



September 7, 2023

Jared S. Chicoine - Commissioner
Department of Energy
21 South Fruit Street Suite 10
Concord, NH 03301-2429

RE: Waiver Request for NH Code Administration Rule PUC #303.02 by Concord Coalition to End Homelessness

Dear Mr. Chicoine,

Please accept this petition on behalf of the Concord Coalition to End Homelessness (CCEH) to request a waiver of PUC Rule 303.02(a) in order to have a master meter in a new 8-unit multifamily residential development to serve low income clients at 120 Pleasant St, Concord, NH.

CCEH is a non-profit 501(c) 3 entity that provides services to people experiencing homelessness including, developing and managing small multifamily affordable housing in Concord. CCEH currently has a portfolio of 7 affordable housing rental units in Concord.

CCEH has experience in securing affordable housing opportunities by effectively limiting operational costs thru capital investment and operational cost effectiveness. CCEH's mission includes providing comprehensive housing and support services for people of need in order to promote and enhance a better way of life for the whole community.

The new 8 one-bedroom unit development, Pleasant Street Residences, will be:

- located on 120 Pleasant St Concord, NH.
- funded by (i) the NH Housing Finance Authority (NH HFA), using federal Housing Trust Funds and Affordable Housing Fund monies made available through NH HFA's Special Needs Program (ii) a Community Development Block Grant from Merrimack County, and (iii) CCEH from private donations. These various funding sources are integral to develop affordable housing in these high-cost times for new development.

- rented to tenants who have income at 30% or less of the average median income for Merrimack County (currently \$22,000 for a single person). The rental income will be provided through project-based vouchers from NH HFA that will cover any rent above 30% of the income (if any) of the tenants. The rent structure of clients includes heat and electric. Maximum rent limits are placed on the units as set by HUD. A Land Use Restriction Agreement will be placed on the property to ensure compliance with the rent and income restrictions for a 40-year period.
- include an ADA unit and laundry facilities.

The energy efficiency upgrades that are currently planned for include:

- ENERGY STAR appliances
- LED Lighting fixtures (interior and exterior)
- Double glazed, insulated vinyl replacement windows (ENERGY STAR rated)
- Low flow water devices
- High efficiency natural gas furnaces with AFUE rating of 96%+
- Individual thermostat controls for tenant
- Energy Recovery Ventilation units
- Attic insulation to be a minimum of R60 (exceeding IECC 2015 code)

Each of the units will have its own thermostat, but the cost of individually metering each unit is cost-prohibitive. The cost to individually meter the units is estimated at approximately \$19,500. The City of Concord does not have any prohibition against master metering.

Under Section PUC 201.05 Waiver of Rules, we respectfully request a waiver of PUC 303.02. A waiver would serve the public interest because compliance with the rule would be onerous, and compliance would not achieve the intended goal of encouraging energy conservation, for the following reasons:

1. **A waiver serves the public interest:** This is special needs housing for homeless individuals. The tenants, who will all be extremely low income, will benefit from Project-Based Section 8 rental vouchers, which means that the tenant will only have to pay 30% of their income towards the total rental cost (contract rent plus utilities) and the rental voucher pays the remainder. All of the utilities will be included in their rent, including heat, hot water and electricity. This is a population that faces many barriers to staying stably housed, and they will receive on-going case management services through CCEH to help them access whatever services they need to maintain their housing stability. Having their utilities included in their rent makes it much easier for the tenant to budget their money and not risk the consequences of non-payment of a utility bill. Because CCEH will be paying the utilities for the entire building, individual meters would not create any energy-saving incentive for the tenants, because they would not be seeing or paying their utility bills.
2. **A waiver serves the public interest:** The project is on an extremely tight budget, with limited funding, and cannot afford the cost of adding individual meters and the associated additional wiring in each unit, which we estimate to be approximately \$19,500. Requiring individual meters harms the financial feasibility of the entire project.

3. **Waivers are consistent with previous Commission actions:** Waivers of the rule have been granted previously to developments of similar affordable housing projects in New Hampshire, Merrimack County and the City of Concord, including one of CCEH's other multifamily housing project at 10 Green Street.

Please note, time is of the essence in resolving this matter. In order to complete the renovations within budget, we would like to have the waiver in place so we can place material orders

Thank you for your consideration, and I look forward to hearing from you. Please feel free to contact me directly if you have questions or require additional information about this project or this request.

Sincerely,

A handwritten signature in blue ink, appearing to read "Karen M. Jantzen". The signature is fluid and cursive, with a large loop at the end.

Karen M. Jantzen, MPA
Executive Director