, and no one has voiced an objection to this rule waiver application. Eversource would like to note however, that the company is only capable of issuing one bill per meter.

Please contact me if you have any questions,

**Jessica A. Chiavara**  
Senior Counsel, Eversource Energy  
780 N. Commercial Street, Manchester, NH 03101  
Phone: 603-634-2972  
[Jessica.chiavara@eversource.com](mailto:Jessica.chiavara@eversource.com)

**From:** eric farris <[e\\_farris@hotmail.com](mailto:e_farris@hotmail.com)>  
**Sent:** Wednesday, December 14, 2022 4:10 PM  
**To:** Chiavara, Jessica A <[jessica.chiavara@eversource.com](mailto:jessica.chiavara@eversource.com)>  
**Subject:** Waiver of Puc 303.02

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Greetings:

I was given your name from a very helpful person at the NHDoe, and write because I intend to request a waiver of Puc 303.02.

It seems this waiver has been granted with some consistency including the Optimus-Everbrook Senior Living facility in Allenstown this past summer.

My request is for the Mountain View Mill at Troy, LLC, ("MVM") redevelopment of the former Troy Blanket Mill in Troy.

The existing complex is about 250,000 sq. ft. and uses are mixed including residential.

The request, when refined, will be based on all or part of the following four factors:

1. **Simplicity** -- The redesign of the former Troy (NH) Mills facility intends to incorporate as much of the existing infrastructure as possible. Adding hundreds of meters adds an unnecessary level of complexity to the project which is designed and approved for 100% low-income housing and various commercial uses, after being awarded one of thirty grants under the Capital Grant program.
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3. **Purpose** -- The project is viewed primarily as transitional housing for young people (akin to college dorm living) who have just left home, and mature people seeking their final housing solutions. The young lack experience and credit which can create hardship when attempting to obtain electricity and internet (Many require deposits under these circumstances) and the mature often leave the additional burden of canceling such services to their survivors.
4. **Efficiency** -- Meters do not make electrical distribution more efficient, better looking, or less expensive. If energy efficiency is a goal of Puc 302.02, the goal of MVM is to eventually have a 100% sustainable energy powering the complex via Ground-source heating and cooling and water heating via heat pumps rather than resistive heat, for example.

This all said, do you anticipate objecting to this request? I can provide whatever additional information you require. If the answer is no, I will proceed with the waiver request.

In the alternative, I would work through whatever issues Eversource might have prior to such submission.

We need to get the power into the structure in early Spring so whatever I need to do will be done rapidly.

Our electrician is ready and has had extensive contact with the local Eversource people. This request was driven by that communication.

For reference, all residential units are loft/efficiency units.

Thank you for your assistance.

Eric

C. Eric Farris, J.D.  
603.365.1820

Sent from Mail for Windows

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