 <p>COMMUNITY POWER COALITION OF NEW HAMPSHIRE</p>	REGULATORY & LEGISLATIVE AFFAIRS COMMITTEE – APPROVED MINUTES –	
	Meeting Type:	Regular Meeting
	Meeting Location:	14 Dixon Ave., Suite 201
		Concord, NH 03301
	Meeting Date:	Friday, December 8, 2023
	Meeting Time:	10:00 AM - noon

CPCNH Regulatory & Legislative Affairs Committee			
Member	Name	Office	Present/Absent
Dover	Bill Baber	Committee Chair	Present (Virtual)
Rye	Howard Kalet		Present
Exeter	Julie Gilman		Absent
Lebanon	Clifton Below	Board Chair	Present
Plainfield	Evan Oxenham	Committee Vice Chair	Present
Warner	Clyde Carson		Present
Webster	David Hemenway		Absent
Berlin	Henry Noel	Clerk	Present (Virtual)
Vacancy			

Others Present:


- Brian Callnan, CPCNH (Virtual)
- Deana Dennis, CPCNH (In Person)
- Sam Evans-Brown, CENH (In Person)
- Samuel Golding, Community Choice Partners (Virtual)

1. Welcome, Roll Call, Approve Minutes

- Vice Chair Oxenham called the meeting to order 10:02am.
- Vice Chair Oxenham called the Roll.
- Minutes: 11/10 meeting; Mr. Kalet made a motion to approve, Mr. Carson seconded, and the committee approved the minutes through unanimous consent.


2. Update on Net Metering Activity (DE 22-060/NEM 3.0/LSR 24-2332)

- Chair Below provided an overview of his testimony submitted on December 6th to the PUC in Docket No. 22-060 regarding net metering. His testimony can be found on the PUC website [here](#).
- Key recommendations in Chair Below’s testimony include:
 - Continue grandfathering NEM 1.0 and 2.0 customer-generators through 12/31/40. Start NEM 3.0 on 9/1/24 for new projects and grandfather them through 12/31/45. Allow NEM 1.0 and 2.0 customer-generators the opportunity to opt into NEM 3.0.
 - Rule that exports to the grid by customer-generators who take default service be treated as “load reducers” and account for their exports as a reduction to their respective load serving entity’s wholesale load obligation. This is essential for non-utility entities, including CPAs and competitive suppliers, to be able to serve NEM customers. It would also address

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requirements pursuant to RSA 362-A:9, XVI(a) including “maximizing net benefits while minimizing negative cost shifts.”

- o Rule that monetary credit for exports to the grid by customer-generators between 1-5 MW include compensation for values that are not currently captured in existing NEM tariffs including avoided transmission and capacity costs.
- o Rule that the cost of compliance with the Renewable Portfolio Standard (RPS) be excluded from the monetary credit for exports to the grid. Because RPS obligation compliance costs are associated with the use of electricity and not the production of electricity, this minimizes negative cost shifts and avoids unjust and unreasonable cost shifts pursuant to RSA 362-A:9, XVI(a).
- o Continue the basic structure of NEM 2.0 for projects up to 100 kW with the exception of applying a different credit rate for the energy supply component of compensation for net exports to the grid.
- o Enable energy storage to be interconnected in NEM 3.0 as part of all new and existing NEM customer-generators that convert to NEM 3.0. This will help maximize net benefits from net metering.
- o If necessary, stage implementation of new rate structures and business processes to ease any administrative burden on electric distribution utilities.
- Mr. Evans-Brown (CENH) noted that CPCNH’s testimony is the only one that addresses the transmission and capacity credits. He also noted that CENH’s testimony makes similar references to load reduction being a key piece of the NEM 3.0 compensation structure.
- CEO Callnan explained that in our outreach to stakeholders, we received some sensitivities about how to highlight cost shifts, with stakeholders noting what happened recently with NEM programs being reduced in other states such as ME and IN. He explained that we chose the approach we did to address the statutory language requirement (RSA 362-A:9, XVI(a)).
- Regarding CPCNH’s recommendation that energy storage be able to participate in NEM 3.0, Chair Below reminded the committee that as of 10/7/23, the PUC said that energy storage can be enabled to participate as NEM.
- Separately but relatedly, Mr. Evans-Brown mentioned there is a new legislative proposal that would transfer that authority from the PUC to the DOE and suggested that CPCNH may want to address that through the legislative process.
- Regarding the NEM LSR, the committee discussed concerns raised about the approach taken in the second part of the LSR, to require all generators who participate in both the ISO NE wholesale markets and NEM programs to make a decision between the two – those generators who elect NEM programs would be required to retire their participation from the ISO NE markets.

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- There was discussion regarding what it would entail to retire from the market and how a generator could get back into the market if they chose to do so. CPCNH staff will be doing some research to familiarize the process to share with the committee and in our outreach to affected stakeholders
- Lastly, the committee briefly discussed the need for developing an inclusive process for consideration of member input and feedback on CPCNH’s policy development process. Deana Dennis, CPCNH Director of Regulatory & Legislative Affairs will work with Chair Baber to do this, as RLAC will be a key venue for that.

3. Update on What is Known About Relevant 2024 Legislation and Discussion About Legislative Strategy for Supporting the Net Metering LSR


- The committee learned that many LSRs have now been published and have bill numbers.
- Chair Below shared updates about HB 314 (retained from 2023) that seeks to implement a constitutional amendment that was passed in 2018 regarding the “right to live free from government intrusion.” He shared that this bill came out of committee with amendments that would prohibit third party sharing of personal information to governmental entities, including contractors of governmental entities, without consent from the individual. These changes would have significant and negative impacts to the operations of CPAs and CPCNH.
- The committee discussed strategy including outreach to the bill sponsors and CPCNH members in their districts and developing amendment language to clarify and exclude CPAs under RSA 53-E.
- Chair Below explained that because it is a retained bill, it will most likely be taken up at the beginning of the session in early January. Director Noel mentioned that the House is scheduled to be in session on January 3, 4 and 11.
- The committee discussed other organizations that would be impacted including NHMA and tasked CPCNH staff with conducting outreach to NHMA’s Government Relations lead.
- Chair Baber motioned, and Vice Chair Oxenham seconded, a motion to authorize members of RLAC and CPCNH staff to engage with appropriate lawmakers to ensure that HB 314 does not impose negative impacts to CPCNH and CPAs. The motion was adopted by Unanimous Consent.
- Chair Baber called for the rest of the agenda to be deferred to a subsequent meeting, to take place on December 21st from 1-3:00pm at the CPCNH Concord office (with a virtual option).

4. Review RLAC 2024 Platform Report Draft

- To be discussed during the December 21st meeting.

5. Update on Regulatory & Legislative Tracking Available Data Sources, Presentation Options, and Refresh Frequency

- To be discussed during the December 21st meeting.

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6. Update on Grid Modernization Advisory Group (GMAG) Assigned Members

- To be discussed during the December 21st meeting.

7. Discussion of Prospects to Fill Open RLAC Position

- To be discussed during the December 21st meeting.

8. New business

Next Meeting: December 21, 2023, at the CPCNH Concord office (14 Dixon Ave., Suite 201) with virtual accommodation.

9. Adjournment

Chair Below moved to adjourn; Mr. Kalet seconded; and hearing no objections, the Vice Chair adjourned the meeting by Unanimous Consent.