

**REGULATORY LAW ALERT**  
**DECEMBER 2016**

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**NEW HAMPSHIRE PUBLIC UTILITIES COMMISSION PREPARES  
FOR RETAIL ELECTRIC RULE REFORM**

As with the other New England states open to retail electricity competition, the New Hampshire Public Utilities Commission (Commission) has been working on reforming its PUC 2000 rules governing competitive electric suppliers and aggregators. The current PUC 2000 rules, which have been in place since 2010, can be found [here](#) (last accessed on November 28, 2016). The Commission's Electric and Consumer Staffs circulated individual rules sections for industry review and comment since Spring 2015 and a completely revised draft in June 2016. The June 2016 draft incorporates substantial changes from and expansions to the current PUC 2000 rules, including a new prohibition on door-to-door sales to residential consumers, additional marketing restrictions, and substantial increases in sanctions for rules violations.

On November 22, 2016, Commission Staff advised industry participants that on November 21 the three PUC Commissioners had adopted "an initial proposal" of the Revised PUC 2000 rules, with proceedings to commence shortly in a new rulemaking docket. The "initial proposal" was substantially similar to the June 2016 draft and attracted national trade press attention for its significant potential restrictions on retail suppliers, including a prohibition on door-to-door sales for residential consumers. The regulatory process is expected to include at least one public hearing and an opportunity to submit written comments.

Retail suppliers and aggregators should consider actively participating in the New Hampshire rulemaking once it commences. Commenters should give serious thought to seeking changes to several Staff provisions that, if adopted, would burden competition in New Hampshire and potentially inspire similar changes in other restructured states nationally.

**CONTACT**

If you have questions, please contact [Robert J. Munnelly, Jr.](#), in our [Regulatory and Administrative Law Practice](#).

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