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**State of New Hampshire
Site Evaluation Committee**

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Dianne Martin
Chairwoman

Robert R. Scott
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February 2, 2021

The Honorable Ken Weyler, Chairman
Fiscal Committee of the General Court
State House
Concord, New Hampshire 03301

His Excellency, Governor Christopher T. Sununu
And the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Pursuant to Chapter 345, Laws of N.H. 2019, organization footnote in accounting unit 3074, and RSA 162-H:21, II, authorize the Site Evaluation Committee (SEC) to accept General Funds, not to exceed \$95,343, from funds not otherwise appropriated, for the purpose of supplanting other funds appropriated for Committee expenses, including compensation of public members of the Committee, compensation to state agencies for their representatives on the committee, compensation to the Department of Justice for costs associated with representation by Counsel for the Public, and operating costs of the Committee upon Fiscal Committee and Governor and Council approval, through June 30, 2021. 100% General Funds.

General Funds are to be allocated to supplant Other Funds in 02-81-81-813510-30740000 Site Evaluation Committee for FY2021 as follows:

Class	Account	Description	FY21 Authorized	SEC Fund Appropriation Adjusted
11	500126	Personal Services Uncl	109,048	29,117
18	500106	Overtime	6,000	0
20	500200	Current Exp	9,675	3,482
27	582703	DoIT (Shared Services)	17,709	10,922
28	582814	Trans to General Services (rent)	8,255	3,842
39	500180	Telecomm	900	594
40	500800	Indirect	2,503	609
46	500464	Consultants	75,000	5,000
49	584920	Transfer to Other State Agencies	5,057	5,057
50	500109	Pers Temp Svcs	5,000	0
60	500601	Benefits	42,046	10,667
65	500542	Board Expenses	42,000	8,916
68	500562	Remuneration	175,255	16,463
70	500704	In-State Travel	9,050	0
80	500713	Out-Of State Travel	2,800	0
89	588914	Transfer to DAS Maint Fund	674	674
9	403222	Original Appropriation Other Funds	510,973	-
9	403222	Reduction Other Funds this action	(95,343)	0
10	000010	General Fund this action	95,343	95,343

EXPLANATION

Pursuant to RSA 162-H, the Site Evaluation Committee ("Committee") is funded, in part, by the application and filing fees related to projects brought before the Committee. The application and filing fees deposited in the special fund known as the SEC Fund established pursuant to RSA 162-H:21, I, can only be used to pay compensation and reimbursements to the public members, state agency members, and for Counsel for the Public as specified in RSA 162-H:22. All other costs, including, the costs of the administrator, costs related to proceedings that do not require a filing fee, costs for statutorily required public meetings and Committee training, and other committee support costs and public member reimbursements that are not paid from the SEC Fund, are to be funded through an appropriation from the General Fund, as specified in RSA 162-H:21, II. However, the 2020-2021 biennium budget did not include an appropriation of General Funds. Instead, the following organization footnote was included for the Site Evaluation Committee accounting unit 30740000: **"In the event the expenditures in either fiscal year in this accounting unit are greater than application fees and other filing fees (RSA 162-H:8-a) held in the SEC Fund (RSA 162-H:21), the Chairman of the SEC may request, with prior approval of the Fiscal Committee, that the Governor and Council authorize additional funding from General Funds not otherwise appropriated."**

The costs of carrying out the stated purposes of RSA Chapter 162-H, entitled "Energy Facility Evaluation, Siting, Construction and Operation" can be characterized as either fixed or variable. Costs associated with an application or other type of proceeding, such as salary and expenses for the public members, state agency members, and the Department of Justice in its role as Counsel for the Public before the Committee, are variable and dependent on the number and type of applications received.

Chapter 217, Laws of N.H. 2014, directed the SEC to submit a permanent funding plan to the governor, speaker of the house, and senate president for long term operations of the SEC. The funding plan developed by the SEC estimated that the expenses for the baseline operations of the SEC, including the administrator, rent, equipment, support staff (allocated from the PUC), consulting and/or legal support for rulemaking, and per diem payments to public members for work on budget matters and rules would be approximately \$250,000 annually. It is anticipated that revenue from application fees, for FY2021, is expected to be minimal, if any is recognized.

As a result, as authorized pursuant to the footnote in the 2020-2021 biennium budget, this request is necessary to fund the costs of the Committee for the biennium.

Please let me know if you have any questions related to this request. Thank you for your consideration.

Respectfully Submitted,



Dianne Martin
Chairwoman, Site Evaluation Committee and
Public Utilities Commission