

46 [Signature]

CONSUMER ADVOCATE  
D. Maurice Kreis

STATE OF NEW HAMPSHIRE



TDD Access: Relay NH  
1-800-735-2964

Tel. (603) 271-1172

ASSISTANT CONSUMER ADVOCATE  
Pradip K. Chattopadhyay

OFFICE OF THE CONSUMER ADVOCATE  
21 S. Fruit St., Suite 18  
Concord, N.H. 03301-2429

Website:  
[www.oca.nh.gov](http://www.oca.nh.gov)

January 27, 2021

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

**REQUESTED ACTION**

The Office of Consumer Advocate (OCA) requests **RETROACTIVE** authority to continue its membership and participation in the National Association of State Utility Consumer Advocates (NASUCA), Vendor # 171638, for the period of January 1, 2021 through December 31, 2021, for an amount of \$4,234. Funding is 100% Other Funds (Utilities Assessments).

Funding is available in account, Organizational Dues, as follows:

<u>Account</u>	<u>Description</u>	<u>FY 2021</u>
Office of Consumer Advocate 02-81-81-812010-28160000-026-500251	Membership Fees	\$4,234.00

**EXPLANATION**

The OCA is tasked pursuant to RSA 363:28 with representing the interests of residential utility customers before the Public Utilities Commission, the Federal Energy Regulatory Commission, regional bodies such as the New England Power Pool, and elsewhere. More than 40 states have similar offices. Utility regulation is complex and advancing consumer interests often requires multistate coordination and information-sharing. NASUCA is a national organization that brings together the expertise and experience of all the member states' consumer advocates. This request is **RETROACTIVE** because the initial invoice was received after January 1, 2021. A copy of the invoice is attached for your review.

Listed below are answers to standard questions required for Governor and Council organization dues and membership approval submissions:

- 1. How long has this organization been in existence and how long has this agency been a member of this organization?** NASUCA was formed in May 1979. The OCA has been a member since at least 1996.
- 2. Is there any other organization which provides the same or similar benefits which your agency belongs to?** There is no other organization that provides the same or similar benefits to the OCA.
- 3. How many other states belong to this organization and is your agency the sole New Hampshire state agency that is a member?** This is a national organization of 47 consumer advocates in 41 states, Barbados, and the District of Columbia. The OCA is the sole New

Hampshire agency member.

4. **How is the dues structure established? (Standard fee for all states, based on population, based on other criteria, etc.)** The dues structure is based on a two-component formula using a flat fee of \$600.00 and a factor 0.003974, applied to the agency's approved budget. Please see attached formula page from NASUCA.
5. **What benefit does the state receive from participating in this membership?** NASUCA provides current nationwide information on utility regulatory topics, from a consumer perspective, through participation in committees, monthly teleconferences and semi-annual meetings. NASUCA adopts policy positions on issues of national importance to utility customers; the OCA participates in the development of these positions.
6. **Are training or educational/ research materials included in the membership? If so, is the cost included? Explain in detail.** NASUCA holds member conferences on utility regulatory concerns of special interest to consumer advocates. There are also regular webinars and conference calls.
7. **Is the membership required to receive any federal grants or required in order to receive or participate in licensing or certification exams? Explain.** No. Membership in NASUCA is not required in order to receive federal grants or participate in licensing or certification exams.
8. **Is there any travel included with this membership fee? Explain in detail any travel to include the number of employees involved, the number of trips, destination if known and purposes of membership supported trips.** No. However, grants are sometimes available for conference/meeting participation.
9. **Which state agency employees are directly involved with this organization? (Indicate if they are members, voting members, committee members, and/or officers of the organization?)** The Consumer Advocate, D. Maurice Kreis participates in the NASUCA "Head of Office" forum and will serve on the Electric and Distributed Energy Resources committees; the Assistant Consumer Advocate, Dr. Pradip K. Chattopadhyay, will serve on the Electric Committee.
10. **Explain in detail any negative impact to the State if the Agency did not belong to this organization.** It is through NASUCA that the OCA keeps up to date on how the utility consumer protections are implemented in different states and how issues of regional and national importance are being addressed. The OCA learns via NASUCA whether positions taken by New Hampshire utilities are consistent with best practices from a consumer perspective. The OCA's effectiveness is increased through exchanging ideas and information with its counterpart agencies in other states.

Your consideration of our request is appreciated.

Sincerely,



D. Maurice Kreis  
Consumer Advocate

Attachments- NASUCA Invoice  
Dues Structure



January 13, 2021

**Bill to: Donald Kreis  
Office of Consumer Advocate  
21 South Fruit Street, Suite 18  
Concord, New Hampshire 03301-5141**

At the NASUCA Virtual Annual Meeting held in November 2020, the membership approved its annual budget and 2021 dues. The annual dues assessment for NASUCA Full Members remains the same as last year at .3974% of your office budget, with a minimum assessment of \$993 and a maximum assessment of \$10,597.00. In addition, there is an across-the-board \$600 assessment to NASUCA Full Members to finance the Federal Regulatory Advocacy Fund.

Attached is an invoice and template for calculating your 2021 NASUCA dues. Please review and remit your payment accordingly. **Please note that payments should be sent to the NASUCA office directly.**

If you have any questions concerning your calculation, please contact Nicole Haslup, NASUCA Deputy Director at 301-589-6313 or [nasuca@nasuca.org](mailto:nasuca@nasuca.org)

Thank you for your continued support of NASUCA and its activities on behalf of its members and consumers.

Sincerely yours,

A handwritten signature in cursive script that reads "William Fine".

William Fine (IN)  
NASUCA Treasurer

## 2021 INVOICE: NASUCA FULL MEMBER

January 13, 2021

**Bill to: Donald Kreis**  
**Office of Consumer Advocate**  
**21 South Fruit Street, Suite 18**  
**Concord, New Hampshire 03301-5141**

### 2021 NASUCA Annual Assessment Calculation (January 1, 2021 to December 31, 2021)

2021 Member Office Budget *		\$914,453.00
2021 Assessment Rate: 3974%	x	.003974
Variable Amount: (Minimum = \$993, Maximum = \$10,597)		\$3,634.00
Flat Fee: Federal Advocacy Fund	+	\$600.00
Total 2021 Assessment Amount Due: (Minimum = \$1,593, Maximum = \$11,197)		\$4,234.00

**Make checks payable to: NASUCA, payable in U.S. funds only**

#### Mail checks to:

Nicole Haslup  
Deputy Director  
NASUCA  
8380 Colesville Road, Suite 101  
Silver Spring, Maryland 20910

(If you would like to pay electronically, please email Nicole at [NASUCA@NASUCA.org](mailto:NASUCA@NASUCA.org))

\* Assessments shall be based upon the member's documentable annual appropriation or approved operating budget which reflects all direct and indirect utility related regulatory, legislative, administration and educational funding (NASUCA By-Laws, Article VI, Section 4)

CONSUMER ADVOCATE  
Donald M. Kreis

ASSISTANT CONSUMER ADVOCATE  
Pradip K. Chattopadhyay

STATE OF NEW HAMPSHIRE



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January 29, 2020

Ms. Debra A. Howland  
Executive Director  
New Hampshire Public Utilities Commission  
21 South Fruit Street, Suite 10  
Concord, New Hampshire 03301

Re: Docket No. DW 20-156  
Pennichuck East Utility, Inc.  
Permanent Rate Proceeding

Dear Ms. Howland:

Earlier today, the subject utility in this proceeding (Pennichuck East Utility, Inc.) (PEU) filed a pleading entitled "Objection to Intervenor Husband's Request that the Commission Order Limits on Water Withdrawals and Consider Possible Party Obligations Stemming from Contamination of the State's Groundwater." We wish to interpose a brief objection to the relief requested in this pleading and, in the interest of efficiency, I hope the Commission will indulge my stating the concerns of the Office of the Consumer Advocate via letter rather than a document framed up as a pleading.

The Commission should deny the request without prejudice to the substantive arguments in the pleading relative to the scope of the proceeding. PEU's request is for "an order appropriately limiting the scope of Mr. Husband's proceeding to the issues noticed" in the Commission's order suspending the proposed tariff revisions. The only authority for imposing such limitations is RSA 541-A:32, III(a), which authorizes the presiding officer to confine an intervenor's participation "to designated issues *in which the intervenor has a particular interest* demonstrated by the [intervention] petition" (emphasis added).

The plain language of this provision makes clear that its purpose is to allow the Commission to prohibit an otherwise-qualified intervenor from raising or litigating issues in which the intervenor has no "particular interest." The process of granting, denying, or limiting interventions pursuant to RSA 541-A:32 is *not* an appropriate vehicle for specifying or clarifying the scope of the issues that are cognizable in the proceeding overall. Such a determination would be premature at this time, before any discovery has even commenced.

There have been no objections to any of the pending intervention requests that are cognizable under RSA 541-A:32. In these circumstances, the Commission should grant all such requests that have been filed, and it should do so promptly so that the work of this case may move forward as expeditiously as possible.

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Thank you for considering the views of the Office of the Consumer Advocate. Consistent with the Commission's directive related to the COVID-19 state of emergency, we are submitting this letter in electronic form only without filing any paper copies.

Sincerely,

A handwritten signature in black ink, appearing to read 'DKreis', written in a cursive style.

Donald M. Kreis  
Consumer Advocate

cc: Service List, via e-mail