

MINUTES
Cheshire County Commissioners Meeting
Wednesday, September 21, 2022, 2022
County Hall Building
12 Court Street, Keene, NH 03431

This meeting was conducted in person and electronically via Zoom

Conference Call Information

Phone Call-in Number: +1 646 558 8656

Meeting ID: 409 748 8803

Pin #: 6031233

Present: Commissioners Jack Wozmak, Robert Englund, and Terry Clark

Staff: County Administrator Coates, Finance Director Trombly, and Assistant County Administrator Bouchard

Guest(s): Henry Herndon, Herndon Enterprises, Consultant to Community Power Coalition of New Hampshire CPCNH.

I. Public Comments

Upon recognition from the Chair, a Public Comment on topics of interest may be made, not to exceed three (3) minutes in length.

II. Elected Officials & Department Head Updates

To receive, as informational, departmental updates requiring Commissioner review, participation, approval, and impactful departmental and operational issues.

III. Scheduled Items

Master Agenda Item #1021: County Electrical Aggregation Plan - Public Hearing
Action Expected: To hold a public meeting on the introduction of the proposed County Electrical Aggregation Plan.

Public Hearing: Cheshire Community Power Electric Aggregation Plan

Board of Commissioners Chair Wozmak opened the public hearing to discuss the Cheshire Community Power Electric Aggregation Plan that has been drafted by the Electric Aggregation Committee with support from the Community Power Coalition of New Hampshire.

And the following information was received. Cheshire Community Power Electric Aggregation Plan

The Cheshire County Commissioners will hold 2 public hearings on Wednesday, September 21, and Wednesday, September 28, 2022, beginning at 8:30 a.m. Members of the public can join online at www.zoom.us/join and use the Meeting ID: 409 748 8803 and Pin: 6031233, or use the Zoom call-in number at +1 (646) 558-8656 to participate. The purpose of the Public Hearings is to present the draft Electric Aggregation Plan, inform the Cheshire County Select Boards and City Councils about the opportunity to participate in Cheshire Community Power, and receive public comment.

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Cheshire Community Power is a developing program that will allow the County to provide energy supply and related services on behalf of County Facilities, residents, businesses, and municipalities that wish to join. The program will create an economy of scale in power procurement, and through participation in the statewide Coalition, offer a scope of services that can result in more affordable electricity and expanded options for renewables and innovative energy technologies.

Cheshire Community Power will be self-funded through revenues associated with the program's electricity supply sales. Aside from incidental costs of developing the program, such as staff time, no taxpayer funds are used to fund the program, and there is no cost to participate for any Cheshire city or town.

Those interested are invited to attend and comment. Please contact the Cheshire County Commissioner's Office, at (603) 352-8215 or via Relay NH at 1-800-735-2964, in advance if you have a disability or need assistance to attend or participate in the hearing. Anyone wishing to submit written comments prior to the hearing should address them to the Cheshire County Commissioners, 12 Court Street, Keene, NH 03431, or email rbouchard@co.cheshire.nh.us.

Commissioner Clark provided the following introduction to the discussion.

The Cheshire County government uses a lot of electricity.

We run the Department of Corrections, which is a stand-alone facility that operates 24/7.

We also run Maplewood Nursing Home, also a 24/7, stand-alone facility.
We have an annex that houses the Registry of Deeds and other smaller offices.
We have a water treatment plant and a wastewater treatment plant. We lease a state superior court building and County Hall, which is home to the Sheriff's Department, County Attorney Department, Probate, and county administration offices, among others that we rely upon for important public services.

Soon, we'll be opening a facility to house Cheshire Emergency Services in Swanzey - that facility is a little different in that it will operate using an enterprise fund - not relying upon property taxes, but still will benefit from these same energy savings.

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All of this has required up to 5 megawatts of electricity annually. Because of the energy conservation measures we've taken over the last years, that number is somewhat lower but still significant.

That's why we've joined twenty New Hampshire communities to form the Community Power Coalition of New Hampshire. With this partnership, Cheshire County will pay less per kilowatt hour for electricity than the default, or standard rate. This will allow us to increase our buying power in the marketplace and lower our annual electricity bill even more than our energy conservation measures have allowed us to do.

With us today is Henry Herndon, a consultant for the Community Power Coalition of New Hampshire, who will explain in detail, the intricacies of this program. We invite public comment and questions but ask that you wait until Mr. Herndon is finished with his remarks.

The Chair then recognized Henry Herndon, Consultant to Community Power Coalition of New Hampshire, to address the program.

Herndon provided the following information.

This presentation will be an overview of what Cheshire Community Power is, what it means for Cheshire County facilities and for residents, businesses, or cities and towns that choose to participate, and why it is a good thing for the community.

The agenda will cover:

1. What is Community Power?
2. Electric Aggregation Plan
3. Community Power Coalition of New Hampshire
4. Timeline for Cheshire Community Power
5. Questions & Discussion

What is Community Power?

Community Power programs pool, or aggregate, the demand of customers in a community and purchase electric power on behalf of that community with the goal of **lowering costs** and expanding **access to renewable energy** and other innovations.

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Community Power programs are enabled by New Hampshire's updated Community Power law [RSA 53-E, Relative to Aggregation of Electric Customers by Municipalities & Counties](#) (enacted as the first in the nation in 1996 and updated in 2019 and 2021). The Legislature's intent in enacting RSA 53-E was to "*encourage voluntary, cost-effective and innovative solutions to local needs with careful consideration of local conditions and opportunities*".

Cheshire Community Power is a public program under RSA 53-E that will supply electricity to the County's facilities and other participating retail electric customers within the County that join the program over time. If the County Delegation approves this Electric Aggregation Plan:

- Cheshire Community Power, once operational, will be required to be self-funded through revenues received by participating customers;
- The Commissioners will be authorized to contract for the necessary services and power supplies to implement and operate the program and will set rates on behalf of any participating customers; and
- Eversource, Liberty Utilities, and the New Hampshire Electric Cooperative will continue to own and operate their respective local distribution systems in the County and deliver electricity to all customers supplied by Cheshire Community Power.

At the Commissioners' direction, Cheshire Community Power may also offer competitive service to any residents, businesses, and other entities within the County who voluntarily request to participate in the program on an "opt-in" customer choice basis.

RSA 53-E alternatively allows municipalities and counties to provide default electricity service on an "opt-out" basis. This type of program transfers all customers currently on utility default service to Community Power default service. Customers are mailed notifications before enrollment, may decline to participate, and may choose to switch back to the utility or to take service from a Competitive Electric Power Supplier at any point after that.

Cheshire Community Power will launch as an "**opt-in**" program to supply electricity to county facilities. Any customer within Cheshire County (residential, business, municipal) may voluntarily opt-in to receive their electricity supply from Cheshire Community Power, and benefit from pooled purchasing power. The County intends to encourage and support municipalities in forming Community Power programs that operate on an opt-out

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basis. Cheshire Community Power also may offer service on an opt-out basis directly for municipalities that do not establish their own Community Power program and that request, by a majority vote of their respective governing bodies, to participate in Cheshire Community Power.

Cheshire Community Power will only affect the supply portion of the electric bills of participating customers. Utilities will continue to be responsible for the delivery portion. Utilities will continue to maintain the poles and wires, and other infrastructure. The difference under Community Power is that communities gain local control and economies of scale over the supply portion of the bill through Cheshire Community Power, instead of the utility default (or another Competitive Supplier).

For cities and towns within the County that choose to join by a vote of their governing body, Cheshire Community Power may offer “default electricity supply” for residents, businesses, and other electric accounts that currently receive default electricity supply from the utility company. Participation in Community Power is completely voluntary, and participating customers may opt out at any time. Customers on competitive supply contracts may choose to opt-in to Cheshire Community Power, but their existing supply contracts will otherwise remain unaffected.

The Electric Aggregation Plan

The County Delegation established an Electric Aggregation Committee, pursuant to RSA 53-E, and tasked the Committee with preparing an Electric Aggregation Plan (EAP). The EAP explains how our Community Power program will operate and is available for public review. The County is seeking public input into its Plan.

The Electric Aggregation Plan defines the program goals and objectives, defines governance, summarizes the implementation process, and commits the County to comply with applicable statutes and regulations such as (a) Providing universal access, reliability, and equitable treatment of all classes of customers; and (b) Meeting, at a minimum, the basic environmental and service standards established by the Public Utilities Commission and other applicable agencies and laws and rules.

The Plan addresses details of how Net Metering will be provided to customer-generators and how customers enrolled in the Electric Assistance Program will receive their discount.

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The Plan does not commit the County to any defined course of action, nor does it impose any financial commitment or liability on Cheshire County.

The Plan is organized into Chapters that include: (1) Introduction to Community Power; (2) Overview of Cheshire Community Power; (3) Community Power Coalition of New Hampshire; (4) County Goals and Objectives; and (5) Statutory Requirements for Cheshire's Plan. The Plan also includes appendices with further detail.

Once Cheshire Community Power goes live, the County anticipates being able to offer rates that are lower than Eversource supply rates. For towns that choose to join and participate in the program, there will be a customer notification and enrollment process:

- At least **30 days before enrolling customers, all electric customers within participating towns will be mailed notifications** that will include the initial fixed rate for Cheshire Community Power service compared with the utility rates;
- Customers currently on default energy service provided by utilities will be **able to decline participation or "opt-out"** of Cheshire Community Power by a return postcard, online, or by calling a customer service number.
- If a **customer is already getting their power from a competitive supplier**, nothing will change unless they choose to switch and **"opt-in"** to Cheshire Community Power.
- New utility customers will get similar opt-out notices.
- All Cheshire Community Power default service customers will always be able to know the fixed rate at least 30 days in advance and be able to switch suppliers at next meter read upon request with **no penalty or exit fee**.

The chart below provides an example of the customer rates and optional products that could be offered through the program:

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	Default Service (automatic enrollment)	Optional Products		
		Basic Service (opt-down)	Green Start (opt-up +)	Prime (opt-up +)
Attributes	5-10% above Renewable Portfolio Standard (RPS)	Meets Renewable Portfolio Standard	~50% Renewable	100% Renewable
Price	Meet or beat default utility rate at launch	Below default utility rates	Higher or competitive w/ default utility rate	Exceeds default utility rate

The Renewable Portfolio Standard (RPS) is a New Hampshire state policy setting a minimum requirement for renewable energy to be provided to customers. The RPS requirement for 2023 is 23.4%.

Community Power Coalition of New Hampshire

Community Power Coalition of New Hampshire (the Coalition) is a newly formed public power agency governed by member municipalities and counties and operated on a not-for-profit basis. Cheshire County is a founding member of the Coalition, and Commissioner Terry Clark and Administrator Christopher Coates sit on its governance board for oversight.

The Coalition provides Pooled competitive procurement and economies of scale; Shared expert staff servicing all Members; Risk management of a portfolio of power supply contracts; Retail customer services; Opportunities for new projects and services; Joint public advocacy to improve state energy policy. CPCNH is designed to insulate member communities and their taxpayers from the financial and legal liabilities of the Coalition and its services while being accountable to locally elected bodies.

There are currently 1 county and 19 municipal members of the Coalition, which collectively represent ~190,000 customers, ~960,000 megawatt-hours per year, and more than \$150 million in annual energy supply revenues. Revenues associated with the sale of electricity through the Coalition are controlled by its members. The Coalition is designed to empower communities to develop local renewable and energy storage projects and to

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better control energy costs. The Coalition aims to launch service for an initial 12 Members in the spring of 2023.

Energy supply charges primarily cover the cost of energy and related charges. A portion of the energy supply charge covers the over costs of operating and financing the program. Additional net revenues will accrue to a reserve fund overseen by Cheshire County and the other Members. The reserve fund ensures long-term rate stability and enables future investments into energy projects. Under a traditional brokered power contract with a private competitive energy supplier, the reserve fund would represent the profit accrued by a private competitive energy supplier. Community Power Coalition of New Hampshire enables Cheshire Community Power to control that surplus revenue.

Each Member of the Coalition has appointed a Director and an Alternate to the Board to oversee its formation, governance, and operations. Cheshire County, with the assistance of the Electric Aggregation Committee, will contract for operational services. The Electric Aggregation Plan assumes but **does not require**, that Cheshire will participate in the Coalition services alongside other Member communities. By joining the Coalition, Cheshire County has accessed the expertise, resources, and legislative advocacy of the other Coalition communities.

Timeline for Cheshire Community Power

Cheshire County began exploring Community Power in late 2019. The County supported the formation of the Coalition by participating in an “Organizing Group” of cities and towns that researched best practices and enlisted professional services to design and incorporate the agency. The County’s Electric Aggregation Committee has since drafted the Electric Aggregation Plan and is now holding public hearings as per RSA 53-E. Following the hearings, and after incorporating public input, the County Delegation will vote on a resolution to adopt the Electric Aggregation Plan, possibly in December of this year.

Once the Electric Aggregation Plan is adopted, it will be submitted to the Public Utilities Commission (PUC), other state agencies, and the electric utility companies for review. The PUC will have 60 days to review and approve the Plan. The County will select a service provider and commence service on an opt-in basis for County facilities. For Cheshire cities and towns that elect to participate in the program by a vote of their governing body, Cheshire County will consider and approve such participation. Within

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participating communities, customer notifications will be mailed, additional public hearings will be held to inform the public and answer questions, and Cheshire Community Power will commence as the new default energy supply service within participating cities and towns.

That concludes the presentation on Cheshire Community Power and the Electric Aggregation Plan.

An in-depth discussion on many of the elements of the presentation was had and some of the challenges, opportunities and implementation timeline were covered.

Chair Wozmak then opened the floor to public comments and questions about Cheshire Community Power and the Electric Aggregation Plan. No public comments were received.

The Chair then closed the public hearing on Cheshire Community Power and the Electric Aggregation Plan. The Chair then asked if a motion to adopt the Electric Aggregation Plan was to be made.

Commissioner Englund then moved to adopt the Electric Aggregation Plan and vote to authorize County Administrator Christopher Coates, with advisory support from the Electric Aggregation Committee, to contract for the services necessary to launch and operate the program which was seconded by Commissioner Clark. Upon roll call vote the motion passed unanimously.

Supporting documentation for the County Electrical Aggregation Plan can be found here: [Cheshire Electric Aggregation Plan - Public Hearing - September 28, 2022, at 8:30 AM - Cheshire County](#)

IV. County Administrator

Weekly Operations Report - The County Administrator will update the Commissioners on activities that have taken place since the previous meeting. Coates was then recognized and provided the following information:

He stated that a Keene Sentinel article on the new EMS department published yesterday was well-done and covered many of the reasons for establishing the department.

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He then said that he had been contacted by New Hampshire Public Radio (NHPR) who is interested in doing a segment on the new EMS department in the near future. He will follow up with them and a schedule will be worked out in the coming few weeks.

Coates then said that he was contacted by the Dublin Fire Chief concerning a Touch-a-Truck event for kids that is coming up and asked if the County could provide one of the ambulances for the event. It was agreed that it would be a good event to participate in Coates and Chief Spain will work out the details.

V. Old Business

- VI. New Business** – Commissioner Englund said that he attended the final Jose Lezcano concert and it was an excellent show. He also said that the new Sullivan Community store would be opening this week. Lastly, he said that Dr. John Walter will be taking over as the Medical Director for the Nursing Home from Dr. Keene in February.

Consent Agenda Items:

Vote to accept the Weekly Manifests for September 14 and 21 and the Minutes of September 14, 2022. **Commissioner Englund moved to accept the Consent Agenda items and Commissioner Clark seconded the motion. Upon roll call vote the motion passed unanimously.**

VII. Calendar

Action Expected: To accept the calendar as informational and to make necessary changes/additions.

VIII. General Discussion for Commissioners

Master Agenda Item #673: Commissioners - State Cost Shifting Letter and Restorative Justice Program

IX. Nonpublic Sessions

Superintendent Iosue was then recognized and Administrator Coates asked the Commissioner to enter a non-meeting to discuss a union matter.

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AT 9:48 AM Commissioner Wozmak moved to enter a non-meeting to discuss the union issue and Commissioner Englund seconded the motion. Upon roll call vote the motion passed unanimously.

At 10:13 AM the Commissioners via unanimous roll call vote returned to the public session.

X. Adjournment

At 10:15 AM, there being no other public business, Commissioner Englund moved to adjourn the meeting and was seconded by Commissioner Clark. Upon roll call vote, the motion passed unanimously.

Recorded and edited by:
R. Bouchard
Assistant County Administrator

Reviewed and submitted by:
Terry Clark
Clerk, Board of Commissioners