 <p>COMMUNITY POWER COALITION OF NEW HAMPSHIRE</p>	REGULATORY & LEGISLATIVE AFFAIRS COMMITTEE – APPROVED MINUTES –	
	Meeting Type:	Regular Meeting
	Meeting Location:	Warner Town Hall – 5 E Main Street
		Warner, NH 03278
	Meeting Date:	Friday, March 8, 2024
	Meeting Time:	10:00 a.m. – noon ET

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

Others Present:


Deana Dennis, CPCNH (In Person)

1. Welcome, Roll Call, Approve Minutes


- Vice Chair Oxenham called the meeting to order at 10:03 a.m.
- Vice Chair Oxenham called the Roll.
- Minutes: 2/2 meeting; Vice Chair Oxenham made a motion to approve the minutes. The motion was seconded by Chair Below. Hearing no objections, the motion was approved by Unanimous Consent.

2. Legislation Update & Discussion on CPCNH Priority Bills

- HB 1600-FN (strongly support): Status – amended and passed (18-0) with unanimous support from ST&E on 2/20. House OTPA scheduled for 3/7.
 - Assuming the bill is passed in the House, it will get to the Senate Energy & Natural Resources Committee in late March/early April.
 - Just prior to the ST&E committee’s work and executive sessions on it, DOE sent a letter to the committee proposing an alternative structure to keep it within “municipal host” law (RSA 362-A:1-a) but created a new definition of “community aggregation host.”


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- ST&E Chair Vose declined to bring up the DOE proposal during the committee’s work session and the committee voted unanimously to pass the bill with the amendment which moves section 1 into RSA 53-E:4.
- Chair Below suggested that there is room to have more clarification on the language.
- RLAC requested that Director Dennis reach out to DOE to understand where they are with regard to the amended version that passed committee and to clarify language and to get direction to advance the committee’s interest.
 - Director Brown abstained from this decision, noting that she was not present for the conversation and wished not to take a stance at this time.
- HB 1431 (support, with amendment): Status – amended and passed by ST&E on 2/20. House OTPA scheduled for 3/7.
 - Director Dennis noted that CPCNH did outreach to bill sponsor, Rep. Caplan, and provided suggested language that specified how utilities would be required to enable third party competition and to integrate resources from third party providers, such as competitive electric power suppliers, CPAs, and aggregators. Unfortunately, and despite support from Rep. Caplan, none of the language CPCNH proposed made it into the amendment that was passed by the committee. Chair Below noted that CPCNH will have an opportunity to advocate for these changes in the Senate.
- HB 1623 (monitor): Status –
 - Director Dennis noted that it came out of ST&E without recommendation.
 - Mr. Noel noted that the House voted on it yesterday (3/7) and it passed on a partisan line (182-169).
 - Director Dennis raised that RLAC may want to consider taking a position on it so that CPCNH can engage on it in the Senate.
 - Director Hemenway raised that the bill’s language may actually be helpful, particularly as it relates to the dispatchability of energy storage and recommended that CPCNH consider all the impacts of the bill.
 - Chair Below noted that the Senate co-sponsors (Avard, Lang, and Pearl) have all supported storage-related bills in the past and suggested that there could be a way of connecting the dots with them on this.
 - RLAC asked Director Dennis to do some analysis and see if there is an opportunity to get storage included explicitly.
- Building code bills (HB 1059, SB 373, SB 437):

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- Director Dennis explained that in between RLAC meetings, CPCNH became aware of three building code bills that would negatively impact municipalities’ ability to adopt newer and/or more stringent codes (SB 437) and proposed adoption of statewide building code to the 2021 ICC codes with the exception for the International Energy Conservation Code (HB 1059, SB 373). Director Dennis noted that the 2024 Legislative & Policy Platform specifies that CPCNH opposes actions that “detract from existing CPA authority under [several RSAs, including] RSA 155:A:2, V” pertaining to the state building code.
- With advice from Director Dennis and RLAC and CPCNH Chairs, CEO Callnan recommended CPCNH take a position to oppose the three building code bills, unless they be amended. This action is permissible per RLAC’s Charter. After CEO Callnan’s decision, Director Dennis testified on all three bills in House and Senate Executive Departments & Administration committees in February.
- RLAC members discussed the decision, including whether the Policy Platform provided directly or indirectly for the energy code, such as in HB 1059 and SB 373. Chair Baber noted that the purpose statement includes supporting member communities in developing and implementing projects.
- Director Hemenway asked if CPCNH should prioritize taking a position on and advocating for SB 437 as it has more direct impacts on local control pertaining to the ability of individual municipalities and CPAs adopting their own more stringent energy and/or stretch codes.
- Mr. Kalet suggested that CPCNH should not overwork the building code because at the town level, they try to get a third-party inspector to ensure codes are being enforced, and that every community will enforce it their own way and will want to continue working to get third party inspectors, so codes are being met.
- Chair Baber said that this is within our wheelhouse but not our first priority. He suggested that RLAC and Director Dennis to develop more refined categories to guide priority and resource level expended on CPCNH priority bills.
- Director Brown noted that she could not weigh in since she needed to leave early for another meeting. She indicated that she wished to discuss it further with Director Dennis after the RLAC meeting.

- Other bills of interest:

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- SB 391 (strong support, with possible amendment): Status – amended and passed Senate; referred to ST&E 2/19. (Public Hearing to be held on 3/19).
 - Director Dennis shared that this bill had been amended in Senate committee to require DOE to prepare draft rules instead of the PUC conducting the rulemaking, as originally drafted, within 60 days of enactment; and that the language was removed around when the rules would be adopted and by which agency. She noted that some stakeholders have expressed concern about the amended version and to ensure timeliness of rule adoption. She asked RLAC how strongly does the committee feel that PUC should have some authority in rule making for interconnection standards?
 - Committee members discussed the issues and recommended that CPCNH discuss this with DOE to get a better sense of what their intentions are for the process and for the timeline.
- Chair Baber asked members if CPCNH’s position to support the bill in the House should change. Consensus was to push for clarity from DOE, at a minimum, and then consider supporting it if amended.
- HB 1479 discussion
 - Director Hemenway asked if the bill would affect CPCNH. Chair Below said that arguably; the answer is yes; since Director Dennis is compensated with municipal funds, she would be prohibited from lobbying if this bill were to pass.
 - Director Dennis asked RLAC if CPCNH should take a position on this bill?
 - Vice Chair Oxenham made a motion that RLAC recommend CPCNH staff send an action alert to member reps and urging direct outreach to their legislators. The motion was seconded by Chair Baber, and the motion passed unanimously via a roll call vote.


Roll Call Vote on motion to recommend CPCNH staff send action alert to member representatives urging direct outreach to their legislators regarding HB 1479			
Member	Name	Office	Yes/No/Abstain
Dover	Bill Baber	Committee Chair	Yes
Rye	Howard Kalet		Yes
Exeter	Julie Gilman		Not Present
Lebanon	Clifton Below	Board Chair	Yes

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Roll Call Vote on motion to recommend CPCNH staff send action alert to member representatives urging direct outreach to their legislators regarding HB 1479			
Member	Name	Office	Yes/No/Abstain
Dover	Bill Baber	Committee Chair	Yes
Rye	Howard Kalet		Yes
Exeter	Julie Gilman		Not Present
Plainfield	Evan Oxenham	Committee Vice Chair	Yes
Warner	Clyde Carson		Yes
Webster	David Hemenway		Yes
Berlin	Henry Noel	Clerk	Yes
Nashua	Doria Brown		Not Present

3. Regulatory Updates

- **DE 23-063 (Joint Utilities Petition for Waiver on Certain Puc 2200 Rules)**
 - Director Dennis shared that despite 5 months of conversations with the utilities, other parties, and DOE regarding CPCNH’s proposed alternatives in order for utilities to satisfy compliance with the Puc 2200 rules, agreement among the parties has not been reached. As a result, the utilities must file with the PUC by March 22, after which time the docket will be resumed. CPCNH will continue to press for its proposed alternatives presented at the pre-hearing conference in August 2023 and which were referenced in the PUC’s September 29, 2023, pre-hearing conference order.
- **DE 22-060 (Net Metering) (item was moved to the end of the meeting in order to cover the other agenda items)**
 - Director Dennis and Chair Below provided updates on the status of settlement negotiations and shared that the PUC issued an order on March 6, 2024, to cancel the previously scheduled hearing date of March 12, 2024, and schedule a pre-hearing conference on April 11, 2024.
- **DE 23-039 (Liberty Electric Distribution Rate Case)**
 - Director Dennis noted that the case remains suspended pending a PUC decision on the DOE’s motion to dismiss the case. The case remains stayed until April 15, 2024, with all procedural schedule features, including hearings for the proceeding, cancelled.
- **DE 19-197 (Statewide Data Access Platform)**

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- Chair Below shared that the Data Platform Governance Council has resumed coordination meetings with the consultant and other state and utility entities in MA and CT for the purpose of developing a full proposal to USDOE for a Grid Resilience and Innovation Partnerships (GRIP) grant. The Governance Council had received a letter of encouragement from the USDOE in early March. Chair Below explained that being awarded this funding would help lower the cost of the data access platform which would free up money for other initiatives such as low-income and disadvantaged communities. He also noted that the data platform could help maximize the benefit of other federal clean energy investment programs through the Inflation Reduction Act, such as the HOMES and HEEHRA home energy efficiency and electrification rebate programs. Relatedly, Chair Below noted that NHDOE is accepting comments regarding how it should design these home energy rebate programs and that CPCNH would be providing comments.

- **DE 23-026 (Jurisdictional Conflicts Related to Pilot Programs Under LEEPA)**

- Director Dennis noted that a decision in this case from the PUC is still pending.

- **2023 Default Service Solicitation Dockets (DE 23-043, DE 23-044, DE 23-054)**


- Director Dennis reported that CPCNH filed petitions to intervene in each of the investor-owned utility default service solicitation dockets. CPCNH’s interests in these proceedings related to wanting to understand what the utility default service will be for the next period and how it will impact CPCNH. She noted that as an intervenor, CPCNH will have the opportunity to participate in data requests/discovery process.

4. Review RLAC Charter for Any Changes that Need to be Requested at the CPCNH Annual Meeting

- Due to the limited time remaining in the meeting, Chair Baber recommended that RLAC consider such potential changes over the summer in advance of the Fall Member Meeting, when such changes to the RLAC Charter would be decided next.

5. New business (cancelled due to the meeting running over time; to be discussed at the next RLAC meeting)

- Update on CPCNH comments to NHDOE regarding HOMES/HEEHRA program application.

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- Initial discussion regarding CPCNH legislative priorities for 2025-2026 biennium and process for facilitating development of such legislative proposals.
- Updates on Innovation Campaign.
- Next Meeting: April 12, 2024, from 10:00 am – noon at the CPCNH Concord office, 14 Dixon Ave., Suite 201 in Concord with virtual accommodation.

6. Adjournment

Chair Below moved to adjourn; Chair Oxenham seconded; and hearing no objections, the meeting was adjourned at 12:42 p.m. by Unanimous Consent.