

THE STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION

DRM 08-148

ORDER OF NOTICE

On May 1, 2009, the Commission voted pursuant to RSA 541-A to initiate a rulemaking for N. H. Admin. Rule Puc 900, Rules for Net Metering for Customer-Owned Renewable Energy Generation Resources of 100 Kilowatts or Less. The Commission's initial proposal consists of a readoption with amendment of existing Interim Rule Puc 900 Rules for Net Metering for Customer-Owned Renewable Energy Generation Resources of 100 Kilowatts or Less as a result of modifications to RSA 362-A by the passage of HB 447 (2007). The proposed rule establishes reasonable interconnection requirements for safety, reliability and power quality for net energy metering as the public interest requires consistent with the legislative declaration of purpose set forth in RSA 362-A:1. Specifically, the proposed rule sets forth definitions of terms, general rules, rights and obligations, statutory and other requirements, requirements relating to the interconnection application process, technical requirements for interconnection, description of compliance paths for units using and not using an inverter to interface with the electrical grid, and procedural requirements for all interconnected units.

At this time, the current version of Puc 900 has been adopted as an interim rule effective January 12, 2009 that is due to expire on July 11, 2009. The proposed rule will replace the current version of Puc 900.

A rulemaking notice form (Notice) was filed with the Office of Legislative Services on May 12, 2009 pursuant to RSA 541-A:6. The Notice, attached hereto, sets forth a date for a public hearing to be held at the Commission and a deadline for submission of written comments.

A copy of the Rulemaking Notice will be sent to all regulated utilities and to those parties have requested notice of rulemakings pertaining to net metering for customer-owned renewable energy generation resources of 100 kilowatts or less. Pursuant to RSA 541-A:6, III, notice may also be provided by public notice advertisement in a publication of daily statewide circulation.

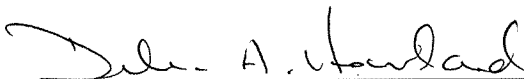
The readoption with amendment may be viewed on the Commission website, www.puc.nh.gov, or copies may be obtained from the Commission as set forth in the Notice.

Based upon the foregoing, it is hereby

ORDERED, that a Public Hearing, pursuant to 541-A:11, be held before the Commission located at 21 S. Fruit St Suite 10, Concord, New Hampshire on June 18, 2009 at 11:00 a.m., and that the deadline for submission of materials in writing or via e-mail shall be June 25, 2009, as set forth in the Notice; and it is

FURTHER ORDERED, that pursuant to RSA 541-A:6,III, the Commission shall undertake a public notice advertisement by publishing a copy of this Order together with the Notice no later than May 21, 2009, in a newspaper with a daily statewide circulation, publication to be documented by affidavit filed with the Commission on or before June 18, 2009.

By order of the Public Utilities Commission of New Hampshire this fifteenth day of May, 2009.



Debra A. Howland
Executive Director

Individuals needing assistance or auxiliary communication aids due to sensory impairment or other disability, should contact the Americans with Disabilities Act Coordinator, NHPUC, 21 South Fruit Street, Suite 10, Concord, New Hampshire 03301; 603-271-2431; TDD Access: Relay N.H. 1-800-735-2964. Notification of the need for assistance should be made one week prior to the scheduled event.

APPENDIX II-C

RULEMAKING NOTICE FORM

Notice Number _____

Rule Number _____

Puc 900

1. Agency Name & Address: Public Utilities Commission 21 South Fruit Street Suite 10 Concord, NH 03301	2. RSA Authority: RSA 362-A:9, V & RSA 365:8, XII 3. Federal Authority: _____ 4. Type of Action: Adoption _____ Amendment _____ Repeal _____ Readoption _____ Readoption w/amendment <u> X </u>
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5. Short Title: **Puc 900 – Net Metering for Customer-Owned Renewable Energy Generation Resources of 100 Kilowatts or Less**

6. (a) Summary of what the rule says and the effect of the rule on those regulated:

The purpose of Puc 900 is to establish reasonable interconnection requirements for safety, reliability and power quality for customer owned renewable energy generation resources of 100 kilowatts or less (previously 25 kilowatts or less before HB447).

Specifically, the proposed rule sets forth definitions of terms, general rules, rights and obligations, statutory and other requirements, requirements relating to the interconnection application process, technical requirements for interconnection, description of separate compliance paths for units using inverters or meters to interface with the electrical grid and procedural requirements for all interconnected units. The changes to the proposed rule result from 1) passage of HB 47 (2007) which modified the definition of eligible customer-generator and required the PUC to conform to certain safety standards when adopting its rules, 2) the Commission's adoption of the IEEE Standard 1547 for inverter interconnections up to 10 kilowatts, and 3) the need to update the incorporated standard references to reflect the most recent editions.

Net energy metering is a way to provide a reasonable opportunity for small customers to choose interconnected self generation, to encourage private investment in renewable energy resources, to stimulate in-state commercialization of innovative and beneficial new technology, to enhance the future diversification of the state's energy resource mix, and reduce interconnection and administrative costs.

6. (b) Brief description of the groups affected: **Any person or entity which seeks to interconnect to the electric grid with a renewable energy generation resource of 100 kilowatts or less in capacity. Additionally affected are electric utilities which distribute electric power within the State of New Hampshire and electric suppliers within the state as defined in the rule.**

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6. (c) Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement:

Puc 900 (other specific statute provisions implemented by specific rules are listed below)	RSA 362-A:9,V
Puc 904.02	RSA 541-A:16,I (b)
Puc 908.03	RSA 365:8,I
Puc 908.05	RSA 541-A:30,II
Puc 908.06	RSA 374:15

7. Contact person for copies and questions including requests to accommodate persons with disabilities:

Name: **Suzanne Amidon** Title: **Staff Attorney**
Address: **21 South Fruit Street** Phone #: **603-271-6616**
Suite 10 Fax#: **603-271-3878**
Concord, NH 03301 E-mail: **suzanne.amidon@puc.nh.gov**
TTY/TDD Access: Relay NH 1-800-735-2964 or dial 711 (in NH)

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **June 25, 2009**

☒ Fax ☒ E-mail ☐ Other format (specify):
rulescomments@puc.nh.gov

9. Public hearing scheduled for:

Date and Time: **June 18, 2009 at 11:00 AM**
Place: **Public Utilities Commission**
21 South Fruit Street, Suite 10
Concord, NH 03301

10. Fiscal Impact Statement (Prepared by Legislative Budget Assistant)

FIS # 09:073 dated May 8, 2009

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution: **The proposed rules do not modify an existing program or responsibility, and do not apply to any political subdivision and therefore do not violate Part I, Article 28-a.**