



**COMMUNITY
POWER COALITION
OF NEW HAMPSHIRE**

For Communities, By Communities

**WELCOME BOOKLET &
FREQUENTLY ASKED QUESTIONS**

Community Power Coalition of New Hampshire

A Non-Profit for Municipal and County
Community Power Aggregations

June 2021



Mission Statement

To foster resilient New Hampshire communities by empowering them to realize their energy goals through civic engagement, public education and technical assistance.

Values Statements

In carrying out its mission, the Coalition is guided by the following values:

1. Embody an inspiring vision for New Hampshire's energy future.
2. Support communities to reduce energy costs and pursue economic vitality by harnessing the power of competitive markets and innovation.
3. Support communities to implement successful energy and climate policies and to promote the transition to a carbon neutral energy system.
4. Balance the interests of member communities who are diverse in demographics, geography and their energy goals.
5. Use our shared expertise, leadership and skills to educate, empower and build the capacities of our members.
6. Help communities demystify the power sector to make informed decisions.
7. Facilitate collaboration and teamwork by championing diversity, equity and inclusion of people and communities of all kinds.



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Introduction

This document provides a brief introduction to Community Power and the Community Power Coalition of New Hampshire (CPCNH, or, “The Coalition”) and answers Frequently Asked Questions.

Community Power – authorized under NH RSA 53-E, Relative to Aggregation of Electric Customers by Municipalities and Counties – presents a significant opportunity to stabilize and lower long-term energy costs and increase the ability of communities to benefit from development of local renewable energy resources.

The Coalition was created as a public nonprofit to empower our state’s cities, towns and counties to fully realize the benefits of Community Power by pooling their resources, knowledge and expertise. Community leaders are invited to follow up by visiting www.cpcnh.org or by reaching out to any of the members of the Coalition’s Organizing Group.





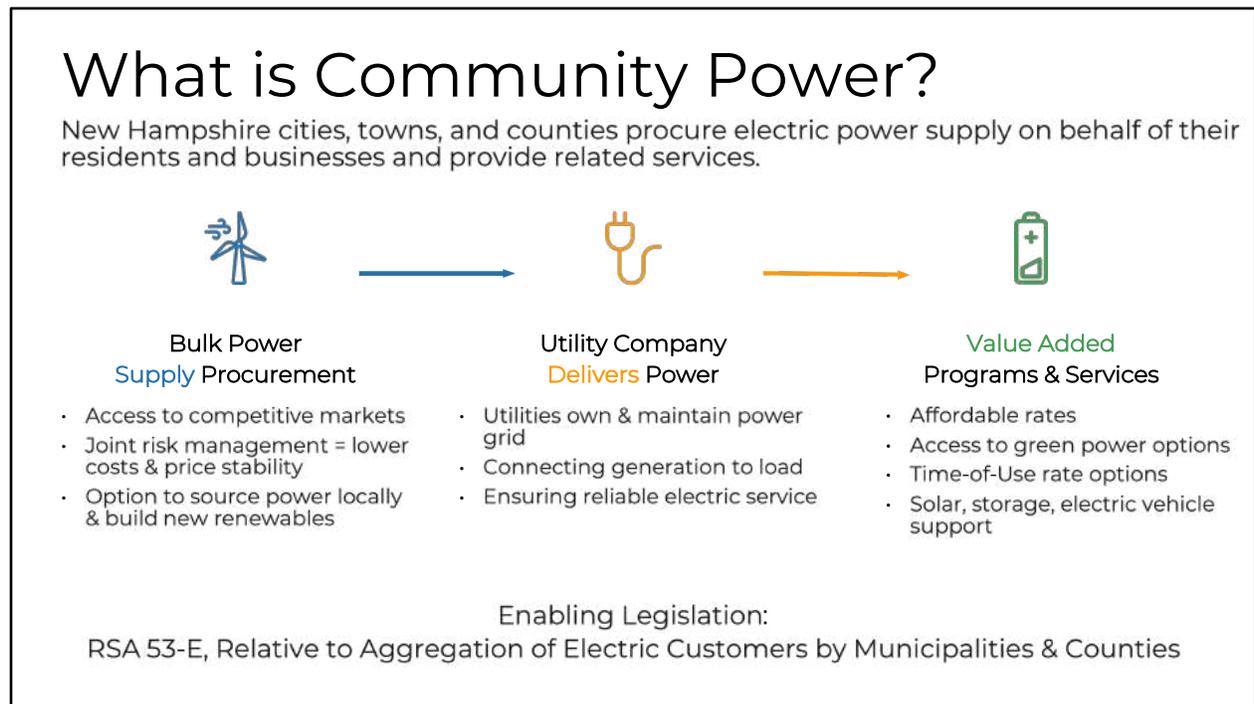
1. What is Community Power?

Community Power, authorized by [NH RSA 53-E](#), is a program that allows local governments to procure electric power on behalf of their residents, businesses, and municipal accounts from alternative suppliers. Community Power is sometimes referred to as “Community Choice Aggregation.”

Community Power empowers towns, cities and counties to choose where their electricity comes from and how it is generated on behalf of their residents and businesses. In many states across the country, municipalities and counties have launched regional Community Power programs as a means of taking control of their combined electricity purchases, both to reduce the cost to consumers and to push for production of more renewable energy.

There are three main components of Community Power:

1. **Bulk Electricity Purchases.** Communities pool together purchasing power to make large electricity buys jointly. Bulk purchasing can stabilize and lower costs, while expanding choices such as renewable energy options.
2. **Electric Distribution Utilities.** Under Community Power programs, the existing utility provider (Eversource, Unitil, Liberty, New Hampshire Electric Coop) continues to deliver power and provide electric distribution and transmission services.
3. **Value Added Retail Products & Services.** Community Power can create a number of benefits for residents and businesses including: affordable rates, green power options, demand response and time varying rates, greater access to rooftop solar, home energy storage or other technology innovations.





2. What is Community Power Coalition of NH (CPCNH / the Coalition)?

Community Power Coalition of New Hampshire (CPCNH, or, “The Coalition”) is a public nonprofit in formation, designed “For Communities, By Communities.” The Coalition was created so that municipalities and counties across New Hampshire could:

1. Streamline implementation by collaborating across a statewide network of peers;
2. Share services and staff support across member cities, towns and counties;
3. Participate in joint power solicitations and project development opportunities (e.g., community solar + storage);
4. Speak with one voice in state policy affairs relating to energy issues.

New Hampshire cities, towns and counties may join CPCNH as members by vote of their governing body. CPCNH is structured as a tax-exempt governmental instrumentality governed by member municipalities and counties. New Hampshire cities, towns, and counties who join as Members of CPCNH may appoint representatives to the agency’s Board of Directors, ensuring a governance structure that maintains operational and financial transparency. All founding members will be directly represented on CPCNH’s Board until more than twenty-one members join, at which point directors will be elected by vote of the members at annual meetings. All meetings of CPCNH will comply with NH’s Right-to-Know Law ([NH RSA 91-A](#)).

CPCNH’s scale and structure as a Joint Powers Agency is what allows it to provide its members with continuous, expert management of a diversified portfolio of short- to long-term energy contracts negotiated with multiple competing suppliers. This approach is more “hands on” and flexible in terms of risk management compared to Community Power programs in some other states, where a municipality will typically: hire a broker on an individual basis, contract with a single electricity supplier at a fixed-price for a 1-to-3-year term, and hope that the program results in cost savings for customers on average (compared to how utility default service rates change over the length of contract).

The founding members of the CPCNH include the cities of Nashua and Lebanon, the Towns of Exeter, Hanover and Harrisville, and Cheshire County. Several other communities across the state are in the process of adopting the Joint Powers Agreement and joining the CPCNH.

Visit the CPCNH website for more info: [Community Power Coalition of New Hampshire \(cpcnh.org\)](#)

3. Who Can be a Member of CPCNH?

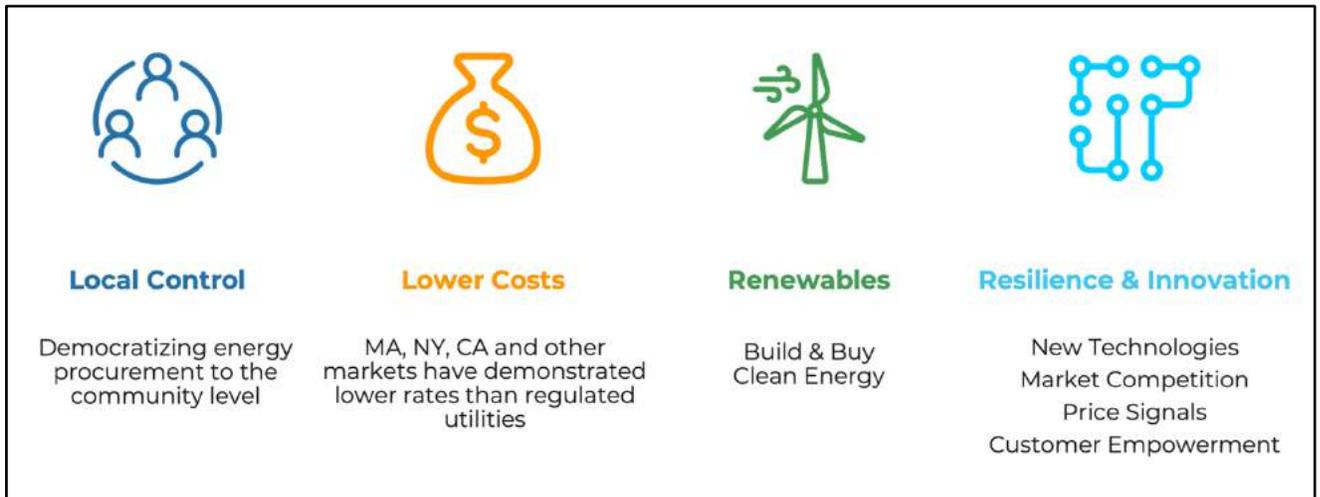
New Hampshire cities, towns, counties and jointly operated Community Power Aggregations can be members of CPCNH.



4. What are the Benefits of Community Power?

The main benefits of Community Power are:

- **Local Control:** Community Power presents an opportunity for cities and towns to have greater choice in sourcing their electricity, and gives them the local control authorities to meet their respective energy goals.
- **Lower Costs:** Community Power can lower energy costs by giving cities and towns access to competitive market options for power supply. Other Community Power markets have demonstrated an ability to supply power at rates that are lower than or at parity with the regulated utility.
- **Renewable Energy:** Community Power can enable cities and towns to procure more renewable energy on the open market. It also creates opportunities to contract directly with existing local renewable energy systems, or, to contract for development of new local generation such as solar or solar + storage to supply power to their program.
- **Resilience & Innovation:** Community Power can also facilitate greater resiliency and “retail innovation.” Programs can empower customers with more options including lower energy supply rates, green power options, time-based rate options, or other programs for residents and businesses including options for modern technologies like rooftop solar and battery storage (net metering alternatives), electric vehicle charging, energy efficiency options, and more. These programs can help “shift load” to off-peak times, provide backup power during outages, and lower procurement costs for the program as a whole.



The Community Power Law, NH RSA 53-E, allows municipalities and counties to enter Intermunicipal Agreements, such as for the aggregation of electric customers. A number of cities and towns in NH are forming Community Power Coalition of New Hampshire (CPCNH, aka, “The Coalition”) based on national best practices in order to maximize the benefit of Community Power for all cities and towns in NH. By becoming



a member of the Coalition, cities and towns can gain a greater economy of scale and access to lower rates for the default energy supplier of all residents, businesses and municipal accounts while also offering more options so people could choose greener energy if they wish.

Just as it is possible today, it would still be possible for any account holder to opt-out of the CPCNH power and choose a different supplier.

5. What is the Process for Launching a Community Power Program?

There are three basic steps in the process for a city or town to launch a Community Power program.

- **Step 1: Join the Coalition.** The first step is for the Governing Body (Select Board, City Council, Town Council) to adopt the CPCNH's Joint Powers Agreement to join the Coalition. There is no cost to joining the Coalition. By joining the Coalition, communities join a statewide network of peers and experts, and gain support towards developing Community Power Plans and launching programs.
- **Step 2: Form a Committee and Develop a Community Power Plan.** The second step is the Governing Body (Select Board, City Council, Town Council) to establish a Community Power Committee to create a Community Power Plan detailing the structure and goals of the program. The Community Power Committee may be a sub-committee of an existing committee.
- **Step 3: Local Legislative Approval of Community Power Plan.** The final step is to get local legislative authorization through Town Meeting, City Council or Town Council approval and adoption of the Community Power Plan. CPCNH works with member cities and towns to customize its template Community Power Plan to their specific local policy goals and objectives.

6. How to Does a City or Town Join CPCNH?

To join the Coalition, a Governing Body (e.g., Select Board) votes to authorize adoption of the Joint Powers Agreement and appoints a representative to the CPCNH Board.

7. What is the Joint Powers Agreement and Where Can I Find it?

The Joint Powers Agreement is a contract among counties, cities and towns and the corporate charter of the Community Power Coalition of New Hampshire. It is authorized under [NH RSA 53-A](#), relative to inter-municipal agreements.

The Joint Powers Agreement establishes a new legal entity, controlled by its members, and delegates certain authorities to it. The Joint Powers Agreement



includes the Articles of Agreement and Bylaws of the new nonprofit. It establishes the general purpose, authorities, structure, Board of Directors, committees, cost-sharing principles, liability protections, and other aspects of the organization.

Under the Joint Powers Agreement, CPCNH is authorized to:

- Jointly exercise certain municipal authorities to promote the common good, general welfare and economic vitality across Member communities;
- Provide supportive services and technical assistance to Member's Community Power programs; and
- Promote public education and civic engagement.

As of June 2021, Hanover, Lebanon, Exeter, Nashua, Harrisville and Rye have joined the Coalition by vote of governing body to adopt the Joint Powers Agreement. Several other communities are anticipated to join over the coming months. The NH Attorney General has approved the Joint Powers Agreement as compliant with NH law.

The CPCNH Joint Powers Agreement can be downloaded at www.cpcnh.org/about under "Join the Coalition."

8. Are There Any Costs to Join CPCNH?

No. Joining the CPCNH through signing the Joint Powers Agreement (JPA) doesn't cost anything and doesn't commit a city or town or its residents to the programs of the CPCNH. Only after a subsequent adoption of the Community Power Plan (via a vote at Town Meeting, by City Council, or by Town Council) would the default energy provider be switched to CPCNH.

Municipalities are under no financial obligation until they execute a cost-sharing agreement. Municipalities may withdraw from the Coalition prior to entering into a cost-sharing agreement without any financial obligation, and withdraw at any time thereafter subject to the terms, conditions and continuing obligations specified in the cost-sharing agreement.

Community Power programs are self-funded from the revenue received from participating customers:

- Members will be able to launch Community Power programs at no upfront expense through the CPCNH
- Program implementation and ongoing operating costs for each Member will be recovered post-launch through revenues from electricity sales.
- All costs will be recovered in the customer rates set by each Member.

There are no taxpayer funds required for a community and its residents to take power supply services through CPCNH. The cost to operate programs will be recovered through revenues associated with electricity sales (i.e., a small portion of the energy supply rate paid by each participating electric customer).

CPCNH Members are expected to appoint a representative to the organization's Board of Directors.



9. Will Everyone Be Required to Use CPCNH Power?

No. If a city or town joins CPCNH and adopts a Community Power Plan, then the default energy provider for all of that city or town's customers will be CPCNH (instead of Eversource, Liberty, NH Electric Coop, or Unitil).

Just as it is possible today for an individual to choose a different energy supplier, any customer will be able to opt-out of the CPCNH default and choose to use a utility's default supplier or another competitive energy supplier.

10. Will my Current Utility Continue to Deliver my Electricity?

Yes, your current incumbent electric utility (Eversource, Liberty, Unitil, NH Electric Cooperative) will continue to own the transmission and distribution system including all electricity substations, power lines, utility poles, transformers, the electricity feed to your home and your meter. The utility will still be responsible for reliability and responding to power outages. The utility will continue to be compensated fairly for its services of maintaining the grid.

New Hampshire is a deregulated state which means that the incumbent electric utility that provides your service owns all the transmission and distribution equipment, maintains these systems and bills you for the electricity you use. The incumbent utilities purchase the electricity they supply from independent electricity generators, bidding their electricity business on the open market on a periodic basis.

11. What are Some Considerations for Joining the CPCNH?

- Joining the CPCNH is the first step towards launching a Community Power Program. There is **no risk** and **no down-side** to joining the CPCNH. By joining the Coalition, a community gains access to the statewide network of peers and experts to support Community Power planning. If/when a community moves forward with adopting a Community Power Plan (e.g., town meeting), that community can then **benefit from Coalition's shared services and economy of scale.**
- **There is no cost to join CPCNH.** A community may withdraw from the Coalition at any time. All costs will be recovered through revenues from electricity sales (not from general funds or tax payer funds). In order to take power supply and other service through the Coalition, a town/city must subsequently agree to a separate "Cost-Sharing Agreement."
- **Significant due diligence, work, and expertise went into the drafting of the Joint Powers Agreement, based on national best practices.** Member communities are shielded from liability because the agreement creates a new



legal entity, a governmental instrumentality, that holds the liabilities. The Joint Powers Agreement was drafted in partnership with legal firm Duncan Weinberg Genzer Pembroke, who has 50 years of expertise in public power. The Joint Powers Agreement has been approved by the NH Attorney General as compliant with New Hampshire law.

- **The potential up-side for Community Power and the Coalition is large.** Through the Coalition Model, communities pool resources, gain access to a higher class of national vendors who will want to provide services to the agency. The Coalition model achieves a **greater economy of scale** than a community could achieve on its own. By joining the Coalition, communities build the body of strength of the Coalition and contribute to its success, which can include lowering costs, building local renewables and collaborating on public advocacy to improve NH energy market / policies.

12. Are There Example Motions for Joining the Coalition?

Yes. Examples motions for joining CPCNH:

[Hanover Select Board, 1/25/21, Item 4](#)

[Lebanon City Council, 2/3/21, Item G](#): *“Councilor Bronner MOVED, that the Lebanon City Council hereby authorizes the City Manager to enter into an intermunicipal agreement known as the “Joint Powers Agreement” under the provisions of New Hampshire RSA 53-A to create the Community Power Coalition of New Hampshire (CPCNH) for the purpose of supporting member municipalities and counties in developing and implementing electric aggregation plans, pursuant to RSA 53-E, as well as related statutory authorities. BE IT FURTHER MOVED, that the Mayor, in consultation with the City Manager, is authorized to appoint a City representative and an alternate to the CPCNH Membership and Board of Directors.”*

[Exeter Select Board, 5/10/21, Item 6.b](#): *“Ms. Gilman moved that Exeter join the newly formed Community Power Coalition and further authorize the Town Manager to sign the Joint Powers Agreement.”*

[Nashua Board of Aldermen, 5/11/21, R-21-133 \(page 4\)](#): *“Authorizing the City of Nashua to enter into a Joint Powers Agreement of Community Power Coalition of New Hampshire.”*

[Harrisville Select Board, 5/28/21](#): *“a) Regarding Community Power, Andrea Hodson restated the committee’s recommendation that the town join CPCNH, the Community Power Coalition, allowing the town at no cost to access their technical expertise along with other municipalities. Following discussion, Kathy Scott moved to join the Community Power Coalition of NH, as recommended by the Electric Aggregation Committee. Jay Jacobs seconded. All voted in favor. Andrea Hodson will sign the Joint Powers Agreement when the document is ready.”*



About the Coalition

Beginning in 2019, an ad-hoc work group known as the “Coalition Organizing Group” met regularly to research national best practices and explore the viability of establishing a new public power nonprofit to share services across municipalities and counties. The Coalition Organizing Group has been led by the following municipal and county staff and officials:



Clifton Below
Assistant Mayor
City of Lebanon



Doria Brown
Energy Manager
City of Nashua



Julia Griffin
Town Manager
Town of Hanover



April Salas
Sustainability Director
Town of Hanover



Rod Bouchard
Deputy Administrator
Cheshire County

Additional municipal partners include: Tad Montgomery, Energy & Facilities Manager and Everett Hammond, Assistant Public Works Director for the City of Lebanon; Cheshire County Administrator Christopher Coates; Selectwoman Andrea Hodson and Electric Aggregation Committee member Ned Hulbert from the Town of Harrisville; and Mary Day Mordecai, Growing Edge Partners.

The Coalition has been supported by technical and community advisors including:



Henry Herndon
(formerly) Director of
Local Energy Solutions
Clean Energy NH



Dori Drachman
Co-founder
Monadnock
Sustainability Hub



Samuel Golding
President
Community Choice
Partners



Dr. Amro Farid
Associate Professor
Thayer School of Engineering
Dartmouth College

Members of the Coalition’s Organizing Group have:

- Participated and often led discussions in the Community Power informal rule drafting process hosted by the Public Utilities Commission;
- Intervened in regulatory proceedings and legislative hearings to represent the interests of communities and customers, such as by advocating for expanded data access in the Commission’s Statewide Data Platform docket (DE 19-197), and successfully negotiating the clarification and expansion of key Community Power authorities in House Bill 315
- Assessed power agency design best practices — in terms of community governance and competitive operating models — by interviewing elected



officials, senior staff and vendors operating Community Power programs in other states (such as the Redwood Coast Energy Authority and Silicon Valley Clean Energy in California), along with representatives from public power associations (such as the American Public Power Association and the Vermont Public Power Supply Authority) and other industry experts; and

- Hosted a virtual summit on Community Power that was attended by over eighty representatives from thirty-one municipalities, collectively representing one-quarter of the state's default electricity market.

In the second half of 2020, the City of Lebanon and Town of Hanover, in collaboration with the Organizing Group, after reviewing six responses to a Request for Qualifications, retained the law firm of Duncan, Weinberg, Genzer & Pembroke and worked with firm president Michael Postar Esq. and subcontracted New Hampshire counsel to draft the Coalition's Joint Power Agreement. Duncan Weinberg are national leaders with over 50 years of public power legal guidance. In January 2021, the New Hampshire Attorney General approved the Coalition's governance agreement as conforming to state law.

In February 2021, the City of Lebanon using previously secured grant funding and in collaboration with the Coalition's Organizing Group contracted with Henry Herndon (formerly the Director of Local Energy Solutions at Clean Energy New Hampshire) and Samuel Golding of Community Choice Partners, Inc., to provide implementation support services prior to launch. Services include supporting municipalities throughout the Community Power approval and formation process, and conducting competitive solicitations for the services, credit support and electricity procurement required to launch and operate member Community Power programs.

The Coalition will contract with qualified vendors and credit-worthy suppliers to cover the upfront cost of implementing Community Power programs, the expense of which is expected to be amortized and recovered in member program's rates and charges to participating customers for a specified term. Similar at-risk and performance-based contract structures have been used to successfully launch and operate programs in other Community Power markets.

To ensure effective management of business operations, as well as enhanced transparency and oversight, the Coalition plans to hire a small number of qualified staff.