

OCA Residential Advisory Board
Meeting Minutes
November 10, 2008

Board Members Present:

Lawrence Kelly
Otis Perry
Claira Monier
Rick Russman
Dwayne Wrightsman

Board Members Absent:

Nathan Cass
Kenneth Mailloux
Louis Pare
Gloria Seldin

Present for the OCA were:

Meredith A. Hatfield
Ken E. Traum
Rorie E.P. Hollenberg
Stephen R. Eckberg

Mr. Kelly declared a quorum and began the meeting at 2:10 pm.

1. **Review and Approve September Board Minutes**

Mr. Kelly asked the board if there were any changes or comments regarding the September 5, 2008 meeting minutes. Hearing none, Ms. Monier moved to approve the minutes as drafted, and Mr. Perry seconded. Ms. Hatfield apologized to the Board for the confusion about the Board's ability to remove members. She has learned since the last meeting that because Mr. Cass's seat is nominated by the Governor, he has the authority to name that member. She also reported that the Governor's Office is working to find a replacement for Mr. Cass. If he does not resign in the next two months, his terms ends in January and a replacement can be named at that time. His slot represents small businesses. Mr. Kelly said that the Board again wishes to thank Mr. Cass for his service to the Board, and suggested that the note within the minutes be removed. The minutes were then unanimously approved as amended.

2. **Presentation on the Right to Know Law, RSA 91-A, by James Kennedy, Assistant Attorney General, NH Attorney General's Office**

James Kennedy gave a presentation on the State's Right to Know law, RSA 91-A, and discussed recent changes to the law. He discussed what that law requires agencies such as the OCA to do regarding document management and production,

as well as how the statute applies to the Advisory Board.

After the presentation, Mr. Kelly suspended the meeting to consult with Mr. Kennedy in his role as the Board's legal counsel.

After the presentation, Mr. Perry requested that his email address for OCA purposes be changed from his home address to his work address. He will email the OCA with this request.

3. Case/Activity Updates

OCA Case/Activity Updates (handout) – Ms. Hatfield offered the Board the opportunity to discuss any of the cases or activities listed in the OCA case updates.

She highlighted a few items:

- √ *Energy Efficiency and Sustainable Energy Board*
Ms. Hatfield said that she is excited that this Board, created in the last legislative session, has started to meet. It has a broad agenda which includes developing plans related to energy efficiency potential and sustainable energy goals for the state.
- √ *DE 08-097 Electric Assistance Program*
Ms. Hatfield pointed out that on October 24, 2008 there were no customers eligible for EAP on the wait list. This is a result of the increase in the System Benefits Charge that provided more funding for the EAP.
- √ *DE 08-103 Investigation of PSNH Installation of Scrubber Technology at Merrimack Station*
Ms. Hatfield briefly explained what has taken place in the docket since the last Board meeting. At this time we await a Commission Order on three Motions for Rehearing filed by an individual ratepayer from Franconia, TransCanada, a merchant owner of hydro generation in the state, and a group of three commercial ratepayers, including Stonyfield Farms and the Common Man Restaurants. The motions sought Commission reconsideration of its Order finding that the Commission does not have jurisdiction to review the increase in costs of the mercury scrubber, which have risen from \$250 million to \$457 million. Once the PUC rules on the motions, a party has 30 days to take an appeal to the state Supreme Court.
- √ *FairPoint*
Ms. Hatfield explained that FairPoint delayed cutover (i.e., transitioning from Verizon's operating systems to FairPoint's new systems) so it will not take place in November. FairPoint could cutover in January if a report due on November 12th by the Liberty Consulting Group finds that they are ready. There will be a technical session in Kittery, Maine on November 17th to discuss readiness for

cutover, and a hearing may be held on November 25th if necessary to review any issues.

4. **Winter Heating Issues Update**

Ms. Hatfield provided hand outs to the Board from the StayWarm NH website (www.staywarmnh.org), which is being led by the Office of Energy and Planning. The initiative is looking for volunteers to help provide basic weatherization services to low income people on two Saturdays in November, the 15th and the 22nd. She urged the Board to share this information with people in their communities.

5. **Any other topics or issues that the Board wishes to discuss**

Mr. Perry asked about the status of the RGGI (Regional Greenhouse Gas Initiative) auction. Ms. Hatfield said that the first RGGI auction was held in September for the region, but the State of NH did not put any allowances up for auction at that time. The CO₂ emissions credit price was just over \$3.00 per ton, which was above the floor price of \$2.86, but below what many had thought it would be. The state will participate in the December auction, as well as the quarterly auctions beginning in 2009. She also said that she recently read that it has been estimated that the forthcoming federal program on CO₂ emissions from power plants could have a much higher cost than RGGI, in the range of \$20 - \$40 per ton.

Ms. Hatfield reported that the state budget process is moving forward, and although the OCA is not general funded but instead is funded through utility assessments, we participate in the state budget process. She said that the next step is for our agency, together with the PUC to whom we are administratively attached, to appear before the Legislative Fiscal Committee on Tuesday November 24th. Mr. Perry asked if the OCA would be required to cut its budget to address the state's budget issues. Ms. Hatfield said that she expected that there would be ongoing work on budgets in light of the current economic conditions. She will keep the Board informed on the process.

Ms. Hatfield noted that the proposed 2009 meeting dates were listed at the bottom of the agenda. Mr. Kelly stated that hearing no objection, the Board's next meeting will be held on Monday, January 12, 2009. He suggested that members could discuss the remaining 2009 dates at that time.

Ms. Monier moved to adjourn the meeting. Mr. Perry seconded and the meeting was adjourned at 3:50 pm.