RAP State Energy Efficiency Policy Inventory

New England Region: CT, ME, MA, NH, RI, VT

Updated through December 2010

STATE	POLICY YEAR
Connecticut	**2010**

QUESTION 1.1

EE is established as a high priority resource, equivalent or superior to supply resources

ELECTRIC

Under 2007 legislation (Public Act 07-242), the state requires electric distribution companies to develop comprehensive plans for procurement of energy resources, considering a full-array of supply and demand resources (see 1.2.1). The legislation also requires that the state's electric needs must be met first through "all available energy efficiency and demand reduction resources that are cost-effective, reliable, and feasible" (General Statutes of CT 16a-3a). (However, according to a state reviewer, the PUC decided that requirement applies only if the state is in need of capacity.) According to ACEEE, the DPUC has not yet approved funding for EE programs that would be necessary to comply with the requirement to acquire all cost-effective EE.

ELECTRIC RECOMMENDATION Y

NATURAL GAS

Statute requires an IRP-like process for natural gas (see 1.2.1).

NATURAL GAS RECOMMENDATION Y

QUESTION 1.2.1

EE is integrated into an active IRP, portfolio management, or other planning process

ELECTRIC

Under 2007 legislation, electric companies must develop a resource procurement plan covering 3, 5 and 10-year time frames, which must consider a full array of supply and demand resources on an equivalent basis, and must satisfy resource needs first through "all available energy efficiency and demand reduction resources that are cost-effective, reliable, and feasible" (General Statutes of CT 16a-3a). The 2008 plan submitted by the electric distribution companies and the Connecticut Energy Advisory Board was approved by the CT DPUC in 2009 (Docket 08-07-01, Decision on 2/18/09). The 2009 plan also was approved by the CT DPUC in 2009 (Docket 09-05-02, Decision on 9/30/09); in the decision, the DPUC stated that no additional generation or demand side resources should be procured at this time. The 2010 plan was approved in September 2010 (CT DPUC, Docket 10-02-07, 9/15/10).

ELECTRIC RECOMMENDATION Y

NATURAL GAS

Statute requires gas utilities to submit five-year forecasts of natural gas demand and supply biennially; and to annually submit a gas conservation plan, in which all supply and conservation and load management options shall be evaluated and selected within an integrated supply and demand planning framework (General Statutes of CT 16-32f). RAP considers this to be an IRP-like process.

NATURAL GAS RECOMMENDATION Y

STATE	POLICY YEAR
Connecticut	2010

QUESTION 1.3

EE is an alternative to transmission based on a long-term transparent IRP or transmission system plan

ELECTRIC

The 2005 Act Concerning Energy Independence allows the DPUC to fund demand-side projects that reduce federal congestion charges. This activity is primarily limited to an area in SW CT. In a 2007 Decision, the DPUC approved four contracts totaling 787 MW of incremental capacity to reduce federally mandated congestion charges, including a 5 MW EE program (CT DPUC, Docket 05-07-14PH02, 5/3/07 Decision).

In addition, as the regional transmission planning organization, ISO-NE includes anticipated impacts of DSM programs in its forecasting, as well as impacts from active load response resources in its system plan. Additionally, ISO-NE is developing planning criteria to look at EE as a resource to avoid or defer transmission upgrades, and is now incorporating these criteria into their planning processes.

ELECTRIC RECOMMENDATION Y

NATURAL GAS

NATURAL GAS RECOMMENDATION

QUESTION 2.2

The TRC or Societal Cost Test is used to evaluate EE programs

ELECTRIC

Statute states that EE programs shall be screened through cost-effectiveness testing which compares the value and payback period of program benefits to program costs to ensure that programs are designed to obtain energy savings and system benefits, including mitigation of federally mandated congestion charges, whose value is greater than the costs of the programs (General Statutes of CT 16-245m(d)(3)). The 2010 Conservation and Load Management Plan of the electric and gas utilities used both the UTC test and the TRC test. The TRC test in the Plan included water benefits, emission benefits, avoided fossil fuel use, and other non-resource benefits such as reduced maintenance (CT Utilities, 2010 Electric and Natural Gas Conservation and Loan Management Plan, 10/1/09).

ELECTRIC RECOMMENDATION Y-

NATURAL GAS

Statute states that natural gas EE programs must be screened through cost-effectiveness testing that compares the value and payback period of program benefits to program costs to ensure that the programs are designed to obtain gas savings whose value is greater than the costs of the program (General Statutes of CT 16-32f). The 2010 Conservation and Load Management Plan of the electric and gas utilities used both the UTC test and the TRC test. The TRC test in the Plan included water benefits, emission benefits, avoided fossil fuel use, and other non-resource benefits such as reduced maintenance (CT Utilities, 2010 Electric and Natural Gas Conservation and Loan Management Plan, 10/1/09).

NATURAL GAS RECOMMENDATION Y-

STATE	POLICY YEAR
Connecticut	2010

QUESTION 2.3.1

Potential for cost-effective EE has been established through a potential study

ELECTRIC

A Maximum Achievable Potential study was conducted in 2004. A new potential study for electricity use in the residential, commercial, and industrial sectors was completed in 2010 (KEMA, 2010).

ELECTRIC RECOMMENDATION Y

NATURAL GAS

A potential study for natural gas commercial and industrial EE was completed in 2009 (KEMA, 2009).

NATURAL GAS RECOMMENDATION Y

QUESTION 2.5.1

Quantitative MW and MWh savings goals have been established and are producing incremental investment.

ELECTRIC

Savings goals for utility-administered programs are set in conjunction with hearings on conservation and load management programs, and are tied to incentive levels. These goals are short-term goals. In a 2009 decision, the CT DPUC found that broader longer-term goals relating to actual kW and kWh usage must be established (CT DPUC, Docket 08-10-03, 5/7/09 Decision). In a 2010 decision, the DPUC noted that utilities were supposed to propose long-term goals, but had not done so; the DPUC directed the utilities to propose long-term goals in their 2011 Conservation and Load Management Plan filing (CT DPUC, Docket 09-10-03, Decision on 3/17/10).

CT also requires a portion of its RPS to be fulfilled with EE and CHP (see 2.5.3).

ELECTRIC RECOMMENDATION Y

NATURAL GAS

Savings goals for utility-administered programs are set in conjunction with hearings on conservation and load management programs, and are tied to incentive levels.

NATURAL GAS RECOMMENDATION Y

STATE	POLICY YEAR
Connecticut	2010

QUESTION 2.5.2

Goals are established: (a) connection with IRP or other planning process; (b) as part of an EEPS or similar system; (c) as part of program approval and budget-setting process; (d) other

ELECTRIC

ELECTRIC RECOMMENDATION -c-

NATURAL GAS

NATURAL GAS RECOMMENDATION -c-

QUESTION 2.5.3

Energy Efficiency can be used to fulfill requirements of an RPS or similar renewable standard

ELECTRIC

Statute requires each electric supplier and electric distribution company wholesale supplier to obtain at least 1% of its retail load by using commercial/industrial CHP and energy efficiency (Class III resources) by 2007, ramping up to 4% by 2010 and thereafter (Gen. Stat. of CT 16-245a et seq). Procedures for administrating and measuring the Class III resources in the program were established by the DPUC (CT DPUC, Docket 05-07-19, 6/28/06 Decision). There is a yearly penalty for not complying with the RPS. Details re: measurement and administration of Class III savings toward RPS goals can be found in the 6/28/06 Decision in Docket 05-07-19.

ELECTRIC RECOMMENDATION Y

NATURAL GAS

NATURAL GAS RECOMMENDATION

STATE	POLICY YEAR
Connecticut	2010

QUESTION 2.6.1

A robust M&V process has been established

ELECTRIC

The Energy Conservation Management Board's Evaluation Committee, and the committee's Evaluation Consultant, are responsible for all aspects of the evaluation process (CT DPUC, Docket 08-10-03, 5/7/09). EE program administrators assist the committee and consultant, but do not have a primary role in evaluation. Various evaluations are done every year (CEEF, The ECMB Program Evaluation Plan 2010, 9/09).

A 2004 Order required the utilities to develop a technical reference manual (CT DPUC, Docket No. 03-11-01P02,). The manual is called the Program Savings Documentation Manual, and has been submitted for Commission approval with the utilities' annual Conservation and Load Management Plans since 2006.

Evaluation funding in 2008 was about 3% of total EE funding, according to LBNL (LBNL, 4/10).

ELECTRIC RECOMMENDATION Y

NATURAL GAS

NATURAL GAS RECOMMENDATION

QUESTION 2.7.1

EE delivery structure has been established

ELECTRIC

Electric distribution utilities and municipal electric utilities are required by statute to deliver conservation and load management programs, with guidance from the Energy Conservation Mgt. Board and oversight from CT DPUC (Gen. Stat. of CT 16-245m). Electric companies must implement demand side measures of the resource procurement plan; they must create a Conservation and Load Management Plans that describe the implementation of their EE programs. In 2010, the gas and electric distribution utilities started submitting a single Conservation and Load Management Plan for all their EE programs.

In addition, there is an Energy Efficiency Partners Program separate from the utility-run efficiency programs (Docket 07-06-59, 6/4/08). Under this program, funding is offered for DSM technologies to electric partners. The CT DPUC approves electric partners (the companies that implement the program), and the partner technologies, EE technologies that generally do not qualify for incentives under CT's other EE programs. The CT DPUC can allocate up to $60 million annually to fund projects under the Program (see CT Energy Efficiency Fund website).

ELECTRIC RECOMMENDATION Y

NATURAL GAS

Statute requires natural gas distribution companies to develop a gas conservation plan, with assistance from the Energy Conservation Mtg. Board, and programs to implement the plan (Gen. Stat. of CT 16-32f). In 2010, the gas and electric distribution utilities started submitting a single Conservation and Load Management Plan for all their EE programs.

NATURAL GAS RECOMMENDATION Y

STATE	POLICY YEAR
Connecticut	2010

QUESTION 2.7.2

Delivery is via (a) utility administration; (b) third-party administration; or © government agency

ELECTRIC

ELECTRIC RECOMMENDATION ac

NATURAL GAS

NATURAL GAS RECOMMENDATION -a-

QUESTION 2.8

Resource plans are regularly updated

ELECTRIC

Procurement plans are updated every year (see 1.2.1).

ELECTRIC RECOMMENDATION Y

NATURAL GAS

Forecasts of natural gas supply and demand are updated biennially; gas conservation plans are updated annually. RAP considers these together to be an IRP-like process (see 1.2.1).

NATURAL GAS RECOMMENDATION Y

STATE	POLICY YEAR
Connecticut	2010

QUESTION 4.1.1

Cost recovery process exists

ELECTRIC

An SBC, known as the Connecticut Energy Efficiency Fund (CEEF), was established in 1998 as part of restructuring legislation (Gen. Stat. of CT 16-245(m)) and was updated in 2005 (HB 7501). It requires CT Light and Power and United Illuminating to place a surcharge of $.003 per kWh on customers' electric bills. The Legislature has redirected sizable amounts of monies from the CEEF to the state's general fund several times in past years, including in the budget passed in 2010 (CT Legislature, SB 494, 2010).

In addition, CT municipal electric utilities are required to establish a fund and SBC for EE and renewable energy; the surcharge must be 2.2 mills/kWh by 1/1/10, and 2.5 mills/kWh by 1/1/11 (Gen. Statutes of CT 7-233y).

ELECTRIC RECOMMENDATION Y-

NATURAL GAS

Natural gas utilities must develop a gas EE programs; the 2010 Conservation and Load Mgt. Plan states that funding to support the gas portion of the plan will come from base rates, and from the monthly Conservation Adjustment Mechanism charges on customer bills, after approval by the CT DPUC (CT Utilities, 2010 C& LM Plan, 10/1/09). Legislation passed in 2007 created potential additional gas efficiency funding, up to $10 million/year, from any surplus of the gross receipts tax; however, there was no such surplus for gas EE programs in 2009 or 2010 (CT General Assembly, Public Act 07-242; Gen. Stat. of CT 16-32f).

NATURAL GAS RECOMMENDATION Y

QUESTION 4.1.2

Recovery occurs via: (a) rider; (b) regular rate case; or © system benefits charge

ELECTRIC

ELECTRIC RECOMMENDATION -c-

NATURAL GAS

NATURAL GAS RECOMMENDATION ab

STATE	POLICY YEAR
Connecticut	2010

QUESTION 5.1.1

Utility throughput incentive is addressed and disincentives are removed

ELECTRIC

Legislation passed in 2007 requires the Department of Public Utility Control to decouple distribution revenues from sales for each electric and gas company in their next rate proceeding (CT Legislature, Public Act 07-242, 2007). Full revenue decoupling was approved for United Illuminating in 2009 on a pilot basis; the decoupling mechanism was renewed in 2010 for one year (CT DPUC, Docket 08-07-04; and Docket 08-07-04RE02, Decision on 9/1/10). A 2/6/08 decision rescinded the decoupling directive for CT Light and Power, with the DPUC saying it will address the issue in an appropriate rate case.

ELECTRIC RECOMMENDATION Y-

NATURAL GAS

Legislation passed in 2007 that requires the Department of Public Utility Control to decouple distribution revenues from sales for each electric and gas company in their next rate proceeding (CT Legislature, Public Act 07-242, 2007). Two CT gas LDCs have had a lost revenue recovery mechanism, applied to low-income conservation programs. See electric entries for more information.

NATURAL GAS RECOMMENDATION Y-

QUESTION 5.1.2

Method used is: (a) decoupling; (b) lost revenue recovery; or (c) non-utility implementaion of EE

ELECTRIC

ELECTRIC RECOMMENDATION -a-

NATURAL GAS

NATURAL GAS RECOMMENDATION -b-

STATE	POLICY YEAR
Connecticut	2010

QUESTION **5.2.1**

Utility/shareholder EE incentives are provided

ELECTRIC

Electric and gas utilities are allowed to earn between 1% and 5% bonus rate of return on conservation investments, or between 1% and 5% of qualified expenditures treated as operating costs for approved conservation and load management programs (General Statutes of CT 16a-49). There are annual hearings to review past years' results and determine incentives. The DPUC has tied incentive levels to achieving a percentage of approved savings goals (2% incentive for achieving 70% of goal; 5% incentive for achieving 100% of goal; 8% incentive for achieving 130% of goal). The majority of the incentives is tied to savings, but additional performance measures may include low-income programs, audits for industrial customers, residential new construction, and targeting regions with reliability issues. Anticipated incentives based on the approved budgets are built into the annual budgets. Utilities have received incentives in recent years (CT DPUC, Dockets 07-10-03, 08-10-03, 09-10-03).

ELECTRIC RECOMMENDATION Y

NATURAL GAS

Electric and gas utilities are allowed to earn between 1% and 5% bonus rate of return on conservation investments, or between 1% and 5% of qualified expenditures treated as operating costs for approved conservation and load management programs (General Statutes of CT 16a-49). There are annual hearings to review past years' results and determine incentives. The DPUC has tied incentive levels to achieving a percentage of approved savings goals (2% incentive for achieving 70% of goal; 5% incentive for achieving 100% of goal; 8% incentive for achieving 130% of goal). The majority of the incentives is tied to savings, but additional performance measures may include low-income programs, audits for industrial customers, residential new construction, and targeting regions with reliability issues. Anticipated incentives based on the approved budgets are built into the annual budgets.

NATURAL GAS RECOMMENDATION Y

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STATE	POLICY YEAR
Maine	2010

QUESTION 1.1

EE is established as a high priority resource, equivalent or superior to supply resources

ELECTRIC

Legislation that passed in 2006 establishes a "loading order," with the top priority given to energy efficiency and demand response resources (ME Legislature, LD 2041, 2006). The statute authorizes the Commission to direct investor-owned T& D utilities to enter into long-term contracts for capacity resources and any available energy associated with capacity resources; states that the Commission shall select capacity resources that are competitive and the lowest price; and establishes that among those resources, the highest priority is "New interruptible, demand response or energy efficiency capacity resources located in this State." There are rules that implement this legislation; they require the Commission to conduct a competitive solicitation process for capacity resources every three years (Code of ME Rules 65-407, Chapter 316).

In addition, legislation passed in 2009 that states it is an objective of the Triennial Plan completed by the Efficiency ME Trust to capture all cost-effective energy efficiency resources available for electric and natural gas utility ratepayers (ME Legislature, LD 1485, 2009). The first Triennial Plan was approved in 2010.

ELECTRIC RECOMMENDATION Y+

NATURAL GAS

Legislation passed in 2009 that states it is an objective of the Triennial Plan completed by the Efficiency ME Trust to capture all cost-effective energy efficiency resources available for electric and natural gas utility ratepayers (ME Legislature, LD 1485, 2009). The first Triennial Plan was approved in 2010.

NATURAL GAS RECOMMENDATION Y+

QUESTION 1.2.1

EE is integrated into an active IRP, portfolio management, or other planning process

ELECTRIC

EE is not integrated into an active IRP or portfolio management process.

ELECTRIC RECOMMENDATION N

NATURAL GAS

EE is not integrated into an active IRP or portfolio management process.

NATURAL GAS RECOMMENDATION N

STATE	POLICY YEAR
Maine	2010

QUESTION 1.3

EE is an alternative to transmission based on a long-term transparent IRP or transmission system plan

ELECTRIC

The ME PUC grants certificates of public convenience and necessity for the construction of transmission lines; rules related to this process require petitioners to state whether they have considered conservation, distributed generation and load management as alternatives to the proposed transmission line and, if so, to provide all supporting documentation for its decision to favor the proposed transmission line over these alternatives (Code of ME Rules 65-407, Chapter 330).

In addition, as the regional transmission planning organization, ISO-NE includes anticipated impacts of DSM programs in its forecasting, as well as impacts from active load response resources in its system plan. Additionally, ISO-NE is developing planning criteria to look at EE as a resource to avoid or defer transmission upgrades, and is now incorporating these criteria into their planning processes.

ELECTRIC RECOMMENDATION Y+

NATURAL GAS

NATURAL GAS RECOMMENDATION

STATE	POLICY YEAR
Maine	2010

QUESTION 2.2

The TRC or Societal Cost Test is used to evaluate EE programs

ELECTRIC

Maine uses a Modified Societal Cost Test to evaluate EE programs (Code of ME Rules 95-648, Chapter 380). The test is required to include non-resource benefits, including environmental benefits, to the extent such benefits can be reasonably quantified and valued. The rules also state that the Commission may implement a program without satisfying the modified Societal Cost Test under certain situations.

ELECTRIC RECOMMENDATION Y+

NATURAL GAS

ME Rules state that gas EE programs that are reasonably likely to satisfy the Modified Societal Test are cost-effective. The Modified Societal Cost Test must include resource benefits such as reduced water and sewer costs, and non-resource benefits, including environmental benefits, to the extent such benefits can be reasonably quantified and valued. The rules also state that the Commission may implement a program without satisfying the modified Societal Cost Test under certain situations (Code of ME Rules 95-648, Chapter 480).

NATURAL GAS RECOMMENDATION Y+

STATE	POLICY YEAR
Maine	2010

QUESTION 2.3.1

Potential for cost-effective EE has been established through a potential study

ELECTRIC

Optimal created a market survey in 2005 for NEEP, with ME information. The Muskie School of Public Policy issued a study in 2008 titled EE, Business Competitiveness and Untapped Economic Potential in ME.

In a proceeding that opened in 2008, the Commission considered the need for a new potential study; a decision was postponed due to the legislation that changed the administrative delivery structure of EE programs, and was closed in 2010, with the Commission stating that further review should occur in the context of the Triennial Plan process that will be overseen by the Efficiency Maine Trust (ME PUC, Docket 2008-402, 3/30/10).

ELECTRIC RECOMMENDATION Y-

NATURAL GAS

NATURAL GAS RECOMMENDATION

QUESTION 2.5.1

Quantitative MW and MWh savings goals have been established and are producing incremental investment.

ELECTRIC

Legislation that passed in 2009 established the Efficiency Maine Trust as the administrator of the Efficiency ME EE programs starting 7/1/10; required the Trust to submit a Triennial Plan on the same date; and required the Plan to advance several broad, long-term targets, including achieving electric and gas savings by 30% by 2020. The legislation also required the Plan to include targets (ME Legislature, LD 1485, 2009). The Triennial Plan was conditionally approved by the Commission in 2010 (ME PUC, Docket 2010-116, 7/19/10).

ELECTRIC RECOMMENDATION Y

NATURAL GAS

Legislation that passed in 2009 established the Efficiency Maine Trust as the administrator of the Efficiency ME EE programs starting 7/1/10; required the Trust to submit a Triennial Plan on the same date; and required the Plan to advance several broad, long-term targets, including achieving electric and gas savings by 30% by 2020. The legislation also required the Plan to include targets (ME Legislature, LD 1485, 2009). The Triennial Plan was conditionally approved by the Commission in 2010 (ME PUC, Docket 2010-116, 7/19/10).

NATURAL GAS RECOMMENDATION Y

STATE	POLICY YEAR
Maine	2010

QUESTION 2.5.2

Goals are established: (a) connection with IRP or other planning process; (b) as part of an EEPS or similar system; (c) as part of program approval and budget-setting process; (d) other

ELECTRIC

ELECTRIC RECOMMENDATION -c-

NATURAL GAS

NATURAL GAS RECOMMENDATION -c-

QUESTION 2.5.3

Energy Efficiency can be used to fulfill requirements of an RPS or similar renewable standard

ELECTRIC

ME has an RPS, but EE is not eligible under the RPS.

ELECTRIC RECOMMENDATION N

NATURAL GAS

Same as electric.

NATURAL GAS RECOMMENDATION

STATE	POLICY YEAR
Maine	2010

QUESTION **2.6.1**

A robust M&V process has been established

ELECTRIC

ME rules require that the Efficiency Maine Trust conduct periodic evaluation of all programs and projects. The evaluations must be undertaken by independent program evaluators. Each evaluation must include an evaluation of its effectiveness in meeting the goals of the Efficiency Maine Trust. The trustees of the Efficiency Maine Trust establish a schedule for evaluation of major programs and projects (those with annual budgets of $500,000 or more), as long as the evaluation is completed before the commencement of Efficiency Maine's subsequent Triennial Plan (Code of ME Rules 95-648, Chapter 2, Section 9). Budget amounts for evaluation are set in the Triennial Plan. M& V in the past has included impact, market, and process evaluations.

ELECTRIC RECOMMENDATION Y

NATURAL GAS

ME rules require that the Efficiency Maine Trust conduct periodic evaluation of all programs and projects. The evaluations must be undertaken by independent program evaluators. Each evaluation must include an evaluation of its effectiveness in meeting the goals of the Efficiency Maine Trust. The trustees of the Efficiency Maine Trust establish a schedule for evaluation of major programs and projects (those with annual budgets of $500,000 or more), as long as the evaluation is completed before the commencement of Efficiency Maine's subsequent Triennial Plan (Code of ME Rules 95-648, Chapter 2, Section 9). Budget amounts for evaluation are set in the Triennial Plan.

NATURAL GAS RECOMMENDATION Y

STATE	POLICY YEAR
Maine	2010

QUESTION 2.7.1

EE delivery structure has been established

ELECTRIC

Before 2010, EE programs were delivered through Efficiency Maine, an entity overseen by the ME PUC. Legislation that passed in 2009 gave responsibility for administering Efficiency Maine to the Efficiency Maine Trust, an entity with an independent board of directors (ME Legislature, LD 1485, 2009). The Efficiency Maine Trust took responsibility starting on 7/1/10. The Efficiency Maine website describes Efficiency Maine as a semi-autonomous state agency.

Legislation that passed in 2010 gave the Commission the ability to direct utilities to enter into long-term contracts for efficiency capacity resources if the assessments on utilities do not produce enough funding for the budgets outlined in Efficiency Maine's Triennial Plan (ME Legislature, LD 1647, 2010).

ELECTRIC RECOMMENDATION Y

NATURAL GAS

Before 2010, gas utilities with more than 5,000 residential customers were required to provide EE programs. Legislation that passed in 2009 gave responsibility for administering natural gas programs to the Efficiency Maine Trust, an entity with an independent board of directors (ME Legislature, LD 1485, 2009). The Efficiency Maine Trust took responsibility starting on 7/1/10. The Efficiency Maine website describes Efficiency Maine as a semi-autonomous state agency. Natural gas utilities with more than 5,000 residential customers are required to assess charges to those customers for funding Efficiency Maine's natural gas EE programs, and are required to assist Efficiency Maine with data and other relevant information.

Legislation that passed in 2010 gave the Commission the ability to direct utilities to enter into long-term contracts for efficiency capacity resources if the assessments on utilities do not produce enough funding for the budgets outlined in Efficiency Maine's Triennial Plan (ME Legislature, LD 1647, 2010).

NATURAL GAS RECOMMENDATION Y

QUESTION 2.7.2

Delivery is via (a) utility administration; (b) third-party administration; or © government agency

ELECTRIC

ELECTRIC RECOMMENDATION -b-

NATURAL GAS

NATURAL GAS RECOMMENDATION -b-

STATE	POLICY YEAR
Maine	2010

QUESTION 2.8

Resource plans are regularly updated

ELECTRIC

EE is not integrated into an active IRP or portfolio management process.

ELECTRIC RECOMMENDATION N

NATURAL GAS

EE is not integrated into an active IRP or portfolio management process.

NATURAL GAS RECOMMENDATION N

QUESTION 4.1.1

Cost recovery process exists

ELECTRIC

Rules require that the Commission must assess each transmission and distribution utility for EE programs at a rate which is: 1) based on the relevant characteristics of the utility's service territory, including the needs of customers; 2) does not exceed 0.15 cents per kWh; 3) no less than 0.5% of the total revenue of the utility; and 4) proportionally equivalent to the total conservation expenditures of other utilities, unless the Commission finds that a different amount is justified (Code of ME Rules 95-648, Chapter 380). Statute also addresses funding levels, stating that in accordance with the Triennial Plan, the Commission shall assess each utility based on the utility's revenue as necessary to realize all available energy efficiency and demand reduction resources in the state that are cost-effective, reliable, and feasible, after considering other sources of funding available (such as RGGI and FCM funding). Statute states that the assessments must be reflected in rates (ME Revised Statutes 35-A, Section 10110).

Legislation that passed in 2010 gave the Commission the ability to direct utilities to enter into long-term contracts for efficiency capacity resources if the assessments on utilities do not produce enough funding for the budgets outlined in Efficiency Maine's Triennial Plan (ME Legislature, LD 1647, 2010).

ELECTRIC RECOMMENDATION Y

NATURAL GAS

Statute and rules require that the Commission must assess each gas utility that serves at least 5,000 residential customers an amount that is no less than 3% of the gas utility's delivery revenues to undertake EE programs. The Commission may assess a higher amount in accordance with rules for the Triennial Plan. All costs are to be included in rates (ME Legislature, LD 1485, 2009; Code of ME Rules 95-648, Chapter 480).

Legislation that passed in 2010 gave the Commission the ability to direct utilities to enter into long-term contracts for efficiency capacity resources if the assessments on utilities do not produce enough funding for the budgets outlined in Efficiency Maine's Triennial Plan (ME Legislature, LD 1647, 2010).

NATURAL GAS RECOMMENDATION Y

STATE	POLICY YEAR
Maine	2010

QUESTION 4.1.2

Recovery occurs via: (a) rider; (b) regular rate case; or © system benefits charge

ELECTRIC

ELECTRIC RECOMMENDATION -c-

NATURAL GAS

NATURAL GAS RECOMMENDATION -c-

QUESTION 5.1.1

Utility throughput incentive is addressed and disincentives are removed

ELECTRIC

Statute authorizes decoupling, but decoupling is not currently used (ME Revised Statutes 35-A, Section 3195). ME's EE programs are not implemented by utilities, but by the Efficiency ME Trust.

A 2010 Order describes ME's past experiences with and considerations of decoupling (ME PUC, Docket 2009-159, 3/9/10).

ELECTRIC RECOMMENDATION Y

NATURAL GAS

Statute gives the Commission broad authority to approve alternative rate-making mechanisms for natural gas, but decoupling is not currently used for any utility (ME Revised Statutes 35-A, Section 4706). ME's natural gas EE programs are not implemented by utilities, but by the Efficiency ME Trust, starting in 2010.

NATURAL GAS RECOMMENDATION Y

QUESTION 5.1.2

Method used is: (a) decoupling; (b) lost revenue recovery; or (c) non-utility implementaion of EE

ELECTRIC

ELECTRIC RECOMMENDATION -c-

NATURAL GAS

NATURAL GAS RECOMMENDATION -c-

STATE	POLICY YEAR
Maine	2010

QUESTION **5.2.1**

Utility/shareholder EE incentives are provided

ELECTRIC

ELECTRIC RECOMMENDATION N

NATURAL GAS

NATURAL GAS RECOMMENDATION

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STATE	POLICY YEAR
Massachusetts	2010

QUESTION 1.1

EE is established as a high priority resource, equivalent or superior to supply resources

ELECTRIC

The Green Communities Act of 2008 requires that resource needs shall first be met by energy efficiency and demand reduction resources. (25 M.G.L. § 21). Electric utilities must acquire all available energy efficiency that is cost effective or less than the cost of supply.

ELECTRIC RECOMMENDATION Y+

NATURAL GAS

The Green Communities Act of 2008 requires that resource needs shall first be met by energy efficiency and demand reduction resources. (25 M.G.L. § 21). Gas utilities must acquire all available energy efficiency that is cost effective or less than the cost of supply.

NATURAL GAS RECOMMENDATION Y+

QUESTION 1.2.1

EE is integrated into an active IRP, portfolio management, or other planning process

ELECTRIC

Massachusetts does not have a planning process.

ELECTRIC RECOMMENDATION N

NATURAL GAS

Massachusetts does not have a planning process.

NATURAL GAS RECOMMENDATION N

QUESTION 1.3

EE is an alternative to transmission based on a long-term transparent IRP or transmission system plan

ELECTRIC

As the regional transmission planning organization, ISO-NE includes anticipated impacts of DSM programs in its forecasting, as well as impacts from active load response resources in its system plan. Additionally, ISO-NE is developing planning criteria to look at EE as a resource to avoid or defer transmission upgrades, and is now incorporating these criteria into their planning processes.

ELECTRIC RECOMMENDATION N

NATURAL GAS

NATURAL GAS RECOMMENDATION

STATE	POLICY YEAR
Massachusetts	2010

QUESTION 2.2

The TRC or Societal Cost Test is used to evaluate EE programs

ELECTRIC

The Total Resource Cost test is the sole cost-effectiveness test used to evaluate EE programs. The TRC is performed at the program level, except with hard-to-measure efficiency programs, for which the TRC is performed at the sector level. The costs of complying with reasonably foreseeable environmental laws and regulations are included in the TRC (but not environmental externalities). (Docket No. 08-50-A).

ELECTRIC RECOMMENDATION Y+

NATURAL GAS

The Total Resource Cost test is the sole cost-effectiveness test used to evaluate EE programs. The TRC is performed at the program level, except with hard-to-measure efficiency programs, for which the TRC is performed at the sector level. The costs of complying with reasonably foreseeable environmental laws and regulations are included in the TRC (but not environmental externalities). (Docket No. 08-50-A).

NATURAL GAS RECOMMENDATION Y+

QUESTION 2.3.1

Potential for cost-effective EE has been established through a potential study

ELECTRIC

An Assessment of All Cost-Effective Electric and Gas Savings: Energy Efficiency and CHP was completed by consultants to the Energy Efficiency Advisory Council in 2009, and an EE and renewables potential study for state-owned facilities and lands was completed in 2009.

ELECTRIC RECOMMENDATION Y

NATURAL GAS

An "Assessment of All Cost-Effective Electric and Gas Savings: Energy Efficiency and CHP" was completed by consultants to the Energy Efficiency Advisory Council on July 9, 2009.

NATURAL GAS RECOMMENDATION Y

STATE	POLICY YEAR
Massachusetts	2010

QUESTION 2.5.1

Quantitative MW and MWh savings goals have been established and are producing incremental investment.

ELECTRIC

The Green Communities Act requires utilities to acquire all available cost-effective energy efficiency resources. (25 M.G.L. §§ 19-21). Specific MW and MWh goals are approved by the Commission during a triennial energy efficiency plan filing process. (Docket Nos. 09-116 thru 09-120).

ELECTRIC RECOMMENDATION Y+

NATURAL GAS

The Green Communities Act requires utilities to acquire all available cost-effective energy efficiency resources. (25 M.G.L. §§ 19-21). Specific goals are approved by the Commission during a triennial energy efficiency plan filing process. (Docket Nos. 09-121 thru 09-128).

NATURAL GAS RECOMMENDATION Y+

QUESTION 2.5.2

Goals are established: (a) connection with IRP or other planning process; (b) as part of an EEPS or similar system; (c) as part of program approval and budget-setting process; (d) other

ELECTRIC

ELECTRIC RECOMMENDATION -c-

NATURAL GAS

NATURAL GAS RECOMMENDATION -c-

QUESTION 2.5.3

Energy Efficiency can be used to fulfill requirements of an RPS or similar renewable standard

ELECTRIC

MA has an RPS in place, but EE cannot be used to fulfill its requirements. (25A M.G.L. § 11F).

ELECTRIC RECOMMENDATION N

NATURAL GAS

NATURAL GAS RECOMMENDATION

STATE	POLICY YEAR
Massachusetts	2010

QUESTION 2.6.1

A robust M&V process has been established

ELECTRIC

Massachusetts requires utilities to propose an M& V process in their triennial filings with the DPU. In their most recent approved plans, utilities proposed a Statewide Evaluation Plan with (1) measurement and verification; (2) impact evaluation; (3) market evaluation; (4) process evaluation; and (5) market characterization or assessment. The Program Administrators and the Energy Efficiency Advisory Council share responsibility for program evaluation. (Docket Nos. 09-116 thru 09-120).

ELECTRIC RECOMMENDATION Y

NATURAL GAS

Massachusetts requires utilities to propose an M& V process in their triennial filings with the DPU. In their most recent approved plans, utilities proposed a Statewide Evaluation Plan with (1) measurement and verification; (2) impact evaluation; (3) market evaluation; (4) process evaluation; and (5) market characterization or assessment. The Program Administrators and the Energy Efficiency Advisory Council share responsibility for program evaluation. (Docket Nos. 09-121 thru 09-128).

NATURAL GAS RECOMMENDATION Y

QUESTION 2.7.1

EE delivery structure has been established

ELECTRIC

Utilities administer their own EE programs. The MA DPU has oversight. The Energy Efficiency Advisory Council, which was formed by the 2008 Green Communities Act, works with utilities to establish the 3-year EE plans; independent consultants also work with the Council on details of the 3-year plans. Stakeholder groups and DOER also are involved in the process. (Docket Nos. 08-50-A and 08-50-B).

ELECTRIC RECOMMENDATION Y

NATURAL GAS

Utilities administer their own EE programs. The MA DPU has oversight. The Energy Efficiency Advisory Council, which was formed by the 2008 Green Communities Act, works with utilities to establish the 3-year EE plans; independent consultants also work with the EEAC on details of the 3-year plans. Stakeholder groups and DOER also are involved in the process. (Docket Nos. 08-50-A and 08-50-B).

NATURAL GAS RECOMMENDATION Y

STATE	POLICY YEAR
Massachusetts	2010

QUESTION 2.7.2

Delivery is via (a) utility administration; (b) third-party administration; or © government agency

ELECTRIC

ELECTRIC RECOMMENDATION -a-

NATURAL GAS

NATURAL GAS RECOMMENDATION -a-

QUESTION 2.8

Resource plans are regularly updated

ELECTRIC

There is no resource planning in MA.

ELECTRIC RECOMMENDATION N/A

NATURAL GAS

NATURAL GAS RECOMMENDATION N/A

QUESTION 4.1.1

Cost recovery process exists

ELECTRIC

Cost recovery is permitted. (25 M.G.L. §21). It occurs through a systems benefit charge. Additionally, EE programs are funded through revenue from the Forward Capacity Market, the Regional Greenhouse Gas Initiative, and other outside funds. (Docket Nos. 09-116 thru 09-120).

ELECTRIC RECOMMENDATION Y

NATURAL GAS

Cost recovery is permitted. (25 M.G.L. §21). It occurs through the company's Local Distribution Adjustment Clause contained in the company's tariff. Additionally, programs may receive funding from outside sources. (Docket Nos. 09-121 thru 09-128).

NATURAL GAS RECOMMENDATION Y

STATE	POLICY YEAR
Massachusetts	2010

QUESTION 4.1.2

Recovery occurs via: (a) rider; (b) regular rate case; or © system benefits charge

ELECTRIC

ELECTRIC RECOMMENDATION -c-

NATURAL GAS

NATURAL GAS RECOMMENDATION -b-

QUESTION 5.1.1

Utility throughput incentive is addressed and disincentives are removed

ELECTRIC

MA DPU issued an order in July 2008 requiring a new base rate adjustment mechanism, or decoupling, to be adopted by jurisdictional electric and natural gas distribution companies and directed utilities to file full decoupling proposals with their next general rate cases (Docket No. 07-50-B). As of 2010, a decoupling plan has been approved for National Grid (Docket No. 09-39), and several other utilities have plans pending before the Commission.

ELECTRIC RECOMMENDATION Y-

NATURAL GAS

MA DPU issued an order in July 2008 requiring a new base rate adjustment mechanism, or decoupling, to be adopted by jurisdictional electric and natural gas distribution companies; and directed utilities to file full decoupling proposals with their next general rate cases (Docket No. 07-50-B). As of 2010, a decoupling plan has been approved for Bay State Gas (Docket No. 09-30), and several other utilities have plans pending before the Commission.

NATURAL GAS RECOMMENDATION Y-

QUESTION 5.1.2

Method used is: (a) decoupling; (b) lost revenue recovery; or (c) non-utility implementaion of EE

ELECTRIC

ELECTRIC RECOMMENDATION -a-

NATURAL GAS

NATURAL GAS RECOMMENDATION -a-

STATE	POLICY YEAR
Massachusetts	2010

QUESTION **5.2.1**

Utility/shareholder EE incentives are provided

ELECTRIC

The Commission approved a statewide utility/shareholder incentive mechanism for EE programs. The mechanism includes a savings component, a value component, and a metrics based component. The incentive pool is $17.5 million in 2010, $22 million in 2011, and $25.5 million in 2012. (Docket No. 09-116 thru 09-120).

ELECTRIC RECOMMENDATION Y

NATURAL GAS

The Commission approved a statewide utility/shareholder incentive mechanism for EE programs. The mechanism includes a savings component, a value component, and a metrics based component. The incentive pool is $4 million in 2010, $4.5 million in 2011, and $5.5 million in 2012. (Docket No. 09-121 thru 09-128).

NATURAL GAS RECOMMENDATION Y

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Western Massachusetts Electric Company (D.P.U. 08-118): http://db.state.ma.us/dpu/qorders/frmDocketSingle.asp?docknum=08-118

STATE	POLICY YEAR
New Hampshire	2010

QUESTION 1.1

EE is established as a high priority resource, equivalent or superior to supply resources

ELECTRIC

ELECTRIC RECOMMENDATION Y

NATURAL GAS

NH has an IRP process, codified in statute (see 1.2.1).

NATURAL GAS RECOMMENDATION

QUESTION 1.2.1

EE is integrated into an active IRP, portfolio management, or other planning process

ELECTRIC

Statute requires electric utilities to file an integrated resource plan biennially; the plan shall include "an assessment of demand-side energy management programs, including conservation, efficiency improvement, and load management programs" and an "integration of demand-side and supply-side options" (NH Revised Statutes 378:38). In the Commission's evaluation of the IRP, when resource/supply options have equivalent financial costs, reliability, environmental, economic and health-related impacts, DSM options shall be the highest priority (NH Revised Statutes 378:39). According to a staff member at the NH Office of the Consumer Advocate, Public Service of New Hampshire is the only utility regularly doing IRPs; the other utilities are distribution-only utilities (Personal communication, 2009).

ELECTRIC RECOMMENDATION Y-

NATURAL GAS

NATURAL GAS RECOMMENDATION

QUESTION 1.3

EE is an alternative to transmission based on a long-term transparent IRP or transmission system plan

ELECTRIC

As the regional transmission planning organization, ISO-NE includes anticipated impacts of DSM programs in its forecasting, as well as impacts from active load response resources in its system plan. Additionally, ISO-NE is developing planning criteria to look at EE as a resource to avoid or defer transmission upgrades, and is now incorporating these criteria into their planning processes.

ELECTRIC RECOMMENDATION Y

NATURAL GAS

NATURAL GAS RECOMMENDATION Y+

STATE	POLICY YEAR
New Hampshire	2010

QUESTION 2.2

The TRC or Societal Cost Test is used to evaluate EE programs

ELECTRIC

The Commission required Public Service of New Hampshire to use the TRC test to determine the cost-effectiveness of EE programs in a 2009 order. The order states that the Commission will not approve the addition of an environmental adder to the TRC test, but calls for the utility to prepare a sensitivity analysis of the TRC using a higher-than-market value of carbon dioxide (NH PUC, Docket DE 07-108, Order on 2/27/09).

ELECTRIC RECOMMENDATION Y

NATURAL GAS

TRC test approved for gas efficiency programs by the Commission (NH PUC, Docket DE 01-057, Order No. 23,850, 11/19/01).

NATURAL GAS RECOMMENDATION Y+

QUESTION 2.3.1

Potential for cost-effective EE has been established through a potential study

ELECTRIC

A potential study for electric and natural gas potential in NH was completed by GDS in 2009 (GDS Associates, 2009).

ELECTRIC RECOMMENDATION Y

NATURAL GAS

A potential study for electric and natural gas potential in NH was completed by GDS in 2009 (GDS, 2009).

NATURAL GAS RECOMMENDATION Y

STATE	POLICY YEAR
New Hampshire	2010

QUESTION 2.5.1

Quantitative MW and MWh savings goals have been established and are producing incremental investment.

ELECTRIC

NH CORE program filings contain savings estimates, which are translated into goals via the bonus system used to reward utilities for their progress toward achieving what they claimed was possible (NHPUC Docket DE 09-170, September 30, 2009).

ELECTRIC RECOMMENDATION N

NATURAL GAS

The Commission approved gas efficiency programs for Unitil (NH PUC, Docket DG 09-053). The approval included goals and objectives for those programs (see also NH PUC, Docket DE 10-188).

NATURAL GAS RECOMMENDATION N

QUESTION 2.5.2

Goals are established: (a) connection with IRP or other planning process; (b) as part of an EEPS or similar system; (c) as part of program approval and budget-setting process; (d) other

ELECTRIC

ELECTRIC RECOMMENDATION -c-

NATURAL GAS

NATURAL GAS RECOMMENDATION -c-

QUESTION 2.5.3

Energy Efficiency can be used to fulfill requirements of an RPS or similar renewable standard

ELECTRIC

NH has an RPS but EE is not eligible under the RPS.

ELECTRIC RECOMMENDATION N

NATURAL GAS

N/A

NATURAL GAS RECOMMENDATION

STATE	POLICY YEAR
New Hampshire	2010

QUESTION 2.6.1

A robust M&V process has been established

ELECTRIC

EE evaluation is overseen by the Commission; responsibility was transferred from the utilities to the Commission in a 2006 Order (NH PUC, Docket DE 05-157, Order # 24,599 on 3/17/06). Utilities are allowed to provide input to the process and participate in specified ways. Opportunity for stakeholder input as well

ELECTRIC RECOMMENDATION Y

NATURAL GAS

EE evaluation is overseen by the Commission; responsibility was transferred from the utilities to the Commission in a 2006 Order (NH PUC, Docket DE 05-157, Order # 24,599 on 3/17/06). Utilities are allowed to provide input to the process and participate in specified ways. Opportunity for stakeholder input as well

NATURAL GAS RECOMMENDATION Y

QUESTION 2.7.1

EE delivery structure has been established

ELECTRIC

The electric utilities together undertake a set of statewide EE programs, called the CORE programs. In addition to the CORE programs, utilities run individual programs. NH has an Energy Efficiency and Sustainable Energy Board which provides recommendations to the Commission and undertakes other EE activities (see Energy Efficiency and Sustainable energy Board, Third Annual Report, 2010).

ELECTRIC RECOMMENDATION Y

NATURAL GAS

Until/Northern Utilities and National Grid NH offer a set of common programs, and some individual programs. The programs were re-started in 2003, after a hiatus during restructuring between 2000-2002.

NATURAL GAS RECOMMENDATION Y

QUESTION 2.7.2

Delivery is via (a) utility administration; (b) third-party administration; or © government agency

ELECTRIC

ELECTRIC RECOMMENDATION -a-

NATURAL GAS

NATURAL GAS RECOMMENDATION -a-

STATE	POLICY YEAR
New Hampshire	2010

QUESTION 2.8

Resource plans are regularly updated

ELECTRIC

IRPs are required by statute to be filed biennially (see 1.2.1).

ELECTRIC RECOMMENDATION Y

NATURAL GAS

NATURAL GAS RECOMMENDATION

QUESTION 4.1.1

Cost recovery process exists

ELECTRIC

NH's CORE EE programs, the statewide programs undertaken by all utilities, are funded by a system benefits charge, which took effect after legislation passed in 2002 (NH Revised Statutes 374-F:3 et seq). The system benefits charge is 1.8 mills per kWh; there is a separate surcharge of 1.5 mills per kWh for low-income energy programs and renewable programs.

ELECTRIC RECOMMENDATION Y

NATURAL GAS

Natural gas EE program costs are recovered through tariff riders; the most recent orders providing details on cost recovery for Until and National Grid NH were in 2006 (NH PUC, Docket DG 06-032, Order 24,636 on 6/8/06; and NH PUC, Docket DG 06-036, Order 24,630 on 6/8/06).

NATURAL GAS RECOMMENDATION Y

QUESTION 4.1.2

Recovery occurs via: (a) rider; (b) regular rate case; or © system benefits charge

ELECTRIC

ELECTRIC RECOMMENDATION -c-

NATURAL GAS

NATURAL GAS RECOMMENDATION -a-

STATE	POLICY YEAR
New Hampshire	2010

QUESTION 5.1.1

Utility throughput incentive is addressed and disincentives are removed

ELECTRIC

The Commission issued an Order in 2009 that addressed the throughput incentive (NH PUC, DE 07-064, Order 24,934 on 1/16/09). The Commission found that "existing rate design and mechanisms, as a conceptual matter, can pose an obstacle to investment in energy efficiency" and that "there are different rate mechanisms that could be employed to further promote such investment." The Order stated that the throughput incentive will be addressed on a utility-by-utility basis, when utilities make proposals. The Order listed three options: performance incentives, rate design, and reconciling rate adjustment mechanisms.

ELECTRIC RECOMMENDATION Y-

NATURAL GAS

NATURAL GAS RECOMMENDATION N

QUESTION 5.1.2

Method used is: (a) decoupling; (b) lost revenue recovery; or (c) non-utility implementaion of EE

ELECTRIC

ELECTRIC RECOMMENDATION

NATURAL GAS

NATURAL GAS RECOMMENDATION

STATE	POLICY YEAR
New Hampshire	2010

QUESTION 5.2.1

Utility/shareholder EE incentives are provided

ELECTRIC

Shareholder incentives were set and reaffirmed by the Commission in 2000, 2002 and 2003 (NH PUC, Docket DR 96-150, Order 23,574 on 11/1/00; NH PUC, Order 23,982 on 5/31/02; and NH PUC, Order 24,203 on 9/5/03). Incentives for CORE programs are based on a sliding scale formula (between 8% and 12% of program budgets) that involves the percentage of the total CORE program budget times a ratio based upon predicted to actual cost benefits and lifetime savings of energy efficiency measures. The CORE shareholder incentive is capped at 12% of program budgets (for a summary of the mechanism, see NH Electric Utilities, "2010 CORE NH Energy Efficiency Programs," Docket 09-170, 9/30/09).

ELECTRIC RECOMMENDATION Y

NATURAL GAS

The Commission approved shareholder incentives for gas utilities, based on the same formula for electric utilities, in 2002 (NH PUC, Docket 02-106, Order on 12/31/02).

NATURAL GAS RECOMMENDATION Y

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STATE	POLICY YEAR
Rhode Island	2010

QUESTION 1.1

EE is established as a high priority resource, equivalent or superior to supply resources

ELECTRIC

Utilities are required to secure all cost-effective energy efficiency resources that are lower cost than supply and are prudent and reliable (H8025).

ELECTRIC RECOMMENDATION Y+

NATURAL GAS

Utilities are required to secure all cost-effective energy efficiency resources that are lower cost than supply and are prudent and reliable (H 8025).

NATURAL GAS RECOMMENDATION Y+

QUESTION 1.2.1

EE is integrated into an active IRP, portfolio management, or other planning process

ELECTRIC

RI mandates a least cost procurement and planning process that must include EE procurement (H8025). The first Supply Procurement Plans are due 3/1/09, and triennially thereafter for 10 years. System Reliability, EE, and Conservation Procurement Plans are mandatory and the first one is due 9/1/08, and triennially thereafter for 10 years.

ELECTRIC RECOMMENDATION Y

NATURAL GAS

In 2010, RI added natural gas to the least cost procurement and planning process established by H8025 (H8082).

NATURAL GAS RECOMMENDATION Y

STATE	POLICY YEAR
Rhode Island	2010

QUESTION 1.3

EE is an alternative to transmission based on a long-term transparent IRP or transmission system plan

ELECTRIC

Standards for EE and Conservation Procurement and System Reliability approved by the PUC on 7/18/08 require the utility to propose pilot distribution and, if appropriate, transmission projects in their System Reliability Procurement Plan that use alternative resource strategies; such strategies may include demand response, peak demand, and geographically focused EE programs, in addition to others (Docket 3931).

In addition, as the regional transmission planning organization, ISO-NE includes anticipated impacts of DSM programs in its forecasting, as well as impacts from active load response resources in its system plan. Additionally, ISO-NE is developing planning criteria to look at EE as a resource to avoid or defer transmission upgrades, and is now incorporating these criteria into their planning processes.

ELECTRIC RECOMMENDATION Y

NATURAL GAS

NATURAL GAS RECOMMENDATION

QUESTION 2.2

The TRC or Societal Cost Test is used to evaluate EE programs

ELECTRIC

The PUC issued Standards on 7/18/08 that require utilities to assess measure, program, and portfolio cost-effectiveness using the TRC. The test must include the costs of CO2 mitigation under RGGI and other factors proposed by the utility, including non-energy benefits for its Residential Low Income programs (Docket 3931). In 2010, the PUC approved a TRC for National Grid that included expected fuel and water savings (Docket 4209).

ELECTRIC RECOMMENDATION Y

NATURAL GAS

The PUC issued Standards on 7/18/08 that require utilities to assess measure, program, and portfolio cost-effectiveness using the TRC. The test must include the costs of CO2 mitigation under RGGI and other factors proposed by the utility, including non-energy benefits for its Residential Low Income programs (Docket 3931). In 2010, the PUC approved a TRC for National Grid that included expected energy and water savings (Docket 4209)

NATURAL GAS RECOMMENDATION Y

STATE	POLICY YEAR
Rhode Island	2010

QUESTION 2.3.1

Potential for cost-effective EE has been established through a potential study

ELECTRIC

KEMA submitted the Phase II Report, The Opportunity for Energy Efficiency that is Cheaper than Supply in Rhode Island, on August 30, 2010. The report identifies and estimates the size of the potential for energy and peak-demand savings from electric efficiency measures in RI over a 10 year period that are cheaper than supply. In its consideration of cost-effectiveness, the study does not include avoided cost benefits of EE (Kema, 2010).

ELECTRIC RECOMMENDATION Y

NATURAL GAS

NATURAL GAS RECOMMENDATION

QUESTION 2.5.1

Quantitative MW and MWh savings goals have been established and are producing incremental investment.

ELECTRIC

Goals are established in the annual Energy Efficiency Program Plan and approved by the Commission. See Section 5.2.1.

ELECTRIC RECOMMENDATION Y-

NATURAL GAS

Goals are established in the annual Energy Efficiency Program Plan and approved by the Commission. See Section 5.2.1.

NATURAL GAS RECOMMENDATION Y-

QUESTION 2.5.2

Goals are established: (a) connection with IRP or other planning process; (b) as part of an EEPS or similar system; (c) as part of program approval and budget-setting process; (d) other

ELECTRIC

Goals are established in the annual Energy Efficiency Program Plan and approved by the Commission. See Section 5.2.1.

ELECTRIC RECOMMENDATION -c-

NATURAL GAS

Goals are established in the annual Energy Efficiency Program Plan and approved by the Commission. See Section 5.2.1.

NATURAL GAS RECOMMENDATION -c-

STATE	POLICY YEAR
Rhode Island	2010

QUESTION 2.5.3

Energy Efficiency can be used to fulfill requirements of an RPS or similar renewable standard

ELECTRIC

Rhode Island's RPS provides for only renewables.

ELECTRIC RECOMMENDATION N

NATURAL GAS

NATURAL GAS RECOMMENDATION

QUESTION 2.6.1

A robust M&V process has been established

ELECTRIC

The utility must include a Monitoring and Evaluation component in its EE Program Plan. National Grid's Energy Efficiency Plan for 2010 contains a robust M & V process. National Grid anticipated spending $642,900 on M & V for electric programs (Docket 4116).

ELECTRIC RECOMMENDATION Y

NATURAL GAS

The utility must include a Monitoring and Evaluation component in its EE Program Plan. National Grid's Energy Efficiency Plan for 2010 contains a robust M & V process. National Grid anticipated spending $170,000 on M & V for gas programs (Docket 4116).

NATURAL GAS RECOMMENDATION Y

QUESTION 2.7.1

EE delivery structure has been established

ELECTRIC

R.I.G.L. 39-2-1.2 assigns implementation responsibility to the utilities.

ELECTRIC RECOMMENDATION Y

NATURAL GAS

R.I.G.L. 39-2-1.2 assigns implementation responsibility to the utilities.

NATURAL GAS RECOMMENDATION Y

STATE	POLICY YEAR
Rhode Island	2010

QUESTION 2.7.2

Delivery is via (a) utility administration; (b) third-party administration; or © government agency

ELECTRIC

ELECTRIC RECOMMENDATION -a-

NATURAL GAS

NATURAL GAS RECOMMENDATION -a-

QUESTION 2.8

Resource plans are regularly updated

ELECTRIC

Supply Procurement Plans described under 1.2 must be updated every 3 years starting 3/1/09 through 3/1/18 (H 8025). EE and Conservation Procurement Plans are due 9/1/08 through 9/1/17, and must be updated every three years. EE Program Plans, outlining programs for the following year, and are due 11/1/08, and annually thereafter (Docket 4000).

ELECTRIC RECOMMENDATION Y

NATURAL GAS

In 2010, RI added natural gas to the least cost procurement and planning process established by H8025 (H8082). National Grid's 2009 plan for electric and gas EE programs was approved 12/23/08 (written decision issued 4/6/09; Docket 4000).

NATURAL GAS RECOMMENDATION Y

STATE	POLICY YEAR
Rhode Island	2010

QUESTION 4.1.1

Cost recovery process exists

ELECTRIC

The Commission approved a system benefit charge of 3.2 mills/kWh in 2009 to fund National Grid's electric demand side management programs (Docket 4116). EE Procurement Standards approved by the PUC on 7/18/08 also approved funding from Forward Capacity Market revenues; auction proceeds from RGGI; funds from any federal or international climate or cap and trade legislation; and distribution rates, only to be relied upon after the other sources (Docket 3931).

ELECTRIC RECOMMENDATION Y

NATURAL GAS

An SBC of up to $0.15 per dekatherm of natural gas delivered may be charged. The funds will support EE programs delivered by the gas utilities, subject to PUC review. Manufacturing customers undertaking self-directed EE may opt out, but are required to submit a plan of EE activities to the PUC for approval and periodic review (H 8025).

NATURAL GAS RECOMMENDATION Y

QUESTION 4.1.2

Recovery occurs via: (a) rider; (b) regular rate case; or © system benefits charge

ELECTRIC

ELECTRIC RECOMMENDATION -c-

NATURAL GAS

NATURAL GAS RECOMMENDATION -c-

STATE	POLICY YEAR
Rhode Island	2010

QUESTION 5.1.1

Utility throughput incentive is addressed and disincentives are removed

ELECTRIC

In 2010, the General Assembly passed a law declaring that electricity and gas revenues shall be fully decoupled from sales and listed requirements for decoupling proposals submitted by public utilities with greater than 100,000 customers (§39-1-27.7.1).

ELECTRIC RECOMMENDATION Y-

NATURAL GAS

In 2010, the General Assembly passed a law declaring that electricity and gas revenues shall be fully decoupled from sales and listed requirements for decoupling proposals submitted by public utilities with greater than 100,000 customers (§39-1-27.7.1).

NATURAL GAS RECOMMENDATION Y-

QUESTION 5.1.2

Method used is: (a) decoupling; (b) lost revenue recovery; or (c) non-utility implementaion of EE

ELECTRIC

See 5.1.1 above.

ELECTRIC RECOMMENDATION -a-

NATURAL GAS

See 5.1.1 above.

NATURAL GAS RECOMMENDATION -a-

STATE	POLICY YEAR
Rhode Island	2010

QUESTION **5.2.1**

Utility/shareholder EE incentives are provided

ELECTRIC

National Grid's 2010 incentive mechanism remains unchanged from 2009 (Ucci, 2011) and includes two components: performance-based metrics for specific program achievements, and KWh savings targets by sector. If National Grid achieves the savings goal, it receives 4.4% of the eligible budget. The threshold performance level is 60% of the savings goal. Once the threshold level has been reached, the utility has the ability to earn an additional incentive per kWh saved up to 125% of target savings. Incentive rates change by customer class (Docket 4000).

ELECTRIC RECOMMENDATION Y

NATURAL GAS

National Grid's 2010 incentive mechanism remains unchanged from 2009 (Ucci, 2011) and includes two components: performance-based metrics for specific program achievements, and MMBtu savings targets by sector. If National Grid achieves the savings goal, it receives 4.4% of the eligible budget. The threshold performance level is 60% of the savings goal. Once the threshold level has been reached, the utility has the ability to earn an additional incentive per MMBtu saved up to 100% of target savings. Incentive rates change by customer class (Docket 4000).

NATURAL GAS RECOMMENDATION Y

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STATE	POLICY YEAR
Vermont	2010

QUESTION 1.1

EE is established as a high priority resource, equivalent or superior to supply resources

ELECTRIC

Vermont electric utilities are required to complete IRPs and submit them to the Public Service Board; the Board is not required to approve the plan (but in practice, usually does approve or disapprove the plan). The utilities also are required to procure all cost-effective energy efficiency (VT Statutes Annotated, Title 30, Section 218c).

ELECTRIC RECOMMENDATION Y+

NATURAL GAS

Vermont requires gas utilities to procure all cost-effective energy efficiency. Utilities also are required to complete IRPs and submit them to the Public Service Board; the Board is not required to approve the plan (but in practice, usually does approve or disapprove the plan) (VT Statutes Annotated, Title 30, Section 218c).

NATURAL GAS RECOMMENDATION Y+

QUESTION 1.2.1

EE is integrated into an active IRP, portfolio management, or other planning process

ELECTRIC

Vermont electric utilities are required to complete IRPs and submit them to the Public Service Board; the Board is not required to approve the plan (but in practice, usually does approve or disapprove the plan). The utilities also are required to procure all cost-effective energy efficiency (VT Statutes Annotated, Title 30, Section 218c).

An Energy Efficiency Utility, Efficiency Vermont, generally satisfies utilities' efficiency obligations, except for one utility, Burlington Electric Department. As a practical matter, decisions about how much efficiency is procured are made by the Board when Efficiency Vermont and BED programs, goals, and funding levels are established; this decision-making process was established in 2006. Efforts are underway to better coordinate utilities' IRPs with Efficiency Vermont.

ELECTRIC RECOMMENDATION Y+

NATURAL GAS

The Vermont gas utility is required to complete an IRP and submit it to the Public Service Board; the Board is not required to approve the plan (but in practice, usually does approve or disapprove the plan). The gas utility also is required to procure all cost-effective energy efficiency (VT Statutes Annotated, Title 30, Section 218c).

NATURAL GAS RECOMMENDATION Y+

STATE	POLICY YEAR
Vermont	2010

QUESTION 1.3

EE is an alternative to transmission based on a long-term transparent IRP or transmission system plan

ELECTRIC

Statute requires that utilities complete transmission plans every three years, and non-transmission alternatives such as EE are given equal weight with transmission alternatives; a Vermont System Planning Committee was created in 2007 that ensured EE was integrated into transmission planning (VT Statutes Annotated 30.218c; VT PSB, Docket 7081, Order on 6/20/07). The most recent transmission plan was issued in 2009 (VELCO, 6/20/07). Also, VT's Certificate of Public Good process contains some provisions related to transmission alternatives (VT Statutes Annotated 30.248).

Distribution Utility Planning is required for certain distribution utilities. This process requires an IRP-type stakeholder process to resolve transmission congestion in certain specific areas. Transmission projects requiring a Certificate of Public Good may not be constructed unless the PSB finds that the need cannot be met more cost-effectively through conservation and EE. In some cases, DUP planning has been merged with Vermont System Planning Committee processes.

In addition, as the regional transmission planning organization, ISO-NE includes anticipated impacts of DSM programs in its forecasting, as well as impacts from active load response resources in its system plan. Additionally, ISO-NE is developing planning criteria to look at EE as a resource to avoid or defer transmission upgrades, and is now incorporating these criteria into their planning processes.

ELECTRIC RECOMMENDATION Y+

NATURAL GAS

NATURAL GAS RECOMMENDATION

QUESTION 2.2

The TRC or Societal Cost Test is used to evaluate EE programs

ELECTRIC

Vermont has required that the Societal Cost Test, including environmental costs, be used to evaluate EE programs since a 1990 Public Service Board order (VT PSB, Docket 5270, Order on 4/16/90). The Board approved a change in the way Efficiency Vermont incorporates environmental externalities in its cost-effectiveness screening in 1999 (VT PSB, Docket 5980, Order on 9/30/99).

ELECTRIC RECOMMENDATION Y+

NATURAL GAS

Vermont has required that the Societal Cost Test, including environmental costs, be used to evaluate EE programs since a 1990 Public Service Board order (VT PSB, Docket 5270, Order on 4/16/90).

NATURAL GAS RECOMMENDATION Y+

STATE	POLICY YEAR
Vermont	2010

QUESTION 2.3.1

Potential for cost-effective EE has been established through a potential study

ELECTRIC

A potential study was prepared for the Department of Public Service in 2006-2007 (GDS, Vt Electric Energy Efficiency Potential Study: Final Report, 1/07). The Vermont Energy Investment Corporation, the parent company of Efficiency Vermont, completed a potential study in 2010 (VEIC, Maximum Economically Achievable Electricity Savings from Unconstrained Investment in Energy Efficiency 2012 - 2031, presented on 2/18/11). The Department of Public Service was also commissioning a statewide potential study underway at the end of 2010.

ELECTRIC RECOMMENDATION Y

NATURAL GAS

A potential study has not been completed for natural gas. However, one is expected to be underway in the next 1-2 years (Poor, TJ, Department of Public Service, personal communication, 5/11).

NATURAL GAS RECOMMENDATION N

QUESTION 2.5.1

Quantitative MW and MWh savings goals have been established and are producing incremental investment.

ELECTRIC

The Public Service Board sets three-year cumulative savings goals for Efficiency Vermont, the third-party administrator of EE programs. Part of the compensation Vermont pays the administrator is contingent on meeting the savings goals. The current three-year plan includes goals for the period covering 2009-2011.

In 2010, the Board opened a proceeding to develop the first Long-Term Demand Resources Plan; this plan will include year-by-year budgets and savings goals for 20 years for Efficiency Vermont, replacing the three-year goals (VT Public Service Board, Proceeding EEU-2010_06, Order on 9/9/10). The proceeding was still on-going at the end of 2010.

ELECTRIC RECOMMENDATION Y

NATURAL GAS

A proceeding that opened in 2010 may set savings goals for natural gas (VT PSB, Docket 7676).

NATURAL GAS RECOMMENDATION N

STATE	POLICY YEAR
Vermont	2010

QUESTION 2.5.2

Goals are established: (a) connection with IRP or other planning process; (b) as part of an EEPS or similar system; (c) as part of program approval and budget-setting process; (d) other

ELECTRIC

ELECTRIC RECOMMENDATION -c-

NATURAL GAS

NATURAL GAS RECOMMENDATION

QUESTION 2.5.3

Energy Efficiency can be used to fulfill requirements of an RPS or similar renewable standard

ELECTRIC

Vermont does not have an RPS; however, it has a Sustainably Priced Energy Enterprise Development program (SPEED), created in 2005, to promote renewables development by encouraging long-term contracts for electricity from renewable sources. Under the program, if utilities do not meet the minimum obligations of the SPEED program, they will be required to meet a binding RPS (Vermont Statutes Annotated 30.8004). When utilities reduce load growth by procuring EE, they decrease their potential obligation to procure renewable energy under SPEED; in this sense, EE may be partially substituted for renewables up to a certain amount. The Public Service Board must begin a proceeding by 1/1/12 and make a determination by 1/1/13 whether the SPEED obligations have been met. Legislation that passed in 2010 requires the Board to consider whether the SPEED program and renewables goals should be changed to a binding RPS, with a report to the Legislature due on 10/1/11 (Vermont Legislature, H 781, 2010).

ELECTRIC RECOMMENDATION Y

NATURAL GAS

NATURAL GAS RECOMMENDATION

STATE	POLICY YEAR
Vermont	2010

QUESTION **2.6.1**

A robust M&V process has been established

ELECTRIC

The PSB is required by statute to provide for the independent evaluation of the Energy Efficiency Utility's programs (VSA Title 30, 209(e)). The Department of Public Service has administered the evaluation functions since the creation of the EEU. The process for M& V is described in the PSB's contract with the Energy Efficiency Utility (VT PSB, 2009-2011 EEU Contract, Attachment N, 2008). Additional requirements for M& V are provided in a 2010 Board Order (VT PSB, Docket 7466, Order on 12/20/10). A Technical Reference Manual is developed and used, and is informed by a Technical Advisory Group.

There also is a formal M& V plan for demand reductions necessary for participation in New England's Forward Capacity Market after the transition period.

ELECTRIC RECOMMENDATION Y

NATURAL GAS

The Department of Public Service generally reviews programs in the context of a rate case, and Vermont Gas conducts some informal M& V. Vermont Gas and the EEU jointly deliver new construction programs in Vermont Gas's territory, so some of the savings are verified in the EEU M& V process. This issue likely will be addressed in the proceeding begun in 2010 to formalize an entity to deliver gas EE programs (VT PSB, Docket 7676).

NATURAL GAS RECOMMENDATION N

STATE	POLICY YEAR
Vermont	2010

QUESTION 2.7.1

EE delivery structure has been established

ELECTRIC

A third-party Energy Efficiency Utility has delivered most efficiency programs since its creation in 1999. Utilities may contract with the EEU to fulfill their obligation to procure cost-effective EE. All utilities have done so, except one municipal utility, Burlington Electric Department, which has chosen to implement its own EE. In 2010, the Board approved a new 12-year Order of Appointment for the existing Energy Efficiency Utility contractor, which replaced the previous contract structure (VT PSB, Docket 7466, Order on 12/20/10). The Board also stated that it would grant an Order of Appointment to Burlington Electric Department in an earlier order (VT PSB, Docket 7466, Order on 8/20/10).

EE programs resulting from Distributed Utility Planning may be implemented by affected utilities or contracted with the Energy Efficiency Utility. One utility, Green Mountain Power, has allocated some funds for incremental energy efficiency beyond what is required for the system benefits charge; the utility chose to hire the Energy Efficiency Utility to deploy the funds.

Some larger customers may self-administer their own EE programs; see 2.3.2 for a description.

ELECTRIC RECOMMENDATION Y

NATURAL GAS

Vermont Gas Systems provides EE programs (in partnership with the Energy Efficiency Utility), and operates under an alternative regulation plan, initially approved in 2006 and renewed in 2009 for two years (VT PSB, Docket 7537, Order on 9/23/09). The 2009 plan requires Vermont Gas to maintain its budgeted expenditures for DSM at the 2005-2006 level, adjusted for inflation.

However, in 2010 the PSB opened an investigation into a formal appointment of an entity to deliver natural gas EE programs, now required by statute (VSA Title 30, Section 209(d)(2); VT PSB, Docket 7676, Order on 10/22/10). The investigation was still on-going at the end of 2010.

NATURAL GAS RECOMMENDATION Y

QUESTION 2.7.2

Delivery is via (a) utility administration; (b) third-party administration; or © government agency

ELECTRIC

ELECTRIC RECOMMENDATION ab

NATURAL GAS

NATURAL GAS RECOMMENDATION -a-

STATE	POLICY YEAR
Vermont	2010

QUESTION 2.8

Resource plans are regularly updated

ELECTRIC

Statute does not specify how often IRPs must be filed. In practice, they are typically filed every few years.

ELECTRIC RECOMMENDATION Y

NATURAL GAS

Statute does not specify how often IRPs must be filed. In practice, they are typically filed every few years.

NATURAL GAS RECOMMENDATION Y

QUESTION 4.1.1

Cost recovery process exists

ELECTRIC

A cost recovery process exists for the Energy Efficiency Utility, through a system benefits charge, called the Energy Efficiency Charge, established in 1999 (VT Statutes Annotated 30.209(d)(4)). The Public Service Board sets the EEC rates each year, using a methodology set out in Rules (VT PSB Rule 5.3). Burlington Electric Department also uses a system benefits charge to fund its EE programs.

ELECTRIC RECOMMENDATION Y

NATURAL GAS

A cost recovery process exists, and occurs during regular rate cases and adjustments pursuant to the alternative regulation plan.

NATURAL GAS RECOMMENDATION Y

QUESTION 4.1.2

Recovery occurs via: (a) rider; (b) regular rate case; or © system benefits charge

ELECTRIC

ELECTRIC RECOMMENDATION -c-

NATURAL GAS

NATURAL GAS RECOMMENDATION -b-

STATE	POLICY YEAR
Vermont	2010

QUESTION 5.1.1

Utility throughput incentive is addressed and disincentives are removed

ELECTRIC

Disincentives are addressed in three ways. Two electric utilities, Green Mountain Power and Central Vermont Public Service, have been partially decoupled since 2006 and 2008 respectively (VT PSB, Docket 7176, Order on 12/22/06; VT PSB, Docket 7336, Order on 9/30/08). The current Green Mountain Power plan runs through 2013 (need citation).

An Energy Efficiency Utility fulfills utilities' basic obligations to procure energy efficiency for all utilities except one which undertakes its own programs.

Lost revenue recovery is allowed under narrow circumstances (case-by-case using an accounting order) to address the disincentive for EE that utilities are required to procure as part of the Distributed Utility Planning process (see Section 1.4).

ELECTRIC RECOMMENDATION Y-

NATURAL GAS

Vermont Gas Systems' alternative regulation plan provides for partial decoupling (VT PSB, Docket 7537, Order on 9/23/09). In addition, in special circumstances, Vermont Gas may apply for lost revenue recovery.

NATURAL GAS RECOMMENDATION Y-

QUESTION 5.1.2

Method used is: (a) decoupling; (b) lost revenue recovery; or (c) non-utility implementaion of EE

ELECTRIC

ELECTRIC RECOMMENDATION abc

NATURAL GAS

NATURAL GAS RECOMMENDATION ab

STATE	POLICY YEAR
Vermont	2010

QUESTION 5.2.1

Utility/shareholder EE incentives are provided

ELECTRIC

Through 2010, the Energy Efficiency Utility's performance incentives were set and described in each three-year contract between the EEU and the Public Service Board (VT PSB, EEU Budgets 2009-2011, 8/29/08). Performance indicators include energy and capacity savings, as well as factors such as geographic equity and adequate R& D. By meeting these goals the EEU can earn up to $2.5 million over three years.

The Energy Efficiency Utility's future performance incentive structure is described in its Order of Appointment documents approved in December 2010 (VT PSB, Docket 7466, Order on 12/20/10). Performance compensation will be based on attainment of Quantifiable Performance Indicators (QPIs) that are established as part of the Demand Resources Plan completed every three years.

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NATURAL GAS

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