

The State of New Hampshire
Public Utilities Commission

DE 17-172

Development of Renewable Energy Programs for
Low and Moderate Income Residential
Customers Under SB 129 of 2017

Public Comment Hearing
March 2, 2018

**Comments of New Hampshire Legal Assistance
Regarding Staff Memorandum dated February 15, 2018
Recommending Issuance of a
Request for Proposals (RFP) for
Community Solar Photovoltaic (PV)
Projects Pursuant to SB 129, 2017**

Introduction

New Hampshire Legal Assistance (NHLA) represents low income households and organizations. NHLA is a participant in this docket and the companion net metering docket, DE 16-576.

NHLA supports the Staff's proposal for issuance of a RFP to accept competitive proposals for community solar photovoltaic (PV) projects that would provide direct benefits to low and moderate income (LMI) residential electric customers, in order to meet the statutory requirements of Senate Bill 129 of 2017 (SB 129). NHLA offers the following preliminary comments to the Staff Memorandum dated February 15, 2018 and Staff Attachment A, Low and Moderate Income (LMI) Community Solar Competitive RFP Program.

Comments

1. Program Purpose

NHLA agrees with Staff's proposal that RFP respondents "be required to present a comprehensive project plan clearly demonstrating and quantifying the direct benefits to be provided to LMI participants, while meeting other specified technical requirements." Recommendation Summary, February 15, 2018, page 1 (emphasis added). This "direct benefits" requirement is important to carrying out the intent of SB 129, 2017.

2. Ownership Model

NHLA agrees that it is important that the RFP respondent disclose whether the system will likely or foreseeably be sold if the system is not owned by the community. The respondent should clearly explain when, and to whom such a sale will occur.

3. Direct Benefits and Costs to LMI Participants

- a) It is important that the RFP respondent describe any initial joining/subscription fees and any ongoing subscription fees, and the amount of such fees, along with the frequency and terms of payment.
- b) All other costs to LMI participants should be listed and described by the RFP respondent.
- c) In describing how the benefits will be provided to LMI participants (e.g., through on-bill credits/virtual net metering, group net metering, rental payment reduction, association dues reduction, etc.) the RFP respondent should address the following two items:
 - i) Impact, if any, on any other government benefits received by the LMI participant (such as Section 8 rent subsidy, Supplemental Security Income (SSI), Temporary Assistance To Needy Families (TANF), Medicaid, Food Stamps (SNAP), etc.)
 - ii) Federal income taxes

4. Participant Communications

Management of “participant relationships” (such as the process for handling income verification, participant moves, new participants, etc.) should be clearly described by the RFP respondent.

5. Funding and Financing

- a) The RFP respondent should explain whether any funding would be expected to come from community solar participants and, if so, to what extent, in what amount, and the proposed financing mechanism.
- b) If any funding is expected to come from community solar participants, the RFP respondent should address related consumer protection issues, such as:
 - i) On-bill financing and risk of disconnection of electric service for non-payment;

- ii) If residential PACE (Property Assessed Clean Energy) financing, the imposition of a property tax lien, and risk of default on tax bill, tax sale, and foreclosure;
- iii) Necessary disclosure requirements to LMI participants.

Conclusion

NHLA supports the Staff recommendation for a RFP for community solar to directly benefit low and moderate income (LMI) electric customers. NHLA appreciates the opportunity to offer these public comments to the Commission.

Respectfully submitted,

New Hampshire Legal Assistance

By:  _____

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