



FINANCE, ORGANIZATION AND PERSONNEL COMMITTEE
Council Chambers B, Keene City Hall
March 13, 2025
6:00 PM

A. AGENDA ITEMS

1. Report Out: Downtown Business and Employee Parking Update - Parking Services
2. Future Development - Black Brook Tax Increment Finance District - City Assessor
3. Approval to Accept Donations Solicited, and Accept and Expend Funds Raised to Support Employee Events and Similar Activities - Human Resources
4. Engineering Agreement with McFarland Johnson Inc. for the Airport Parameter Fence Project - Airport Director
5. Engineering Agreement with McFarland Johnson Inc. for the Airport Taxiway A Reconstruction Project - Airport Director
6. Referred Back to Committee: Recommended Amendments - Keene Community Power Plan
Energy and Climate Committee Recommendations for Phase 2 of Keene Community Power
Recommended Amendments to Keene Community Power Plan - Community Development
7. Appropriation of Funds - Purchase of Sidewalk Paver
Resolution R-2025-07

B. MORE TIME ITEMS

NON PUBLIC SESSION

ADJOURNMENT



CITY OF KEENE NEW HAMPSHIRE

Meeting Date: March 13, 2025

To: Finance, Organization and Personnel Committee

From: Chelsea North, Parking Operations Manager

Through: Elizabeth Ferland - City Manager
Rebecca Landry, Deputy City Manager

Subject: **Report Out: Downtown Business and Employee Parking Update - Parking Services**

Recommendation:

Accept as Informational.

Attachments:

None

Background:

This memo serves as an informational follow-up to the November 14, 2024, FOP meeting regarding small business and employee parking concerns. Below is an evaluation of key areas, including the Wells Garage parking structure, a comparison of employee permit pricing in other municipalities, alternative parking options, increased police patrols, and continued assessments by City Staff and their respective departments.

Several members of staff met with downtown business owners Jaida Carland and Kaycie Meyerrose to address concerns posed to the FOP Committee on November 14th, including parking frustrations, considerations for an employee permitting program, and concerns over safety in certain public parking lots and structures. City staff met with Jaida and Kaycie on December 9th to discuss and provide the following information to address these concerns.

1. Evaluation of Safety in the Wells Garage Parking Structures and Stairwells:

- A request to install additional cameras and/or increase monitoring in the stairwells was referred to Public Works and the Police Department to deter loitering at all times of the day - specifically during early morning, evening, and overnight hours.
- Options for additional lighting were also considered, but the lighting in the stairwells was determined to be adequate with an upgrade to LEDs throughout the garage in the last few years.
- The Police Department patrols downtown during overnight hours to enhance public safety. They have also coordinated with Parking Services to address violations and concerns.

2. Alternative Parking Options:

In addition to the quarterly permit options, existing alternative parking options were discussed:

- Parking lots such as Roxbury Plaza and the City Hall upper deck are closer proximity to businesses in Central Square than other permit or public parking lots, have longer hour limits, and less expensive pricing than on-street parking fees, from 8:00 AM to 5:00 PM.
- Additionally, these two specific parking areas are available to the public free after 5:00 PM (Roxbury Plaza and all other public parking spaces) and 6:30 PM (City Hall and designated on-street reserved spaces).

3. Role and Function of Parking Services:

- Parking Services continues to weigh and balance the vast interest of all parking users in the downtown area. Residents, workers, and visitors have diverse parking needs. Changes to parking arrangements have wide-ranging effects on the use and purpose of parking spaces and areas. While it is not possible to always accommodate every need for parking, ideas and feedback are weighed in the interest of the public and changes are made where appropriate. Adding more on-street permitted parking near Central Square would not allow customers and visitors closer access to the businesses they want to patronize. Distance and perceived access to a business is often considered important by customers and turnover throughout the day promotes this access.
- Parking downtown has various time limits, but a 2-hour time limit is standard on-street. This is to promote turnover and use by multiple users in high-demand areas. It supports local businesses by providing parking near shops, restaurants, and other businesses. It provides equitable access for all visitors and encourages long-term parkers to park in lots where the rates are lower, and the time limits are longer.
- Areas downtown with on-street pay stations allow for 15-minutes free for merchants and visitors to use as a loading or drop off zone. This program has been highly successful and well received and has returned some loading zones back into the parking inventory for continuous use.

4. Comparison of Employee Permit Pricing:

- Parking Services currently offers a wide range of locations in the downtown area for members of the public, including employees and residents.
- A review of employee permit pricing from other municipalities found that Parking Services' current quarterly permit programs offers parking options that are priced lower than other municipalities and towns, as detailed in the chart below:

City	Type	Cost	Duration	Times applicable	Cost per week	Cost per day
Manchester	Garage/ Covered	\$85	Monthly	24/7	\$19.62	\$2.80
	On-Street or Surface Lot	\$55-60	Monthly	24/7	\$12.69-13.85	\$1.81-1.97

Hanover	Garage/ Covered	\$150/	Monthly (6- Month Minimum)	24/7	\$34.62	\$4.94
	Surface Lot	\$115	Monthly (6- Month Minimum)	24/7	\$26.54	\$3.79
Nashua	Garage/ Covered	\$75-125	Monthly	M-F 7AM-7PM; Park 24/7	\$17.31-28.85	\$3.47-4.12
	Surface Lot	\$50-100	Monthly	M-F 7AM-7PM; 24/7	\$11.54-23.08	\$2.31-3.30
Concord	Garage/ Covered	\$390-510	Quarterly	M-F 7AM-8PM	\$30.00-39.23	\$6.00-7.85
	On-street or Surface Lot	\$292.50	Quarterly	M-F 7AM-8PM	\$22.50	\$4.50
Keene	Garage/ Covered	\$250-350	Quarterly	M-Sat 8AM- 5:00PM; 24/7	\$19.23-26.92	\$3.21-3.85
	Garage, On- Street, or Surface Lot	\$175-275	Quarterly	M-Sat 8AM- 5:00PM; 24/7	\$13.46-21.15	\$2.24-3.02



CITY OF KEENE NEW HAMPSHIRE

Meeting Date: March 13, 2025
To: Finance, Organization and Personnel Committee
From: Daniel Langille, City Assessor
Through: Elizabeth Ferland, City Manager
Subject: **Future Development - Black Brook Tax Increment Finance District - City Assessor**

Recommendation:

Move to authorize the City Manager to negotiate a development plan and a tax increment financing plan regarding parcels in the Black Brook Corporate Park Tax Increment Financing District. As part of any plans, the City Manager may explore whether it is beneficial to enlarge the area of the development district to include additional parcels.

Attachments:

1. MAP Black Brook Corp Park TIFD

Background:

RSA 162-K allows municipalities to create development districts for the purpose of incurring debt to construct public infrastructure necessary for the development of designated areas. The result of any new or rehabilitated structures would enhance the municipality's tax base and meet the defined goals of the district. The taxes generated from the increased assessments would be allocated to the repayment of the municipal debt. The City of Keene adopted the provisions of RSA 162-K, on December 16, 1982, allowing for the creation of development districts.

Since 1982, the City has created two TIF districts. The Downtown Wells Street TIFD, created in 2012 and expanded most recently in 2017, and the Black Brook Corporate Park TIFD, created in 1996 and expanded in 1998.

The Black Brook TIF contains seventeen parcels totaling 427 acres. The area was rezoned from Industrial Park and Rural to Corporate Park. Prior to the development of the district, the land was largely undeveloped. The sum of four million dollars was appropriated for intersection and road reconstruction at Wyman Road and Route 12, related road and intersection improvements, land acquisition at and along Wyman Road and Route 12, water and sewer line extensions, related system upgrades, sewer pumping station, water lift station, water tank and all associated construction, engineering, surveying, legal, appraisal and permitting costs incurred by the City and associated with the project. The assessed value prior to development was 12.5 million and today the parcels are worth nearly 70 million. Businesses that are now part of the district include: AMETEK Precitech Inc., Janos Technologies, Cheshire Medical Center's redeveloped Maple Ave

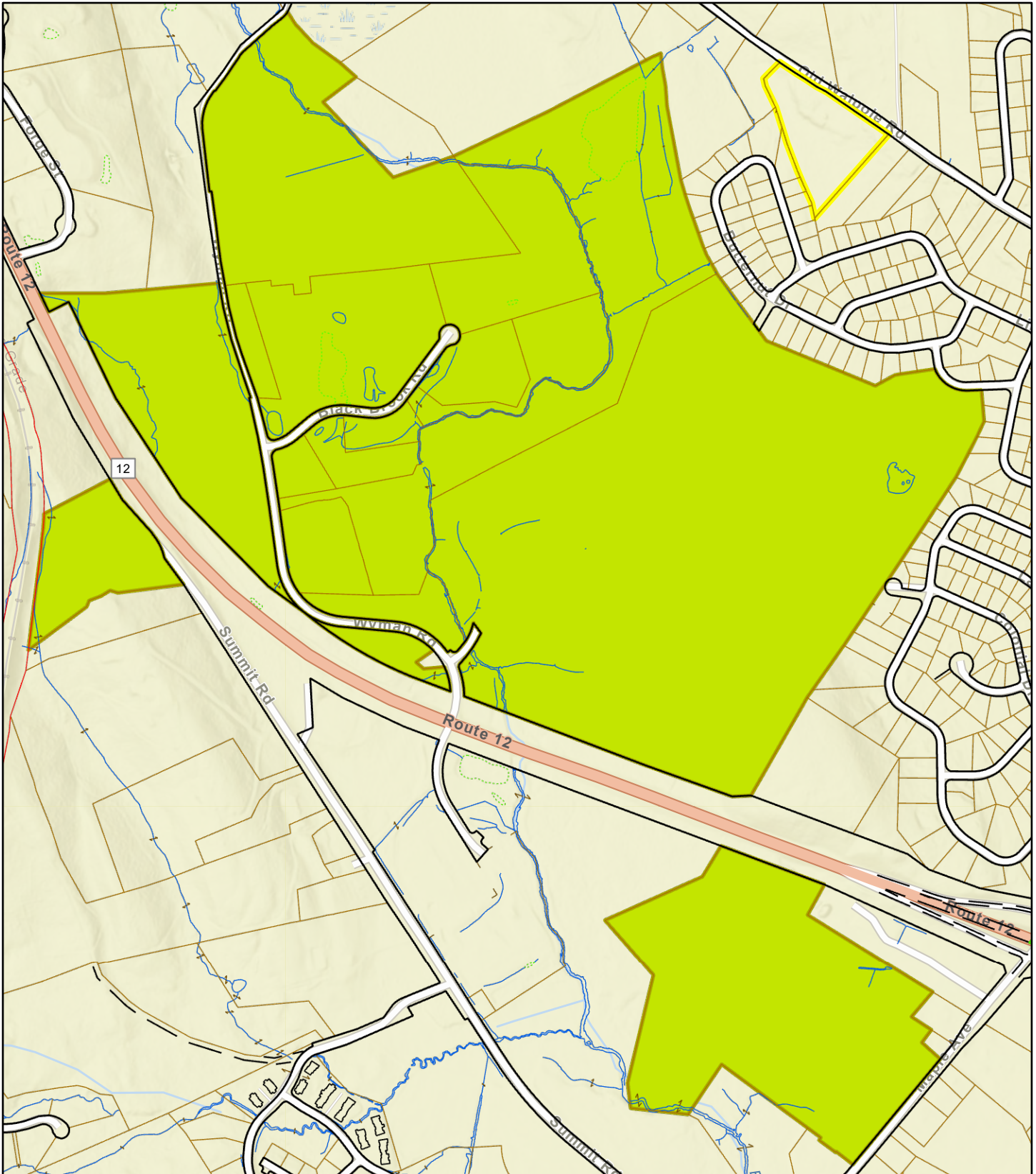
Family Residency Center, Covenant Living, and coming soon a new development for Douglas Toys. Also included in the district is the parcel which was formerly occupied by Smiths Medical. All debt associated with the district has been paid off and all the assessed value is now contributing to the general fund.

The Smiths Medical parcel is 135.63 acres. Currently, there is a 150,000sf building located in the lower corner of the lot utilizing around 20 acres. With Smiths Medical leaving, the property is up for sale. Interested buyers are looking into various development possibilities and there is an opportunity for the City and private developers to explore a partnership in order to bring new development into the City.

Should any future development and financial plans related to the Black Brook TIF be proposed, there are several steps that would need to occur before anything is finalized. The public will be given an opportunity to comment on the project via public hearing. The City's Finance, Organization and Personnel Committee would review the project and the City Council would then review and vote on the committee's recommendation.



March 10, 2025



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.



CITY OF KEENE NEW HAMPSHIRE

Meeting Date: March 13, 2025

To: Finance, Organization and Personnel Committee

From: Elizabeth Fox, ACM/Human Resources Director

Through: Elizabeth Ferland, City Manager

Subject: **Approval to Accept Donations Solicited, and Accept and Expend Funds Raised to Support Employee Events and Similar Activities - Human Resources**

Recommendation:

That the Finance, Organization and Personnel Committee recommend to the City Council that the City Manager be authorized to solicit and accept items donated to support fundraising or other activities related to employee events, accept and expend cash donations, and accept and expend funds raised through fundraising activities including raffles, conducted pursuant to RSA 287-A, in support of such events.

Attachments:

None

Background:

A variety of events, including the annual Employee Recognition Event, Holiday Luncheon, Community Night, and health fairs, are supported through fundraising activities and generous donations from businesses, vendor partners, employee groups, and collective bargaining units, as well as other city supporters. The proceeds from fundraising activities may fully support these activities or provide the opportunity to enhance the event or activity for participants.

Raffles, whether they be 50/50 or for prizes donated by supporters, have long been a component of fundraising. Such activities are subject to a licensing process administered by the City Clerk's Office and a City handbook update clarifies that, subject to the approval of the City Manager, raffles to provide support for employee activities and cultural events are permitted. In the case of 50/50 raffles, the City Council of acceptance and proposed expenditure of the proceeds of any 50/50 raffle.

Historically, the Holiday Luncheon Committee has raised funds for this event through small 50/50 raffles, poinsettia sales, and donations from various employee groups. Activities for the 2024 event raised approximately \$1,022 of the funds needed, draining reserves set aside from prior years' events. To support the 2025 event and augment traditional fundraising activities, the Committee is planning a larger 50/50 raffle with the goal of raising as much as \$3,000 of the funds needed for the event. Finance has agreed to do the additional reporting that a 50/50 raffle of this scope will require.



CITY OF KEENE NEW HAMPSHIRE

Meeting Date: March 13, 2025

To: Planning, Licenses and Development Committee

From: David Hickling, Airport Director

Through: Elizabeth Ferland, City Manager

Subject: **Engineering Agreement with McFarland Johnson Inc. for the Airport Parameter Fence Project - Airport Director**

Recommendation:

Move to recommend that the City Manager be authorized to do all things necessary to negotiate and execute an agreement with McFarland Johnson Inc. for engineering services associated with the Airport Wildlife Parameter Fence project (05J0004B) for an amount not to exceed \$325,000.

Attachments:

None

Background:

The current Airport CIP includes a project to construct a parameter fence to protect aircraft operations from dangerous wildlife. Currently, an environmental assessment (EA) is being completed for this project. This next phase of the project will include the design, permitting and bidding of the project. McFarland Johnson, the airport engineer of record, has provided the scope and fee to perform this work.

This project will be funded with grants available through the Bipartisan Infrastructure Bill - Airport Infrastructure Grant program and an NHDOT grant. The project budget is as follows:

\$292,500	BIL AIG Grant
\$16,250	NHDOT Grant
\$16,250	City Funds



CITY OF KEENE NEW HAMPSHIRE

ITEM #A.5.

Meeting Date: March 13, 2025
To: Planning, Licenses and Development Committee
From: David Hickling, Airport Director
Through: Elizabeth Ferland, City Manager
Subject: **Engineering Agreement with McFarland Johnson Inc. for the Airport Taxiway A Reconstruction Project - Airport Director**

Recommendation:

Move to recommend that the City Manager be authorized to do all things necessary to negotiate and execute an agreement with McFarland Johnson Inc. for construction administration of the Taxiway 'A' Reconstruction project (05J0004B) for an amount not to exceed \$308,300.

Attachments:

None

Background:

The Airport CIP includes a project that will address a portion of Taxiway A that has deteriorating pavement and has exceeded its useful life. This project will involve full-depth reconstruction of existing pavement and laying of new base and surface material, as well as pavement marking, lighting and drainage improvements.

We will need to work with a qualified engineering firm to manage the project to ensure work is performed per specifications and that it is in concurrence with FAA requirements.

McFarland Johnson is our engineer of record. They are qualified and highly respected for performing these services.

The cost of this agreement will be \$308,300 and will be funded as follows:

FAA AIP Grants: \$277,470
NHDOT Grants: \$15,265
Airport funds: \$15,265



CITY OF KEENE NEW HAMPSHIRE

ITEM #A.6.

Meeting Date: March 13, 2025
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: **Referred Back to Committee: Recommended Amendments - Keene Community Power Plan**

Council Action:

In City Council March 6, 2025.

Removed from the table.

Voted unanimously to reconsider the first recommendation relative to the option to have three levels.

The report was referred back to the Finance, Organization, and Personnel Committee.

In City Council February 20, 2025.

Voted unanimously to carry out the intent of the first recommendation of the report to have the next Community Power Program electricity options have three levels.

Voted unanimously to amend second recommendation to include language that the Adder Fee applies to the Keene 50% and Keene100% levels.

Voted seven in favor and five opposed to table the item to the next regular meeting.

Recommendation:

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends that the next Community Power Program electricity options have three levels. The levels would include Keene Basic (25% total renewable energy), Keene 50 (Default, 50% total renewable energy), and Keene 100 (100% total renewable energy).

On a 3-2 vote, the Finance, Organization and Personnel Committee recommends that an Adder Fee be included for the City Manager to negotiate, which is recommended to be between 0.075 and 0.125 cents per kWh. Councilors Remy and Chadbourne voted in opposition.

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the Community Power Plan, with the amendments shown in the draft dated February 10, 2025, be adopted.

Attachments:

None

Background:

Senior Planner Mari Brunner addressed the Committee and said she would like to take the first two items together since they are closely related. Councilor Powers agreed.

Ms. Brunner stated that the Keene Community Power Program is an opt-out electric aggregation program. She explained this means that the city pools all its electricity needs to make a bulk purchase of electricity on behalf of the customers that are within the city. She indicated this is an opt-out program because everybody is automatically enrolled unless they choose to leave the program or if they have already chosen a third-party supplier.

The City's community power consultants manage the program. There are two companies that have teamed up to work with the City. The first one is Standard Power and the second is Good Energy. Patrick Roach from Good Energy was present at the meeting. Ms. Brunner stated these consultants are paid through a per kWh administrative rate component of .1 cent per kWh – the City does not pay them directly, they are paid entirely out of the program.

Ms. Brunner referred to a PowerPoint presentation and explained that this program is enabled by Revised Statute Annotated 53 E.

Ms. Brunner noted the main reason the City first became aware of this program is when it was looking into ways to achieve the City's renewable energy goals that had been adopted by City Council. In 2019, the City Council adopted a goal to transition to 100% renewable electricity by 2030 and 100% renewable energy for transportation, heating and cooling energy by 2050.

Before the program could be launched, the City had to go through a planning process. Staff worked with the community, worked with the power committee that was appointed by City Council, sent out surveys, held public information sessions and through that process created a Community Power Plan. The Community Power plan was adopted by the City Council. Because this is an opt-out program, it required approval from the New Hampshire Public Utilities Commission.

The plan sets up the operation of the program. The City Manager is the one who provides direct management and oversight of the program. The Manager issues, bids and executes power supply agreements, all within parameters that are set by City Council and then the Community Power Committee, which has morphed into the Energy and Climate Committee, is the body that advises City Council and the City Manager with respect to the plan.

Ms. Brunner noted the plan states as follows that the *vision for Keene Community Power is to launch a timely community power program that provides community members with attractive choices and substantially enhanced renewable energy options at competitive prices and opens a new promising community path to 100% Electricity in 2030.*

Ms. Brunner referred to a slide which shows the product offerings that are available to the City through the program. The program launched in June of 2023 with fixed pricing for 30 months. The program runs through December 2025 meter reads. There are currently four options the City offers:

** Keene Standard, which is the default option. This adds 10% extra renewable energy above the state minimum. 35% total, 25% for the state minimum plus the 10% extra. 11.47 cents per kWh. This is the default that people are automatically enrolled in. However, if someone wants to choose a different option or leave the program, they have to choose to opt out.

The other three options are optional. Customers have to choose to opt into them:

** Keene Basic. This option meets the minimum requirements of the state for renewable energy, which was 25% by 2025. The cost is 11.1 cents per kWh.

** Keene 50 has 50% renewable energy at a cost of 12.05 cents per kWh.

**Keene 100 adds renewable energy to a total of 100%, and that costs 13.9 cents per kWh.

Ms. Brunner referred to the next slide which shows how many accounts there are in each of those options. The city has 7,132 accounts on the Keene standard option which is 93% of the accounts.

The Keene basic option has 317 customers which is 4% of the accounts.

Keene 50 has 59 accounts, which is less than 1%

Keene 100 has 173 accounts, which is about 2%.

Ms. Brunner stated this program is having an impact. The City has avoided to date roughly as of last month, over 6.4 million pounds of carbon dioxide, which is equivalent to 6,700 barrels of oil.

Ms. Brunner went on to say as this pricing runs through December 2025, staff is already looking to go out to bid for that next phase of the program. The City Manager has requested the Energy and Climate Committee to look at some options. The Energy and Climate Committee met in January and heard a presentation from the consultant.

At the February meeting, the group discussed it further and made some specific recommendations:

Ms. Brunner explained some of the considerations that went into this were whether to add and keep the renewable energy contents at what it is today or increase it. One thing to consider with renewable energy is that the impact is immediate; as soon as the new rate goes into effect, you are buying that amount of renewable energy, but it is an indirect impact and might be impacting or generating more renewable energy development somewhere else in the New England or the Northeast region, not necessarily locally.

Another option available to the City is that the City has a discretionary reserve fund referred to as the Community Power Fund. Money could be added to build up that fund referred to as an "Adder Fee."

Another consideration that went into this discussion was the overall cost of the program. There is a goal to have competitive pricing.

Ms. Brunner referred to the Climate Committee's recommendations. They are recommending that the City go down to three product offerings. The standard product, which is the default, as well as an option that is cheaper. The second would be an option to pay a little bit more and go up to 100% renewable energy for the residents who are willing to pay more.

The committee is also recommending that the City increases the amount of renewable energy added to the defaults by 15%. At the present time, the city is adding 10% extra. The committee is recommending 15%, so it would be adding 25% extra for a total of 50% total renewable energy and to also collect a discretionary fee to build up that discretionary reserve fund at about a .10 cent per kWh. The range being recommended for the fee is .075 to .125 which will give the City Manager a little bit of flexibility.

Ms. Brunner then referred to what the consultants had provided as to what the impact would be for the added renewable energy contents that are being recommended: If the city adds 10% additional New Hampshire Class 1 renewable energy in the default, the expected cost would be .41 cents per kWh, which comes out to about \$32 per year for the average household.

If that number is increased to 25%, which is the recommendation from the Energy and Climate Committee, a little over one cent per kWh would be the impact – this would be an annual average cost of \$80.00 for a typical household.

With respect to the discretionary reserve fund – Ms. Brunner stated the City already has a fund in place and it has been putting money into it from a virtual group net metering agreement with Standard Power and the mini Wawa Hydro Dam in Marlborough. She indicated there is about \$75,000 in the fund already.

The Energy and Climate Committee is recommending that the standard option and the 100% renewable option would both have a .10 cents Adder Fee, which the City would collect. The estimate is the City would collect about \$58,000 a year in Adder Fees. Over three years, this would account for around \$174,000. The annual cost to the average residential customer would be \$8 a year for that Adder Fee. This would help build up the fund and those funds could then be used to benefit program participants and support program goals.

Ms. Brunner reviewed some of those programs. One of the most popular ones is referred to as Electrify – to support residents and businesses that want to electrify by providing them with resources, rebates etc. Another available program is referred to as the New Hampshire Saves Program. The other one is the Heat Smart Plus Program - rebates are offered to residents who use heat pumps and other energy-efficient installations.

Ms. Brunner stated the Energy and Climate Committee with reference to the Adder Fee are recommending something more similar to the programs mentioned previously with the thought that the fund would be used to help residents and businesses who are participating in the program to reduce their energy costs.

Ms. Brunner next addressed what staff is proposing as amendments to the Energy Plan or to the Community Power Plan. The consultants suggest that they are confident collecting this fee is permitted but to make it clear in the plan that the city can collect this fee and what it would be used for in broad terms.

Ms. Brunner reviewed language as it pertains to this fee in the proposed amendments to the plan: *the program has the authority to collect a fee for discretionary energy reserve. The City would limit the uses of the discretionary energy reserve to providing benefits to program participants and supporting program goals.*

The plan also says that it would be the City Council who would decide how those funds get used.

It also states that the City Manager can set the amount of the fee, but within a pre-approved range set by City Council. This concluded Ms. Brunner's presentation.

The Chair asked for public comment.

Mr. Doug Hill of 123 Elm Street asked how the City rate compares to Eversource's rate. Ms. Brunner referred this question to Patrick Roche who stated Eversource was at \$0.08929 and Keene's default rate was at \$.114.

Mr. Hill asked whether anyone on the committee has invested in any solar array. Chair Powers stated Councilor Greenwald has solar arrays on some of his commercial properties.

Councilor Remy asked how many customers have opted out. Ms. Brunner stated her recollection was that around 5% of the total accounts opted out at the beginning but now it is closer to 10%.

Ms. Brunner stated that some residents of Keene as well as some residents from other communities have launched their own program in Cheshire County. They have two community power programs to choose from, in addition to Eversource as the default and any third-party supplier. She stated that according to the Community Power Coalition of New Hampshire about 50 accounts in Keene are participating in the Cheshire Community Power Program. There are also third-party suppliers, and some customers have opted to stay with Eversource.

Councilor Remy asked if those who opted out previously would have to opt out again when the City going through this process again. Mr. Roche stated they would stay opted out.

Councilor Remy asked if the City was to make rate changes, moving the default to 50% and functionally choosing to raise the cost, how this would be communicated to customers. Mr. Roche stated it would probably be very similar to the launch where every participating customer would get a letter, approximately 30 days in advance. There would also be other communications such as press releases, social media, in person meetings (Council) to get the word out.

Councilor Remy stated he does not like adding the Adder Fee to the default rate. A fee that goes to the City is not something he supports. He stated he would like to keep from getting upside down versus the Eversource base rate because this happens for 24 of the 30 months. He also asked whether the City joined the county's program to increase their bandwidth. Ms. Brunner stated with respect to the last question, the City did reach out to the Community Power Coalition of New Hampshire to learn more about what they offer. Ms. Brunner stated she and the City Manager met with them, but staff feel there is no great benefit to joining them at this time, especially since the City has a program that is already available and residents and businesses in Keene can already choose the Cheshire Community Power program. She noted their rates change every six months but their price is below default utility. The trade off is that you do not get the stability in the pricing.

She went on to say there are customers who are proactive and change companies when rates change, but there are also others who are willing to pay more for the 30-month term because they want stability month to month and feel having more options is better. She also felt it would be good for the City to continue to do as much communication, outreach and education around the options that are available to customers.

Councilor Lake referred to the Adder Fee and stated he understands the hesitation to add that to the default plan but felt it was important to continue to build up the resources locally to improve our infrastructure. He added if the City does want to go along with the Adder Fee it is important for the City to be vocal and visible about the programs. To also make sure these fees are improving the energy costs of the people that are on the program in this community.

Councilor Chadbourne stated she does not feel very positive about the Adder Fee. The Councilor noted the rate for Cheshire right now is 8.9 cents. She added she knows of someone who just switched to back to Eversource, because their rates are much less than the City. The Councilor went on to say costs of living are increasing and the City needs to make sure it balances what its goals are and what it is doing for the community with the needs of the citizens. She stated she is concerned that the City will lose more people (in the program) if we are not careful.

Ms. Brunner stated one thing the Council could consider - as she had mentioned, a 10th of a cent, would only add an average of \$8 a year to a household. The recommendation from the Energy and Climate Committee to add the 25% renewable energy would add a little over a cent which would be a

cost of about \$80.00 a year to an average household. She felt this could be an area if Council wanted to give the city manager some direction on pricing and making sure that the City has competitive rates.

Councilor Lake stated he is partial to the recommendation that came out of the Committee. He stated he likes the 25%, 50% and 100% and felt it was good to have a more simplified plan. He felt it was important that the default goes to 50%. As the Senior Planner had mentioned, the 2030 goal of getting to 100% is the next negotiation cycle. He felt if the increase is not sufficient now the increase would have to be much greater in the future.

Councilor Remy stated he would like to split the motion and vote on the Adder Fee separately. Asst. City Attorney Palmeira agreed this was acceptable.

Councilor Chadbourne made the following motion, which was seconded by Councilor Lake.

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends to the City Council that the next Community Power Program electricity options have three levels. The levels would include Keene Basic (25% total renewable energy), Keene 50 (Default, 50% total renewable energy), and Keene 100 (100% total renewable energy).

Councilor Lake made the following motion, which was seconded by Councilor Remy.

That the Finance, Organization and Personnel Committee recommends to the City Council that an Adder Fee be included for the City Manager to negotiate, which is recommended to be between 0.075 and 0.125 cents per kWh.

Councilor Roberts stated he had an issue adding the Adder Fee to the basic plan because many senior households are already having trouble making ends meet. Councilor Lake noted the intent is not to apply the fee to the basic plan; the lowest plan will not have the Adder Fee, the fee would only be applied to the 50 and 100 Plan. Councilor Remy clarified the default customers who are signed up for the 50 Plan would include the Adder Fee. If someone does not know how to opt out they would be charged the Adder Fee. Councilor Roberts asked how the City plans on addressing this issue; how can customers be informed of this. The Councilor stated there was communication sent out to customers, and if someone does not see that then they are being charged that fee. Councilor Chadbourne stated these are unpredictable times and the City needs to strike a balance. There is only a small group of people who want to see this change. She stated she wanted to be conservative moving forward.

The motion carried on a 3-2 vote, with Councilors Remy and Chadbourne voting in opposition.

Councilor Lake referred to Ms. Brunner regarding an amendment to the intent part of the plan that included electrification and transportation centers. He stated the electrification portion makes sense but asked how the transportation piece ties into the transportation goals.

Ms. Brunner stated that this goes back to the overall vision of this program helping the City reach its overall energy goals. Based on the recommendation from the Energy and Climate Committee, there was mention of perhaps customers being able to use it as a rebate for a vehicle charging station or a heat pump, which would go into electrification and which would also support the heating, cooling and transportation renewable energy goals.

Councilor Remy made the following motion, which was seconded by Councilor Roberts.

On 5-0 vote, the Finance, Organization and Personnel Committee recommends to the City Council that the Community Power Plan with the amendments shown in the draft dated February 10, 2025 be adopted.



CITY OF KEENE NEW HAMPSHIRE

Meeting Date: March 13, 2025
To: Finance, Organization and Personnel Committee
From: Mari Brunner, Senior Planner
Through: Paul Andrus, Community Development Director
Subject: **Energy and Climate Committee Recommendations for Phase 2 of Keene Community Power**

Recommendation:

At their meeting on February 5, 2025, the Energy and Climate Committee discussed the next iteration of the Keene Community Power program and voted to recommend that City Council make the following changes to the electricity products offered through the program:

"Councilor Lake moved to recommend to the City Council that the next Community Power Program electricity options have three levels. The levels would include Keene Basic (25% total renewable energy), Keene 50 (Default, 50% total renewable energy), and Keene 100 (100% total renewable energy). The adder fee, for the City Manager to negotiate, is recommended to be between 0.075 and 0.125 cents per kWh. Chair Swymer seconded the motion.

Lisa Maxfield clarified that the Committee is recommending that the adder fee would not be included in the Keene Basic plan; it would only be included on the default and Keene 100 options. Councilor Lake agreed.

The motion passed unanimously."

Attachments:

1. Community Power Presentation Slides

Background:

At the request of the City Manager, the Energy and Climate Committee discussed the Keene Community Power Program at their meetings on January 8, 2025 and February 5, 2025 to review the program goals and impact, discuss options for the next phase of the program, and make recommendations to the City Council. The City's Community Power consultants, Good Energy and Standard Power, presented to the Committee at their January meeting. The presentation slides are included as an attachment to this memo.

At the time of this memo, the draft minutes of the February 5, 2025 meeting minutes are not yet available to view; however, a copy of the draft minutes from this meeting will be available in time for the FOP meeting. The motion from the February 5, 2025 meeting is included below, along with an

excerpt from the minutes of the January 8, 2025 Energy and Climate Committee meeting.

February 5, 2025 - Energy and Climate Committee motion

"Councilor Lake moved to recommend to the City Council that the next Community Power Program electricity options have three levels. The levels would include Keene Basic (25% total renewable energy), Keene 50 (Default, 50% total renewable energy), and Keene 100 (100% total renewable energy). The adder fee, for the City Manager to negotiate, is recommended to be between 0.075 and 0.125 cents per kWh. Chair Swymer seconded the motion.

Lisa Maxfield clarified that the Committee is recommending that the adder fee would not be included in the Keene Basic plan; it would only be included on the default and Keene 100 options. Councilor Lake agreed.

The motion passed unanimously."

Excerpt from the January 8, 2025 Energy and Climate Committee meeting minutes

"5. Community Power Presentation

Vice Chair Roth shared that friends from Standard Power were there to present updates on the Community Power Program and turned it over to Mr. Bob Hayden. Mr. Hayden stated that he was there to help answer questions, but his team member, Patrick Roche from Good Energy, would be doing the presentation.

Mr. Roche thanked the committee for the opportunity, sharing that he had a few slides to present and would walk them through a presentation with an opportunity at the end for questions. He recognized some new faces since he last presented and noted the familiar faces, like Vice Chair Paul Roth. His team had worked closely with the committee on the Community Power Program and he recognized Peter Hansel.

Mr. Roche explained that he works for Good Energy, while Mr. Hayden works for Standard Power. Both companies are electricity consultants. He offered some backstory, explaining that they had teamed up for work in New Hampshire to deliver community power programs. Good Energy has extensive experience with community power programs, especially in states like Massachusetts and Rhode Island.

Standard Power also has deep experience in New Hampshire, and they have been working collaboratively with the committee since 2020. He shared that it has been a great process to get this program up and running, and now they are looking at the next project phase. They have met with the City Manager and staff and now want to update the committee and bring some things to the forefront for them to consider and provide feedback.

He wanted to provide some background since he knew some people may not be familiar with this. Keene Community Power is a community power program that is, effectively, a state-authorized process allowing for the pooling of the entire community's electricity to make bulk purchases. This helps give the small, particularly the small residential and commercial customers, access to buying power with terms and conditions that the most prominent electricity users get. Keene Community Power has been a way to help bring more renewable energy into the City and the supply mix while providing stable energy prices through these bulk competitive procurement contracts. This is part of Keene's more considerable effort to get 100% renewable energy for the community. A plan governs the program, so the community power plan is very high-level. They lay out the organizational structure and commit to how they intend to notify people, mainly when the program is launched.

The plan describes how they handle the opt-out process, ensuring people are correctly notified, and discusses the program's goals and products the community thinks they will offer. Still, it serves as a guiding document. Then, when the actual electrical contract is signed, they can determine the exact price, renewable content, and other specifications. The City initially adopted the plan and then City Council would approve any amendments. The City Manager provides the day-to-day direct management and oversight, issues the bids, and executes the power supply agreements. One of Good Energy's primary functions is to assist and provide high-level oversight throughout the procurement process. They help and complete all the education, outreach, and mailings to facilitate optimization. They also offer quality assurance to the supplier. The collective team of Standard Power & Good Energy is essentially an extension of the City staff and they both help to operate the program.

When the plan was started, the Ad Hoc Community Power Committee advised and helped develop it. That committee has since been rolled into the Energy and Climate Committee, but the plan says that the committee will provide input to the City Council and the City Manager on any potential updates or changes to the plan.

He did not want to go into the entire timeline, but wanted to provide that background as context for the newer members. The Community Power Committee was created back in June 2020. In May 2020, the City Council adopted the first version of the plan. The plan was not launched, however, until 2023. Keene was head of the curve, which was great. When the law was passed to enable the development of a community power program, Keene moved forward with creating and adopting a plan; however, the Public Utilities Commission (PUC) was still in the process of developing a set of rules and regulations to fill in some of the details of the law that they had not yet addressed. This required a pause until those rules were in place. The City of Keene and his team heavily participated in getting those rules in place in June 2023.

As a recap of the program, he explained that it included fixed electricity prices for 30 months, which would take them through to December 2025. The program has four options: Keene Standard (community default), Keene Basic, Keene 50, and Keene 100. Keene Standard adds 10% renewable energy to the 2025 state standards. In 2025, the state standards are going to be 25%. Adding 10% would bring the plan up to 35% renewable energy for the community default (the Keene Standard plan). Individuals can also drop down to Keene Basic, which meets the state minimum requirement for renewable energy inclusion, or choose to opt up to 50% or 100% renewable energy by participating in the Keene 50 and Keene 100 plan options. This provided nice options for people to decide where they want to be and choose a plan that reflects that. The idea is that the vast majority of users would probably stay with the standard product. What a community decides to do with the standard determines the impact on a larger scale. Keene was looking to provide as many people as possible with cleaner electricity while keeping prices competitive.

All of the voluntary renewables they add above the state standard are considered Class 1 renewables. Essentially, this is the state's term for "new renewable energy," and that renewable energy has to be on the New England grid.

Mr. Roche said one of the things he also wanted to talk about is that part of the reason for choosing that class is its potential to affect the future growth of renewables in New England.

He showed a graph and explained that the graph is of the state's renewable portfolio standards. In 2023, you can see an extra bar. That bar is the level of voluntary Class 1 renewables that Keene will add to the default option. New Hampshire has several categories that make up the state's minimum renewable portfolio standards (RPS), but they are pretty much all static except for Class 1. He explained that Class 1 is light green bar shown on the graph. If you were to go back a decade, you

would see that this has been the only piece of this RPS that has grown consistently. This is very similar to most of the other states in New England.

New England states all generally have a Class 1 designation for new renewables, and that quantity rises yearly. This means that new renewable infrastructure needs to be built and come online to meet that guaranteed demand from everybody in the market. He noted that if a community does not buy that amount of renewable energy, it results in a financial penalty. This is a suitable enforcement mechanism to ensure people buy appropriate amounts.

He shared that there are also a good number of studies out there. Berkley Labs has one he likes, and they do an annual update on these different standards across the region. One of the things Mr. Roche finds essential is that they continue to say that, particularly in the Northeast region, these Class 1 standards continue to increase and serve as a key driver of the growth of renewables in the area. This is important because cities like Keene voluntarily add a significant amount of demand for Class 1 over and above what the state standards are requiring, effectively accelerating and incentivizing that demand.

To put it in perspective, Mr. Roche explained that the green bar in 2025 represents the required class, which is just about 12% renewable energy. Keene is adding 10% on top of that, almost doubling it. In terms of scale, that 10% may not sound like a lot, but it is significant relative to where the state is, and this is also the strategy that is being pursued by several other communities in the state. The cities of Concord, Hanover, and Dover also added a 10% Class 1 renewable energy adder in their default product. Down in Massachusetts and Rhode Island, this is also the strategy. The cities of Boston and Worcester are doing this and he estimated that about 40 other cities and towns in Massachusetts are also participating. This significant movement in the region is driving a lot of extra demand for Class 1 renewables.

As for future growth in the region and understanding where things stand today, he showed another slide highlighting the number of accounts and percentages for each of their four products. It showed that 93% of the accounts in the program are with the default. Most people stay with the default option. They have seen that if people choose to move, more people have moved to the basic plan than to the 50% or 100% renewable options. About 4% of the accounts are in the basic category, with under 3% in either the 50% and 100% renewable options. The bottom row of the slide showed the total amount of Class 1 renewable energy, which can be measured either in MW hours purchased or what they call an "REC," which is a renewable energy certificate. Effectively, a REC is how renewable energy production is measured, certified, bought, and traded.

So, if one were to look at the emissions impact of those additional voluntary Class 1 RECs purchased above the state minimum, they would probably amount to avoiding about 6.4 million pounds of CO2 emissions. This figure can also be turned into several different equivalent measures. It is nearly 7,000 barrels of oil, for example. The point is that it has a definite impact on the number of actual emissions.

Ms. Maxfield asked if that was per the whole year or the whole program. Mr. Roche clarified that this was for the entire program. He noted that they would be able to provide the annual metrics later.

Looking ahead, Mr. Roche explained that after the December 2025 meter read, they can start to prepare for procurements effectively. He noted that they can procure the next electricity supply contract at any time before then. Historically, springtime has been a great time in the markets, and so effectively, the City wants to be ready to procure if a good opportunity presents itself. As such, they are looking for the committee's input in terms of the updated renewable energy levels and potentially including an "adder" fee as part of the updated program options. He explained that the electricity

price covers all the requirements and power supply associated with purchasing electricity, capacity, ancillaries, and renewable energy certificates to meet the state minimum requirements. That price also includes the RECs and the cost of voluntary renewable energy, as Keene does today. It also includes a fee for Good Energy's services, eliminating any impact on the City's budget for this program. The critical thing to know is that the plan was approved by City Council and the Public Utilities Commission (PUC).

The PUC has also approved plans that have an "adder fee" that is used to fund energy-related services in the community. This fee serves to fund local energy projects or things that would be related to providing some energy-associated benefits. Keene's plan does not include that option now, but it would be a simple process to amend the plan to allow the City to do that. If this change were made, it would mean that a portion of each resident's electricity payment would be directed to an account in the City. Through their usual processes, the City could then determine what to do with that fee and how to use it, and he imagined that the ECC would be heavily involved in figuring that out. Mr. Roche said his goal was to provide the committee with an idea of what some of the trade-offs might be as they think about renewable energy and the fee and offer some of the building blocks to move towards deciding. He thought it would be great if they could get feedback from the ECC during the February meeting about where they would like to see things go.

Mr. Roche said some considerations to keep in mind are that whether it is additional renewable energy or a fee that are added into the program options moving forward, both are additional costs, and they want to be sensitive to how much additional cost is going into the default product. He noted that the focus is on the default product because that is the option most people will select. Suppose the goal is to collect enough revenue to do something meaningful or use enough renewable energy to have a meaningful impact climate-wise. In that case, it requires looking at what is happening with the default product. Adding additional extra Class 1 renewables would mean two things: one is that someone would be using cleaner electricity and have an indirect impact, as evidenced by the Berkeley study, on growing renewables in the future. It will allow the ability to point to the facilities where that renewable energy came from. Still, there will not necessarily be the ability to demonstrate that they caused a new solar field to be built. The evidence will be more general in that they will be supporting the growth of renewable energy sources.

The interesting thing about the fee is that it might offer a more direct impact because it would allow the community the ability to fund a particular and identifiable future renewable energy project. The fee option would require more time to collect the fee, and then once the money had been built up, they would need to contract for something to get constructed, resulting in a lag time.

In trying to demonstrate their direct impact, Mr. Roche explained that the 10% at the bottom of the slide is the additional Class 1 RECs today, which are about \$0.37 per kWh. That is the difference between the Keene Basic and the Keene Standard options for the average residential user. It works out to be a cost of about \$30 extra over the course of the year or a couple of dollars a month.

Regarding the input he is interested in receiving, Mr. Roche explained that they are interested in whether the default product should have both the additional renewables and the fee or just one or the other. If the decision is to have additional renewables, he wanted their thoughts on whether that should be maintained at today's 10% level, noting there is an opportunity to increase or decrease it. He was interested in their thoughts on the fee and the fee amount. While this does not need to be set in stone, having a good sense of the magnitude would be helpful. Lastly, he sought input on whether the optional products should have fees. While they do not necessarily have to, there could be benefits to adding a fee to them.

Mr. Roche moved on to the next slide and explained that in today's contract, the cost of the REC is

\$0.37 per kWh. In the middle row, the slide showed that for the next contract, it would likely increase to \$0.41 per kWh. The average annual cost today for the customer is about \$32. This could have a yearly impact of 10% for additional Class 1 renewables, which would be about 6,300 RECs purchased voluntarily, above and beyond what is required. If that dropped to 5%, it would be around \$0.2 and if you went up to 15%, it would increase to approximately \$0.06, which is over half a cent.

He stated that an astute observer would notice that the number of RECs purchased between the three options does not increase linearly. That is because the 50% and 100% options still purchase roughly the same amount of renewable energy.

In looking at the fee, if a \$0.1 fee is collected for one year, it would be about \$58,000 worth of revenue. Collected for three years (keeping in mind the City will be looking at multiple different term lengths) that would increase the revenue to \$174,000. Mr. Roche explained that the slide presents general figures but provides a sense of scale based on what it costs to develop small-scale solar projects today. If Keene considered building a solar array, thinking about size would be necessary. A \$0.1 one-year fee could fund roughly a 14-kilowatt solar array. He believed that the typical residential system is about 7 kilowatts, which gives a sense of size. Collecting that three-year fee would allow funds for a 42-kilowatt solar array.

Mr. Roche continued to explain that the second table demonstrates that if they collect a \$0.37 fee and do not collect or buy any additional Class 1 RECs, there is potential to use that same amount of money and collect it as a fee. In one year, that would result in \$214,000, and collected for three years, it would result in \$643,000, which could be used to fund a much larger solar array.

All of these are meaningful amounts of money. There is only so much space in the default regarding how much cost could be added before people determine that the product is not for them. He thanked the ECC for having them and hoped his presentation provided information that allowed the group to dig into this topic.

Ms. Brunner spoke and said she did not want to cut off any discussion, but she knew they had Mr. Hayden from Standard Power available if anybody had questions. She suggested the committee consider mulling this over, and noted that the slides can be sent out for review. Mr. Hansel added that the committee might want to consider setting up a work group to examine this.

Ms. Brunner added that the City Council is the ultimate decision-making body and suggested getting a recommendation to them sooner rather than later. If a working group would be interested in meeting this month, she supported the idea and said she would be happy to meet with them.

Vice Chair Roth thanked Mr. Roche for the presentation and moved on to the next item on the agenda. He stated they had Ms. Nora Traviss available to present on Fine Particulate Matter.

While Ms. Brunner and Ms. Traviss worked on pulling up the presentation, Mr. Roth welcomed any questions on Mr. Roche's presentation. Mr. Bob Hayden wanted to explain that the REC cycle is that the money accrued from the RECs goes to the PUC and is distributed for new projects, which is done continuously. He added that collecting additional RECs or buying additional RECs does not guarantee they will go to one project. A community must apply to the PUC to get yearly grants associated with the revenue generated from renewable energy certificates.

Mr. Swymer asked Mr. Hayden if the idea of adding a fee was to gradually transition from buying credits to having those credits to build funding. Mr. Hayden responded that it could do a few things if you have that fee. It allows you to direct the money to a specific project in the community. It also generates more renewable energy certificates, which you could either retain or sell at a fee. That

same 4/10 of a cent is relative to the ones you produce and have at your disposal. If they are retired, the greenness is also retired. If they are sold, money keeps circulating in your ability to fund new projects.

Mr. Roche added that the idea was to transition from buying them into producing them; however, it can take a long time to make what would be purchased for 10%, adding that scale is a key factor.

Mr. Hansel wanted to put this at a 30,000-foot level; the task for the committee is to try to guide Keene towards 100% renewables for electricity in five years. He explained that they are roughly between 35%-40%. Considering that of that 35%, approximately 25% is being mandated by the state, 10% and above is what the City is getting from their program. In addition, what the City generates within its borders is not counted, which might get up to 35%-40% of total renewable energy used in the community. The goal is to get to 100%, so that is where the gap is and what needs to be kept in mind."



Keene Community Power: Planning for Next Electricity Supply Contract

January 8, 2025



Purpose

Under [NH RSA 53-E](#), municipalities can pool a community's total energy needs to make a bulk purchase of electricity.

Community Power enables Keene to source more energy from renewable resources, while providing stable energy prices through competitive procurements.

The Program is part of Keene's larger effort to transition to 100% renewable energy by 2050.

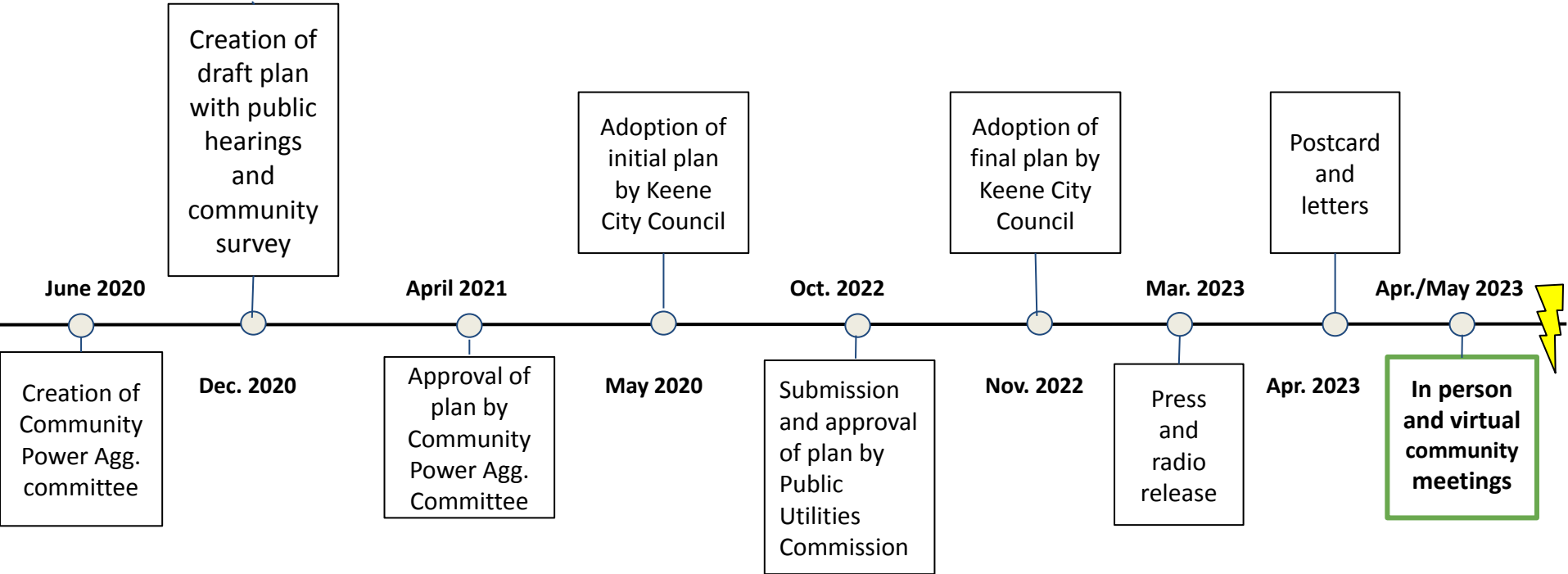


Community Power Plan

City Council adopted the Plan and approves any amendments.

City Manager provides direct management and oversight of the program, and issues bids and executes power supply agreements.

Community Power Committee/Energy Committee provides input to Council and City Manager on the plan.

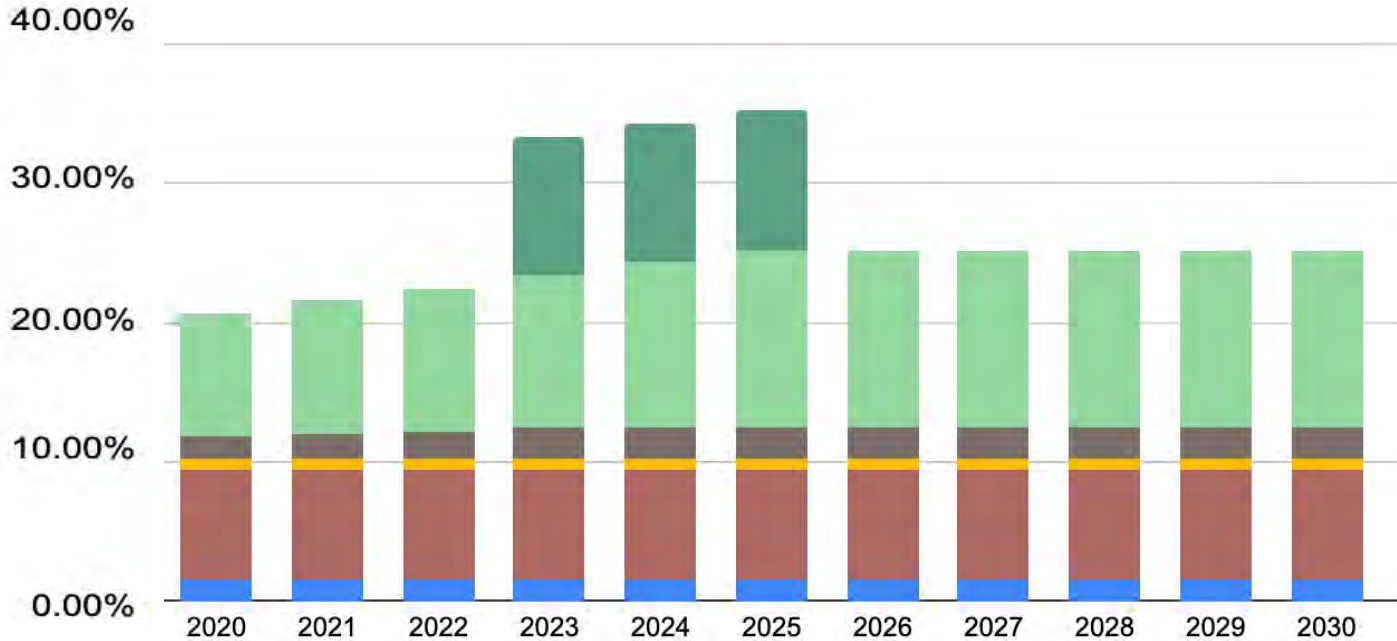




Launched June 2023 with prices fixed for 30 months (through December 2025 meter reads)

Keene Standard (community default)	Keene Basic	Keene 50	Keene 100
Adds 10% renewable energy	Meets state minimum requirements	Adds renewable energy to total 50%	Adds renewable energy to total 100%
35% in 2025	25% in 2025	50% in 2025	100% in 2025
11.470 ¢/kWh	11.100 ¢/kWh	12.050 ¢/kWh	13.900 ¢/kWh

Voluntary renewables from NH Class I sources



Legend:
■ Voluntary Class I Class I (Non-Thermal) ■ Class I (Thermal) ■ Class II (Solar Carve-Out)
■ Class III (Existing Biomass/Methane) ■ Class IV (Existing Small Hydro)

Northeast: RPS demand has been a key driver of non-hydro RE growth

- [Berkeley Labs, U.S. State Renewables Portfolio & Clean Electricity Standards: 2024 Status Update.](#)



Participants and Cumulative Voluntary Renewable Energy

Keene Standard (community default)	Keene Basic	Keene 50	Keene 100	Total
7,132 accounts	317 accounts	59 accounts	173 accounts	7,681
93%	4%	<1%	2%	100%
7,622 Class I RECs	-	147 Class I RECs	1,280 Class I RECs	9,049 Class I RECs

Avoided over 6.4 million pounds of CO2 | Equivalent to 6,700 barrels of oil



Looking Ahead

As the City prepares to procure a new electricity contract starting December 2025, it has the option to make adjustments to the product offerings.

We'd like the Committee's input on the renewable energy in the products as well as the potential to collect revenue for local projects via a fee.



Electricity prices cover “all-requirements power supply”, which includes electricity, capacity, ancillaries, and Renewable Energy Certificates (RECs) to meet state minimum renewable requirements.

It can also include RECs for voluntary renewable energy, as Keene does today.

In addition, the PUC has approved plans that have the option to collect a fee to fund energy-related services (e.g., fund local energy projects).

While Keenes’ plan does not include the option for a fee today, it would be a simple process to amend the plan.

We expect the Energy Committee would be heavily involved in determining use of the funds.



Considerations:

- **Extra Class I renewables** means someone is using cleaner electricity today and has an indirect impact on growing renewables in the future
- **A Community Power fee** could have a direct impact on a specific renewable project in the future and the renewable energy could be used by the participant in the future

Currently, the 10% additional Class I RECs cost 0.37 ¢ per kWh

- For the average residential user this is about \$30/year



Items for Input

- Should the default product have both 1) additional renewables and 2) Community Power fee OR just one or the other?
- If there are additional renewables in the default, do you maintain today's +10% or increase or decrease the percentage?
- If there is a fee in the default, how much per kWh?
- If default product has a fee, do the optional products also have a fee?



% Additional NH Class I in Default	Expected Cost for RECs (¢ per kWh)	Annual Cost to Average Residential Customer	RECs Purchased/Used Annually Across the Program
5%	0.20	\$16	3,700 RECs
10%	0.41	\$32	6,300 RECs
15%	0.61	\$48	9,000 RECs



0.1 ¢ per kWh Fee:

Years Collected	Revenue	Size of Solar Array to Fund (kW)	RECs Produced Annually by Funded Solar Array*	Annual Cost to Average Residential Customer
1	\$58,000	14	17	\$8
3	\$174,000	42	49	\$8

0.37 ¢ per kWh Fee:

Years Collected	Revenue	Size of Solar Array to Fund (kW)	RECs Produced Annually by Funded Solar Array*	Annual Cost to Average Residential Customer
1	\$214,000	52	61	\$30
3	\$643,000	157	182	\$30



Items for Input

- Should the default product have both 1) additional renewables and 2) Community Power fee OR just one or the other?
- If there are additional renewables in the default, do you maintain today's +10% or increase or decrease the percentage?
- If there is a fee in the default, how much per kWh?
- If default product has a fee, do the optional products also have a fee?



CITY OF KEENE NEW HAMPSHIRE

Meeting Date: March 13, 2025

To: Finance, Organization and Personnel Committee

From: Mari Brunner, Senior Planner

Through: Elizabeth Ferland - City Manager
Paul Andrus, Community Development Director

Subject: **Recommended Amendments to Keene Community Power Plan -
Community Development**

Recommendation:

To adopt the Keene Community Power Plan with the amendments shown in the draft dated February 10, 2025.

Attachments:

1. Keene Community Power Plan, dated 2-10-2025

Background:

The [Keene Community Power Program](#) is an "opt-out" electric aggregation program that pools the community's energy needs to make bulk purchases of electricity. The program is managed by the City's Community Power consultants, Standard Power and Good Energy, who are paid through a per-kilowatt-hour (kWh) administrative rate component of 0.1 cent per kWh.

The vision for this program was established through a community-driven planning process:

The vision for Keene Community Power is to launch a timely Community Power Program that provides community members with attractive choices and substantially enhanced renewable energy options at competitive prices, and opens a new promising community path to 100% renewable electricity in 2030.

The Keene City Council adopted the most recent version of the [Community Power Plan](#) on November 3, 2022 following PUC approval. The program launched in June 2023 with four electricity rate options:

- **Keene Standard** - Default product (opt-out), for automatic enrollment with 10% extra renewable energy using NH Class I Renewable Energy Credits (RECs). 7,132 accounts (93%) are currently signed up for this option.
- **Keene Basic** - Optional product (opt-in), the cheapest option with no additional renewable energy (25% total in 2025). 317 accounts (4%) are currently signed up for this option.

- **Keene 50** - Optional product (opt-in), a more expensive option that includes 50% renewable energy. 59 accounts (<1%) are currently signed up for this option.
- **Keene 100** - Optional (opt-in), the most expensive option that includes 100% renewable energy. 173 accounts (2%) are currently signed up for this option.

The prices for the options listed above, which range from 11.1 cents per kWh to 13.9 cents per kWh, are locked in through December 2025. The City will need to go out to bid for a new electricity supply contract to establish new rates for the next program phase. In anticipation of this, the City Manager asked the Keene Energy and Climate Committee, which serves as the advisory board for the Keene Community Power Program, to provide input on the next phase.

The Energy and Climate Committee discussed this request at their meetings in January and February 2025, and in order to make meaningful progress on the City's adopted goal to transition to 100% renewable electricity by 2030, the Committee recommends that City Council make the following adjustments to the product offerings:

1. Provide three options instead of 4: Keene Basic, Keene Standard, and Keene 100.
2. Keep the "Keene Basic" option as cheap as possible by only including the minimum renewable energy required by the State Renewable Portfolio Standard. The rationale for this recommendation is to ensure that people who need a cheaper option will have access to one.
3. Increase the amount of renewable energy in the "Keene Standard" option by 15% for 50% total renewable energy in the default. In addition, the Committee recommends that a small fee of between .075 and .125 cents per kWh be added to this product. The revenue from the fee would go into the Keene Community Power Fund.
4. Keep the "Keene 100" option with 100% total renewable energy and add a fee of between .075 and .125 cents per kWh. The revenue from the fee would go into the Keene Community Power Fund.
5. Use the Community Power Fund to provide energy-related services that both benefit program participants and support program goals. For example, the funds could be used to reduce energy use and switch to renewable sources of energy.
6. The Committee further recommends that the monies in the Community Power Fund should leverage other sources of funding to make the dollars stretch as far as possible. Examples of programs that the fund could be used for include supplementing existing NH Saves and other weatherization programs, a local "Heat Smart" campaign (as an example, see the [Heatsmart+ Program](#) in Harrisville and Peterborough), rebates on high efficiency appliances, or the construction of renewable energy projects.

In order to allow for the collection of the fee, the City's Community Power consultants recommend that City Council amend the Keene Community Power Plan to state that the program has authority to collect a "per kilowatt-hour discretionary energy reserve fund rate component," limit the uses of the discretionary fund to providing benefits to participants and supporting program goals, identify who authorizes disbursement / specific uses of the discretionary fund (City Council), and identify who can set the amount of the fee (City Manager based on a range set by City Council).

The proposed amendments to the plan are shown in track changes in the attached document. Following adoption of the amended plan, the City intends to notify the New Hampshire Public Utilities Commission to make them aware of the changes to the plan; however, it is staff's understanding that PUC approval is not required for this amendment because it does not change the "opt-out" status of the program.

CITY OF KEENE COMMUNITY POWER PLAN



~~July 31, 2022~~

Formally adopted by City Council on May 6, 2021

Amended July 31, 2022

Approved by New Hampshire Public Utilities Commission October 3, 2022

Formally adopted by City Council on November 3, 2022

Amended February 10, 2025

Formally adopted by City Council on TBD

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I. Community Power Goals and Vision

The City of Keene will develop and implement its Community Power Program (“Program”) as described in this Community Power Plan (“Plan”).

Community Power creates new electricity supply choices for Keene residents and businesses with the potential for cost and environmental benefits beyond that of the Default Service supply from the electric distribution utility, Eversource. Instead of simply utilizing Eversource’s electricity supply, Keene will bundle together the electricity needs of its residents and small businesses and put out a bid for an electricity supplier to provide the necessary electricity at competitive prices. With Community Power, the City is able to make strategic decisions about when to solicit bids, lock in fixed pricing for multiple years, and increase the amount of renewable energy above the existing statewide minimum. Eversource will continue to manage billing and maintain wires and poles.

Community Power is part of the City’s comprehensive climate and energy planning process. One of the primary goals of Keene’s process, embodied in the City Council’s 2018 Resolution R 2018-36, is to achieve 100% renewable electricity use:

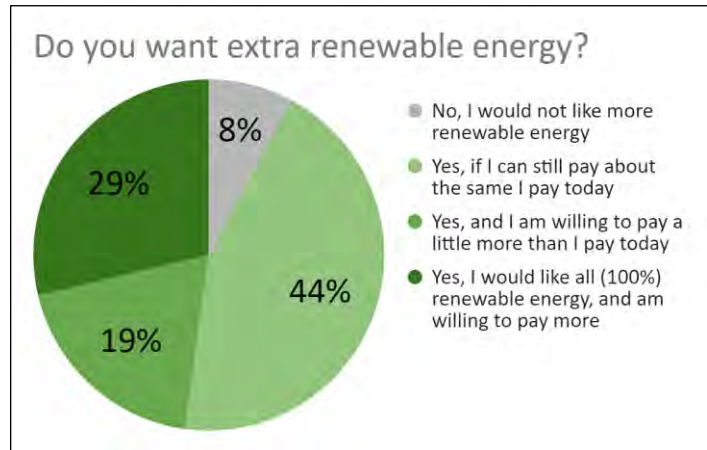
“It is the goal of the City of Keene that all electricity consumed in the City will come from renewable energy sources by the year 2030 and that 100% of all thermal energy and energy used for transportation come from renewable energy sources by the year 2050. This goal will apply to the entire Keene community, not just municipal government operations.”

Keene’s climate and energy planning process also seeks to support equity, energy efficiency, job creation, and climate resilience and preparedness.

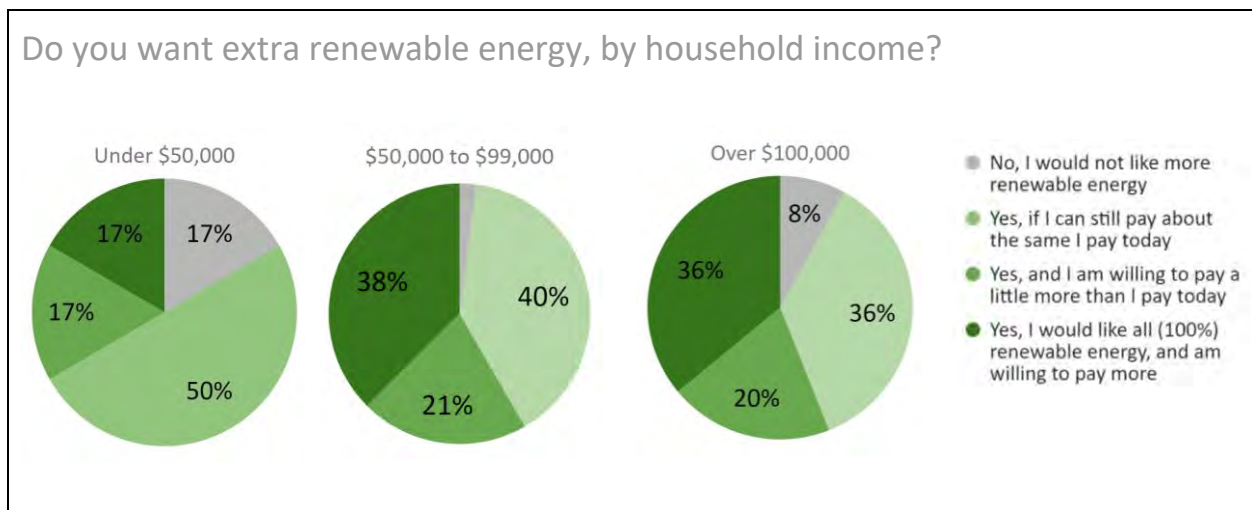
To establish specific goals and a vision for the Program, the City held information sessions and surveyed community members to ask about their priorities and preferences. While individual opinions differed, there was strong support from the majority of survey respondents from all income classes and age groups for five community priorities related to electricity supply:

- Choice for electricity options
- Control of electricity costs
- Competitive rates and lower bills
- Increased local renewable energy
- Local jobs

Particularly strong among respondents was support for renewable energy. As shown at right, over 90% of all respondents indicated a desire for extra renewables, and almost half indicated a willingness to pay more for extra renewables.



The desire for extra renewable energy generally held across age and household income brackets, with the strongest support overall in the middle income bracket, as shown below.



Detailed survey results can be found in **Exhibit I**.

The Keene community goals translate into the following goals for Keene’s Community Power Program:

1. Establish a standard (or default) electricity supply product that delivers economic value via competitive rates, uses more renewable energy, and supports the growth of local renewable energy as defined in Section V.b.
2. Increase the contribution of renewables toward 100% renewable electricity *for the entire Program* by 2030, using optional products, tools and incentives that include:
 - Provide optional electricity supply products with alternative renewable electricity amounts (for example, 100%). Options afford individual participants the opportunity to meet higher renewable goals immediately and increase the overall renewable energy impact of the Program;

- Catalyze the development of distributed energy resources within Keene, such as rooftop solar, by providing enhanced net metering and other incentives;
 - Explore opportunities to support the development of and utilize new renewable energy supply at utility scale within our region; ~~and~~
 - Support electrification, particularly of thermal and transportation sectors;
 - Support energy efficiency initiatives to reduce total Program electricity demand and costs for participants;
 - Explore, and implement when possible, other tools and incentives successfully established elsewhere in New Hampshire, in other states or around the world (for example, time-of-use rate structures).
3. Engage the community to bring new ideas and resources into the Program, through every means possible, over the life of the program. Also engage the community to assess how benefits of the Program can be allocated equitably.
 4. Work with regulators, utilities and suppliers to craft solutions and remove barriers to harnessing all cost-effective solutions, especially recognizing that increased electrification will be part of the solution toward 100% transportation and thermal renewable energy by 2050.
 5. Expand the Program’s impact by empowering other communities with similar goals. This includes sharing information and materials to help launch other programs as well as evaluating regional buying groups as to whether they provide greater cost savings to all participants through economies of scale.

The vision for Keene Community Power is to launch a timely Community Power Program that provides community members with attractive choices and substantially enhanced renewable energy options at competitive prices, and opens a new promising community path to 100% renewable electricity in 2030.

Community Power is emerging as a leading strategy to reach multiple community goals efficiently and equitably. The City of Keene looks forward to refining this vision for meeting our 100% renewable energy goals and all of Keene’s goals that are impacted by energy choices.

II. Process to Develop and Approve Plan

Before implementation, the Plan must be reviewed and approved by the Community Power Committee (“Committee”) and adopted by the Keene City Council. The Committee will ensure that the Program satisfies all of the statutory requirements, including that the Plan provides universal access, reliability and equitable treatment for all classes of customers. This Plan was developed to demonstrate that the Program of the City satisfies all the requirements necessary for approval by the Committee and adoption by the City Council.

This plan was developed through the following process, consistent with New Hampshire Revised Statutes Annotated (RSA) 53-E:

1. Creation of Community Power Committee
2. Creation of a Draft Plan with public hearings,
3. Approval of Plan by Community Power Committee,
4. Adoption of Plan by City Council, and
5. Submission of Final Plan to Public Utilities Commission.

Please see **Exhibit I** for detail on these steps.

III. Customer Participation

III.a. Applicable classes of customers

The Community Power Program will be available for the residential, commercial and industrial classes of electricity customers as defined by City’s electric distribution company, Eversource (“Applicable Classes”). See Eversource for current classes: <https://www.eversource.com/content/nh/residential/my-account/billing-payments/about-your-bill/rates-tariffs>

III.b. Universal access

The Plan provides for universal access for all customers by guaranteeing that all customer classes will be included in the Program under equitable terms.

All retail electric customers will have access to the Program. All retail electric customers receiving Default Service supply from the electric distribution utility will be eligible for automatic enrollment in the Program (“Eligible Customers”), and they will be automatically enrolled in the Program unless they choose to opt out.

All customers will have the right to opt-out of the Program at any time with no charge.

As required by the statute, there shall be equitable treatment of Applicable Classes within the Program.

III.c. Equitable treatment

The community power statute requires 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.

This does not mean that all classes of customers must be treated “equally,” but rather that similarly situated classes of customers be treated “equitably.”

Among applicable classes of customers, the Plan makes three distinctions.

First, the Program will distinguish among customer classes by soliciting separate pricing for each of the same customer classes the electric distribution utility uses for the distribution service.

Second, the Program will distinguish between customers receiving the default product and customers that affirmatively choose an optional product. Customers selecting an optional product will be charged the price associated with that product.

Third, the Program will distinguish between customers that join the Program through an automatic enrollment process (i.e. customers who do not choose to opt-out) and customers that affirmatively elect to join the Program. Such distinction will determine whether the customer receives the price specified for their rate class and product set in the Electricity Supply Agreement (“Program pricing”) or a price based on market prices at the time the customer joins the Program.

- Customers that join through an automatic enrollment process include a) the initial Eligible Customers at the start of the Program and b) new Eligible Customers that move into the City after the Program start-date. All initial Eligible Customers will receive the Program pricing for their rate class. Among new Eligible Customers, the Program will distinguish between new residential and small commercial customers, who will receive the Program pricing, and all other commercial and industrial customers, who may receive pricing based on market prices at the time the customer joins the Program.
- Finally, customers that affirmatively elect to join include two types of customers: a) customers that were being served by a Competitive Supplier at the start of the Program but then later join the Program; and b) customers re-joining the Program after having previously opted out. Those customers that were being served by a Competitive Supplier at Program initiation but who later join the Program will be treated the same as new Eligible Customers – residential and small commercial customers will receive the Program pricing and all other commercial and industrial customers may be offered a price based on the then-current market rates. All customers that join the Program after having previously opted out may be offered a price based on then-current market rates rather than the Program price. This distinction is designed to limit any incentive for frequent switching back and forth between the Program and Default Service of the electric distribution utility.

III.d. Reliability

Reliability has both physical and financial components. The Program will address both through the Electricity Supply Agreement (“ESA”) with the Competitive Electric Power Supplier (“Competitive Supplier”), which shall be the Load Serving Entity. From a physical perspective, the ESA commits the Competitive Supplier to provide all-requirements power supply and to use proper standards of management and operations. All-requirements power supply includes all of the electrical energy, capacity, reserves, ancillary services, transmission services, transmission and distribution losses, congestion management, and other such services or products necessary to provide firm power supply to Program participants and meet the state’s Renewable Portfolio Standard and any additional renewable energy requirements of the default or optional products. The electric distribution utility will continue to remain responsible for delivery service, including the physical delivery of power to the customer, maintenance of the delivery system, and restoration of power in the event of an outage. From a financial perspective, the ESA requires the Competitive Supplier to pay actual damages for any failure to provide supply at the contracted rate (i.e., to pay the difference between the contract rate and the utility supply rate). The ESA requires the Competitive Supplier to maintain insurance and the Request for Proposals for a Competitive Supplier will require that an investment-grade entity either execute or guarantee the ESA. Accordingly, the Program satisfies the reliability requirement of the statute.

IV. Organizational Structure

IV.a Roles

Community Power Committee (CPC): The Finance, Organization and Personnel Committee, a standing committee of the City Council, voted to request that the Mayor constitute an ad-hoc Community Power Committee, as the designee of the Mayor and as established under RSA 53-E:6, to develop and approve a Community Power Plan for submission to and adoption by the City Council, as the legislative body of the City. The Committee will develop a draft plan, hold public hearings on the plan to solicit public input, revise the draft plan based on that input, and ultimately submit an approved Plan to the City Council. See **Exhibit I** for detail on the public input process.

City Council: In accordance with RSA 53-E:7, the City Council, as the legislative body of the municipality, will be the body to adopt the Community Power Plan after it has been approved by the Community Power Committee. The City Council will review and approve any proposed amendments to the Plan.

City Manager: The City Manager is designated by the City Council to provide direct management and oversight of the Plan on behalf of the City. The City Manager, or their designee(s), shall regularly meet with the Community Power Consultant for the purpose

of providing oversight of the Plan and shall make recommendations to the City Council on Plan amendments. The City Manager shall authorize the issuance of bids for power supply and shall negotiate and execute a Electric Service Agreements (“ESA”) consistent with the products and goals described in this Plan.

Community Power Consultant: The Community Power Consultant will manage certain Program activities under the direction of the City Manager. Their responsibilities will include managing the supply procurement, developing and implementing the public education plan, interacting with the electric distribution utility and monitoring the supply contract. Through a competitive procurement process the City has selected the partnership of Good Energy, L.P. and Standard Power (“GE/SP”) to provide these services.

Competitive Supplier: The Competitive Supplier will provide power for the Program, provide customer support including staffing a toll-free number for customer questions, and fulfill other responsibilities as detailed in the ESA. The Competitive Supplier shall be required to enter into an individual ESA with the City under terms deemed reasonable and appropriate for the retail electric customers by the City Manager.

Buying Group: The City may elect to join with other municipal aggregators in combining its load for purposes of soliciting bids from Competitive Suppliers. The purpose of the Buying Group is to allow municipal aggregators to capture the benefits of collective purchasing power while retaining full municipal autonomy. The City shall be represented by the City Manager, or their designee, on the executive committee of the Buying Group. The City, through the City Manager or their designee, shall select a Competitive Supplier based on the needs of the City and shall not be required to select the same terms or Competitive Supplier as other members of the Buying Group.

Retail electric customers: Retail electric customers shall include all electric customers taking distribution service of electricity located within the geographic boundaries of the City of Keene.

IV.b. Data Security

Pursuant to RSA 363:38 and PUC 2004.19, the Program, as an aggregator, is required to protect individual customer data that it may receive as part of Program implementation. See Exhibit III for the data protection plan to be used by the Program.

V. Electricity Supply Product Options

V.a. Default and Optional Electricity Supply Products

The Program ~~intends to~~ offered the following electricity supply products in its initial ESA and may adjust these products in subsequent ESAs, taking into account the goals of the Program, market conditions and implementation experience. Current product offerings will always be posted at the Program website, KeeneCommunityPower.com. Any retail electric customer that joins through an automatic enrollment process, shall be enrolled into the Program’s default product, unless they affirmatively choose to enroll in any of the optional products.

	Default Product (Automatic enrollment)	Optional Products		
Product Name	Keene Local Green	Keene Basic	Keene 50% Local Green	Keene 100% Local Green
Product Goals	Increase renewable energy use while maintaining competitive rates	Most competitive rate (no increase in renewable energy use)	Significant increase in renewable energy use (e.g. 50%)	Largest increase in renewable energy use (e.g. 100%)

- Default Product
 - **Keene Local Green:** The Program intends to offer Keene Local Green as its default product. The Keene Local Green product has a goal of maintaining rough cost parity with Eversource’s Default Service supply while including extra renewable electricity above the Renewable Portfolio Standard (“RPS”) required in New Hampshire. The exact amount of extra renewable electricity will be determined after the receipt of bids from competitive suppliers. It is expected to include 5-10% extra renewable energy in the initial ESA. It is the City's goal to increase this amount in subsequent ESAs, while maintaining cost parity with Eversource’s Default Service. This product is intended to include as much local renewable energy as possible, as defined in Section V.b. Including additional renewable energy in this product enables customers to have a meaningful impact on the reduction of greenhouse gas emissions through the support of local renewable energy sources.

- Optional Products
 - **Keene Basic:** Some customers may feel that the amount of new, renewable

energy required by the RPS in New Hampshire is sufficient to fulfill their renewable energy objectives. This product offers the same amount of renewable energy as Default Service from Eversource as required by the RPS of New Hampshire. Keene Basic will be the lowest cost option in the Program.

- **Keene 50% Local Green:** For customers that want more renewable electricity than is offered by Keene Local Green, this product offers up to 50% local renewable energy above the RPS. The City reserves the right to adjust the amount of renewable energy to be included with this product and that amount will be the same for all customers choosing this option. This product enables customers who chose this option to have a more meaningful impact on the reduction of greenhouse gas emissions through the support of local renewable energy sources.
- **Keene 100% Local Green:** For customers that want more renewable electricity than is offered by Keene Local Green, this product offers up to 100% local renewable energy above the RPS. City reserves the right to adjust the amount of renewable energy to be included with this product and that amount will be the same for all customers choosing this option. This product enables customers who chose this option to have a more meaningful impact on the reduction of greenhouse gas emissions through the support of local renewable energy sources.

The Program reserves the right to adjust product names as needed.

The Program notes that it cannot guarantee savings for any of its products compared to the utility Default Service rates, because utility Default Service rates may not be known for the entirety of any Program supply contract.

Any charge for the additional renewable energy would be included in the rate submitted to the electric distribution utility or be purchased separately as Renewable Energy Certificates (“RECs”) from a third party. RECs are the accepted legal instrument used to track renewable energy generation and to substantiate claims of renewable energy use. For every one megawatt-hour (MWh) of renewable electricity that is generated and fed onto our electricity grid, one REC is created. In order to claim the use of a certain quantity of renewable energy, one must hold and retire an equivalent quantity of RECs. Retiring a REC ensures that there can be no double counting of renewable energy (i.e. no one else may claim to use the same REC once it has been retired).

V.b. Green & Local Definitions

The term “Green” means that the product contains additional renewable energy, substantiated through REC retirement, above that required by state law.

“Local” means that the additional RECs come from renewable energy sources that are part of our ISO-New England electricity grid. This means the sources are located in New England or the energy is imported as allowed by ISO-New England from locations such as New York or eastern Canada. This stands in contrast to some electricity supplies that obtain RECs from national sources (e.g. Texas) in which the electricity is not part of our ISO-New England electricity grid.

In its procurement, as described in Section VI.a, Keene seeks to support renewable energy generation located within Keene or as close to Keene in New Hampshire as possible. Keene also seeks to support the growth of renewable energy, thereby displacing fossil fuels and reducing greenhouse gas (GHG) emissions.

V.c. NH Class I Renewable Energy

New Hampshire Class I renewable energy is known as “new renewable energy”. The State requires all electricity supplies to include a minimum quantity of Class I renewable energy, and that amount increases annually (currently plateauing after 2025). This increasing requirement, along with similar requirements in other New England states, has been a major driver of the growth of renewable energy in our region. If the Program voluntarily purchases additional Class I renewable energy at significant scale, Keene will augment this growth even further.

Class I renewable energy can come from wind, solar, small hydroelectric, biomass, methane, as well as hydrogen and ocean thermal, tidal or wave energy. These categories align with the Keene Energy Plan’s support for “Green Power” as defined by the US Environmental Protection Agency (EPA). All Class I renewable energy must have started operation after January 1, 2006 and must be physically delivered to our regional electricity grid, which means it can come from New England, New York or eastern Canada.

- Additional detail on NH Class I renewable energy, as well as the other classifications of renewable energy covered by the New Hampshire Renewable Portfolio Standard, may be found at https://www.puc.nh.gov/Sustainable%20Energy/Renewable_Portfolio_Standard_Program.htm
- Additional detail on EPA’s Green Power definition can be found at <https://www.epa.gov/greenpower/what-green-power>.

As described above, the City intends to purchase a portion of the RECs from renewable energy generators and include these RECs in a renewable energy product. If RECs are obtained through the Competitive Supplier, any charge for these RECs would be included in the same rate submitted to the electric distribution utility.

VI. Operation

The implementation of the Community Power Program requires extensive interaction between the City, the Competitive Supplier, and the electric distribution utility.

Following adoption of the Plan by the City Council, the key operational steps will be:

- a. Issue a Request for Proposals (RFP) for power supply, select a Competitive Supplier and provide notice
- b. Implement a public information program, including a Customer Notification Letters
- c. Enroll customers and provide service, including quarterly notifications and annual reporting
- d. Plan for Program evolution

These steps are described in the sections below.

VI.a. Issue an RFP for power supply, select a competitive supplier and provide notice

The City, under direction of the City Manager or its designee, will solicit bids from leading competitive suppliers, including those currently supplying community power programs in New England and other states. In seeking bids from competitive suppliers, the City may solicit bids for its load individually or as part of a Buying Group with other municipal aggregators. The RFP will require that the supplier satisfy key threshold criteria, including:

- Registration with the New Hampshire Public Utilities Commission (NHPUC)
- Strong financial background
- Experience serving the New England competitive market or community power programs (also known as municipal aggregations) in other states
- Demonstrated ability, supported by references, to provide strong customer service.
- Demonstrated ability to use Electronic Data Interchange (“EDI”) for enrollment of customers with the electric distribution utility or a plan to successfully complete testing required to use the electric distribution utility’s EDI prior to the mailing of the Customer Notification Letters

In addition, suppliers will be required to agree to the substantive terms and conditions of the ESA, including, for example, the requirement to:

- Provide all-requirements power supply at a fixed price
- Allow customers to exit the Program at any time on their next regular meter read with no charge

- Agree to specified customer service standards
- Comply with all requirements of the NHPUC and the electric distribution utility

The RFP will include data on Eligible Customer load and other characteristics provided to the City by the electric distribution utility pursuant to Puc 2204.02.

The City will solicit price bids from suppliers that meet the threshold criteria and agree to the terms and conditions of the ESA. The City will request bids for a variety of term lengths (e.g. 12, 24, 36 or 48 months) and for power from different sources. The City Manager, or their designee(s), will determine the number of products, the appropriate level of renewable energy to be included with the default product and the optional products based upon their assessment of market conditions and what would be in the best interest of retail electric customers at the time of the solicitation. As noted in Section V.a., all claims of renewable energy use will be substantiated by the supplier obtaining and retiring the appropriate quantity of RECs. The City will require bidders to identify the technology, vintage, and location of the renewable energy generators that are the sources of the RECs. It will also require that the RECs be created and recorded in the New England Power Pool Generation Information System. The City may seek RECs from a variety of renewable energy sources; may elect to procure from those sources RECs, power or both; and will choose the best combination of environmental benefits and price. All additional RECs, above those required by the RPS, are initially expected to be New Hampshire Class I eligible RECs or RECs from sources located within the greater Monadnock region.

The City may provide customers with renewable energy generation source information through a variety of vehicles including the Program web site, content disclosure labels and the customer notification letter.

In consultation with its Community Power Consultant, the City Manager, or its designee, will evaluate the bid results including price, term and source. Whether the City conducts an individual solicitation or participates in a solicitation with a Buying Group, at the conclusion of the bidding process it will select a price, term and supplier appropriate for its retail electric customers. Participation in the Buying Group shall not require the City to select the same price, terms or supplier as other members of the Buying Group. If a bid is satisfactory, the City Manager, or its designee, shall execute an Electric Service Agreement (“ESA”) with the selected supplier(s). The City reserves the right to select supplier(s) per customer class (as distinguished in Section III.c. to ensure equitable treatment). If none of the bids is satisfactory, the City will reject all bids and repeat the solicitation for bids as often as needed until market conditions yield a price that is acceptable. The City will only accept a bid that enables it to launch the Program with a price, terms and characteristics that meet the criteria set by their municipal officials.

The City will provide written notice of its acceptance of a bid and the Program’s date of

commencement of service to the NHPUC, the Office of Consumer Advocate, the Department of Energy as required by Puc 2204.04.

The Program will utilize consolidated billing such that the participating customers receive a single bill from the electric distribution utility that includes the charges for the Program's electricity supply and all other charges from the electric distribution utility. The Program will confirm this choice of billing service by notifying the electric distribution utility of prior to the enrollment of customers, including providing any applicable Product details required pursuant to Puc 2205.16.

VI.b. Implement public information program including Customer Notification Letters

An Education and Outreach Plan is required to fully inform and educate potential customers and participants in advance of automatic enrollment in the Community Power Program. Customers, including customers with limited English language proficiency and disabilities, must be informed that they would be automatically enrolled in the Program and that they would have the right to opt-out of the Program without penalty. The purpose of the Education and Outreach Plan is to raise awareness and provide retail electric customers with information concerning their opportunities, options and rights for participation in the Program. To facilitate the Education and Outreach Plan, the City will utilize contact information for retail electric customers provided to the City by the electric distribution utility pursuant to Puc 2004.03.

The Education and Outreach Plan (**See Exhibit II**) consists of five components:

i. Initial Outreach and Education: This will be conducted after the selection of a Competitive Supplier and prior to arrival of the customer notification letter. It is intended to promote general awareness of the upcoming Program, minimize any questions generated by the arrival of the customer notification letter and maximize recipients' ability to make an informed choice about their participation in the Program. This effort will include information about the goals of the Program, the basic terms and conditions including renewable energy components, and the opt-out process. This effort will also include posting of the Program's product information for residential and small commercial customers on the Department of Energy's shopping comparison website. Such information will be posted on the website in advance of mailing the Customer Notification Letters.

ii. Customer Notification Letters: In addition to the initial outreach and education initiatives, a notice ("Customer Notification Letter") will be mailed to every retail electric customer. The Program will have two versions of this letter, one for Eligible Customers and one for other customers.

The Customer Notification Letter for Eligible Customers will contain a description of the aggregation program; the implications to the City; the rights and responsibilities that the participants will have under the Program; all details, including all rates, on the products offered by the Program; explain that the customer will be automatically enrolled in the default product unless they choose otherwise and identify the deadline to make such a choice; have instructions for how to not participate (opt out) via web, phone or a pre-addressed envelope and opt-out reply card included with the letter; and instruction for how to enroll in an optional Program product. The opt-out period will last a minimum of 30 days from the date of mailing of the Customer Notification Letters.

The Customer Notification Letter for other customers will, at a minimum, contain a description of the aggregation program, the implications to the City, and instructions for how to enroll in any of the Program products if desired.

Prior to the mailing of the Customer Notification Letters, the Program will confirm with the Competitive Supplier and the electric distribution utility that the Competitive Supplier is able to use EDI for enrollment of Default Service customers into the Program.

iii. Opt-Out Period Education & Outreach: After the Customer Notification Letters have been sent, the City will continue its education and outreach to afford residents and businesses the opportunity to learn more and find answers to key questions relating to their decision to opt out or enroll in one of the optional products of the Program. This will include, at a minimum, a public information meeting within 15 days of the mailing of the customer notification letter.

iv. Timeline and Preliminary Marketing Plan for Launch: This component identifies the steps the City intends to take in marketing the Program including identification of media and other community resources, examples of education and outreach documents, and an expected timeframe for the outreach effort.

v. Ongoing Outreach & Education: This component describes the expected outreach and education activities following Program launch. Key elements include:

- Program goals and performance, particularly as they relate to progress towards the City's ambitious short- and long- term goals for renewable energy, particularly for 2030 and 2050.
- On-going campaigns to recruit participation into its optional product(s) that contain more renewable energy than required by law ("Opt up campaigns"). Increasing participation in these products will serve the City's goals to expand new renewable energy and increase overall renewable energy use; AND

- Promotion and support of the NHSaves energy efficiency program, and future energy efficiency and weatherization programs

The attached Education and Outreach Plan (**Exhibit II**) describes in detail the City's anticipated outreach efforts, including a timeline.

VI.c. Enroll customers and provide service

i. Enroll Customers: After the conclusion of the opt-out period (i.e. no sooner than 37 days from the date of the postmark of the Customer Notification Letters, which includes 3 days for mailing, 30 days for customer consideration, and an additional 3 days for return of the replay card), the Competitive Supplier will enroll into the Program all retail electric customers on Default Service with the electric distribution utility who did not opt out and any other retail electric customers that have affirmatively requested in writing or through email to be enrolled into the Program. All enrollments and other transactions between the Competitive Supplier and the electric distribution utility will be conducted in compliance with the relevant provisions of New Hampshire Public Utilities Commission regulations, Terms and Conditions for Competitive Suppliers, and the protocols of the New Hampshire Electronic Business Transaction (EBT) standards.

After enrollment of each customer, the Program may receive billing information for each enrolled customer from the electric distribution utility pursuant to Puc 2205.13.

ii. Provide Service: Once customers are enrolled, the Program will provide all-requirements power supply service. The Program will also provide ongoing customer service, maintain the Program website, and process customer enrollments, ongoing opt outs, and customer selections of optional products. The Program will provide Energy Source Disclosure labels to participants as required by RSA 378:49.

Prior to the expiration of the initial ESA, the City intends to solicit a new power supply agreement, as described in **Section XIII. Method of Terminating and Entering Agreements with Other Entities**. If the City elects not to enter into a new power supply agreement, participating customers would return to Default Service as described in **Section XV. Extensions or Termination of Program**.

Retail electric customers that apply for new service with the electric distribution utility (e.g., new customers move into the City or move within the City), they will initially be enrolled in Default Service supply provided by the electric distribution utility. The Program will mail such customers a Customer Notification Letter for Eligible Customers per section IV.b.ii detailing the Plan and an opt-out card. At the end of the opt-out period they will be enrolled in the Program unless they elect to

opt-out, per section IV.c.i. New customers also may proactively enroll by contacting the Program directly.

The City will update the information on the Program's products on the Department of Energy's comparison shopping website whenever such information changes.

iii. Annual Report: On an annual basis, the City Manager, or its designee(s) will report to the City Council on the status of the Community Power Program, including the number of customers enrolled and opting-out, kilowatt-hour usage, customer savings, participation in renewable energy products, and such other information as the City may request. The information for this report will be prepared by the Community Power Consultant, and the Community Power Consultant will assist or lead in presenting to the City Council as desired by the City Manager.

iv. Data Portal: The Community Power Consultant will make available to the City Manager and its designee(s) a secure, password-protected cloud-based data portal that provides the ability to run reports on key Program metrics and performance.

VI.d. Plan for Program evolution

City seeks to continually improve the Program and progress towards its long-term goals. To this end, the Community Power Consultant and City will regularly assess new opportunities such as technologies, services, regulatory policy changes, and more for their applicability to the Program. Community Power Consultant will develop appropriate strategies to integrate these opportunities into the Program. Community Power Consultant will support the City to present new opportunities to the City Council for their consideration and approval, if amendments to the Plan are needed.

VII. Funding

All of the costs of the Program will be funded through the per kilowatt-hour rates established in the ESA. Only Program participants will pay for the costs of the Program, listed below.

The primary cost will be the cost of the Competitive Supplier for the power supply, which will be funded through a per kilowatt-hour power supply rate component. These costs will be established through the competitive solicitation for a supplier.

The administrative costs of the Program will be funded through a per kilowatt-hour implementation feerate component that will be paid by the Competitive Supplier to the Community Power Consultant, as specified in the ESA. This implementation feerate component will cover the services of the Community Power

Consultant, including developing the Community Power Plan, managing the supply procurement, developing and implementing the public education plan, providing customer support, interacting with the electric distribution utility, monitoring the supply contract, and providing ongoing reports.

The City may choose to collect a per kilowatt-hour discretionary energy reserve fund rate component that will be paid by the Competitive Supplier to the City, as specified in the ESA. The City shall deposit and maintain such amounts in an enterprise fund to be used for the cost of providing energy-related benefits to Program participants and supporting Program goals. Examples of such uses include (1) supporting development of new renewable energy projects, (2) supporting electrification of thermal and transportation uses, and (3) other energy-related programs and services. The City Council shall provide authorization for the use of funds from the discretionary energy reserve fund rate component. The City Manager will determine the appropriate amount of discretionary energy reserve fund rate component to include in each product in each ESA, within a range pre-approved by the City Council.

VIII. Rate Setting and Other Costs to Participants

The Program is offered on an opt-out basis, such that Eligible Customers will be automatically enrolled unless they proactively choose to opt out.

As described above, the Program's per kilowatt-hour rates will include the power supply, ~~charges of the Program will be set through a competitive bidding process and will include the implementation fee, and discretionary energy reserve fund rate components~~ and applicable taxes pursuant to the ESA. Prices, terms, and conditions may differ among customer classes, which classes will be the same as the Default Service customer classes of the electric distribution utility. The frequency of price changes will be determined through the competitive bid process. The City expects to solicit bids for a number of different contract terms. Prices may change as specified in the winning bid and customers will be notified of price changes through media releases and postings on the Community Power Program website.

Regulatory events, such as new or altered requirements for the Renewable Portfolio Standard, or new taxes may result in a direct, material increase in costs during the term of the ESA. In such cases, the City and the Competitive Supplier will negotiate a potential change in the Program price. At least 30 days prior to the implementation of any such change, the City will notify customers of the change in price by issuing a media release and posting a notice in City Hall and on the Program website. The City shall also notify the NHPUC Consumer Services and External Affairs Division prior to implementation of any change in the Program price related to a regulatory event or new taxes. Such notice shall be provided prior to notifying customers and will include copies of all media releases, postings on the City and Program websites and any other communications the

City intends to provide to customers regarding the price change.

The Program affects only the electricity supply charges of the customers. Delivery charges will be unchanged and will continue to be charged by the electric distribution utility in accordance with tariffs approved by the NHPUC.

Participants in the Program will receive one bill from the electric distribution utility that includes both the power supply charge of the Competitive Supplier and the delivery charge of the electric distribution utility. Any applicable taxes will be billed as part of the Program's power supply charge.

Participants in the Program will be able to opt-out of the Program and transfer to Default Service with the electric distribution utility or to another competitive supplier. Such requests submitted to the Program will be submitted by the Competitive Supplier to the electric distribution utility for processing on the customer's next available regular meter read date. There shall be no penalty or exit fee for such transfer. Customers requesting transfer of supply service upon dates other than on the next available regular meter reading date may be charged an off-cycle meter reading and billing charge if such a service is available from the electric distribution utility.

IX. Net Metering Compensation

In accordance with RSA 362-A:9, II, the Program may determine the terms and conditions for net metering. In order to support the development of distributed energy resources within Keene, the Program will seek to offer net metering terms and conditions - for standard, alternative and group net metering - equal to or better than that provided on Default Service. To this end, the Program will evaluate the net metering terms and conditions offered by competitive suppliers as part of the procurement and bid selection process.

To ensure net metering customers can make a fully informed decision on their participation in the Program, the Program will tailor all education and outreach materials to clearly communicate any and all differences between the net metering value and operation provided by the Program and Default Service.

Additionally, the Program will evaluate how any proposed or implemented changes to the utility metering or billing infrastructure may create new opportunities to enhance the net metering benefits.

X. Electric Assistance Program and other discounts

The New Hampshire Electric Assistance Program (EAP) provides qualifying customers with a discount on their monthly electric bill. The New Hampshire Legislature authorized funding for this statewide program as part of electric utility deregulation. All electric utility ratepayers support the statewide EAP through the System Benefits Charge (SBC) portion of their electric bill.

The EAP for income-eligible customers that may qualify for a discount off their monthly electric bill would continue for participants in the Program. The level of discount depends on household income, household size and electricity usage.

The EAP discount does apply to the Supplier Services portion of an electric bill when a customer chooses an independent supplier for their electricity needs. The participants in the Program who are enrolled in the EAP will receive their discounts by the same method they presently receive their discount. Participation in the Program is independent of enrollment in the EAP and does not impact the EAP discount.

Other discount programs administered by Community Action Programs that address the needs of low-income residents would continue for participants in the Program.

XI. Aggregating Municipalities & Buying Group

Participating in a buying group may offer the potential for the City to expand its buying power for greater economies of scale and to support the City's goal of acting as a regional leader, supporting other municipalities to access the benefits for Community Power. Keene will evaluate opportunities for such a buying group before issuing a bid for competitive supply. See **Section VI.a. Issue an RFP for Power Supply and Select a Competitive Supplier** for details on the implementation of a buying group.

Additionally, the City reserves its right, in accordance with RSA 53-E:6, I, to join with other municipalities or counties for its Community Power Plan and implementing its Community Power Program. Any changes to the Community Power Plan must be reviewed and approved by the City Council.

XII. Promoting Energy Efficiency

In addition to supporting cost-competitive and cleaner electricity, the City seeks to leverage the Community Power Program to help reduce energy use. This will initially take the form of cross-promoting awareness of efficiency programs through the Program's education and outreach. The Program will also evaluate opportunities for more direct support of energy efficiency.

Promotional education will focus on existing energy efficiency and conservation programs, such as New Hampshire's Weatherization Assistance Program for low-income

households and the New Hampshire Saves (NHSaves) program, which provides customers with information, incentives and support designed to save energy, reduce costs, and protect our environment statewide. NHSaves is funded by electric and natural gas ratepayers and delivered by Eversource, Liberty Utilities, New Hampshire Electric Cooperative and Unitil to make homes, businesses and towns more sustainable and more comfortable places to live and work, both now and in the future. Through NHSaves customers can receive a Home Energy Assessment. The assessment identifies energy-saving opportunities in the home and provides the customer with an energy report. The report includes information on equipment rebates and no-cost products, as well as access to 0% financing and a limited time offers, such as up to 100% off approved insulation. The assessment can also include delivery of energy-saving products recommended by the Energy Specialist, such as LED light bulbs, advanced power strips, and thermostats that can be installed right away to start saving money and energy.

If and when additional energy efficiency and conservation programs or initiatives become available, the Program will evaluate how to incorporate them into its promotional outreach and education.

XIII. Method of Entering and Terminating Agreements with Other Entities

The process for entering, modifying, enforcing, and terminating all agreements associated with the Plan will comply with the municipal charter, federal and state law and rules and regulations, and the provisions of the relevant agreement.

The City plans to use the same process described in **Section IV.a.** of this Plan to solicit bids and enter into any subsequent ESAs with the assistance of its then-current Community Power Consultant. Customers will be notified of subsequent ESAs through press releases and public notices. The transfer of customers from the existing supplier to the new supplier will be coordinated with the electric distribution utility using established Electronic Data Interchange (EDI) protocols.

If the City determines that it requires the services of a Community Power Consultant after expiration of the existing agreement with GE/SP, it will evaluate opportunities to solicit a Community Power Consultant individually or as part of a group of municipalities aggregating the electric load of their respective customers. The City will solicit proposals for, and evaluate, potential Community Power Consultants using a competitive procurement process or alternative procedure which the City determines to be in the best interest of its customers and consistent with all applicable local, state and federal laws and regulations.

XIV. Rights and Responsibilities of Program Participants

All participants will have the right to opt out of the Program at any time without charge. They may exercise this right by any of the following: 1) calling the toll-free number of the Competitive Supplier; 2) contacting the electric distribution utility and asking to be returned to Default Service; or 3) enrolling with another competitive supplier.

All participants will have available to them the customer protection provisions of the law and regulations of New Hampshire, including the right to question billing and service quality practices. Customers will be able to ask questions of and register complaints with the City, the Community Power Consultant, the Competitive Supplier, the electric distribution utility and the NHPUC. As appropriate, the City and the Community Power Consultant will direct customer complaints to the Competitive Supplier, the electric distribution utility or the NHPUC.

Participants will continue to be responsible for paying their bills and for providing access to metering and other equipment necessary to carry out utility operations. Participants are responsible for requesting any exemption from the collection of any applicable taxes and must provide appropriate documentation of such exemption to the Competitive Supplier.

XV. Extensions or Termination of Program

Prior to the end of the term of the initial ESA, the City will solicit bids for a new supply agreement and plans to continue the Program with the same or new competitive supplier.

Although the City is not contemplating a termination date, the Program could be terminated upon the termination or expiration of the ESA without any extension, renewal, or negotiation of a subsequent supply contract, or upon the decision of the City to dissolve the Program effective on the end date of the existing ESA. In the event of termination, customers would return to the Default Service of the electric distribution utility, unless they choose an alternative competitive supplier. The City will notify customers of a planned termination of the Program through media releases and postings on the Program website.

The City will notify the electric distribution utility of the planned termination or extension of the Program in writing. In particular, the City will provide the electric distribution utility notice: (1) 90 days prior to a planned termination of the Program; (2) 90 days prior to the end of the anticipated term of the ESA; and (3) four business-days after the successful negotiation of a new ESA. The City will also provide written notice to the NHPUC 90 days prior to a planned termination, which notice shall include copies of all media releases, City Hall and website postings and other communications the City intends to provide customers regarding the termination of the Program and the return of participants to Default Service. The City will also provide written notice 90 days prior to a planned termination to the Office of the Consumer Advocate and the Department of

Energy.

In the event of unplanned termination of the Program because that the Program can no longer provide service to its customers, the Program shall provide immediate written notice to the NHPUC describing the market suspension or other event that caused the Program to no longer be able to provide service, the effective time of the inability to provide service, and the notice provided to customers of the timing and consequences of the cessation of the Program's service. The Program shall file a copy of such notice at the same time to the office of the Office of the Consumer Advocate, the Department of Energy, and the electric distribution utility.

In the event of the termination of the Program, it is the responsibility and requirement of the Competitive Supplier to return the customers to Default Service of the electric distribution utility in accordance with the then applicable EDI rules and procedures.

In the event of the termination of the Program, the balance of any funds accrued by the Program's discretionary energy reserve fund, if any, would be available for distribution or application as directed by the City Council and in accordance with any applicable law and regulation.

XVI. Planned Schedule

The planned schedule below is presented for illustrative purposes. The final schedule will be established once the Program has received all necessary approvals and will ensure compliance with the all required notification timelines prior to Program commencement.

Day	Action or Event
1	Issue RFP for Competitive Supplier
31	ESA executed between City and Competitive Supplier. Program provides required notifications to NHPUC, Department of Energy, Office of Consumer Advocate, and electric distribution utility.
32	Competitive Supplier receives retail electric customer mailing data and data needed for Eligible Customer enrollment in Program
48	Competitive Supplier, at its expense, mails Customer Notification Letters to all retail electric customers, including identifying the return date by which the reply card envelopes for Eligible Customers must be mailed and postmarked
51	Retail electric customers receive Customer Notification Letter in the mail

81	Return date by which Eligible Customers deciding to opt-out must mail a reply card in pre-paid envelope to Competitive Supplier.
85	Competitive Supplier removes all Eligible Customers who opt out from the Eligible Customer list
85	Competitive Supplier sends “supplier enrolls customer” EDI for all Eligible Customers that did not opt-out and any other customers that affirmatively elected to opt-in to the Program.
90	Service begins as of each customer's next meter read date

XVII. Conclusion

Keene’s Community Power Program meets all of the requirements of the Community Power law, including providing universal access, a reliable power supply and treating all customer classes equitably. The City looks forward to launching the Program and pursuing the benefits of a competitive power supply, renewable energy, and electricity choice for its retail electric customers.

Exhibit I - Historical Overview

1. Creation of Community Power Committee

On June 18, 2020 the Keene City Council approved the formation of an Ad-Hoc Community Power Committee (CPC). From City Council Minutes June 18, 2020:

FOP REPORT - COMMUNITY POWER PROGRAM & AD HOC COMMUNITY POWER COMMITTEE – ASSISTANT CITY MANAGER/COMMUNITY DEVELOPMENT DIRECTOR

The Mayor brought forward the Finance, Organization and Personnel Committee report recommending that the Mayor be requested to constitute an ad-hoc Community Power Committee to develop a Community Power Plan for submission to the City Council in accordance with RSA 53-E. A motion by Councilor Powers to carry out the intent of the report was duly seconded by Councilor Hooper. The motion passed on a roll call vote with 15 Councilors present and voting in favor.

APPOINTMENT OF AN AD HOC COMMUNITY POWER COMMITTEE

The Mayor appointed an ad hoc Community Power Committee that would be charged with developing a community power plan for the citizens of Keene. The appointments from the Mayor included: Dr. Ann Shedd, Peter Hansel, Paul Roth, Jeffrey Titus, Michael Giacomo and Daniel Belluscio. A motion by Councilor Powers to confirm the appointments was duly seconded by Councilor Bosley. On roll call vote, 15 Councilors were present and voting in favor. The appointments were confirmed.

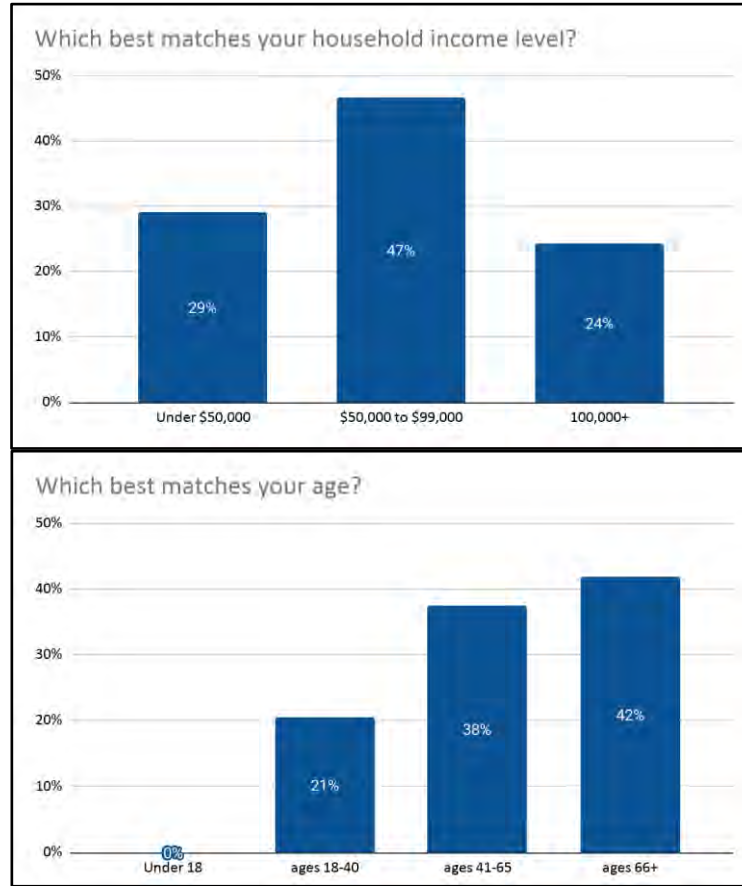
2. Creation of a Draft Plan with public hearings

The Committee, supported by City Staff and the Community Power Consultant, held two public information sessions on December 8, 2020 to promote awareness of the development of a Community Power Plan and to begin gathering input. Also on December 8, 2020, the Committee released a community survey open for approximately one month through January 7, 2021. The survey was available online and via paper in the Monadnock Shopper News. The online survey and the City's website, KeeneEnergyPlan.com also hosted two educational videos about Community Power. KeeneEnergyPlan.com has hosted additional educational resources about Community Power, including an FAQ page, podcast and interviews with municipal leaders from active community power (also known as municipal aggregation) programs, such as Medford, Massachusetts.

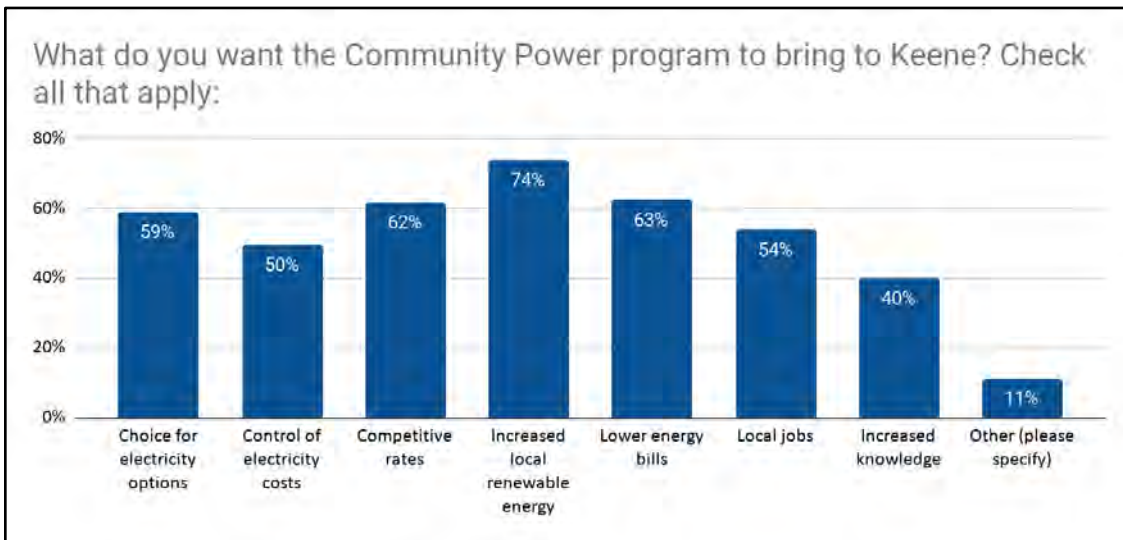
The survey received 126 responses, 97 online and 29 in paper via the Monadnock Shopper News. Key survey findings:

- 86% of respondents currently receive supply from Eversource Default Service. Such customers would be eligible for automatic enrollment in the Program.

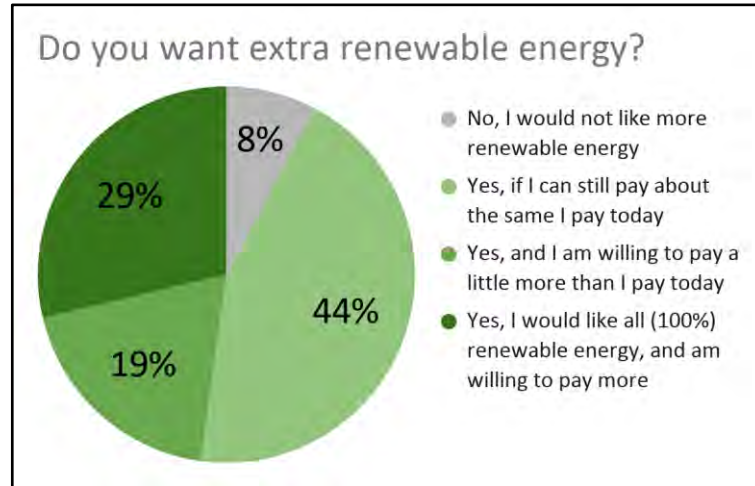
- The survey had a well-distributed diversity of household income groups and age, as shown below:



- Respondents identified a range of benefits they are interested in with Community Power:

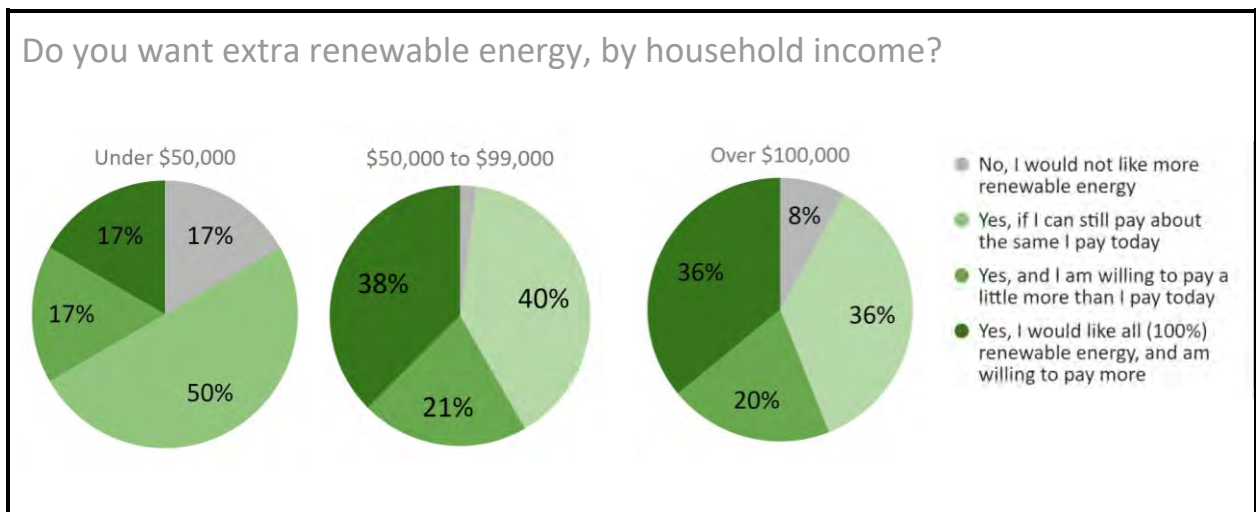


- 92% of respondents were interested in including more renewable energy in their electricity. Of those interested, roughly half (45%) sought extra renewable energy if they could pay about the same they pay today. The other half (55%) was willing to pay a little or a lot more for extra renewable energy.

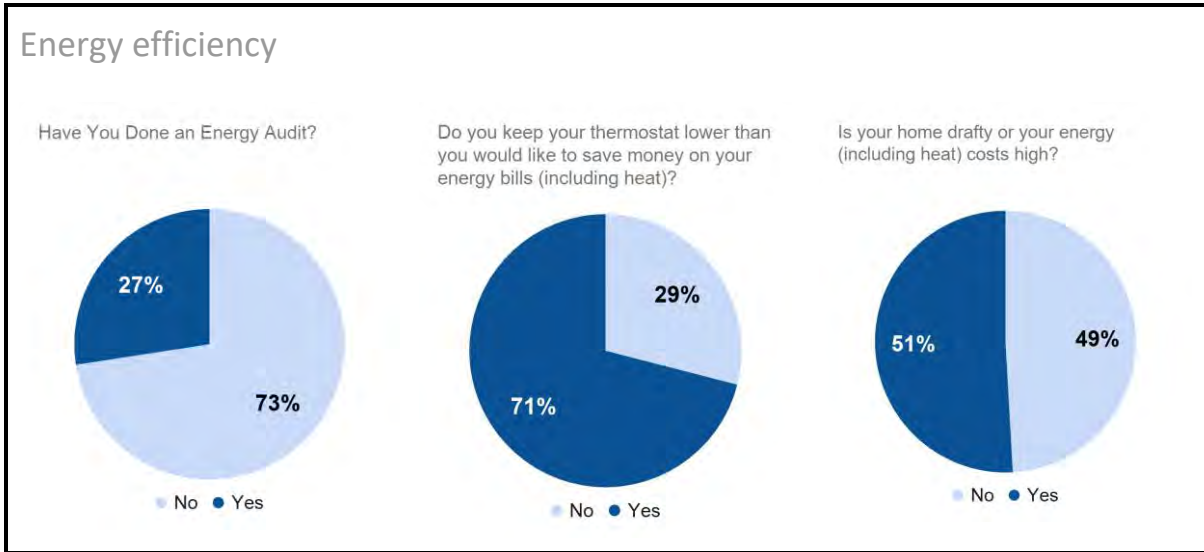


- When analyzing preferences for renewable energy and cost by household income, a similar pattern remains for each income group.

Those households under \$50k were more likely than other income groups to want no extra renewable energy; however, 83% of the income group was still interested in more renewable energy. Of those interested, 50% sought extra renewable energy if they could pay about the same they pay today. The other 33% was willing to pay a little or a lot more for extra renewable energy.



- Nearly three-quarters (73%) of participants had not performed an energy audit, and the percentages were nearly identical across household income groups. There appears to be widespread opportunity for energy efficiency improvements, with nearly three-quarters (71%) reporting that they keep their thermostat lower than they would like in winter and over half (51%) reporting their home is drafty or heating costs are too high.



Survey Conclusions:

The majority of participants in Community Power programs typically remain in the default product rather than choosing any of the program optional products. Given the strong support for both renewable energy and cost parity demonstrated in the survey responses, it suggests that Keene would be well-served by a default product designed with the goals of 1) achieving cost parity or savings compared to Eversource Default Service and 2) including some extra renewable energy.

Additionally, the survey highlighted that, for those that can afford it, the program should offer options with substantially more renewable energy for a price premium.

Although less than 8% of survey responses were not interested in extra renewable energy, it could be beneficial to have an optional product that would meet their needs by providing a lower-cost option with no extra renewable energy, particularly for those households in the lowest income bracket.

There is substantial opportunity for energy audits and efficiency improvements, suggesting support for energy efficiency by the Program would be valuable.

Respondents also cited an interest in local jobs, which the Program can support

through demand for additional local renewable energy and by promotion greater participation in energy efficiency programs. Regional cooperation, particularly with neighboring municipalities, would amplify this impact as well.

Draft Plan: Public Hearings & Comments

The Committee held two additional public meetings on January 26, 2021 (12:00 pm and 6:30 pm) to present the survey findings, discuss how the results would be incorporated into the draft Community Power Plan, and provide an overview of other details to expect in the Community Power Plan.

On February 5, 2021 the draft Community Power Plan was posted publicly to the program website, KeeneCommunityPower.com. During the Committee's meeting on February 12, 2021, the Committee announced the availability of the draft Community Power Plan, invited comment and scheduled two public hearings for March 30, 2021 (12:00 pm and 6:30 pm). The Committee and the City promoted awareness of the draft Plan through diverse means including a formal hearing notice in the newspaper, press releases, postings on the City website and social media, and email outreach to the City's Community Power email list. The public was encouraged to submit comments ahead of the public hearings using the online comment form on the program's website, KeeneCommunityPower.com, and email, phone or written comment to the City's Community Development department.

The Committee received comments ahead of and during the public hearings. All public comment is available in the Committee's meeting packet for April 8, 2021.

3. Approval of Plan by Community Power Committee

The Committee discussed public comments and potential changes to the Community Power Plan during their Committee meeting on April 2, 2021. Additional public comment was provided during the meeting, and the Committee determined to reconvene on April 8, 2021 (see the Committee's meeting packet for April 8, 2021 for additional comment received).

In response to some of the public comments, the Committee revised the plan as follows:

- Adjusted the language describing the likely sources of additional renewable energy in the City's first supply contract to make it clear that local renewable energy generated within the "greater Monadnock region" could also be included, in addition to NH Class I renewable energy.
- Revised the procurement language to clearly allow for the procurement of power and Renewable Energy Credits (RECs) from the same facility (also known as "bundled") or purchase only one or the other from a facility (also known as "unbundled").

- Revised the procurement language to allow for the selection of multiple suppliers (for example, one for residential and small commercial and one for large industrial).
- Modified language throughout the plan to clarify what is meant by the term “local” in different contexts (e.g. “renewables that are on the ISO-New England electricity grid,” or “within or as close as possible to Keene in New Hampshire”).

The revised plan, including a red-line and clean version dated April 5, 2021, was included in the Committee’s meeting packet for the meeting on April 8, 2021. During the meeting, the Committee discussed the revisions. The Committee then unanimously voted to approve the plan and recommend it to the City Council for adoption.

Subsequent to the meeting, on April 8, 2021, summary detail of the public hearings, public comment, Committee’s deliberation and vote was added to the Historical Overview.

4. Adoption of Plan by City Council

At the City Council meeting on April 15, 2021 the Community Power Committee’s report, which unanimously approved the City of Keene Community Power Plan and recommended adoption to the City Council, was read. The report was referred to the Finance, Organization & Personnel Committee (FOP). The FOP Committee met on April 22, 2021 to review the Plan. Representatives from City staff, the Community Power Committee and the Community Power Consultant presented to the FOP Committee, and following questions and discussion, the FOP Committee unanimously voted to recommend adoption of the Plan. At the City Council meeting on May 6, 2021, the FOP Committee’s recommendation was reported to the City Council, and the Council voted unanimously to adopt the Plan.

Subsequent to the meeting, on May 10, 2021, summary detail of the City Council review and adoption process was added to the Historical Overview.

5. Revision of Plan

The City amended the Plan in mid-March 2022 to better address questions of data security based on feedback provided by the Public Utilities Commission in orders on other Community Power plans. The City submitted its Plan to the Commission in April 2022 (DE 22-022), and it received an order in June 2022 which encouraged the City to re-submit the Plan closer to or after the completion of the rulemaking process for Community Power.

On July 27, 2022, the Commission voted to approve Community Power rules. The City further amended the Plan to appropriately reference those rules.

6. Submission of Revised Plan to Public Utilities Commission

The City submitted the revised Plan to the Public Utilities Commission (PUC) on August 3, 2022 under the existing docket number (DE 22-022) and the PUC approved the revised Plan on October 3, 2022.

7. Adoption of Revised Plan by City Council

The City Council adopted the revised Plan at their meeting on November 3, 2022. Subsequent to the meeting, summary detail of the vote (#7) and the submission to the PUC (#6) were added to this Exhibit I.

8. Adoption of Revised Plan by City Council

The City amended the plan in February 2025 to enable it to collect additional revenue in its rates to support energy-related projects that would benefit Program participants. The City Council adopted the revised Plan at their meeting on [TBD].

Exhibit II - Education & Outreach Plan

1. Initial Outreach and Education

The initial outreach and education will provide a description of the Program for retail electric customers and will be conducted via traditional print and TV channels, social media, a dedicated website, public presentations and personal communications to inform retail electric customers about the Program and will include a toll-free number. This effort will provide specific information about the Program and increase public awareness of the goals of the Program and the upcoming opt-out notification process.

If any Program materials were to reference cost savings for any part of the Program, a notice would be included which states that the City cannot guarantee that the Program will provide customers with prices lower than the distribution utility's Default Service rate over the full term of any supply contract entered into by the City.

1.1 Media Outreach

Prior to the launch of the Program, the City will initiate media outreach that may include the use of local cable television shows, newspapers and social media to provide greater public education and to describe the Program, the opt-out process, the website, and the toll-free telephone number. Outreach may also include public service announcements (PSAs), scheduling interviews of Program spokespersons with local media outlets, and securing a positive media presence.

A news release may be distributed to help achieve the aforementioned goals. Follow-up news releases may be used to update the media on the status of the progress of the Program.

1.2 Notices and Public Postings

Brochures/flyers will be distributed in City offices describing the Program, the opt-out process and the toll-free telephone number in order to further reinforce the Program's details. Brochures/flyers may be placed in key gathering areas or buildings (e.g. library, Senior Center, etc.) which will create the necessary repetition of messages required to motivate customer action and build awareness and understanding.

1.3 Customer Service Center

The Program will maintain a toll-free telephone number to address retail electric customers' questions regarding the Program, deregulation, the opt-out process, price information and other issues such customers may raise.

1.4 Website

All information regarding the Program will be posted on the Program website, which is linked to the website of the City: <https://keenecommunitypower.com/>. The Program website will have links to the website of the electric distribution utility, the New Hampshire Public Utilities Commission (NHPUC), Department of Energy, and the Competitive Supplier.

1.5 Public Presentations

The Program will provide presentations to municipal officials and to interested community groups.

1.6 Outreach to Persons with Limited English Proficiency or Disabilities

The Program plans to make printed materials available in English. To accommodate limited English-speaking residents, the City will provide a translation option on its Program website (which contains all details on the Program including a description of the Program and its products, the implications to the City, and the rights and responsibilities that the participants will have under the Program) that will translate any written materials on the website into over 100 different languages. The website also will be designed with the goal of being compliant with the Americans with Disabilities Act (“ADA”) and will include formats that allow the content to be read out loud by computer assistive technology. Outreach efforts will be communicated in print and audio formats to provide access to both the hearing and visually impaired.

2. Customer Notification Letter

The Customer Notification Letters will be sent via standard mail to the billing address of each retail electric customer per section IV.b.II of the Plan. The Program will have two versions of this letter, one for Eligible Customers and one for other customers. The Competitive Supplier shall bear all expenses regarding the Customer Notification Letters.

2.1 Customer Notification Letter for Eligible Customers

Per section III.b of the Plan, all retail electric customers receiving Default Service supply from the electric distribution utility will be eligible for automatic enrollment in the Program (“Eligible Customers”). The notification envelope will be designed to appear as an official City communication and it will be clearly marked as containing time sensitive information related to the Program. The notification will contain a letter describing the Program.

The letter will inform Eligible Customers:

- a) about the Program, implications to the City and provide information regarding participation and participants' responsibilities and rights;
- b) that they have the right to opt-out of the Program without penalty;
- c) of all charges, prominently stated, with a comparison of price and primary terms of the Competitive Supplier and the current Default Service offering;
- d) that any savings under the Program compared to Default Service cannot be guaranteed because the Default Service rate is subject to changes
- e) about the opt-out process; and
- f) in languages other than English for appropriate customer groups (i.e. toll-free telephone number).

The letter will also contain an opt-out reply card with a simple check off and signature line for Eligible Customers who do not wish to participate. The envelope will be pre-stamped for return of the opt-out reply card in order to protect customer privacy.

Eligible Customers will have 33 days from the date of the mailing to mail back the opt-out card in a pre-addressed postage-paid envelope and the customer notification shall identify the specific date by which the envelopes containing the opt-out card must be postmarked. Automatic enrollment of customers will not start until three days after the date specified for the postmark of the return envelopes to allow for receipt of the opt-out cards prior to the start of automatic enrollments. New Eligible Customers will be enrolled in the Program in accordance with applicable Local Distributor Company rules. Upon initiation of service, these new Eligible Customers will receive the same customer information as all other Eligible Customers.

2.2. Customer Notification Letter for Other Customers

The Customer Notification Letter for other customers will, at a minimum, contain a description of the aggregation program, the implications to the City, and instructions for how to enroll in any of the Program products if desired.

3. Opt-Out Period Education & Outreach

After the Customer Notification Letters have been sent, City will continue its education and outreach to afford residents and businesses the opportunity to learn more and find answers to key questions relating to their decision to opt out or enroll in one of the optional products of the Program. This process will include, at a minimum, a public information meeting within 15 days of the mailing of the customer notification letter. It will also include a similar range of outreach activities as

enumerated in section 1.1 to 1.6.

4. Timeline and Preliminary Marketing Plan for Launch

The timeline and preliminary marketing plan identifies the steps the City may take to inform the community about the Program, as described in Sections 1 through 3 of Exhibit II. The schedule is designed to work towards the estimated date when the Customer Notification Letter is scheduled to arrive in customer mailboxes. The dates may be adjusted to ensure compliance with the minimum written notification timelines for the date of commencement of service to the NHPUC, the Office of Consumer Advocate, the Department of Energy Puc 2205.16.

The costs and implementation will be handled by the Community Power Consultant, under the direction of the City.

From estimated date Customer Notification Letter arrives in customer mailboxes		
Action	Days before	Days after
A. Update Program & Shopping Comparison Websites	15	Ongoing
B. Work with local media resources	15	30
C. Active social media outreach	15	30
D. Initial person presentations	15	30
E. Distribute marketing materials	15	30
F. Customer help line	15	Ongoing
G. Mail postcard to all Eligible Customers	5	-
H. Customer Notification Letters arrives	0	0

A. Program & Shopping Comparison Website Update:

Timeframe: 15 days before the estimated date that the customer notification letter arrives in customer mailboxes, then maintained on an ongoing basis.

The Program’s website is <https://keenecommunitypower.com/>. After executing an ESA, the Program will update this website with a description of the Program and its

products, the implications to the City, and the rights and responsibilities that the participants will have under the Program.

The shopping comparison website is maintained by the Department of Energy to enable consumers to shop for electricity supply products. The Program will post its product information for residential and small commercial customers on the shopping comparison website. Such information will be posted on the website in advance of mailing the Customer Notification Letters.

B. Work with local media resources:

Timeframe: 15 days before to 30 days after the estimated date that the customer notification letter arrives.

Area Newspapers:

The City will work with area print and online newspapers to disseminate accurate and timely information about the Program. As part of this targeted outreach to these papers, the City may seek a meeting with the editorial board to establish a good foundation for continued dialogue over the course of the contract. Other newspaper outlets may include other local publications.

- These papers include: Keene Sentinel, Monadnock Shopper News, and the New Hampshire Union Leader

Local Public Access Television:

The City intends to work with Cheshire TV channels for public (1301) and government (1302) access. City can record interviews about the Program and PSAs for upcoming meetings.

Other Television and Radio Stations

Develop press releases to send to other TV stations and radio stations.

- TV stations include WMUR (ABC, MANCHESTER, NH) Channel 9; WUTF (INDEPENDENT, WORCESTER, MA) Channel 27; WVTA (PBS, WINDSOR, VT) Channel 41; WWJE (INDEPENDENT, DERRY, NH) Channel 50; WEKW (PBS, KEENE, NH) Channel 52; WNEU (NBC, MERRIMACK, NH) Channel 60;
- Radio stations include WVBA (88.9 FM) Brattleboro, VT; WEVO (89.1 FM) Concord, NH; WEVN (90.7 FM) Keene, NH; WEEY (93.5 FM) Swanzey, NH; WSNI (97.7 FM) Keene, NH; WINQ (103.1 FM) Keene, NH; WKNE

(103.7 FM) Keene, NH; WYRY (105.5 FM) Keene, NH; WCNL (1010 AM) Newport, NH; WKBK (1290 AM) Keene, NH; WTSA (1450 AM) Brattleboro, VT

Municipal Staff Interviews

Develop Q&A Scripts and prepare municipal staff or volunteers for interviews.

C. Active Social Media Outreach

Timeframe: 15 days before to 30 days after the estimated date that the customer notification letter arrives.

Boost all traditional media coverage on social media platforms, with the goal of driving traffic to the dedicated website of the City.

In concert with the communication leads of the City, develop a campaign of planned tweets and Facebook posts, timed to coincide with important milestones in order to keep ratepayers informed, particularly those that may not interact with traditional media on a regular basis. Draft content and graphics to accompany the posts, to be made by City staff.

- These accounts may include: City of Keene (Instagram, Facebook); City Manager (Twitter); Keene Community Development (Instagram, Facebook & Twitter) and Keene Public Library (Instagram, Facebook & Twitter).

Monitor various channels such as Facebook and Instagram for relevant conversations and questions about the Program. Draft responses to comments and questions and utilize social media as a critical tool in engaging with members of the community.

- These accounts may include: “Downtown Keene” Facebook page (@downtownkeene); the “Keene, NH” Facebook group (5.5k members); and “Keene NH Community Forum” Facebook group (1.5k members)

Identify key social media influencers in the City, including lawmakers, advocates and reporters. Develop a spreadsheet of the social media handles/accounts and reach out to them to keep them informed about the Program.

D. In Person Presentations

Timeframe: 15 days before to 30 days after the estimated date that the customer notification letter arrives. This will include, as required in RSA 53:E-7, a public information meeting within 15 days of the mailing of the customer notification letter.

Local Groups

Connect with local groups and associations to see if representatives of the City can participate in an upcoming meeting or offer to host a dedicated event. Seek their assistance in identifying how to best connect with customers with limited-English capabilities or disabilities that may prevent them from accessing Program information.

- Example groups include: Neighborhood associations, Social service agencies, Business Focus Group, Rotary, Kiwanis, Lions, Chamber, Clean Energy team, Keene Young Professionals, Downtown Group, Board of Realtors, Keene Senior Center, Keene Off-campus Housing (landlords and tenants), Keene State College English as a Second Language (ESL) classes, CALL Program (Cheshire Academy for Lifelong Learning).

Reaching the business community will be important. Presenting to the Chamber of Commerce can start this dialogue and lead to additional outreach to and connection with businesses.

Council Meetings

Present or provide materials for the Council meetings and any constituent meeting they may have.

E. Distribute marketing materials

Timeframe: 15 days before to 30 days after the estimated date that the customer Notification Letter arrives.

Many groups may have a natural interest in promoting awareness about the Program and can be provided with electronic and hard-copy materials with reference information for the Program.

Distribute to key locations such as Municipal Offices and Public Library.

F. Customer Help Line

Timeframe: 15 days before the estimated date that the customer notification letter arrives and ongoing thereafter.

Establish customer helplines with the Competitive Supplier and Community Power Consultant to answer customer inquiries.

G. Mail Postcard to all Eligible Customers

Timeframe: 5 days before the estimated date that the customer notification letter arrives.

Post Card

Send out to Eligible Customers prior to Customer Notification Letter. Establishes that there is a community-sponsored Program and increases the likelihood that recipient engages with the more detailed Customer Notification Letter.

H. Customer Notification Letters arrive

Sent to all retail electric customers. See section 2 above for details.

5. Ongoing Outreach and Education

The City intends to continue outreach and education for customers after enrollment in the Program. The costs and implementation will be handled by the Community Power Consultant, under the direction of the City. These efforts will include:

- **Program impact:** Key metrics relating to cost performance, renewable energy purchases and Program enrollment. Particularly as the Program accomplishments relate to progress towards the City's ambitious short- and long- term goals for renewable energy and greenhouse gas emission reduction. This will also include the Energy Source Disclosure labels for the electricity supply;
- **Opt up campaigns:** On-going campaigns to recruit participation into its optional product(s) that contain more renewable energy than required by law ("Opt up campaigns"). Increasing participation in these products will serve the City's goals to expand new renewable energy and reduce greenhouse gas emissions;
- **Customer awareness:** Rights and procedures for Program participants; contact information for customer inquiries, responses to frequently asked questions, and details regarding the Program's electric supply and renewable attributes.
- **Public input:** As the Program considers changes to further its progress toward a 100% renewable future and other goals, City will manage outreach to solicit input and feedback from the community.
- **Program changes and evolution:** Any changes in offerings and prices, which will be posted on the Program website that is linked to the website of the City.

The Program will utilize similar mediums for on-going education and outreach as for the initial launch education and outreach, including but not limited to: social media, traditional media, in-person meetings and presentations, outreach to local groups, video, and mail.

Translation of all materials will be provided as necessary to reach communities with limited English proficiency.

Exhibit III - Data Protection Plan

I. Introduction

The City of Keene (the “Municipality”) is developing a Community Power program (the “Program”), pursuant to RSA 53-E. A municipality that implements such a program is known as an aggregator (“Aggregator”). RSA 363:38 and PUC 2004.19 require that service providers, including Aggregators, protect individual and confidential customer data (“Individual Customer Data”). Individual Customer Data, as defined in RSA 363:38 and expanded in PUC 2004.19, means information that is collected as part of providing electric services to a customer that can identify, singly or in combination, that specific customer, and includes the customer name, address, and account number and the quantity, characteristics, or time of consumption by the customer, and also includes specific customer payment, financial, banking, and credit information. Further, Aggregators must only use Individual Customer Data for the Program’s primary purpose, which may include 1) providing or billing for electric service, 2) meeting electric system, electric grid, or other operational needs, and 3) researching, developing and implementing new rate structures or demand response, customer assistance, energy management or energy efficiency programs. The Municipality’s aggregation consultants, Good Energy and Standard Power, have developed this Data Protection Plan to ensure that Individual Customer Data obtained as part of operation of the Program will be protected from disclosure and/or inappropriate use.

II. Elements of the Plan

1. Access to Customer Data

As part of the Program, Good Energy, Standard Power, local designees of the Municipality, and competitive electricity suppliers (“Suppliers”) selected to provide electricity for the Program (collectively, “Data Administrators”) will receive access to certain information on file with a customer’s local distribution company (“LDC” or “electric distribution utility”), including, among other things, the customer’s name, mailing address, and energy usage history (“Customer Data”). In particular, depending on the status of implementation of the Program, LDC’s may provide four types of Customer Data to Data Administrators: a) aggregated customer data, b) eligible customer data, c) retail electric customer contact information, and d) enrolled customer information. Each type of Customer Data is described more fully below.

a. Aggregated Customer Data – contains certain information for all electric customers within a municipality, aggregated by rate class or other grouping. This may include data such as the number of customers by rate class, counts of customers participating in net energy metering by rate class, counts of customers participating in electric assistance program by rate class, the aggregated energy (kWh) for electricity consumption by month for the past 12 months or more by rate class, and revenue, receipts and past-due accounts receivable.

b. Eligible Customer Data – contains certain information for each electricity customer currently receiving utility-provided default service within a municipality. This may include data such as capacity tags for current, prior and next power years, energy (kWh) for electricity consumption for the past 12 months or more, meter reading cycle, whether customer net meters and under which terms, and group net metering data including whether customer is a group net metering host or member of a net metering group, whether a group net metering customer-generator operates as a low-moderate income community solar project, the size of any such net metered generation and the year and month it was placed into service.

c. Retail Electric Customer Contact Information – comprises certain customer contact information for the provision of Program communications, such as Customer Notification Letters to retail electric customers. This may include such data as the customer of record's name, mailing address, account number, meter number, rate class, and email address.

d. Enrolled Customer Data – contains certain information for all individual customers who elected not to opt-out of the Program during the opt-out period. This may include such data as Name of customer and customer contact, Mailing address, Service address, Account number and related meter numbers, Name key, Contact information such as phone numbers, email address, Billing account number, Preferred billing and communication method, Billing cycle, Meter read date or cycle, Form or type of meter reading, Capacity tag information for past two years, current power year and forecasted next power year, Most recent 24 months of usage data, Current and historic status of net metering, distributed generation, Preferred billing and communication method, payment plans and electric assistance program participation, and Rate class.

2. Data Security

All Customer Data that is not anonymized (i.e. presented or aggregated in such a way that removes information that can be used to identify the individual customer that it

pertains to, such that it does not constitute individual customer data as defined by RSA 363:37, I or PUC 2002.09) shall be considered Individual Customer Data.

Data Administrators will utilize industry standard physical, technical, and administrative controls and procedures to safeguard Individual Customer Data collected as part of the Program and to prevent unauthorized or accidental access, destruction, loss, alteration, or disclosure of, to protect against anticipated threats or hazards to the security, confidentiality, or integrity of, and to permit only the appropriate use of, such customer information.

To protect the confidentiality, integrity, and availability of Individual Customer Data, Data Administrators will utilize a variety of industry standard physical and logical access controls, firewalls, password protections, intrusion detection/prevention systems, network and database monitoring, and backup systems. These systems will be designed to cover all networks, servers, computers, notebooks, laptops, PDAs, mobile phones, or other devices that contain Individual Customer Data, or through which Individual Customer Data is made available.

Data Administrators will limit access to Individual Customer Data to those persons and entities having a specific business purpose for maintaining and processing such information. Those granted access to Individual Customer Data will be trained on their responsibilities to protect the confidentiality, integrity, and availability of such information.

Data Administrators will work cooperatively with the LDC(s), as necessary, to implement this Data Protection Plan, and will at a minimum, implement the following actions:

- a. Conduct a risk assessment to identify and assess reasonably foreseeable internal and external risks to the security, confidentiality, and integrity of electronic, paper, and other records containing Individual Customer Data and evaluate and improve, where necessary, the effectiveness of their safeguards for limiting those internal and external risks;
- b. Timely notify the LDC(s) of any important modifications of this Data Protection Plan within a reasonable amount of time;
- c. Review and, as appropriate, revise this Data Protection Plan: (i) at least annually or whenever there is a material change in their business practices that may reasonably affect the security or integrity of Customer Data; (ii) in accordance with prevailing industry practices and applicable law; and (iii) as reasonably requested by the LDC(s). If the Data Administrators modify this Data Protection Plan following such a review, the Data Administrators will promptly notify the LDC(s) of such modifications and will provide the

modifications to the LDC(s) in writing upon a LDC's request. The Data Administrators will at no time alter or modify this Data Protection Plan in such a way that will weaken or compromise the confidentiality, security, or integrity of Individual Customer Data;

- d. Maintain and enforce this Data Protection Plan in all locations where Individual Customer Data is processed by the Data Administrators;
- e. Conduct security testing using a third party to provide monitoring penetration and intrusion testing with respect to Data Administrators systems and promptly provide a copy of the results to the LDC(s), provided that the third party may redact IP addresses and other client names and information;
- f. Provide annual security awareness training to all individuals having access to Individual Customer Data and maintain a record of such training; and
- g. Implement a standard process for identifying, assessing, and mitigating security risks.

3. Confidentiality

Data Administrators will not sell Individual Customer Data to others unless such sale is specifically authorized by the customer, or is required by law or court order. Data Administrators will not share, disclose, or provide Individual Customer Data to others, including their affiliates, unless such disclosure, or provision is required to operate the Program (i.e., the Program's "primary purpose", per RSA 363:38), is specifically authorized by the customer, or is required by law or court order. If Data Administrators request customer authorization to disclose Individual Customer Data, Data Administrators will first describe to the customer the information they intend to release and provide details concerning the recipient of such information.

Data Administrators will hold all Customer Data in strict confidence and except as otherwise needed for provision of the Program, required by law, or permitted as below, (a) not disclose Individual Customer Data to any other person or entity (including but not limited to Suppliers, subcontractors, and affiliates or members of Good Energy and Standard Power); (b) not process Individual Customer Data outside of the United States; (c) not process Individual Customer Data other than in connection with the Program; (d) not process Individual Customer Data for any marketing purposes other than in connection with the Program; (e) limit reproduction of Individual Customer Data to the extent required for the Program; (f) store Individual Customer Data in a secure fashion at a secure location in the United States that is not accessible to any person or entity not authorized to receive the Individual Customer Data; and (g) otherwise use at least the same degree of care to avoid publication or dissemination of the Individual Customer Data as Data Administrators employ (or would employ) with respect to their own confidential information that they do not (or would not) desire to have published or disseminated, but in no event less than reasonable care.

4. Disclosure of Individual Customer Data

Notwithstanding the provisions of Section 3 above, the Data Administrators may disclose Individual Customer Data to their representatives who have a legitimate need to know or use such Individual Customer Data for the sole and limited purposes of administering and/or conducting the Program. Such representatives will first be advised of the sensitive and confidential nature of such Individual Customer Data and agree to comply with the provisions of this Data Protection Plan. Pursuant to PUC 200.19, Data Administrators may also provide Individual Customer Data to third parties for the purposes of 1) billing for electric service, 2) meeting electric system, electric grid, or other operational needs, and 3) implementing demand response, customer assistance, energy management or energy efficiency programs. Any such third parties will be required by contract to comply with the provisions of this Data Protection Plan.

In the event that Data Administrators or any of their representatives receive notice that they have, will, or may become compelled, pursuant to applicable law or regulation or legal process, to disclose any Individual Customer Data (whether by receipt of oral questions, interrogatories, requests for information or documents in legal proceedings, subpoenas, civil investigative demands, other similar processes or otherwise), Data Administrators will, except to the extent prohibited by law, immediately notify the LDC(s), orally and in writing, of the pending or threatened compulsion. To the extent lawfully allowable, the LDC(s) will have the right to consult with the Data Administrators and the parties will cooperate, in advance of any disclosure, to undertake any lawfully permissible steps to reduce and/or minimize the extent of Individual Customer Data that must be disclosed. The LDC(s) will also have the right to seek an appropriate protective order or other remedy reducing and/or minimizing the extent of Individual Customer Data that must be disclosed.

Data Administrators and their representatives will disclose only such Individual Customer Data which they are advised by legal counsel that they are legally required to disclose in order to comply with such applicable law or regulation or legal process (as such may be affected by any protective order or other remedy obtained by LDC) and Data Administrators and their representatives will use all reasonable efforts to ensure that all Individual Customer Data that is so disclosed will be accorded confidential treatment.

5. Return/Destruction of Individual Customer Data

Upon the expiration of the Program, or as otherwise required by law or Commission order, the Data Administrators will destroy all copies of any Individual Customer Data (including any and all extracts, compilations, studies or other documents based upon, derived from or containing Individual Customer Data) within their or their

representatives' possession (including destroying Individual Customer Data from all systems, records, archives and backups), and all subsequent use and processing of the Individual Customer Data by the Data Administrators and their representatives will cease.

Notwithstanding the foregoing, the Data Administrators and their representatives will not erase Individual Customer Data contained in an archived computer system backup maintained in accordance with their respective security or disaster recovery procedures. The Data Administrators will not provide access to or recovery of Individual Customer Data from such computer backup system and will keep all such Individual Customer Data confidential in accordance with this Data Protection Plan.

6. Data Security Incidents

The Data Administrators are responsible for any and all security incidents involving Individual Customer Data that is processed as part of the Program. The Data Administrators will notify the LDC(s) in writing immediately (and in any event within twenty-four (24) hours) whenever the Data Administrators reasonably believe that there has been a data security incident involving Individual Customer Data. After providing such notice, the Data Administrators will investigate the incident, and immediately take all necessary steps to eliminate or contain any exposure of Individual Customer Data. The Data Administrators will provide the LDC(s) with reasonable assistance and cooperation in the furtherance of any correction, remediation, or investigation of any such data security incidents and/or the mitigation of any damage, including any notification required by law or that LDC(s) may determine appropriate to send to individuals impacted or potentially impacted by such data security incident(s), and/or the provision of any credit reporting service required by law or that LDC(s) deems appropriate to provide to such individuals.

Unless required by law, the Data Administrators will not notify any individual or any third party other than law enforcement of any potential data security incidents involving Individual Customer Data without first consulting with, and obtaining the permission of, the LDC(s). Within 30 days of identifying or being informed of a data security incident, the Data Administrators will develop and execute a plan, with the cooperation of the LDC(s), which reduces the likelihood of a recurrence of such data security incident(s).

7. Additional Protections

The Data Administrators will comply with all applicable privacy and security laws to which it is subject, including this Data Protection Plan.

The Data Administrators will safely secure and/or encrypt all Individual Customer Data during storage and transmission.

The Data Administrators will have in place appropriate and reasonable processes and systems, including this Data Protection Plan, to protect the security of Individual Customer Data and to prevent a data security incident, including, without limitation, a breach resulting from or arising out of the Data Administrators' internal use, processing, or other transmission of Individual Customer Data, whether between or among their representatives, subsidiaries and affiliates, or any other person or entity acting on behalf of the Data Administrators.

The Data Administrators will work cooperatively with the LDC(s) to implement this Data Protection Plan, including: establishing policies and procedures to provide reasonable and prompt assistance to LDC(s) in responding to any and all requests, complaints, or other communications received from any individual who is or may be the subject of a data security incident involving Customer Data to the extent such request, complaint or other communication relates to the Data Administrators' processing of such individual's Individual Customer Data; and establishing policies and procedures to provide all reasonable and prompt assistance to LDC(s) in responding to any and all requests, complaints, or other communications received from any individual, government, government agency, regulatory authority, or other entity that is or may have an interest in the Individual Customer Data, data theft or other unauthorized release of Individual Customer Data, disclosure of Individual Customer Data, or misuse of Individual Customer Data to the extent such request, complaint or other communication relates to Data Administrators' processing of such individual's Individual Customer Data.

8. Use of Individual Customer Data

The Data Administrators will only use Individual Customer Data for the primary purposes, as defined in RSA 363:37, which may include 1) providing or billing for electric service, 2) meeting electric system, electric grid, or other operational needs, and 3) researching, developing and implementing new rate structures or demand response, customer assistance, energy management or energy efficiency programs.

II. Conclusion

The Data Protection Plan meets all of the requirements of RSA 363:38, RSA 363:37 and PUC 2004.19.



CITY OF KEENE

In the Year of Our Lord Two Thousand and Twenty Five

A RESOLUTION Relating to the appropriation of funds for a sidewalk paving machine

Resolved by the City Council of the City of Keene, as follows:

That the sum of Eight Thousand Five Hundred Dollars (\$8,500.00) be and hereby is appropriated from the unallocated fund balance to the Public Works Street Maintenance Budget (75221800-527600) for the purpose of funding the purchase of a sidewalk paving machine.

Jay V. Kahn, Mayor

In City Council February 20, 2025.
Referred to the Finance, Organization and
Personnel Committee.


City Clerk