

LINCOLN BOARD OF SELECTMEN

APPROVED

MEETING MINUTES

FEBRUARY 10, 2020 – 5:00PM

LINCOLN TOWN HALL - 148 MAIN STREET, LINCOLN, NH

(MEETING VIDEO AVAILABLE AT WWW.LINCOLNNH.ORG)

Select Board Present: Chairman OJ Robinson, Tamra Ham, and Jayne Ludwig.

Staff Present: Town Manager Burbank, Police Chief Chad Morris and Fire Chief Ron Beard

Public Present: Roger Harrington, Cindy Lloyd, Delia Sullivan, Susan Chenard, Paul Beaudin, and Myles Moran

I. CALL TO ORDER - SITE VISIT TO THE KANC REC SKI AREA PARKING LOT

Chairman Robinson called the meeting to order at 5:00 p.m. at the Kan Rec Ski Area parking lot. The Board returned to Town Hall and reconvened the meeting with Chairman Robinson explaining that the site visit was for the Board to look at the path (town land) that runs from Forest Ridge Road to Paul Beaudin's property. Robinson feels that town land such as this path is there for the people to use, and he does not see an issue with it. The Board further agrees that the use of skid steers should be prohibited as a means of maintaining this path (the path appeared to have been widened at some point in time), however, keeping it clear and snow blown during the winter months for foot travel is fine. There was no further discussion.

II. REVIEW AND APPROVAL- MINUTES OF THE PREVIOUS MEETING

MOTION: "To approve the meeting minutes of February 3, 2020 as amended."

Motion: Tamra Ham **Second:** Jayne Ludwig **All in favor.**

Selectman Ludwig requested the following sentence be added to the February 3rd meeting minutes: "*Ludwig mentioned not to require room and meals tax license numbers on the application so it does not to interfere with applicants applying for the sole purpose of safety.*"

MOTION: "To approve the Non-public meeting minutes of February 3, 2020 as presented."

Motion: Tamra Ham **Second:** Jayne Ludwig **All in favor.**

III. PUBLIC HEARING: SHORT-TERM RENTAL REGULATIONS *2nd Public Hearing*

Chairman Robinson explained that this is the second public hearing related to Short-Term Rental Regulations (February 3rd - 1st Public Hearing). The board reviewed the suggested revisions that Chairman Robinson compiled based on last week's discussions (*see attached*) and made the following motion:

MOTION: "To open up the public hearing on the proposed Short-Term Rental Regulations."

Motion: Tamra Ham **Second:** Jayne Ludwig **Motion carries.**

Selectman Ham recommended that Chief Beard and Chief Morris collaborate on the *Application* that will go along with the regulation so that it is relative to each of their department's needs. Paul Beaudin asked how would you differentiate a multi-unit house rental from a hotel rental. Chairman Robinson explained that this is a broad concept and suggested that they keep it simple and *exempt* hotels from the registration

process. Hotels such as the Indian Head and Roadway Inn (each has a front desk to mitigate problems/issues) have been in existence for years and primarily operating solely as a “hotel.” Delia Sullivan questioned whether or not an owner would have to pay the \$50 fee for each parcel (rental unit) as discussed during the first public hearing. Robinson responded that based on recent discussions, if it is one (1) owner, one (1) parcel, with multi-rental units, there is no additional work for the town (police/fire) because all units are under one roof with one owner/contact person. Paul Beaudin questioned whether or not the \$50 annual fee was sufficient because at the last meeting there was discussion about the costs associated with tracking these units (third-party company or in-house) as well as the large profit margins that *some* of the short-term rental owners are making. Selectman Ham noted that SB 458 [bill prohibits municipalities from prohibiting or regulating short-term rentals and authorizes towns to regulate disorderly houses] is seeking to put a cap on the amount that a municipality can charge annually (no more than \$50) for a short-term rental application fee. There was a brief discussion on inspection fees and other possible fees affiliated with short-term rentals. The board also agreed to put a check box on the registration application for whether or not the applicant has registered for the State of NH Rooms and Meals (either yes or no question, and *not* ask for a license #). The board continued reviewing and discussing various questions that will appear on the registration application (parking, bedrooms, contact info.). Cindy Lloyd suggested that a clause also be put in stating that it is the property owner’s responsibility that all renters abide by the Town’s Ordinances (Wild Animal Ordinance, Fireworks Ordinance, Recycling Policy, and Winter Parking Ban). A discussion ensued on the best way to ensure that renters abide by town ordinances, as well as the property owner’s responsibility in facilitating the same. The board recommended providing an initial copy of all relevant ordinances along with the application/registration. It was also agreed that this process can all be done online (registration and payment of fees).

MOTION: “To close the public hearing on the proposed Short-Term Rental Regulations.”

Motion: Tamra Ham Second: Jayne Ludwig Motion carries

Chairman Robinson summarized the following questions that will appear on the application:

- 1) Location (Tax ID and physical address)
- 2) Meals & Rentals Tax License (yes or no) or third-party tax collector (yes or no).
- 3) # of bedrooms, # of beds, # of baths, maximum occupancy
- 4) Offer free safety inspection
- 5) # of onsite parking spaces
- 6) Owners name, address (911 address), and phone number
- 7) The primary contacts name, address and phone number
- 8) Secondary contact name (*optional*)
- 9) Statement: “You are required to provide your guests with information on the following town ordinances and policies: Wild Animal Ordinance; Fireworks Ordinance, Winter Parking, Recycling, and Noise.”
- 10) Statement: “You will be required to complete an application online or in-person, and there will be links to the ordinances and credit card payments online.”

Selectman Ham added that Chief Beard and Chief Morris will also be able to add whatever additional wording to the application that they deem necessary. Susan Chenard asked when this information would become available on the town’s website. Robinson explained that this policy has not been finalized yet, and the board will first need to see the final draft of the proposed application, and then together as a board they will vote to adopt the policy (along with the application) at which time it will be set up online. Robinson noted that the ordinance lists a June 1, 2020 deadline for all short-term rentals to be registered, and this is simply not going to happen, therefore, it may be better if information is sent out with the spring tax bills in June, and the date be changed to August 1st which would provide adequate time for all to

register. Selectman Ludwig questioned how the incentives to register (fines) are going to be enforced. Robinson responded that if a short-term rental fails to register, and somehow the town is made aware that they are operating a short-term rental (either through a police or fire visit, neighbor calls, online STR platforms, etc.) the town will be able to fine accordingly. Town Manager Burbank commented that there will be learning curves with any new policy, and possibly having a six-month grace period may be an idea worth considering.

IV. REVIEW WARRANT ARTICLES

The board reviewed the 2020 Warrant Articles and had a brief discussion about the article to *Authorize Community Choice Aggregation* (Energy). Selectman Ham explained that the Energy Committee recently met with Gilbert Brown of Freedom Energy Logistics who presented them with a Community Choice Aggregation Plan (CCA). Brown will be available on Town Meeting day to answer any questions that the public may have about CCA, as well as providing literature for the tables during the day and participating in the evening meeting.

Robinson noted that Finance Director, Johnna Hart has the warrant ready to go to print pending DRA approval of a few changes. The following motion was made:

MOTION: "To approve the warrant that Finance Director, Johnna Hart has presented, pending DRA approval."

Motion: Tamra Ham Second: Jayne Ludwig All in favor.

Delia Sullivan asked the board if the wording on her petitioned warrant article was exactly as it will appear on the town warrant. Selectman Ham read the following article:

Article 07 Convey the Town Owned Land on Arthur Salem Way: *"To see if the Board of Selectmen will convey the town-owned land on Arthur Salem Way, in the Lincoln Industrial Park known as Lot #4 to O'Connell Builders LLC."* Submitted by Petition.

V. REVIEW ANY CHANGES TO THE BOS RECOMMENDED BUDGET

Chairman Robinson explained that at the end of the Budget Hearing last week (February 6th), the Budget Committee adopted the final proposed budget. The Board of Selectmen held a bond hearing prior to the budget hearing which they recessed, and then reconvened shortly after the budget hearing to make changes to the Selectmen's approved budget so that both budgets were fully aligned prior to going to Town Meeting (BOS and Budget Committee's budget). There was no further discussion.

VI. OLD/NEW BUSINESS

Town Clerk/Tax Collector's Resignation & Appointment

Town Manager Burbank explained that Lisa-Jane Philbrick has submitted her resignation as Town Clerk effective Friday, February 21st. Burbank explained that he has reached out to the Secretary of State's office who informed him that the Board of Selectmen, by State Statute, have the authority to appoint an interim Town Clerk (must be a Lincoln resident) to fill out the duration of Lisa's term until March Town Meeting. Burbank added that there is one (1) resident at this time registered to run for this position in March. Burbank added that he has arranged for an audit of the Town Clerk/Tax Collector's office which will take place next week. An entire audit of the town will be taking place the week of March 2nd. Burbank also noted that there is town staff available that is able to conduct the duties of the Town Clerk's office (Motor Vehicle Registrations etc.) in the meantime. Selectman Ludwig clarified for the record that an audit is standard operating procedure for this office (Town Clerk) when an individual leaves the position. Burbank

explained that all town offices/books are audited on an annual basis (usually in March). It was also noted that this is a critical election year with several upcoming elections (Town Meeting, State Primary, and Presidential election) that require a Town Clerk. Burbank stated that Town Hall will advertise via the Town's website, public postings, and word-of-mouth. The Board agreed that if any letters of interest are received in the meantime (prior to Lisa's departure), they will schedule a meeting to meet with the interested party to discuss their possible appointment.

Delia Sullivan requested that the Board of Selectmen consider speaking with Lisa and convincing her to stay on as the Town Clerk. Town Manager Burbank responded that he had spoken directly with Lisa and appealed to her to reconsider her resignation, of which she was not interested.

Town Manager's Report

Town Hall/Departments Closed Monday, February 17th

All Town Offices will be closed on Monday, February 17th in observance of the Presidents Day Holiday.

US Army Corp. of Engineers (USACE) Levee Report

Town Manager Burbank provided the Selectmen with a copy of the *USACE Levee Report* and explained that the project engineers, Dubois & King had submitted a copy of the report to the State of NH DES Dam Bureau as a courtesy. The State subsequently provided a copy of this report to a resident in town. An official from the USACE reached out to Burbank and apologized, as this report should not have been given to the public prior to the Town Officials having a chance to view it first. Burbank further commented that the report was "good" and other than a few punch-list items, the dam is cleared to be activated.

West Street Project Bids

Chairman Robinson asked if there was any word yet from Town Engineer, Ray Korber concerning the bids for the West Street Project. Burbank explained that a few issues/questions have been identified with the two (2) top bidders, and Korber is waiting to hear back from them.

Code of Ethics Policy

Selectman Ludwig asked if everyone (employees, officials, board/committee members) has signed the *Code of Ethics policy*. Burbank responded that the office is in the process of retrieving the signed acknowledgment forms at this time.

DES document concerning Forest Ridge – "The Pines" Retention Ponds

Town Manager Burbank summarized the document dated February 3rd and explained that DES did *not* accept The Pines application. The Pines was given 120-days to comply with a list of items that must be addressed.

Public Participation

Paul Beaudin asked the board what their plans were moving forward now that the article for the water meters has been removed from the warrant. Chairman Robinson explained that they plan on proceeding with the Raftelis rate structure study, and the Ad Hoc Water Committee will reconvene in the near future to discuss the results from this study and next steps.

VII. NONPUBLIC SESSION *Pursuant to RSA 91-A: 3: II (a,c) Personnel Issues and potential litigation with the levee engineer*

MOTION: "To go into Non-Public Session pursuant to RSA 91-A: 3II (a,c)
Motion: OJ Robinson Second: Jayne Ludwig All in favor.

The Board went into non-public session at 6:55 pm.

MOTION: "To re-enter public session."
Motion: Tamra Ham Second: Jayne Ludwig Motion Carries.

The Board came back into public session at 7:35 p.m.

VIII. ADJOURNMENT


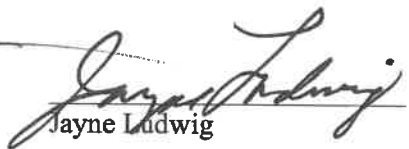
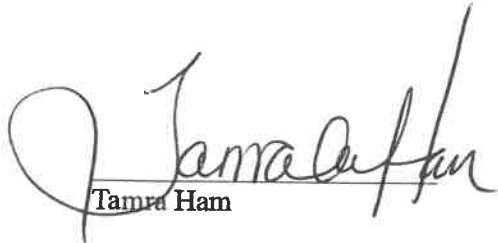
After reviewing the weekly payables and with no further business to attend to, the Board made the following motion.

MOTION: To adjourn.
Motion: OJ Robinson Second: Jayne Ludwig Motion Carries.

The meeting adjourned at 8:45p.m.


Respectfully Submitted,
Jane Leslie

Approval Date: March 2, 2020


Chairman OJ Robinson 
Jayne Ludwig 
Tamra Ham

Select Board
February 10, 2020

Bogert Harrington
Cindy Leary

Debra Sullivan
Susan Chavez

Myke Moran

Bogert Harrington

Debra Sullivan

Myke Moran

Regulations Relative to Permits for Short Term Rentals Pursuant to RSA 41:11-c

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Pursuant to RSA 41:11-c, the Town of Lincoln will allow Short Term rentals but wants to ensure the safety of occupants, minimize neighborhood disruption, and maintain fairness related to paying for Town services.

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A "Short Term Rental" or "Vacation Rental" unit is defined as any individually or collectively owned single family house or dwelling unit or any unit or group of units in a condominium, cooperative, or timeshare, or owner-occupied residential home, that is offered for a fee for less than 30 consecutive days, per RSA 48-A:1. The Short Term Rental unit may be offered for rent throughout the year, or only for a limited portion of the year. A property shall cease to be a Short-Term Rental if the unit owner ceases renting the property in any manner which would make it a Short Term Rental and notifies the Town of the change. Hotel rooms shall not be considered Short Term Rentals.

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On or before June 1, 2020, all Short Term Rental units must be registered with the Town. A registration form is available online at www.lincolnnh.org or at the Town office. Upon registration, a Short Term Rental permit shall be issued.

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There is a \$50 annual ~~feeno-fee~~ to register Short Term Rental units per tax parcel.

The owner of any unregistered Short Term Rental unit will be fined as follows starting ~~June-August~~ 2, 2020:

First offense from Short Term Rental unit owner that was not sent a notice of this ordinance by the Town: written warning

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First offense from Short Term Rental unit owner that was sent a notice of this ordinance by the Town: \$100

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Second offense, after allowing 10 days for registration since first offense: \$500

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Additional offenses, after allowing 10 days for registration since second offense: \$1,000 each.

The Town has the right to revoke a permit for any Short Term Rental unit that becomes a nuisance. This action will require a minimum of three incidents within a 12 month period one year, validated by the Lincoln Police Department or NH State Police, where the contact person was notified of problematic occupant actions. Any unit owner found to be operating as a Short Term Rental after revocation will be fined \$1,000 per 10-day period.

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If a permit is revoked, the owner may appeal the decision to the Board of Selectmen within 30 days of the date of revocation, and the Selectmen shall hold a hearing on the appeal within 45 days and either affirm the revocation or overturn the revocation. If the revocation is overturned, the Selectmen can impose conditions upon the reinstatement of the permit.

Any comments or complaints related to Short Term Rentals can be submitted online at www.lincolnnh.org or at the Town Office.

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Approved by the Town of Lincoln Board of Selectmen on _____,
2020.

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O.J. Robinson

Jayne Ludwig

Tamra Ham

Registration Form:

Request:

Meals & Rentals Tax License # or third-party tax collector(s)

Bedrooms

beds

baths

Max occupancy

Offer free safety inspection



LINKING POWER OF CHOICE WITH
POWER OF COMMUNITY

COMMUNITY CHOICE
aggregation

Community Choice Aggregation Plan Lincoln, New Hampshire

Prepared with The Assistance Of:

Freedom Energy Logistics
5 Dartmouth Drive - Suite 301
Auburn, New Hampshire 03032
603-625-2244

Date: 2/7/2020

Table of Contents

- Introduction
- Goals and Components
- Statutory Requirements
- Organizational Structure
- Operating and Funding
 - RFP Issuance and Supplier Selection
 - Issuance of Notice and 30 Day Opt Out Period
 - Public Information Session
 - Enroll Customers and Provide Service
- Rate Setting and Cost to Participants
- Structure of Supply Services (i.e. Opt Out or Opt In)
- Methods for Entering and Leaving Agreements with Other Entities
- Rights and Responsibilities of Program Participants
- Treatment of Participants Enrolled in Net Metering or Electric Assistance
- Termination and/or Renewal of the Program
- Implementation Schedule
- Exhibits
 - Sample Notice Letter
 - Sample Opt Out Card

Introduction

The Town of Lincoln, New Hampshire (“Municipality”) has developed this Community Choice Aggregation Program (“CCA”) with the goal of providing its rate payers with an alternative default service that combines the criteria of low cost, increased renewables, rate stability and strong customer friendly contract terms.

This aggregation plan (“The Plan”) was authored by the Aggregation Committee (“The Committee”) in conjunction with the Municipality’s chosen CCA partner Freedom Energy Logistics (“FEL”).

Goals and Components

Consumer Protections: Under this CCA, the contract terms will provide the highest level of consumer protection for the Municipality’s rate payers. Rate Payers will be able to rely on price security (if that is the option selected/offered), clearly defined terms of service, no exit penalties, no out of contract rates and multiple options to handle customer service-related issues or queries.

Program Optionality: It is the goal of this CCA to provide the Municipality’s rate payers with more than a single option. This Plan was developed with an eye towards an alternative default service rate inclusive of renewable energy at a fixed cost, but also with secondary options or opt in options of 100% green and market-based pricing.

Strength of Supplier: Suppliers allowed to bid on the CCA’s portfolio must demonstrate the highest level of financial strength and reputation. With the recent bankruptcies of certain suppliers in the New England Region as well as questionable pass through practices, the Plan shall emphasize that low cost is a significant factor in determining the winning supplier, so long as they have the financial reputational strength to meet their contractual duties to the CCA.

Cost Savings to Residents: Under the initial CCA Opt Out Rate offering, the Town will make every effort to maximize electric rate savings for the residents and businesses utilizing the New Hampshire Electric Co-op’s standard offer in Lincoln. Although savings cannot be guaranteed under the CCA program, purchasing through CCA has inherent pricing advantages not enjoyed by the host utility company that should manifest in lower power rates for Lincoln’s participating residents.

For subsequent CCA Opt Out Rate offerings the Town may pursue additional or different priorities such as, but not limited to, higher renewable generation percentages, market based pricing and/or the inclusion of generation from locally sourced power producers.

Delivering on Benefits of Electric Choice for Smaller Rate Classes: The Municipality strives to offer all rate payers within its jurisdiction additional competitive choice when it comes to power purchasing, but with a special emphasis on providing that choice for residential and small commercial rate payers. Deregulation of New Hampshire's electricity markets have been a major success for larger commercial and industrial rate payers in the state, however smaller rate payers (i.e. residential and small commercial) have not had the same opportunity to benefit. Through Lincoln's decision to move forward with CCA, the hope is that the aggregated purchasing power of all participating rate payers will finally deliver the same positive experience (savings, strong contracts and multiple product offerings) across all rate classes.

Statutory Requirements

Per the CCA statute, RSA 53-E requires that an Aggregation Plan include the following details:

- organizational structure of the program,
- operating and funding,
- rate setting and any costs to participants,
- whether supply services are offered on an opt in or opt out basis,
- methods for entering and leaving agreements with other entities,
- rights and responsibilities of program participants
- treatment of those participants enrolled in the electric assistance program, ensuring continued discount
- termination of the program.

Organizational Structure

1. The Organizational Structure of the plan will be as follows:

Board of Selectmen: The Plan will be approved by the Board of Selectmen and overseen by the Board of Selectmen and/or their designee(s) (I.e. Town Manager or Public Works director). The designee(s) of the Board will be responsible for making decisions and overseeing the administration of the Program along

with FEL. Prior to the receipt of the bids from approved Competitive Suppliers, licensed with the NH PUC, the designees shall be authorized to execute an electricity supply agreement under the parameters set forth by the Board.

FEL: FEL will manage specific aggregation activities called for under the Plan and their CCA partner agreement with the Municipality. Those duties will include, but are not limited to, managing the procurement process, selecting the approved Competitive Suppliers eligible to bid, reviewing and negotiating the Competitive Supplier contracts, hosting/maintaining/updating informational website for the municipality's CCA program's participants, monitoring the supply contract and acting as an initial point of contact for the winning Competitive Supplier to handle any post contract issues. FEL shall also act as a program level customer service contact for participants, providing general information about participants' rights, rates, terms and obligations under the CCA.

Competitive Supplier: The Competitive Supplier will be the source of the electricity for the CCA, be responsible to provide notification to all rate payers in the Municipality per statute with assistance from the Local Distribution Company, the Municipality and FEL, provide account level Customer Service to program participants, work with FEL and the Municipality to manage all opt outs, opt ins and sweep for new accounts during the term of the CCA Agreement.

2. Operating and Funding

This CCA shall be self-funded through the rates charged by the Competitive Supplier, provided a Competitive Supplier is chosen. FEL has been hired as the Town CCA consultant and will be funded by adding a small fee to the rate charge by the serving Competitive Supplier. The Town will not be under any obligation to expend financial resources towards the administration, implementation and/or maintenance of this CCA.

In the event that FEL is unable to collect on any owed by the Competitive Supplier, FEL shall not have any right to charge a separate fee to the Town or its participating rate payers.

Following approval of the Plan by the Board of Selectmen and passage by the governing body, the next steps shall be as follows:

- The Town shall request all necessary information for the successful operation and implementation of the CCA from applicable the Local Distribution Company (“LDC”). This may include, but is not limited to, Town rate payer’s applicable class, usage data, ICAP tags, load profile, supplier status, EAP status, net metering status, etc...
- Issue Request For Proposal (“RFP”) for power supply and select a Competitive Supplier
- Issue notification to all potential program participants, providing for 30 days opt out
- Within 15 days of notice, hold public information meeting to answer questions
- Enroll customers and provide service

A. RFP Issuance and Vendor Selection

Vendor Selection for Power Supply

The Municipality will solicit bids from top rated Competitive Suppliers. The RFP will require that the winning supplier satisfy the following criteria, including:

- Licensed by the NH PUC
- Strong financial footing
- Experience in the ISO New England market
- Ability to manage large scale customer service
- Strong reputational history
- Strong customer friendly contract terms

For the purposes of this Plan, Suppliers shall be required to include the following terms and conditions in their electric supply agreement

- Provide full requirements service at a fixed price for the CCA’s Opt Out Rate
- Contract rate shall include FEL’s consulting fee
- Allow customers to exit without an early termination penalty
- Offer new rate payers the ability to join the Town’s CCA mid contract
- No hold over rates

For the purposes of this Plan, Suppliers may be required to include the following terms and conditions in their electric supplier agreement

- Include a percentage of renewable generation into fixed priced offer via direct contract with generator or via the inclusion of Renewable Energy Certificates (“RECs”)
- Hold rate payers harmless for any opt outs properly and timely received by supplier but not properly or timely processed by supplier. (Issues, mistakes or delays caused by LDC shall not be the responsibility of the competitive supplier.)
- Offer consolidated billing through the LDC to limit rate payer confusion and maximize convenience.
- Offer a different rate based on rate class if it is determined by the Town and their designees that it is in the best interests of the majority of their rate payers to do so.
- Offer secondary Opt In rate plans such as, but not limited to, a 100% Green option.
- Other such terms and conditions as the Town deems necessary to meet the goals outlined in this Plan.

The Board of Selectmen shall authorize to their designees to select a bid and enter into an electric supply agreement for the CCA, based upon the parameters set by the Board in the best interests of the program participants. In conjunction with FEL, the designees shall evaluate the bid results using price, terms and source. It is the goal of this Plan to provide program participants with the best all around service. While lowest price is an important criterion, it is not the only criteria and as such the Municipality wishes to engage the vendor that can best meet the needs of the community, can service the entirety of the contract without disruption or mid contract adjustment and help the Municipality achieve or make progress towards their renewable initiatives and goals.

If none of the bids returned are satisfactory, the Municipality or its designees shall reject all bids and repeat the RFP process until such time as a satisfactory bid materializes.

B. Issuance of Notice and 30 day opt out

Once a Competitive Supplier is chosen to serve the CCA, the Municipality and FEL will work with the Competitive Supplier on the required 30 day opt out notification. (See Exhibit A SAMPLE) The notice shall be a direct mail piece, mailed by the Competitive Supplier to all rate payer within the municipality using the addresses provided by the LDC. The Competitive Supplier shall be responsible for processing all

opt out and opt in requests and include a pre addressed opt out card with every notice. (See Exhibit B SAMPLE)

The Notice shall include: price, term, supplier name and website, participant rights (right to opt out and automatic enrollment if no action taken by default service customers), how to opt out, the Municipality's CCA website (hosted and maintained by FEL), 800 number for customer service questions, all added charges (if any), all additional opt in offerings (if any), the current basic service offering from the LDC (residential only), no savings guarantee disclaimer and date of the public information session.

C. Public Hearing (Informational Session)

Within 15 days of the Competitive Supplier mailing out notifications, the Municipality shall hold a public information session on the CCA program. The session shall be hosted by representatives of the Municipality and FEL, in a place or facility commonly used to hold public indoor gatherings. The purpose of the informational session is to answer any questions brought forward by the public with regard to any aspect of the program so that they may make a properly informed decision prior to the end of the 30 day opt out period. Materials shall be prepared and made available to the attending public by FEL, giving an overview of the CCA program and highlighting material components.

D. Enroll Customers and Provide Service

At the end of the 30-day notice period and after sufficient time has been allotted to properly register all opt outs, the Competitive Supplier shall commence enrollments of all program participants with the LDC. Once enrolled, the CCA program shall provide ongoing customer service, maintain the website, process new enrollments as well as provide for additional public information sessions, if necessary. Prior to the expiration of the electric supply agreement, the Municipality intends to solicit a new electric supply agreement to commence on the final meter reads of the prior agreement. In the event, that no bid is selected for a subsequent electric supply agreement, the Municipality shall notify the LDC to return all program participants to the LDC's default service offering on the final meter reads of the existing electric supply agreement.

3. Rate Setting and Costs to Participants

As the Plan outlines, the electricity supply charges of the CCA program shall be set through a competitive bidding process and will include any aggregation fees, including FEL's. The rate set for program participants may vary by customer class, as well as the length of the electric supply agreement. The CCA Opt Out Rate shall not change during the term of this CCA electric supply agreement, unless it is the result of verified change of law that took place after the Competitive Supplier bid and was awarded the CCA agreement. In such instances, any price change shall be communicated to program participants through media releases, posting on Municipality social media accounts (if any) and the FEL hosted CCA website.

This CCA program only impacts the electric supply charges of program participants. Transmission and distribution charges will be unchanged and unaffected by participation in this CCA program. Power outages, meter issues, maintenance or other matters related to the delivery of electric service shall remain the responsibility of the LDC.

4. Form of Service offering (Opt In/Opt Out)

For rate payers within the Municipality on default service with their LDC, this Plan shall treat them as Opt Out customers. This means that they will automatically be enrolled in the CCA unless they affirmatively opt out during the 30-day notice period, through means and mechanisms prescribed in this Plan and within the Notice. For rate payers within the Municipality not currently on default service with the LDC, they must affirmatively Opt In within the 30-day notice window. The purpose of this provision is to avoid interference with existing contractual relationships at the time the program is rolled out.

Additionally, Rate payers may also Opt In within the 30 day notice period, or at any time if allowed, to secondary product offerings (i.e. 100% Green), regardless of whether they are currently on default service with the LDC.

5. Methods for Entering and Leaving Agreements with Other Entities

The process for entering, modifying, enforcing and terminating all agreements associated with the Plan will comply with the municipal charter, federal and state law and regulations, and the provisions of the relevant agreement. The Municipality plans to use the same process described in Section II 2.A. of this Plan to solicit bids and enter into any subsequent electricity supply agreements with the assistance of FEL. Program participants will be notified of subsequent electricity supply agreements through press releases and public notices. The transfer of customers from the existing supplier to the new supplier will be coordinated with the LDC using established EDI protocols.

6. Rights and Responsibilities of Program Participants

All program participants will have the right to Opt Out of the program at any time without an early termination penalty. In order to Opt Out the program participant may contact the supplier, the LDC or enroll with another supplier.

Program participants will also maintain all rights and protections of NH law and regulation. They have the right to questions billing and services and register complaints with the Municipality or the NH PUC.

7. Treatment of Participants Enrolled in Electric Assistance

Provided that the requisite rate payer data is available from the LDC and provided to the Town, rate payers that are currently enrolled in the Electric Assistance Program (“EAP”) may Opt In to any of the programs and products offered by the CCA, however, they must sign the EAP waiver acknowledging that they are aware of the risk that they may lose a portion of their EAP benefits by purchasing commodity from an entity other than their LDC.

8. Treatment of Participants Enrolled in Net Metering

Provided that the requisite rate payer data is available from the LDC and provided to the Town, rate payers that are currently enrolled in the Net Metering Program (“NM”) may Opt In to any of the programs and products offered by the CCA, however, they must sign the EAP waiver acknowledging that they are aware of the risk that they may lose a portion of their NMP benefits by purchasing commodity from an entity other than their LDC.

9. Termination of the Program

Prior to the natural expiration of the current electricity supply agreement, the Municipality shall solicit bids for a new agreement and plans to continue the CCA with the current new electricity supplier.

Although the Municipality is not currently contemplating termination of the CCA, the CCA may be terminated upon the termination or the expiration of the current electricity supply agreement, without any renewal in place. The CCA may also be terminated by the decision of the Board of Selectmen, effective on the date of any currently active electricity supply agreement.

In the event of a termination of the CCA, all program participants will be automatically returned to default service with the LDC, unless they choose to continue with an alternative supplier of their choosing. The Municipality shall notify all residents of a planned termination through media releases, postings on the CCA webpage and social media (if available).

Further, the Municipality will notify the LDC of the planned termination at least (60) sixty days prior to the end of the current electricity supply agreement. In the event of termination, it is the responsibility of the Competitive Supplier to return the program participants to default service with the LDC in accordance with EDI rules and protocols.

Implementation Schedule

*this schedule is merely a guideline and shall not be construed as binding on this CCA. The Town reserves the right to reject Competitive Supplier RFP responses and/or to issue as many RFP's as is necessary before a satisfactory selection can be made

Day	Action/Event
1	Issue RFP for Competitive Electricity Supplier to serve CCA
31	Electricity Supply Agreement executed between Municipality and Competitive Supplier
32	Competitive Supplier notifies the LDC to prepare consumer data of Municipality
44	Competitive Supplier receives customer data from LDC
50	Competitive Supplier mails Opt Out notices to all potential program participants, 30 days Opt Out period begins
65	Public Informational session is held and hosted by FEL and Municipality
80	30 day Opt Out period closes

81	Competitive Supplier removes all rate payers that opted out from the participation list
82	Competitive Supplier begins EDI enrollments of all customers that did not return an Opt Out as well as all customers that Opted In
90	Enrollments are confirmed and service under CCA begins on next scheduled meter date