CITY OF PORTSMOUTH, NEW HAMPSHIRE
PORTSMOUTH ENERGY ADVISORY COMMITTEE

WEDNESDAY, JULY 1, 2026, 6:30 pm
City Hall Conference Room A
1 Junkins Avenue, Portsmouth NH
Please register in advance to participate via Zoom:

https://us06web.zoom.us/meeting/register/7Y-D72VDQ_KziqMfcPr60g

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AGENDA

1. Call to order and Roll Call
2. Approval of minutes for June 3
3. Chairman's Remarks
4. Jones Ave financial Q&A with APEX: follow up questions, cash flow analysis
5. CPCNH and Eversource utility rates for next rate period: messaging and tactics
6. CPCNH new customers: Refresh or not to refresh?
7. Other Business
8. Public Comment
9. Adjourn

CITY OF PORTSMOUTH, NEW HAMPSHIRE
PORTSMOUTH ENERGY ADVISORY COMMITTEE

WEDNESDAY, JUNE 3, 2026, 6:30 pm
City Hall Conference Room A
1 Junkins Avenue, Portsmouth NH

Zoom recording: https://youtu.be/fmUpXsT-oHE

MINUTES

1. **Roll call –** Meeting called to order at 6:35 pm. Attending, Councilor Tabor, chair; Peter Somssich, Ben D'Antonio, Tom Rooney, Mary Claire Rodriguez-Abbott, Tracey Cameron, Sustainability Committee: Fred Calciniari. Excused: Kevin Charette, Betsy Blaisdell. Staff: Peter Rice, Jillian Harris, Stephanie Seacord

2. **Minutes**

   On a motion by Peter Somssich, seconded by Fred Calciniari the May 6, 2026 meeting minutes were approved unanimously

3. **Chairman's Remarks**

   - The PEAC Communications Plan in summary form is included in the City Council packet for the June 8, 2026 meeting with a request for a motion to approve the plan as recommended by PEAC. NH Consumer Advocate Don Kreis will return with an update.
   - Chair Tabor and Rooney had a call with DPW Director Rice regarding the Unitil offer of 95% financing for energy conservation projects. DPW compliance manager Rakoski is reviewing projects that might be eligible to meet the August deadline.
   - Chair Tabor shared a CPCNH Fall 2026 rate-setting memo to members by CEO Henry Herndon. CPCNH anticipates some adjustment by the utilities for their under-collections during the current rate period. (Added to Meeting Packet: https://files.portsmouthnh.gov/PEAC Meeting Packet June 3, 2026 rev.pdf

4. **EEI Energy Audit Review**

DPW Director Rice discussed the EEI spreadsheet and discussions with CleanEnergy NH Katrin Kasper -- that there are few gas-powered projects that would offer the City substantial grant funding – and ultimate energy savings. The City already installs LED lightning whenever possible and practical and has made improvements through the DPW additions. City Hall upgrades are on hold pending the Municipal Building project decisions. The Library and Fire Station 1 and 2 projects and solar expansion at Madbury and in rooftop applications are being pursued. PEAC comments:

- EEI may be overly optimistic in its projections – DPW will be validating the rates and grants included in the spreadsheet. EEI's preference is to bundle projects to

show a greater energy efficiency return.
- Nothing jumped out as “must do” – while the criteria are somewhat subjective, the evaluation is based on the level of need; i.e. life safety initiatives are high-need.
- Somssich asked about energy efficiency improvements at Spinnaker Point that could be significant; but Director Rice replied that because the City does not own that the needed millions could be better spent elsewhere – which could be a City Council policy decision. He also noted that grants are less likely to be made in leased situations.
- Regarding Eversource funding, Director Rice said “when there’s an opportunity we take advantage of it”
- Cameron asked that if the Unitil (or Eversource) rebate programs recur annually, the City might get ahead of identifying projects that would be eligible and Rice agreed that pre-apps set the City up for improvements.
- The City is not pursuing electrification of heavy equipment in the fleet because functionality is the primary driver for those selections.
- The City is pursuing consideration of rooftop solar at DPW and the extension of solar at Madbury, minus the power purchase agreement. Revisiting rooftop solar at Portsmouth High School – that may require greater investment to reinforce the roof.

5. **Jones Avenue Solar APEX Report Feedback**

At the May meeting the committee asked to explore the Jones Ave. opportunity further, with a work session with the APEX financial expert. D’Antonio reported to Dir Rice that he and other PEAC members are working on specific scenarios to discuss further:

- What’s worth pursuing if the tax credits come back?
- What about group net metering/community scenarios? Micro-grid/municipal ownership?
- Specifics eg internal rate of return, cash flow – when it the project cash-positive, break-even v. savings.
- Are written reports available, with appropriate disclaimers to release to the public
- Public-private capitalization compatible with municipal net metering
- PEAC is offering to supplement City resources, recognizing constraints on staff and financing

Director Rice acknowledged the assistance but noted the City’s statutory authority requirements and volunteer nature of PEAC – different than building committees with financial obligations. Wants to be realistic about what DPW can deliver.

6. **PEAC Goals – deferred to July meeting.**

Committee members voted on their priorities for the term by tagging items on the list suggested at the March meeting. The leading item is educating the public about Community Power, energy efficiency opportunities, etc.

7. **Communications Plan**

Seacord reviewed the scheduled messages for the City Newsletter and other channels. The July messages will reflect the timing and issues related to the CPCNH rate announcements for Aug 1. Per PEAC’s request the action plan will be reviewed at each PEAC meeting for progress, new messaging opportunities. Chair Tabor noted the example of Exeter’s quarterly “Power Hour” as a possible model.

8. **CPCNH Update**

Rooney reported that CPCNH has hired a Finance Director, starting on June 15. Coming from NH Coop and Massport, with municipal experience. Reviewing Director of Power

Operations for potential to be hired in July.

Chair Tabor noted CEO Herndon's memo on rate-setting and whether the extent of Eversource's under-collection will need to be adjusted in their future rates. MCM noted that some states are exerting political pressure to keep rates down, freezing utilities adjustments.

Rooney noted that CPCNH, while still in the red, is trying to balance financial recovery and the utility rate – splitting the difference by dedicating less to the reserves.

9. **Other Business:**

Guest Amy Farnham, chair of the Exeter Energy Advisory Committee reported that at their meeting with the Exeter Select Board, the board voted in favor of sticking with CPCNH. Many have opted up and for the long-term is a good endeavor. The next Power House (in person and zoom/recorded) is on 'explaining your electric bill.' Agrees that the town's obligation is to inform low income residents about the ability to opt in and out of community power. Exeter is happy the landfill solar is working well – "it took forever" but did qualify for tax credits.

Somssich asked about the reported solar panels on the PHA Margeson apartments. Would like PEAC to receive update on other PHA plans eg. Sherborn school.

10. **Public Comment:** None

11. **Adjourned** at 8:06 pm on a motion by Rooney, seconded by Calciniari.

Next regular meeting: Wednesday, July 1 at 6:30 pm.

Outlook

Re: July 1 meeting

From Jillian Harris <jharris@portsmouthnh.gov>
Date Mon 6/29/2026 9:34 AM
To Stephanie Seacord <sseacord@portsmouthnh.gov>; Councilor John Tabor <councilor.tabor@portsmouthnh.gov>

Good morning, Christine sent over the following response on the cashflow projection inquiry:

We don't have a per year breakdown but we can ask that APEX is prepared to discuss this at the meeting.

I expect something with that level of detail would incur an additional cost and take some time. Also please see below the question and response to the committee's previous cash flow question which I believe has been provided to them already.

- Is the project cash flow positive while you are paying off debt (the city bond)? Or did we assume it was breakeven every year until the debt was paid off?

The total project (combined system model) generates an average net savings of $267,000 a year over the life of the project, and has positive savings of over $160,000 in year one, which grows steadily under the assumed 2.5% annual increase in electrical rates over time. Net savings takes the value of the net metering credits, adds the value for sale of RECs, deducts the O&M costs and deducts debt service.

Jillian Harris, AICP
Principal Planner
Planning and Sustainability
Department
City of Portsmouth
(603) 610-7296
1 Junkins Ave, Portsmouth, NH 03801

From: Jillian Harris <jharris@portsmouthnh.gov>
Sent: Friday, June 26, 2026 12:44 PM
To: Stephanie Seacord <sseacord@portsmouthnh.gov>; Councilor John Tabor <councilor.tabor@portsmouthnh.gov>
Subject: Re: July 1 meeting

Hello, I have inquired about the cashflow projection from Apex but haven't received a response yet. I will pass it along if I get it prior to the meeting!

Jillian Harris, AICP
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Planning and Sustainability
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From: Stephanie Seacord <sseacord@portsmouthnh.gov>
Sent: Thursday, June 25, 2026 9:15 AM

CPCNH Announces Community Power Rates Effective August 2026

On Friday, June 26, 2026, the CPCNH Board of Directors approved a rate adjustment for Community Power customers, effective August 1, 2026.

CPCNH's Granite Basic rates will be set between 14.7 and 15.3 cents per kilowatt-hour (kWh), depending on the customer's electric distribution utility (Attachment #1). Rates remain relatively stable, representing an average increase of approximately 2% compared with current period rates. The adjustment reflects higher energy supply costs associated with wholesale market conditions, including impacts from geopolitical conflicts and increased electricity demand during the past winter.

Rate comparisons between Community Power and utility default service rates vary by utility service territory and by how costs are recovered through each supply option. CPCNH rates are designed to reflect current cost of service. Investor-owned utility default service rates are affected by regulatory reconciliation mechanisms, including the partial recovery of prior-period under-collections, and by rate-setting methodologies approved through the Public Utilities Commission process. These factors can affect point-in-time comparisons between Community Power rates and utility default service rates.

Recent utility default service proceedings illustrate how approved rates may differ from initially proposed or alternative rate calculations. Liberty Utilities proposed a default service rate of ~21 cents per kWh, which was reduced to ~16 cents per kWh. Eversource testified that a rate of ~15 cents per kWh would be more likely to recover actual costs, compared with the PUC-directed method and approved rate of ~14 cents per kWh.

For the August 2026 rate period, CPCNH's Granite Basic rates are approximately 7.5% lower than Liberty's default service rate and within 7% of the rates for Eversource, Unitil, and NHEC. For an average residential customer using 650 kWh a month, the monthly bill impact ranges from an estimated $8 per month in net savings to an estimated $6 per month in additional costs, depending on the customer's utility service territory (Attachment #2).

Electric customers in New Hampshire have multiple supply options, including Community Power, their utility's default service, and competitive third-party suppliers. Customers may opt in, opt out, or select cleaner power options at any time.

Use our online portal, located at communitypowernh.gov

Call 1-866-603-7697 (POWR) or email Info@CommunityPowerNH.gov

Visit CPCNH's Residential Rates and Commercial Rates webpages to view rate options.

Attachment #1

All Standard CPCNH Rates for August 2026 - January 2027

Rates in cents per kilowatt-hour

			Granite Basic					
Sector	Utility	Supply Class	AUG	SEP	OCT	NOV	DEC	JAN
Residential, GS & OL	Eversource	R, G, OL	14.949					
	Liberty	D, G3, V, M, LED	14.729					
	Unitil	D, G2, OL	15.344					
All	NHEC	B	14.970					
Medium Commercial	Eversource	GV	13.403	12.959	13.575	14.410	16.929	17.366
	Liberty	G2	9.928	8.957	9.445	11.232	18.336	21.801
Industrial	Liberty	G1	9.555	8.628	9.122	10.948	18.214	21.610

Rates in cents per kilowatt-hour

			Granite Plus					
Sector	Utility	Supply Class	AUG	SEP	OCT	NOV	DEC	JAN
Residential, GS & OL	Eversource	R, G, OL	15.349					
	Liberty	D, G3, V, M, LED	15.129					
	Unitil	D, G2, OL	15.744					
All	NHEC	B	15.370					
Medium Commercial	Eversource	GV	13.803	13.359	13.975	14.810	17.329	17.766
	Liberty	G2	10.328	9.357	9.845	11.632	18.736	22.201
Industrial	Liberty	G1	9.955	9.028	9.522	11.348	18.614	22.010

Rates in cents per kilowatt-hour

			Clean 50					
Sector	Utility	Supply Class	AUG	SEP	OCT	NOV	DEC	JAN
Residential, GS & OL	Eversource	R, G, OL	16.049					
	Liberty	D, G3, V, M, LED	15.829					
	Unitil	D, G2, OL	16.444					
All	NHEC	B	16.070					
Medium Commercial	Eversource	GV	14.503	14.059	14.675	15.510	18.029	18.466
	Liberty	G2	11.028	10.057	10.545	12.332	19.436	22.901
Industrial	Liberty	G1	10.655	9.728	10.222	12.048	19.314	22.710

Rates in cents per kilowatt-hour

			Clean 100					
Sector	Utility	Supply Class	AUG	SEP	OCT	NOV	DEC	JAN
Residential, GS & OL	Eversource	R, G, OL	18.049					
	Liberty	D, G3, V, M, LED	17.829					
	Unitil	D, G2, OL	18.444					
All	NHEC	B	18.070					
Medium Commercial	Eversource	GV	16.503	16.059	16.675	17.510	20.029	20.466
	Liberty	G2	13.028	12.057	12.545	14.332	21.436	24.901
Industrial	Liberty	G1	12.655	11.728	12.222	14.048	21.314	24.710

Attachment #2

Residential rate comparisons between CPCNH and the distribution utilities are highlighted in Table 1. CPCNH rates are between 7.5% less and 7% more resulting in a net monthly cost difference ranging between ±$7 for an average residential customer.

Table 1. Comparison between CPCNH and utility proxy rates for the August 1, 2026 – January 31, 2027, rate period. The net monthly cost difference assumes 650 kWh of usage per month.

	CPCNH Rates	Utility Rates	% Diff.	Net month cost diff ($)
Liberty (¢/kWh)	14.729	15.835	-7.5%	-$7.19
Unitil (¢/kWh)	15.344	14.348	+6.7%	$6.47
Eversource (¢/kWh)	14.949	14.009	+6.5%	$6.11
NHEC (¢/kWh)	14.970	13.968	+6.9%	$6.51

CPCNH rates adopted for the August 2026 – January 2027 period represent a marginal increase over current rates of between 0.6% - 3.2%.

Table 2. Comparison between current and adopted CPCNH rates.

	February '26 – July '26	August '26 – January '27	% Change
Liberty (¢/kWh)	14.637	14.729	0.60%
Unitil (¢/kWh)	14.942	15.344	2.70%
Eversource (¢/kWh)	14.663	14.949	1.95%
NHEC(¢/kWh)	14.504	14.97	3.20%

COMMUNITY POWER COALITION OF NEW HAMPSHIRE
For communities, by communities.

Executive Dir. Report

Recovery & Reorganization Complete

Date: June 29, 2026
From: Henry Herndon, Executive Director
To: Board of Directors & Membership
Subject: Recovery and Reorganization Complete

Dear CPCNH Board of Directors and Membership,

Over the past several months, CPCNH has completed its recovery and reorganization and moved from a mindset of stabilization to one of strategic execution. We have recovered from a negative reserve balance and returned to a net positive reserve accrual position, completed the 2025 financial audit, accepted by the Board on June 26 with an unmodified opinion, strengthened internal financial and operational leadership, and positioned rates to remain stable while utility supply rates increase. These achievements were realized despite navigating the two most recent winters, which ranked as the third- and first-most expensive experienced by ISO New England since 2003.

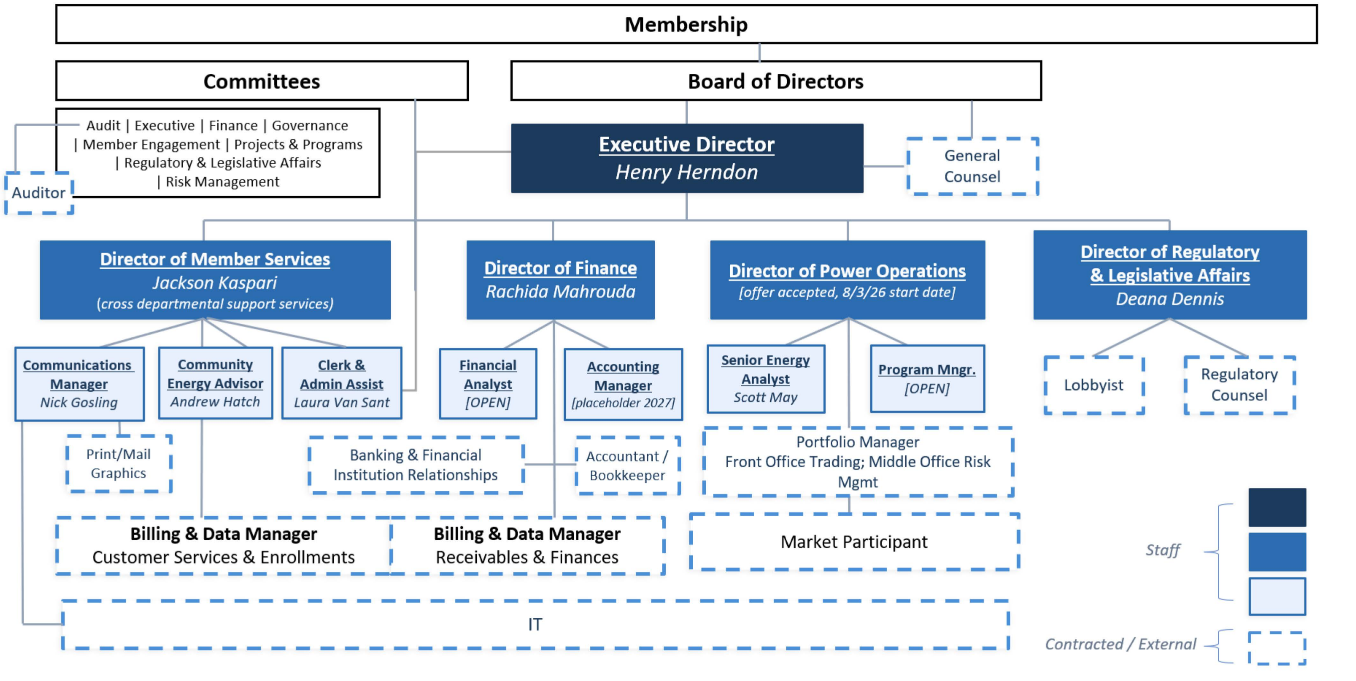
The most significant issue in New Hampshire's energy market today is the more than $50 million in utility under-recoveries resulting from default service rates being set below costs, and associated impacts to New Hampshire's competitive electric market. CPCNH brought this issue to the legislature in 2025. This spring the Governor enacted legislation reinforcing protections against shifting these cost deferrals onto customers served by Community Power or other competitive supply programs. In June, CPCNH delivered impactful expert witness testimony before the Public Utilities Commission (here and here), continuing its leadership in New Hampshire energy policy by advocating for lawful market practices, competitive markets, local control, customer interests, and community benefits. CPCNH will continue to improve internal operational and financial performance, but the organization's primary risk driver has shifted to external market distortions associated with below-cost pricing of utility supply rates.

CPCNH has completed an internal reorganization. We welcomed aboard a highly qualified and experienced Director of Finance, Rachida Mahrouda. We executed an employment offer for the Director of Power Operations position and will be welcoming an experienced leader in power generation, supply and energy storage to the team this summer. The organization's internal operational capabilities are stronger than at any point in CPCNH's history and continue to improve. As part of the reorganization, we aligned staffing and organizational structure with CPCNH's long-term operating model and core business functions. This included the difficult decision to eliminate certain positions while strengthening critical finance and power operations capabilities.

With recovery and reorganization complete, CPCNH enters the second half of 2026 focused not on stabilization, but on strategic execution to improve our competitive position. Our priorities include enhancing portfolio flexibility and performance, evaluating municipal energy prepay bond opportunities, strengthening reserves and liquidity, and advancing initiatives that improve long-term value for Members and customers. We look forward to continuing to serve the Membership as we enter our next chapter of execution.

Community Power Coalition of New Hampshire

Organization Chart



Community Power Coalition of New Hampshire

Departmental Functions

Member Services

1. Community Power Aggregation planning, launch, operation; Member relations & service.
2. Member/public communication & engagement; contact center, customer service, key account relations and management.
3. Administration & IT; Board & Committee support; cross-departmental staff support; program/project administration and implementation; ombuds.

Finance

1. Financial strategy, oversight, management; accounting; receivables & disbursements; controls; investment policy & management.
2. Banking & financial institution relationships; credit and cashflow management; bonding; credit rating/agencies strategy.
3. Budget development, oversight, & financial reporting; audit; payroll & benefits administration.

Power Operations

1. Energy portfolio risk mgmt.; load forecast & financial model; transacting & counter-party relationships; RPS & risk policy compliance; PPAs.
2. Database implementation & data management; analytics; cost allocation; reporting; rate setting.
3. Wholesale market participation, credit and collateral requirements, monitoring, and compliance.
4. Program & project development; demand-side and load flexibility; retail rate innovation.

Regulatory & Legislative Affairs

1. Regulatory & legislative strategy and planning; bill filing & PUC docket engagement and process management; oversight & direction of regulatory counsel and government affairs services.
2. Key policy and external stakeholder relationship management including associations and industry networks/events.
3. Member and public advocacy & education to improve competitive energy policy landscape.

CITY OF PORTSMOUTH, NH

July xx, 2026

Community Power Coalition of NH Announces a Small Increase in Portsmouth Community Power Rates, Effective August 1, 2026

Portsmouth, New Hampshire – The Community Power Coalition of New Hampshire (CPCNH) has advised its member municipalities, including Portsmouth Community Power, that the electricity supply rates for the rate period August 1, 2026 through January 31, 2027 will increase. The new CPCNH Granite Basic default rate for residential and small commercial customers will be 14.949 cents per kilowatt-hour (kWh), less than a penny higher than the default utility Eversource rate, which the Public Utilities Commission approved at 14.009 cents.

The Portsmouth Energy Advisory Committee reminds residents that they can switch from Portsmouth Community Power (PCP) to Eversource and back again, at will and without penalty, to take advantage of a lower rate. Electric customers in NH can choose between Community Power, third-party options, or their default utility, which in Portsmouth is Eversource. For more information on Portsmouth Community Power, visit portsnh.co/commpower.

Rates are based upon energy prices CPCNH is able to negotiate on the basis of its aggregated customer base across 68 NH towns and regions. According to the CPCNH announcement, “The adjustment reflects higher energy supply costs associated with wholesale market conditions, including impacts from geopolitical conflicts and increased electricity demand during the past winter.”

“Community Power rates increased 2% from their winter rates first half of the year, while Eversource went up 24% from 11.3 cents to 14 cents. Eversource is still the lowest rate by about $6 per month for basic service customers,” said City Councilor John Tabor, chair of the City’s Energy Advisory Committee which monitors the Portsmouth Community Power program. “It’s worth noting that without a $.07 cent ‘adder’ to build future reserves, CPCNH and Eversource this rate period are nearly even. The Coalition is striving to balance competitive rates with future reserves which will enhance their competitiveness buying for their 68 member cities and towns.”

“New Hampshire Consumer Advocate Don Kreis advised us again at the June 8 City Council meeting that he supports sticking with CPCNH because their financial reserve issues are being addressed, and because they afford consumers choices they didn’t have before, some of which include supporting more renewable power generation in the long term,” Tabor continued. “Still our Energy Advisory Committee is watching CPCNH closely. We recognize that some residents can’t afford higher utility prices right now and encourage them to opt out of community power to reduce their electricity bills.”

Community Power estimates the savings from switching back to Eversource for now could be $6.11/month for the next six months, based on average household use of 650 kwh per month. Customers can move back and forth between Eversource and Portsmouth Community Power with no penalties.

To opt in or out, use Community Power’s online customer portal at communitypowernh.gov/community/portsmouth, call 1-866-603-7697, or email info@communitypowernh.gov.

Eversource also offers customers who need assistance several programs to help them pay their electric bill. Learn about assistance programs at: eversource.com/residential/account-billing/payment-assistance.

“Portsmouth Community Power gives residents and small businesses a choice when it comes to their energy supply,” continued Councilor Tabor. “In the long-term, our residents will benefit from the coalition’s combined buying power. In addition, being able to select options with higher proportions of renewable sources means the City is better able to achieve its Climate Action Plan by reducing our carbon footprint and saving towards future funding of our own green energy projects.”

To receive updates about rate changes from CPCNH sign up at communitypowernh.gov/customers.

ADOPTED POLICY

New Customer Refresh Noticing & Enrollment

Date Adopted: November 6, 2025
Version: V3.2
Policy Name: New Customer Refresh Noticing & Enrollment Policy

See New Customer Refresh Info Sheet for background information.

Summary

The CEO or their designee, in consultation with the Portfolio Manager, is responsible for determining the timing and cadence of new customer refresh noticing and enrollment towards achieving the objectives of this policy.

Members may provide criteria to guide periodic refreshes for their aggregation program by governing body vote to amend their Electric Aggregation Plan. Such guidance should be developed in coordination with CPCNH staff to ensure operational feasibility.

New Customer Refresh Practice

In accordance with the legal, regulatory, and policy frameworks and requirements, CPCNH shall periodically conduct refresh noticing and enrollment of new customers.

The CEO or their designee, in consultation with the Portfolio Manager and Risk Management Committee, is responsible for determining the timing and cadence of new customer refresh noticing and enrollment towards achieving the objectives of this policy.

Upon adoption of this policy the CEO shall cause the Member Representatives and Principal Executive Officers of each Operating CPA to be notified of the policy adoption and provided access to review the policy.

Guidance for Next Customer Refresh (e.g., March 2026)

Before CPCNH conducts the next refresh, any Member may, through their Representative or Principal Executive Officer, notify the CEO by December 31, 2025 of their intent to amend their EAP or otherwise act to establish criteria for the frequency of future refreshes.

Members providing such notice shall have until January 31, 2026 to report any EAP amendment or other action to establish criteria for frequency of refreshes before CPCNH proceeds with the refresh.

Guidance for Subsequent Refreshes

After the first refresh, any Member adopting an EAP amendment or action establishing refresh frequency criteria shall provide the CEO with documentation of the governing body's action. CPCNH will apply such guidance beginning with refresh enrollments occurring four months after receipt (e.g., guidance received in February takes effect for June enrollments and beyond).

Portfolio and Financial Analysis

The Portfolio Manager is responsible for conducting an analysis of the portfolio and financial impacts of new customer refresh enrollments. The CEO will direct the Portfolio Manager to conduct such analyses to inform refresh practices, cadence, and timing.

The Portfolio Manager will advise the Risk Management Committee on the portfolio and financial impacts associated with new customer refreshes and may recommend adjustments to hedge levels accordingly.

Noticing and Enrollment

The Member Services Department is responsible for managing workflows and protocols for customer noticing and enrollment including but not limited to:

- Coordinating with CPCNH's Data Manager to prepare for and execute enrollments via Electronic Data Interchange (EDI).
- Requesting from utilities customer lists for noticing and relaying to the Data Manager.
- Managing print/mail vendors, workflow timelines, and digital/print copy and design.
- Requesting from utilities customer lists for enrollment and relaying to the Data Manager.
- Fielding customer escalations from the Contact Center.

Authority to Amend

This policy may be amended by majority vote of either the Board of Directors or the Membership at regular or special meetings of either body at which action to amend is properly noticed in accordance with CPCNH's Joint Powers Agreement and By-Laws.

Purpose & Objectives

The purpose of this policy is to detail CPCNH's approach to new customer refresh noticing and enrollment towards achieving the following objectives:

- **Compliance.** Comply with law, administrative rules, local policy, and CPCNH policy.
- **Clarity.** Clarify and create shared understanding among CPCNH's Members, Board, personnel, and customers and the choices available to them.
- **Financial Responsibility.** Ensure customer refresh enrollments ultimately produce beneficial financial impacts to CPCNH's Member Community Power Aggregations (CPAs) and their joint reserve funds.
    - Addition of new loads can be strategically timed and managed in coordination with portfolio management activities and market opportunities. Customer refreshes should have positive impact to Members' joint reserve accruals while spreading fixed costs over a larger customer base to benefit customers.

Context & Legal Framework

State Law: RSA 53-E

"New customer refreshes" are provided for under New Hampshire RSA 53-E:7 – VI.[1]

Administrative Rules: Puc 2205.05

Notification and enrollment of customers who apply for new electric service from their utility is further provided for under Administrative Rule Puc 2205.05 New Utility Service Customers.[2]

Regulatory Compromise Results in Transaction Costs & Inefficiencies

Throughout 2021 and 2022, CPCNH played a leading role in drafting statutory and regulatory language governing CPAs. During the negotiations, multiple approaches to handling enrollments of new customers were considered including:

1) Directly enroll customers who apply for electric service into their default CPA program (as is done in certain other CPA markets); or
2) First, enroll customers who apply for electric service into utility default service to then be subsequently and periodically noticed and enrolled into their default CPA program.

[1] *"New customers to the electric distribution utility after the notification mailing required by paragraph III shall initially be enrolled in utility provided default service unless the customer has relocated within a single utility's service area and is continuing service with a competitive supplier or a municipal or county aggregation program. Upon request of an aggregator, but not more frequently than monthly and notwithstanding RSA 363:38* [Privacy Policies for Individual Customer Data], *the utility shall make available to each operating municipal aggregation, or county aggregation where there is no municipal aggregation, the names, account numbers, mailing addresses, and any other information necessary for successful enrollment in the aggregation of customers that are new to or then currently on electric distribution utility provided default service after they have provided the customer list for the initial customer mailing required by paragraph III and that are located within the aggregation service area. The aggregation shall periodically mail a written notification to such new customers that have not previously opted out of the aggregator's service and shall enroll them in the aggregation consistent with the opt-in or opt-out requirements of this paragraph and paragraph III."*

[2] *Puc 2205.05 New Utility Service Customers. (a) Electric customers who apply for new service provided by a utility within the CPA service area of a CPA providing opt-out alternative default service pursuant to RSA 53-E:7, III, after the supply of customer names and addresses by the utility for the customer notification mailing required under RSA 53-E:7, III, shall initially be enrolled in default service provided by the utility unless the customer has relocated within a single utility's service area and is continuing with service provided by a CEPS, or has relocated within a CPA service area and is continuing with service provided by or through the CPA.*

(b) Upon request of a CPA, but not more frequently than monthly following provision of the customer list for the initial mailing pursuant to Puc 2204.05, the utility shall make available to each operating municipal CPA, or county CPA where there is no municipal CPA, the names, account numbers, mailing addresses, and any other information necessary for successful enrollment in the aggregation of customers that are then currently on utility default service and are located within the CPA service area.

(c) The CPA shall periodically mail a written notification to such new customers that have not previously opted out of the CPA's service and shall enroll them in the CPA consistent with the requirements of Puc 2204.05.

While option 1 has clear benefits of efficiency and reduction of costs that are ultimately born by customers, option 2 was enacted into rules to accommodate the insistence by certain utilities that option 1 could not be achieved by their business systems.

2025 Analysis of CPCNH attrition rates (rate of customer departure from CPCNH service) indicate that natural customer turnover (e.g., customers moving in/out of premises), not opt-outs, is the primary driver of attrition. Of the ~2,750/month reduction in customers observed between February and September 2025, less than 10% are due to opt-outs while the strong majority are due to natural customer turnover. Customers in this "natural attrition" category are eligible for refresh noticing and enrollment into CPA service.

Local Policy: Electric Aggregation Plans

Pursuant to RSA 53-E:6, a municipality may implement CPA service after local legislative body adoption of an "Electric Aggregation Plan" (EAP) providing for:

"*Universal access, reliability, and equitable treatment of all classes of customers subject to any differences arising from varying opportunities, tariffs, and arrangements between different electric distribution utilities in their respective franchise territories, and shall meet, at a minimum, the basic environmental and service standards established by the commission and other applicable agencies and laws concerning aggregated service.*"

An EAP providing for opt-out default service must also be submitted to and approved by the Public Utilities Commission to determine it conforms to state law and regulation.

EAPs of CPCNH Members detail whether energy supply services are offered on an opt-in basis or on an opt-out basis as an alternative default service, among other requirements. EAPs adopted by CPCNH Members and approved by the PUC typically include language to the effect of: *"The program will serve as the default electricity supplier for all [Eversource / Unitil / Liberty] customers on a default 'opt-out' basis."*

Once adopted, an aggregation plan and program may be amended and modified from time to time as provided by the governing body of the municipality or county (RSA 53-E:7 – IX).

Most Member EAPs providing for opt-out default service simply state that after initial launch new utility default service customers will be periodically enrolled on an opt-out basis after 30 days' advance mailed notice, without providing any additional criteria to guide the frequency of such periodic refreshes.

Discussion

State law, administrative rules, and local policy under EAPs make clear that opt-out CPAs are the default electricity supplier and shall periodically notify and enroll new utility customers. The provision that the notification and enrollment be done "periodically" provides for flexibility.