Robinson+Cole

JOEY LEE MIRANDA

One State Street
Hartford, CT 06103
Main (860) 275-8200
Fax (860) 275-8299
jmiranda@rc.com
Direct (860) 275-8227

Admitted in Connecticut, District of Columbia and Massachusetts

Via Electronic Mail

August 4, 2026

New Hampshire Department of Energy
21 South Fruit Street, Suite 10
Concord, NH 03301-2429

Re: **Adjustment to Renewable Portfolio Standard 2026 Class III Requirement**

On April 30, 2026, the Department of Energy ("Department") issued an Order of Notice of Public Comment Hearing regarding proposed adjustments to the Class III Renewable Portfolio Standard ("RPS") obligation for the 2026 compliance year.[1] The Retail Energy Supply Association ("RESA")[2] hereby submits comments in response to the Notice. For the reasons set forth more fully below, RESA urges the Department, as it has done in the past,[3] to exercise its authority to reduce the Class III compliance obligation.

RESA is a non-profit organization and trade association whose members are active participants in the retail competitive markets for electricity, including the New Hampshire retail electric market. Several RESA member companies are licensed to serve residential, commercial and industrial customers in New Hampshire and are presently providing electricity service to customers in the State.

As the Notice points out, there has been "continued reduced production of some Class III certified biomass facilities during the 2026 calendar year."[4] As a consequence, there will not be sufficient renewable energy credits ("RECs") available to satisfy the 2026 Class III obligation. In

[1] Order of Notice of Public Comment Hearing (Apr. 30, 2026) ("Notice").

[2] The comments expressed in this filing represent the position of the Retail Energy Supply Association (RESA) as an organization but may not represent the views of any particular member of the Association. Founded in 1990, RESA is a broad and diverse group of retail energy suppliers dedicated to promoting efficient, sustainable and customer-oriented competitive retail energy markets. RESA members operate throughout the United States delivering value-added electricity and natural gas service at retail to residential, commercial and industrial energy customers. More information on RESA can be found at www.resausa.org.

[3] *See* Order Setting 2025 Class III Obligation (Dec. 8, 2025); Order Setting 2024 Class III Obligation (Feb. 7, 2025); Order Setting 2023 Class III Obligation (Mar. 5, 2024); Order Setting 2022 Class III Obligation (Apr. 11, 2023); Order Setting 2021 Class III Obligation (Mar. 31, 2022).

[4] Notice, at 1.

addition, some of those available RECs may be used to satisfy RPS obligations in other states (i.e., Massachusetts, Rhode Island, and Maine), including states with higher alternative compliance payments;[5] thereby, further depleting the supply available to meet the New Hampshire Class III obligation.

Moreover, because there is expected to be insufficient supply available, a reduction in the 2026 compliance obligation will not negatively impact Class III REC production and will positively affect customers who are directly impacted by the increasing electric prices in the region.[6] Therefore, as it has done in the past, RESA urges the Department to reduce the 2026 Class III compliance obligation to the maximum extent possible.

Please feel free to contact me if you have any questions or require additional information. Thank you.

Sincerely,



Joey Lee Miranda

[5] *See, e.g.*, Rhode Island Public Utilities Commission Renewable Energy Standard Alternative Compliance Payment Rate, https://rhodeislandres.com/wp-content/uploads/2026/01/ACP-Rate-2026.pdf (reflecting a 2026 alternative compliance payment of $89.77) (last visited Jul. 27, 2026).

[6] *Accord* 2025 RPS 2025-002, *NH Department of Energy Review and Report of the Renewable Portfolio Standard for 2025*, Review of New Hampshire's Renewable Portfolio Standard Report (Oct. 30, 2025), at 2.