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January 29, 2016

Via Email: executive.director@puc.nh.gov

Debra A. Howland, Executive Director and Secretary
State of New Hampshire
Public Utilities Commission
21 S. Fruit St., Suite 10
Concord, NH 03301-2429

RE: DE 15-271, Examination of Electric Distribution Utility Interconnection and Queue Management Processes for Net-Metered Customer-Generators

Dear Executive Director Howland:

Thank you for the opportunity to further comment on the proposed Net Energy Program Capacity Allocation Procedures.

1. EDC's recent comments suggest filing extensive comments at this stage of the docket may be counterproductive. We strongly disagree.
 - a. When Staff Attorney - Dave Weisner sent out a revised DRAFT of the procedures on 10-2-15 and asked that stakeholders "Please let us know whether or not there is general consensus that a further technical session should be scheduled to review the proposed procedures." and stated that "We anticipate that procedures such as these may form the basis for separate or joint filings by the three utilities or for a Staff recommendation to the Commission in this docket.", no deadline for comments or clear indication of next steps was provided. Without this clarity in process, the need to prioritize commenting was not present.
 - b. It appears the Commission recognized this lack of clarity and sense of urgency as a possible reason for a lack of comments on the 10-2-15 DRAFT and their comments "To date, however, no significant comment or other response has been received with respect to the proposed Procedures." were not to suggest the DRAFT was sufficient or based on consensus of all the stakeholders, only that it was simply not commented on. Staff went on to state that it "continues to believe that the issues covered in the proposed Procedures are important and should be addressed expeditiously. Staff therefore recommends that the Commission schedule a public hearing to receive comment on the proposed Procedures from parties in the docket and other interested stakeholders." **The January hearing and this present comment period are specifically for providing extensive comments.**
2. Correcting a typo in our prior filing – Pt. #3 should read "We recommend the definition of the term Customer or Applicant be amended..."



3. We would like to echo and expand on the EDC's comments regarding moving projects off the waitlist and in to the net metering program.
 - a. We too feel that if the waitlist is to be based upon the date that the applicants have satisfied the initial requirements, it would seem that the intent is for projects to enter the net metering program in that order.
 - o Using EDC's example, this would mean the 100kw project which is 1st in line would hold its spot until 100kw of capacity be freed up. No leap frogging in the waitlist should be allowed.
 - b. Expanding on this, we contend the applicant should have, at its option, the choice to revise the project down to a smaller size to utilize any freed allocation capacity. The applicant should hold this option and be able to execute on it at any point while they remain 1st in line in the waitlist.
 - o EG – If 75kw of freed capacity were available and upon a review of the projects in the queue, no more capacity was likely to become available or said capacity was going to take a long time to free up, the applicant 1st on the waiting list with the 100kw project, could downsize their project and apply for a 75kw allocation.
4. The EDC's recent comments state that "the Commission must be cautious about making extensive revisions to the proposed procedures" because TASC and Borrego share different perspectives on the requirement to provide "evidence of sufficient project-specific customer-members to satisfy the requirements to be issued a group host authorization number under Puc 909."
 - a. While both TASC and Borrego are both "advocates for solar project development (in) New Hampshire", we have different interests. TASC's membership is made up if not entirely, almost entirely, of companies focused on the residential solar space. Just as our comments advocate commercial solar development, TASC's comments appear to support their residential focused membership.
 - b. We ask that the Commission weigh suggestions for these procedures based on the experience of the stakeholder making the comments in the area on which they are commenting. Specifically, comments from experts and advocates for residential projects should bare more weight in amending the procedures on type A and B projects and comments from stakeholders with large commercial development and project experience should bare more weight on the procedures for Type C projects.
5. The EDC's recent comments argue the net metering allocation should be limited to "customers" only, thereby emphasizing the draft rules requirement "the Applicant shall have submitted to the Company evidence of sufficient project-specific customer-members to satisfy the requirements to be issued a group host authorization number under Puc 909. Examples of such evidence include executed power purchase agreements ("PP As"), other binding agreements between the eligible customer-generator and specific customer-members, issuance of a group host authorization number by the Public Utilities Commission, and/or a description of how the project is being developed in response to a completed request for proposals ("RFP") or other completed bid solicitation process through which a municipality seeks to benefit a set of pre-defined utility accounts owned by the municipality."
 - a. We too want to ensure developers are not taking up the queue with unrealistic projects. These points were raised and debated in the technical sessions and there seemed to be consensus adding significant financial requirements would serve as a threshold to weed out these unrealistic projects.

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- b. If the Commission feels the bar is not high enough, we suggest further raising the financial requirements rather than requiring copies of signed documents in an order not consistent with the development process for Type C projects.
6. Our prior comments recommending a comprehensive administration of the program were based on long term thinking in relation to a net metering program. Given the current limitations on net metering, the limited projects that can be built under those caps, the various bills in the Senate and House addressing the future of net metering and a potential value of solar tariff, we can't know if there will even be a CAP allocation to manage in a year's time.
- a. If Net Metering in some form is extended and limitations are placed on the amount and size of projects and there are very specific requirements receiving an allocation, then we recommend the Commission consider moving to a 3rd party model for the management of the program and developing comprehensive rules similar to those in the MASS ACA program – – <http://www.massaca.org/help.asp>
 - b. In the short term we recommend the Commission focus on providing clear procedures and requirements for the EDC's to report on the net metering queue and publish rules on
 - o Requests for extensions - <http://www.massaca.org/pdf/FAQ.pdf>
 - o system size changes - <http://www.massaca.org/pdf/CapAllocation.pdf> and <http://www.massaca.org/pdf/WaitingList.pdf>
 - o dispute resolution - <http://www.massaca.org/pdf/DisputeGuidance.pdf>
 - o administrator requirements - <http://www.massaca.org/pdf/FAQ.pdf>all of which can be modeled after the ACA program and tailored by the Commission to work in NH.
 - o TASC offers a good outline for some basic parameters of the administration in their comments. That being said, I would encourage staff not to reinvent the wheel and to take as much as they can from the Mass ACA program

Thank you again for the opportunity to comment and for your consideration of these comments. We are happy to discuss any of these issues further if you wish. We look forward to seeing final program rules and to getting to work.

Sincerely,

Chris Anderson
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