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GOVERNOR

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www.nh.gov/oep

November 28, 2012

His Excellency, Governor John H. Lynch  
and the Honorable Council  
State House  
Concord, New Hampshire 03301

**REQUESTED ACTION**

Authorize the Office of Energy and Planning (OEP) to enter into the attached Memorandum of Agreement (MOA) with the Public Utilities Commission (PUC); (VC# 177914), Concord, NH in the amount of \$27,707 for the Electric Assistance Program (EAP) triennial process evaluation and \$21,000 to manage the EAP, effective upon Governor and Council approval through September 30, 2015. 100% Other Funds (Systems Benefits Charge).

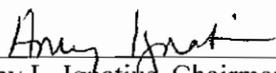
**EXPLANATION**

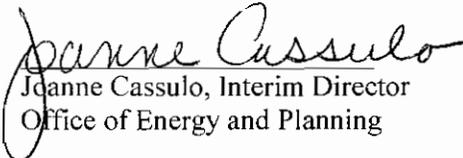
OEP is a participant on the Electric Assistance Advisory Board and is responsible for the coordination of a process evaluation of the EAP every three years. The process evaluation shall focus on whether the EAP has met the level of need, whether it conforms to program design guidelines, and whether the program operates efficiently.

The Electric Assistance Program is designed to assist low-income households with payment of their electric bills. Electric ratepayers support the EAP through the Systems Benefits Charge portion of their electric bill. The funds are deposited into a checking account at Citizens Bank and are overseen by the PUC. Treasury receives monthly bank statements of the balance in the account. The funds are not accounted for on the State's financial books.

In the event that these funds become no longer available, General Funds will not be requested to support this program.

Respectfully Submitted,

  
Amy L. Ignatius, Chairman  
NH Public Utilities Commission

  
Joanne Cassulo, Interim Director  
Office of Energy and Planning

Enclosure



JOHN H. LYNCH  
GOVERNOR

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**MEMORANDUM OF AGREEMENT**  
between  
**PUBLIC UTILITIES COMMISSION**  
and  
**OFFICE OF ENERGY AND PLANNING**

Purpose

This agreement between the Office of Energy and Planning and the Public Utilities Commission sets forth the responsibilities of the Office of Energy and Planning (OEP) in satisfying the requirements of the Electric Assistance Program (EAP) Monitoring & Evaluation Manual dated November 20, 2007, a copy of which is attached hereto as Exhibit A.

Term

This agreement is effective from the date of Governor and Executive Council approval through September 30, 2015.

Description of Services

OEP shall coordinate and facilitate a process evaluation of the EAP once every three years. The process evaluation shall focus on whether the EAP has met the level of need, whether it conforms to program design guidelines, and whether the program operates efficiently. The first process evaluation was submitted on April 1, 2010, and the next process evaluation is due April 1, 2013.

As part of its triennial process review, OEP must monitor the EAP and participate in quarterly meetings of the EAP Advisory Board. Regular involvement in the quarterly meetings will enable OEP to anticipate the needs and implement the findings of the triennial process reviews.

Payment for Services

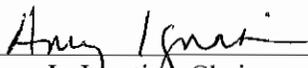
Triennial Process Evaluation. Funds for triennial process evaluation services rendered under this agreement are held in the EAP Custodial Account No. XXXXXX6339 and are available in an amount not to exceed \$27,707 for the triennial process evaluation due April 1, 2013. It is agreed that:

1. OEP shall submit an invoice to the PUC within 15 days following each quarter in which services related to the coordination and facilitation of the triennial process evaluation are provided.
2. PUC shall authorize payment upon completion of the work on the basis of quarterly invoices, which are supported by a summary of activities that have taken place in accordance with the terms of this agreement.
3. During the term of the agreement, OEP shall make available to the PUC Audit Staff all documents required to perform an audit of OEP's obligations under the EAP Monitoring & Evaluation Manual.

On-Going Oversight. Funds for on-going management, including oversight and participation in the quarterly EAP Advisory Board are held in the EAP Custodial Account No. XXXXXX6339 and are available in an amount not to exceed \$7,000 for the year ended September 30, 2013, \$7,000 for the year ended September 30, 2014, and \$7,000 for the year ended September 30, 2015, or \$21,000 over the term of this agreement. It is agreed that:

1. OEP shall submit a quarterly invoice to the PUC within 15 days of each quarter in which services related to the on-going oversight and monitoring of the EAP are provided.
2. PUC shall authorize payment upon completion of the work on the basis of quarterly invoices, which are supported by a summary of activities that have taken place in accordance with the terms of this agreement.
3. During the term of the agreement, OEP shall make available to the PUC Audit Staff all documents required to perform an audit of OEP's on-going oversight and monitoring of the EAP.

For the purposes of this Agreement, IN WITNESS WHEREOF, the respective parties have hereunto set their hands on the dates indicated.

  
\_\_\_\_\_  
Amy L. Ignatius, Chairman  
NH Public Utilities Commission

11/28/12  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Joanne Cassulo, Interim Director  
Office of Energy and Planning

11/28/12  
\_\_\_\_\_  
Date

OFFICE OF THE ATTORNEY GENERAL

By:   
\_\_\_\_\_  
Assistant Attorney General

Date: Nov 29, 2012

I hereby certify that the foregoing agreement was approved by the Governor and Council of the State of New Hampshire at their meeting on \_\_\_\_\_, \_\_\_\_\_.

OFFICE OF THE SECRETARY OF STATE

By: \_\_\_\_\_

Title: \_\_\_\_\_

**EAP Monitoring & Evaluation Manual**  
**11/20/07**

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**1 Electric Assistance Program Goal:** To enable residential electric customers with low incomes to manage and afford electricity, within the limits of available system benefits charge funds and the program design established by the Commission.

**2 Responsibilities of the Electric Assistance Program (EAP) Partners**

2.1 Program Administrator

2.1.1 The Program Administrator (Belknap Merrimack Community Action Agency) shall be responsible for monitoring all Community Action Agencies (CAAs).

2.1.2 The Program Administrator shall generate annual reports detailing:

2.1.2.1 The allocation of time charged to program components including intake, certification and administration.

2.1.3 The Program Administrator will provide the Office of Energy & Planning (OEP) and the Public Utilities Commission (Commission) with access to its database for the purpose of aggregating data for monitoring and evaluation.

2.1.4. The Program Administrator will provide copies of independent annual audits of the CAA role in the Electric Assistance Program (EAP) to the Commission Staff and to members of the Advisory Board.

2.1.5. All reports generated by the Program Administrator shall be reviewed by the Advisory Board before being submitted to the Commission.

2.2 Office of Energy & Planning

2.2.1 OEP shall coordinate and facilitate a process evaluation of the EAP once every three years.

2.2.1.1 The process evaluation shall focus on whether the EAP has met the level of need, whether it conforms to program design guidelines, and whether the program operates efficiently.

2.2.2 The timing of the process evaluation shall be as follows:

2.2.2.1 The first process evaluation will be due no later than April 1, 2010. Subsequent process evaluations will be submitted to the Commission every three years.

2.3 Public Utilities Commission

2.3.1 The Commission will conduct audits of the program as outlined in the EAP Fiscal Business Rules.

2.3.2 The Commission will oversee the fiscal management of the EAP and generate reports regarding the program's fiscal activities as specified in the EAP Fiscal Rules.

2.4 Utilities

2.4.1 The utilities will report their operating costs for the program (SBC revenues, bill discounts issued, administrative costs) to the Commission on a monthly basis

2.4.2 The utilities will report their participation levels by discount tier to the Commission on a monthly basis.

### 3 Program Monitoring

3.1 Program monitoring shall provide continuous feedback on the achievement or lack thereof of intended program results.

3.1.2 The planned or intended results of the electric assistance program include includes:

3.1.2.1 The program will provide benefits to approximately 30,000 households.

3.1.2.2 The program will target the greatest benefit to households in the lowest percentage of poverty brackets.

3.1.2.3 The program will minimize the number of households on a waiting list for the program.

3.1.2.4 The program will appropriately balance the need for electric bill assistance with the need for administrative efficiency.

3.1.2.5 The program will deliver any other outcomes as from time to time will be determined by the Commission.

3.1.3 Data to be reported on a periodic basis in monitoring program services shall include:

3.1.3.1 An enrollment report;

3.1.3.2 Ratio of electric bill to income report

3.1.3.3 A report of program participants by poverty level;

3.1.3.4 A report of program participation by participant demographics;

3.1.3.5 Program participation report;

3.1.3.6 Participants making timely payments report;

3.1.3.7 Distribution of participants by number of "bills behind" report;

3.1.3.8 Participants making complete payments report;

3.1.3.9 Participants making only partial payments report;

3.1.3.10 Participants making no payments report;

3.1.3.11 Municipal report showing program benefits paid to counties and towns;

3.1.3.12 Regularity of the payments report;

3.1.3.13 Denial Report; and

3.1.3.14 Waiting List report (where a waiting list is in effect).

3.1.4 To support the reports above, all participating utilities and member owned cooperatives shall provide the following data to the Program Administrator on a monthly basis for inclusion in the EAP database. This data will be "matched" with enrolled EAP cases to create a single repository of demographic, household, billing and payment data for the purpose of program monitoring and evaluation:

3.1.4.1 The Utility ID code

3.1.4.2 The Transaction Type Code

3.1.4.3 The Account Number

3.1.4.4 The Transaction Date of Bill, Payment, etc.

3.1.4.5 The Dollar Amount of the transaction (bill or payment)

3.1.4.6 The kWh usage for the billing period

3.1.4.7 The Total Account Balance on account after the transaction.

3.1.4.8 The Unique ID assigned by the EAP system as entered by utility

3.1.4.9 The discount tier the customer is in

3.1.4.10 Customer of Record First Name

3.1.4.11 Customer of Record Last Name

3.1.5 The data shall be provided in the following fixed column non-delimited format:

Utility ID	Transaction Type	Acct. Number	Transaction Date	Dollar Amt.	kWh Usage	Acct. Balance	Unique ID	Tier	First Name	Last Name
PSNH	Bill	10101010101	20020802	10000	200	10000	A1234	1	Joe	Green
PSNH	Payment	10101010101	20020815	7500		2500	A1234	1	Joe	Green
PSNH	Bill	10101010101	20020903	11500	230	14000	A1234	1	Joe	Green
PSNH	Payment	10101010101	20020921	14000		0	A1234	1	Joe	Green
PSNH	PPA	10101010101	20020803				A1234	1	Joe	Green
5	7	15	YYYYMMDD	9.2	5	9.2	5	1	15	15

3.1.6 Program monitoring shall also provide data which will help inform future decisions regarding the electric assistance program.

3.1.6.1 Data collected to inform future decisions shall provide information as to:

3.1.6.1.1 Whether program participants have improved their payment performance, or a bills behind analysis;

3.1.6.1.2 Whether program participants have improved their performance relative to the disconnection of utility service.

3.1.6.1.3 Any other and further outcomes as from time to time are determined by the Commission.

3.1.6.2 Data reports to be generated on a periodic basis to inform future decisions about the electric assistance program include:

Data Report	Residential Customers	
	Non-EAP participants	EAP Participants
Total number of accounts	Monthly	Monthly
Total revenue	Monthly	Monthly
An arrearage report: The average bill (current month) The average past due amount The number of accounts billed (unadjusted) The dollar total of the receivables (unadjusted) The number of accounts in arrears (unadjusted) (30,60,90) The percent of accounts past due (30, 60, 90) The dollar amount past due (30,60,90)	Monthly	Monthly
Disconnections and reconnections The number of disconnection notices issued for nonpayment The number of accounts disconnected for nonpayment The number of disconnected accounts reconnected	Monthly	Monthly
Such other data as the Commission may from time to time designate	---	---

## 4 Process Evaluation

4.1 A process evaluation shall be conducted every three years. The Office of Energy and Planning shall facilitate the undertaking of a process evaluation of the electric assistance program.

4.2 The process evaluation shall focus on whether the EAP has met the level of need within the limits of available system benefits charge funds, whether it conforms to program design guidelines, and whether the program operates efficiently.

## **5 Compliance Monitoring**

5.1 Compliance monitoring involves reviewing data and files at local CAAs for compliance with all program policies and regulations and is in addition to any existing auditing procedures engaged in by the CAA. The Program Administrator is responsible for all compliance monitoring.

5.2 Compliance monitoring will include an on-site visit to each of the main CAA offices annually.

5.2.1 Each compliance monitoring visit will include an entrance and exit interview between the Program Administrator and the CAA EAP Director.

5.3 Compliance monitoring shall include but is not limited to:

5.3.1 Compliance with application timeline requirements.

5.3.2 Review of irregular and randomly selected applications

5.3.3 Examples of letters sent to applicants/clients

5.3.4 Review of outreach activities current and planned

5.3.5 Assessment of coordination with Fuel Assistance, Weatherization, and Low Income CORE Energy Efficiency Programs

5.3.6 Compliance with all program policies and procedures

5.4 Compliance monitoring will also occur at remote intake locations.

5.4.1 Remote intake site monitoring is the review of files at remote intake sites for compliance with all program policies and regulations.

5.4.1.1 Remote intake site monitoring shall include:

5.4.1.1.1 Adequacy of intake sites - number of staff and hours covered

5.4.1.1.2 Accessibility of sites and telephone

5.4.1.1.3 Privacy and waiting accommodations for applicants

5.4.1.1.4 Compliance with program procedures

5.4.1.1.5 Number of home visits done annually

5.4.1.1.6 Information given to applicants

5.4.1.1.7 Politeness/sensitivity and referrals to other social services organizations and programs

5.4.1.1.8 Protection of confidential information

5.4.1.1.9 Assessment of coordination with Fuel Assistance, Weatherization, Low Income CORE Energy Efficiency Programs and residential gas energy efficiency programs

5.4.1.2 Remote intake site monitoring shall be conducted at each CAA at least every other year.

5.5 Failure to comply with program policies and procedures shall be addressed as follows:

5.5.1 A request for technical assistance by the non compliant CAAs; and

5.5.2 The development of a corrective action plan agreeable to the Program Administrator which includes timeframes for correcting the non-compliance;

5.6 Upon review and consideration of the corrective action plan to bring about a resolution to any non-compliance issue, the Program Administrator will notify the CAA of its acceptance or denial and offer further technical assistance.

5.7 Failure to correct any questionable matter will result in the following:

5.7.1 The non-compliance will be brought to the immediate attention of the Executive Director of the CAA by the Program Administrator or his/her designee.

5.7.2 The Program Administrator may withhold all administrative cost payments to the CAA in question until non-compliance is resolved.

5.7.3 The Advisory Board shall be notified of any non-compliance and provide the Commission with a recommendation for any further action.

5.7.4 In the event the Commission identifies non-compliance issues at the Program Administrator level which are not effectively remedied with a corrective action plan, the Commission may order participating utilities to withhold all administrative cost payments to the EAP Program Administrator.

## **6 Compliance Monitoring Report**

6.1 A compliance monitoring report shall be prepared and provided to the CAA following a compliance monitoring visit. An annual compliance monitoring report, including a summary of responses, recommendations, action plans and current status, shall be provided to the Commission and the EAP Advisory Board.

6.1.1 Each compliance monitoring report will consist of an evaluation of the monitoring visit including general comments, recommendations, and possibly corrective actions.

6.1.1.1 General Comments: Issues discussed and/or reviewed, areas of full compliance, examples of exemplary performance, identification of “best practices” which might be shared with other CAAs, etc.

6.1.1.2 Recommendation: A suggestion to improve program performance when the function is in compliance with the program procedure, policy, or regulation and with the CAA policy and/or procedure.

6.1.1.3 Corrective Action: Required measures to address and correct non-compliance with a program procedure, policy, or regulation.

6.1.2 The CAA shall respond in writing as specified in any monitoring report to the Program Administrator in a timely manner. All responses are expected to be complete and accurate.

6.1.3 The Program Administrator will provide reasonable technical assistance to any CAA having difficulty meeting the reporting requirements.

## **7 Fiscal and Administrative Tracking**

7.1 Fiscal condition

7.1.2 A report detailing EAP fiscal status shall be generated by the Commission Staff on a monthly basis or more frequently as requested by the Commission as program conditions dictate. The report shall include information on:

7.1.2.1 EAP program enrollment.

7.1.2.2 Program expenditures (OEP administrative costs, utility administrative costs, and CAA and Program Administrator costs).

7.1.2.3 System Benefit Charge Revenues and any applicable interest earned.

7.1.2.4 EAP benefits paid out.

7.2 CAA time allocation.

7.2.1 The Program Administrator shall produce an annual report showing time allocation of all CAA employees supported in full or in part by EAP funds.

### 7.3 Staffing Levels.

7.3.1 The Program Administrator shall generate an annual report of program-related staffing levels at CAAs.

7.3.2 Appropriate staffing levels and length of time that clients wait to schedule an appointment are generally related. Though useful as a proxy measure, staffing levels shall not be the only factor examined if wait time is out of compliance with CAA Business Rules. The Program Administrator shall generate an annual report of staffing levels at CAAs.