Orr&Reno

March 23, 2015

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Dear Attorney Weisner,

These comments are submitted on behalf of EDP Renewables ("EDPR"), a developer of wind energy projects. EDPR provided oral comments on the Site Evaluation Committee's ("SEC" or the "Committee") initial proposed rules at the public comment hearing held March 4, 2015, and appreciates the opportunity to file these written comments. EDPR appreciates the efforts of the Committee and its Staff in developing the initial draft rules, and believes that the majority of the draft rules properly implement the provisions of RSA 162-H. However, EDPR is concerned that some of the rules as proposed, as well as some of the changes suggested by other commenters, contravene RSA 162-H as recently amended by Senate Bill 245 (2014). To identify and address its concerns, EDPR provides the following comments and the attached suggested revisions to the draft rules.

At the outset, EDPR urges the Committee to focus on its purpose and structure when developing its final rules proposal. The SEC's long-standing, fundamental purpose is to serve as a state-wide siting board that adjudicates energy siting decisions based upon record evidence,[1] and the recent amendments to RSA 162-H do not change that. Committee decisions regarding whether to issue certificates of site and facility require careful factual and legal analysis, and the authority for such decisions rests in the SEC alone. In considering amendments to RSA 162-H, the legislature has not amended the statute to permit local or municipal authorities to "veto" or "vote" on the construction of a facility. Instead, Senate Bill 245 and House Bill 1602 (2014), the bills that require the SEC to promulgate the rules at issue in this docket, do not provide any such veto.[2] Thus, in developing rules, the

[1] *See, e.g.*, State of New Hampshire Report of the Energy Facility Siting, Licensing & Operation Study Committee (Aug. 30, 1990) (referencing the need for state-wide siting to assure that facilities received a fair and procedurally unfettered review and that local opposition to particular projects does not block all such facilities).
[2] House Record Vol. 36, No. 31 (April 18, 2014) (legislative history for House Bill 1602 indicating that the SEC "reviews proposals for energy facilities in New Hampshire and issues

SEC must avoid actions that effectively delegate its decision making authority to local entities, or otherwise enable them to override the SEC's authority.

At a time when New Hampshire's businesses are emphasizing the need for more energy infrastructure to address high energy costs,[3] the SEC must take care to avoid promulgating rules that will result in effective moratoria with respect to any particular technology or project. The legislature has considered and rejected such moratoria,[4] and the SEC's rules must not create that result. EDPR was one of many participants in the development of SB 245, through which legislators and a wide variety of stakeholders sought to establish a fair and balanced energy facility siting process with appropriate procedures and evaluative criteria. Nothing in SB 245 or HB 1602 permits the Commission to adopt stringent siting criteria that would prevent new energy projects from being constructed in New Hampshire. Instead, the SEC's rules must implement the provisions of RSA 162-H which require establishment of reasonable siting criteria and a fair and transparent process that provides all interested parties with opportunities for meaningful input.

EDPR further urges the SEC to avoid promulgating rigid, proscriptive rules that do not incorporate the flexibility required for reviewing energy facility applications in an adjudicative process. The Committee must balance requests for strict, one-size-fits all standards against the flexibility needed to make findings of fact and rulings of law regarding the specific circumstances of individual projects. Difficult or impractical standards will either stymie development completely or will result in numerous waiver requests that will add time and effort to an already labor-intensive and time-consuming process. Such standards could also deter energy infrastructure developers from seeking to do business in New Hampshire.

For guidance in this rulemaking endeavor, EDPR respectfully refers the Committee to the October 3, 2014 filing by Eolian Renewable Energy, LLC. That filing includes several pages of annotated end notes providing support for the standards that a number of parties proposed on September 22, 2014.[5] In the event that the Committee is considering criteria or standards that are

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certificates for construction and operation of those proposals that meet the statutory requirements of RSA 162-H"), available at http://www.gencourt.state.nh.us/house/caljourns/calendars/2014/HC_31.pdf.

[3] Several business groups have recently advocated for the development of energy infrastructure in New Hampshire. *See* Jeremy Hitchcock et al., *NH Business Review Article* (Feb. 6, 2015); *Business President: Electricity Supplies Key to Lowering* Prices, Concord Monitor (March 8, 2015), attached.

[4] The legislative history of SB 99 (2013) shows that the New Hampshire State Senate considered, but did not pass, a one year moratorium on electric energy generating facilities and electric transmission facilities. *Floor Amendment to SB 99*, #2013-1123s (March 26, 2013) (failing by a vote of 4 to 20), *see* http://www.gencourt.state.nh.us/legislation/amendments/2013-1123S.html (last visited March 17, 2015); *see also* HB 580 (2014).

[5] Suggested rules were submitted on September 22, 2014 by Cate Street Capital, EDP Renewables North America, Eolian Renewable Energy, Iberdrola Renewables, National Grid, Northeast Utilities, and Public Service Company of NH, and is supported by BAE Systems, the New Hampshire Timber Owners Association, the Town of Antrim, the International Brotherhood of Electrical Workers, Monadnock Paper Mills, the New Hampshire Sustainable Energy

more restrictive than those contained in the SEC's initial draft rules proposal, the standards set forth in the September 22, 2014 filing, or those contained in the attached document, EDPR respectfully requests that the Committee first review the annotations and citations in the October 3 filing.

Again, EDPR appreciates the opportunity to provide these comments and suggested amendments to the draft rules. Please do not hesitate to contact me if you there are any questions about this filing. Thank you for your assistance.

Yours truly,

Susan S. Geiger

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Association and the New Hampshire Cleantech Council, Velcro, Hitchner Manufacturing Co., the New England Clean Energy Council, and the Business and Industry Association.

EDPR's SUGGESTED CHANGES TO DRAFT RULES & ANALYSIS OF SAME

Below, EDP Renewables provides suggested changes to the draft rules, as well as analysis explaining the suggested change.

A) PART Site 102 DEFINITIONS

Site 102.02. ~~"Adaptive management" means a system of management practices based on specified desired outcomes, monitoring to determine if management actions are meeting the desired outcomes, and, if not, provisions for management changes designed to ensure that the desired outcomes are met or are reevaluated.~~

> **Analysis**: This definition should be deleted for the reasons set forth below regarding Site 301.14 (e)(7) - the only rule in which this definition appears.

Site 102.14. "Cumulative impacts" means the totality of effects resulting from the proposed facility, all existing energy facilities, all energy facilities for which a certificate of site and facility has been granted~~, and all proposed energy facilities for which an application has been accepted~~.

> **Analysis**: This requirement is too speculative and would require an applicant to evaluate impacts of another project that is simply under consideration and not yet approved by the SEC. A good example exists with respect to the Antrim Wind Project. If another wind application had been filed while the first Antrim application was pending, the new applicant would have had to present information about Antrim's effects as well as its own. This would have involved unnecessary work because the Antrim application was eventually denied. Furthermore, at the time that an application is being developed, detailed information (beyond that contained in the accepted application) about another concurrently proposed project may not be available. Finally, this requirement could result in a rush to site even uncertain projects, in order to avoid having to take into account the "cumulative impacts" of another proposed project. This would increase the workload for the SEC and potentially result in projects with siting approval for which construction is uncertain.

Site 102.31. ~~"Public utility." means any electric utility engaged in the production, distribution, sale, delivery or furnishing of electricity, including municipalities, cooperatives, regulated electric companies, agencies or any combination thereof.~~

> **Analysis**: This term is defined but does not appear in the rules, so it should be deleted.

Site 102.36. "Scenic resource" means resources designated by national, or state~~, or municipal~~ authorities for their scenic quality and to which the public has a legal right of access; conservation lands or easement areas that possess a scenic quality and to which the public has a legal right of access; lakes, ponds, rivers, parks, and other tourism destinations recognized by the

New Hampshire Division of Travel and Tourism as having scenic quality and to which the public has a legal right of access; recreational trails, parks, or areas **having a scenic quality and** established, protected or maintained in whole or in part with public funds; and town and village centers that possess a scenic quality.

> **Analysis**: This definition should be revised to eliminate resources designated by municipal authorities and to require that publicly funded areas possess a scenic quality. The standards by which municipalities are to make these designations are unknown. Thus, they could be made arbitrarily and/or for the sole purpose of creating an obstacle/barrier for an applicant. Further, this requirement is duplicative of the criteria set forth in Site 301.14(a)(1) (which requires consideration of the existing character of the area of potential visual effect), and arguments that municipalities can make with respect to aesthetic impacts. In addition, logic dictates that to be designated a "scenic resource," a recreational trail, park, or other publicly funded area must have a "scenic quality." Otherwise any publicly-funded area – such as a parking lot- could be designated a scenic resource.

B) PART Site 202 ADJUDICATIVE PROCEEDINGS

Site 202.04. Appearances and Representation. The following words appearing in the existing rule have been omitted from the first part of the draft rule, and should be reinserted: **"A party or the party's representative shall file an appearance that includes the following information."**

Site 202.05(a). Participation of Committee and Agency Staff. This section should be deleted or revised for the reasons discussed below.

> **Analysis**: Section (a) states that the administrator and committee staff can be designated by the chairperson to participate in adjudicative proceedings on an "advisory basis." The intent of this section is unclear. First, it could mean that the administrator and committee staff can be "designated", similar to PUC staff designations as set forth in RSA 363:32. If that is the case, then designated staff cannot advise the SEC regarding its decision making. Second, it could mean that the staff is "decisional staff" that would be subject to *ex parte* rules. If that is the case, the administrator would not be able to speak with parties or members of the public about a pending docket. This is problematic because the reason for having an administrator is to assist the public and parties with their inquiries. Depending on the meaning of Section (a), the rules could conflict with RSA 162-H:7-a, I (d) which says if issues of concern are identified by an agency or SEC, one or more witnesses can be designated to **appear before the SEC at a hearing** to provide input and answer questions of parties and committee members. The Committee should clarify its intent in this section. Although language in 202.05 (b) – (e) appears in the statute, 202.05(a) does not. The authority for whatever meaning the Committee intends must be found somewhere in the statutes.

Site 202.12. Discovery. Subsections (a), (b) and (d) should be revised follows:

(a) The applicant or petitioner, the public counsel, and any person granted intervenor status shall have the right to conduct discovery in an adjudicative proceeding pursuant to this rule **and in accordance with an applicable procedural order.**

(b) ~~Unless inconsistent with an applicable procedural order,~~ Any person entitled to conduct discovery pursuant to (a) above shall have the right to serve upon any party data requests, which may consist of a written interrogatory or request for production of documents.

(d) A person **or group of persons who are voluntarily or by order participating in the proceeding together** may serve more than one set of data requests on a party, but the total number of data requests served by each person **or group, as the case may be,** shall not exceed 50, unless otherwise permitted for good cause shown by ruling of the presiding officer or any hearing officer designated by the presiding officer.

> **Analysis**: These changes will help prevent discovery abuses. For example, as written, subsection (a) could be construed to allow discovery at any time – even before a procedural order has been issued. This could lead to a disorderly process and is inconsistent with past Committee practice of permitting discovery only after a procedural schedule has been developed and in accordance with that schedule.

C) PART Site 301 REQUIREMENTS FOR APPLICATIONS FOR CERTIFICATES

Site 301.03. Contents of Application. Several sections should be revised as follows:

Site 301.03(c)(3) The location, **shown on a map**, of residences, industrial buildings, and other structures and improvements within ~~**or adjacent to**~~ the site **and on property abutting the site**;

> **Analysis**: This section is vague and should be revised as indicated above to more specifically describe which structures should be depicted on the map.

Site 301.03(h)(2) Identification of the applicant's preferred **site and configuration choices,** ~~**location**~~ and any **other** alternative**s** ~~locations~~ it considers available for the site **and configuration** of each major part of the proposed facility, **as well as the reasons for the applicant's preferred choice;**

> **Analysis**: The above adjustment is for clarity.

Site 301.03 (h)(4) Documentation that written notification of the proposed facility, including copies of the application has been given to the governing body of each municipality in which the facility is proposed to be located **unless that governing body has opted to receive only electronic copies of the application**;

> **Analysis**: Because applications are voluminous, it may be more convenient for the applicant and the municipality if the municipality is provided access to the application on-line rather than receiving a paper copy of a multi-volume application.

Site 301.07(c)(3) uses the term "fragmentation." but the term is undefined.

> **Analysis**: Because the issue of habitat fragmentation has been the subject of recent SEC proceedings, an appropriate definition of this term should be included in the definitions section. We suggest the following definition: ***"'Fragmentation' means an island of habitat that is cut off and surrounded by an expanse of unsuitable habitat."***

Site 301.14 (c)(7) ~~Whether conditions should be included in the certificate for post-construction monitoring and reporting and for adaptive management to address potential adverse effects that cannot reliably be predicted at the time of application.~~.

> **Analysis**: This section would require the Committee to consider a certificate condition regarding adaptive management to address potential adverse environmental effects that cannot reliably be predicted at the time of application. This section is unnecessary and should be eliminated for two reasons. First, the Committee should not be required to consider a certificate condition of this type for every application. An adaptive management condition should only be imposed to address a particular environmental issue in a particular docket if the Committee deems it appropriate and reasonable. *See* RSA 162-H:16, VI. Given that the Committee has the statutory authority to impose a reasonable adaptive management condition, the rule is unnecessary. Second, the rule states an incorrect legal standard – adverse effect – rather than unreasonable adverse effect.

Site 301.08 Effects on Public Health and Safety. Several sections should be revised as follows:

Site 301.08 (a)(1)d.2. Include locations out to the 35 dBA sound contour line or ~~2~~ 1 miles from any wind turbine included in the proposed facility, whichever is closer to the nearest wind turbine; and

> **Analysis**: A 2011 NARUC Report "Assessing Sound Emissions from Proposed Wind Farms & Measuring the Performance of Completed Projects" at p. 18 suggests plotting the sound contours assuming an omni-directional wind out to a level of 35 dBA. Groton Wind plotted modeled sound on a map out to the 35 dBA sound contour line or to all residences within at least 1 mile of every wind turbine (whichever was nearer to a wind turbine), and this distance was acceptable to the Committee.

Site 301.08 (a)(2) Include a report evaluating the shadow flicker expected to be perceived at all **occupied** buildings ~~occupied or used for another purpose~~, which report shall be based upon computer modeling programs and input data defining the most conservative case scenario, including the astronomical maximum shading duration;

> **Analysis**: The concern regarding shadow flicker applies to its impact on individuals' use of their property. The locations for shadow flicker study (i.e. "all buildings occupied or

used for another purpose" are overly broad and could include structures such as tool sheds or other outbuildings that are not inhabited or that are used infrequently).

Site 301.08 (a)(7) Include a decommissioning plan providing for removal of all structures and restoration of the facility site with a description of sufficient and secure funding to implement the plan; ~~which shall not account for the anticipated salvage value of the facility components or materials, including the provision of financial assurance in the form of an irrevocable standby letter of credit, performance bond, or surety bond~~ and

Analysis: The first phrase of the deleted language above (regarding salvage value) was considered and rejected by the legislature in 2014. *See* SB 281, as amended by the Senate (2014). The last phrase has been deleted because it is an onerous requirement and is not found in the statute. A similar change in Site 301.08 (c)(2) should be made with respect to the same requirement for "all energy facilities." The revised language reflects best practices as have been applied across the country.

Site 301.09. Effects on Orderly Development of the Region. Each application shall include information regarding . . . the applicant's estimate of the effects of the construction and operation of the facility on:

(a) Land use in the region, including the following:
(1) A description of the prevailing land uses in the host **and abutting** communities ~~and communities~~ **in the area of potential visual effect** ~~abutting the proposed facility~~;

***

(b) The economy of the region, including an assessment of:
(5) The effect of the proposed facility on tourism and recreation in the host **and abutting** communities ~~and communities~~ **in the area of potential visual effect abutting** ~~the facility~~;

Analysis: Requiring analysis of abutting communities' land uses and a project's effect on tourism and recreation in abutting communities appears to be excessive and perhaps unnecessary for facilities that will have no visual or other impact on abutting communities. We believe that information regarding host and abutting communities in the area of potential visual effect is more relevant than that pertaining to all abutting communities.

Site 301.12 (d) The committee ~~**shall**~~ **may** temporarily suspend its deliberations and the time frames set forth in this section at any time while an application is pending before the committee, if it finds that such suspension is in the public interest.

Analysis: This change conforms with the text of RSA 162-H:14.

Site 301.14. (a)(1) The existing character of the **communities within the** area of potential visual effect ~~in the host community and communities abutting or in the vicinity~~ of the proposed facility;

Analysis: The definition of "area of potential visual effect" captures all of the communities that the draft rule attempts to describe.

Site 301.14 (a)(6) should be deleted.

Analysis: This subsection requires the SEC to consider whether a proposed facility "would be a dominant feature of a landscape in which existing human development is not already a prominent feature as viewed from affected scenic resources". The statutory standard is whether a project creates an "unreasonable adverse effect" on aesthetics, not whether a project is a "dominant feature." Further, the question of impacts on the landscape will be addressed in the other elements set forth in Section (a) and in the Visual Impact Assessment. Lastly, for a wind project, this criterion would be difficult if not impossible to meet. Ridgeline wind project are almost always dominant features on ridgelines where human development has not occurred. Given this circumstance, this criterion is unreasonable.

Site 301.14 (e)(3) uses the term "fragmentation", which should be defined.

Analysis: The term should either be defined in the definitions section or described appropriately in this subsection. *See also* comments regarding Section 301.07, above.

Site 301.14 (f)(2) a. A-weighted equivalent sound levels produced by the applicant's facilities during operations shall not exceed the greater of ~~45~~ **55** dBA or 5 dBA above ambient levels ~~between the hours of 8:00 a.m. and 8:00 p.m. each~~ **during the** day, and the greater of ~~40~~ **45** dBA or 5 dBA above ambient levels ~~at all other times during each day~~ **during the night**, as measured at the exterior wall of any existing permanently occupied building on a non-participating landowner's property, or at the non-participating landowner's property line if it is less than 300 feet from an existing occupied building~~,~~ and these sound levels shall not be exceeded for more than 3 minutes within any 60 minute period;

Analysis: The revised standards are consistent with those previously required by the SEC of wind facilities operating in New Hampshire. They are also consistent with the Connecticut Dept. of Environmental Protection, 2013 Noise Control Regulations, Sect. 22a-69-3.5 (Residential Noise Standards). The sound standards required by the SEC in the Groton Wind docket were established after a fully litigated proceeding in which two qualified sound experts testified – one on behalf of the applicant, and the other on behalf of Counsel for the Public. A June 2014 post-construction sound level assessment report regarding the Groton Wind project indicates that Groton Wind is meeting the sound level limits imposed by the SEC. Moreover, upon information and belief, no noise complaints regarding the Groton Wind Project have been filed with the SEC. In these circumstances, there is no good reason for more restrictive sound standards than those that apply to currently operating New Hampshire wind facilities

Add a new section regarding Public Interest Determination:

Site 301.17. Criteria Relative to the Public Interest. In determining whether a proposed facility serves the public interest, the committee shall consider the project's overall public benefits such as economic and environmental benefits to the State of New Hampshire and the New England Region.

Analysis: With respect to PUC proceedings, the public interest standard has been discussed in terms of the project's "overall public policy goods such as economic benefits and environmental improvements." *Appeal of Pinetree Power,* 152 N.H. 92, 96 (2005). *Pinetree Power* upheld a PUC decision which found PSNH's Schiller conversion project to be "in the public interest" of PSNH's retail customers.

Other Comments:

Shadow Flicker Standard:

Wind projects should not be required to demonstrate the absence or total elimination of shadow flicker. Such a requirement could effectively prevent wind projects from being certificated in New Hampshire. EDPR believes that the SEC's proposed standard set out in 301.14(f)(2) b is reasonable as it is consistent with industry and other regulatory standards. *See* CT Siting Counsel Regulations, Sect. 16-50j-95(c)(1); *see also* NARUC "Wind Energy & Wind Park Siting and Zoning Best Practices and Guidance for States" (January 2012), p. 31.

Setback Standards:

The Committee's proposed setback standards in 301.14(f)(2) c. are reasonable and proper as they are consistent with industry and other regulatory standards. *See* NARUC "Wind Energy & Wind Park Siting and Zoning Best Practices and Guidance for States" (January 2012), p. 36.

No Public Disclosure of Competitively Sensitive Proprietary Wind Data

Requests for rules requiring disclosure of wind data either prior or subsequent to the filing of a wind project application should be rejected. This information is proprietary and costly to develop. It is also competitively sensitive given that public disclosure of this information could provide a project's competitors with an unfair advantage in responding to solicitations for competitive bids on power purchase agreements. A party seeking this type of data is free to do so during the discovery phase of a proceeding. However, if an applicant objects, and if the Committee determines that the information is relevant to the proceeding, then the Committee must issue an appropriate protective order.

Visual Impacts

The Committee's initial rules proposal contains a comprehensive list of appropriate criteria for assessing a project's aesthetic impacts. Those criteria have been applied to other wind projects, and citations of authority for many of the Committee's criteria are found in the end notes to Eolian's October 3, 2014 filing. To the extent that parties are arguing for additional or more stringent criteria, those requests should be rejected. In addition, to the extent that parties are arguing that the Committee must consider a project's aesthetics impacts on private property, those arguments must fail, because such an analysis would be inconsistent with the requirement that the Committee determine whether a project "will serve the **public** interest." RSA 162-H:16, IV (e) (emphasis added).

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NHBR
NEW HAMPSHIRE BUSINESS REVIEW

To protect jobs, energy projects must move forward

We need more energy directed into our region from diverse fuel sources, and we need it fast

BY THE NEW HAMPSHIRE COALITION FOR JOB CREATION

Published: February 6, 2015

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The high energy prices New Hampshire has seen in recent years should be troubling to those invested in our economic future.

Five years ago, New Hampshire was ranked 19th in the country on Forbes' annual list of Best States for Business. This year, New Hampshire is 35th. News like this serves to illustrate the concerns we as business leaders have about the rising cost of energy and its impact on our economy and jobs.

New Hampshire and New England face an energy crisis of epic proportions. Price spikes during the winter of 2013-14 cost New England $1.6 billion more than what they paid for energy in 2012. Energy costs are set to double this coming winter for many residents and businesses, and analysts predict this trend of higher prices will continue.

This isn't hyperbole – this is a fact-based analysis of the energy conditions in our state and the region. If these trends continue, they will cripple our businesses, our citizens and our economy. Our ability to expand or even retain businesses currently based in New Hampshire is threatened by out-of-control energy cost.

We are seeing manufacturers and businesses that require reliable and affordable energy relocate to other parts of the country. We are losing good jobs for New

Hampshire workers because of our lack of energy planning. Simply put, we are losing the New Hampshire Advantage we have long prided ourselves in having.

This crisis is years in the making, and there is plenty of finger-pointing and blame to go around. Rhetoric does New Hampshire consumers little good. The crisis is a matter of supply and demand. Lack of adequate energy supply is driving up prices. We need more energy directed into our region from diverse fuel sources, and we need it fast.

Our message is simple – we must move beyond the blame and politics and hand-wringing and recognize this is an all-hands-on-deck situation for our ratepayers, our economy and our future. We need bipartisan leadership and bold action to address this crisis.

In New Hampshire and elsewhere in New England, we have seen several proposed solutions that have inevitably faced some form of opposition. New Hampshire leaders must directly engage as partners with the most likely suppliers of energy to our region. It is time to work together and move forward with projects that will provide an adequate supply of energy to our state.

It is no longer acceptable just to say no. Nor is it acceptable for our elected officials to stand on the sidelines while anti-development sentiments expressed by some cause project costs to skyrocket and energy developers – and our business owners – to question the value of doing business here.

We stand ready to work with New Hampshire's elected leadership to address this crisis.

This article was submitted by members of the New Hampshire Coalition for Job Creation: Jeremy Hitchcock, chairman/CEO, Dyn; Jay Gamble, vice president/general manager, Mount Sunapee Resort; Paul Holloway, owner, Holloway Automotive Group; Paul Montrone, chairman, Liberty Lane Partners; Peter Antoinette, president/CEO, Nanocomp; Tom Farrelly, executive director, Cushman & Wakefield; Dwight Lafountain, general manager, Jiffy Mart Convenience Stores; and Alex Ritchie, senior project analyst, Cate Street Capital.

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Business president: Electricity supplies key to lowering prices

Associated Press
Sunday, March 8, 2015
(Published in print: Monday, March 9, 2015)

The president of New Hampshire's Business and Industry Association says that creating new electricity supplies remains the key to lowering electricity prices.

Businesses and homeowners have seen dramatic increases in their electricity bills this winter. Jim Roche said the average price of wholesale power for February came in at about $119 a megawatt-hour, about twice what it was in January. He also said a lack of supply continues to be the driving factor in high electricity prices.

"The independent electric grid operator, ISO New England, has made it clear that until more infrastructure is added, electricity consumers can expect volatile pricing for natural gas and wholesale power," Roche said. "Our continued lack of infrastructure, retiring power plants and future energy pricing all indicate our energy prices will continue to rise."

He said to address price concerns, state legislators and policymakers should focus on encouraging expanded natural gas pipeline capacity and increased electrical transmission into the region, and not implementing new laws that create hurdles to energy supplies entering the New England market.

"Despite our rising electric bills, we are still seeing legislation aimed at creating new energy mandates and new regulatory barriers for energy projects, as well as other efforts that simply make the problem bigger and dig the hole deeper for New Hampshire businesses and other electric and natural gas customers," Roche said.

Associated Press