

# STATE OF NEW HAMPSHIRE

## Intra-Department Communication

**DATE:** April 2, 2020

**AT (OFFICE):** NHPUC

**FROM:** Tanya Wayland, Energy Analyst

**SUBJECT:** DE 10-212 Commercial and Industrial Solar Rebate Program  
Recommendations for Program Modifications

**TO:** Dianne Martin, Chairwoman  
Kathryn M. Bailey, Commissioner  
Michael S. Giaimo, Commissioner  
Debra A. Howland, Executive Director

**CC:** Karen P. Cramton, Director, Sustainable Energy Division  
David K. Wiesner, Director, Legal Division

### **Recommendation Summary**

Commission Staff (Staff) recommends certain temporary modifications to the commercial and industrial solar incentive program (Program) application process in consideration of the current state of emergency caused by the COVID-19 pandemic. The proposed temporary modifications include the acceptance of rebate applications submitted electronically as well as through paper submissions, extending the deadline for applications to be included in the lottery by one week to April 24, 2020, conducting the lottery one week later on May 1, 2020, and conducting the lottery virtually through video conference rather than at a physical location.

### **Program Background**

The Commission recently approved modifications to the Program, in Order No. 26,336 (March 6, 2020), decreasing the rebate amount and simplifying the application process. The Commission also directed that the Program re-open to accept new applications and that Staff conduct a public lottery to allocate initial queue positions for applications. The Commission clarified that, if it becomes apparent that the aggregate amount of new project incentives applied for would not exceed available Program funds, then the lottery would be cancelled.

### **Rebate Funding Availability**

The Renewable Energy Fund (REF) revenues for Fiscal Year 2020 total approximately \$3.7 million. The funding allocation of \$519,768 for the Program was approved by the Commission in a secretarial letter dated November 6, 2019. In addition, Staff continually monitors the Program for expired applications and applications withdrawn from the

Program. To date, Staff has released approximately \$380,000 as a result of that monitoring, thereby increasing the available REF funding for new applications in Fiscal Year 2020 to approximately \$880,000.

**Program Application and Lottery Process Under Current COVID-19 Emergency**

Staff recommends that the Commission temporarily accept Program applications through electronic means, as well as through paper filings. That modification would be consistent with the Commission's Secretarial Letter dated March 17, 2020 suspending all Commission rules requiring the filing of paper copies until further notice, pursuant to its rule waiver authority under Puc 201.05 in consideration of the Governor's Executive Order 2020-04 and Emergency Order #17 related to the current state of emergency due to the novel coronavirus (COVID-19) pandemic. Program applications should be considered filed as of the time the electronic submission is received by the Commission. All parties submitting applications electronically should also submit the original paper versions of the applications to the Commission in a timely manner.

Staff recommends that the Program modification permitting electronic submission of applications be in effect until such time as the Executive Director issues a secretarial letter confirming that the temporary modification has been terminated.

Staff also recommends that the Commission approve a one-week extension of the deadline for applications to be included in the public lottery held to determine application queue position for review from April 17, 2020 to April 24, 2020, as well as postponement of the public lottery date from April 21, 2020 to May 1, 2020. As stated in Order No. 26,336, if it becomes apparent that the aggregate amount of new project rebates applied for will not exceed available Program funds, then the public lottery will be cancelled.

Staff further recommends that the Commission adopt a virtual process to conduct the public lottery, through video conferencing technology rather than at a physical location.

Finally, Staff recommends that the Commission approve the foregoing temporary modifications and related date extensions through an order *nisi* with shortened *nisi* periods, in view of the impending deadlines currently applicable to the Program.

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