

STATE OF NEW HAMPSHIRE

Intra-Department Communication

DATE: November 25, 2020

AT (OFFICE): NHPUC

FROM: Karen P. Cramton, Director, Sustainable Energy Division

SUBJECT: DE 10-024, DE 10-212, DE 13-298, DE 15-302 and DE 17-172:
Request for Approval of Fiscal Year 2021 Renewable Energy Fund Program Budgets

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

CC: David J. Shulock, General Counsel
David K. Wiesner, Director, Legal Division

This memo requests approval to establish fiscal year 2021 (FY21) program budgets for the Renewable Energy Fund (REF) as set forth in the Recommended Funding Allocations by Program (Table 2) on page 2. Further, Staff requests approval to take the following actions:

- Fund all program applications received prior to July 1, 2020, provided that the applications meet current program terms and conditions;
- After funding the aforementioned applications, provide funding to program applications received in FY21 (i.e., applications received on or after July 1, 2020) on a first-come, first-served basis, provided that the applications meet current program terms and conditions;
- Continue suspension of the Residential Solar Thermal Rebate program;
- Continue to accept new applications for all rebate programs, except the Residential Solar Thermal Rebate program, until individual program funding allocations are fully utilized;
- Continue with contracting for grant(s) to be awarded under Request for Proposals (RFP) 2019-007, Renewable Energy Fund Low and Moderate Income Community Solar Grants;
- Cancel RFP 2020-002, Renewable Energy Fund Low and Moderate Income Community Solar Grants;
- Issue two new RFPs: one for Renewable Energy Generation Projects in the Non-Residential Sector (C&I Competitive Grant program) and one for the Low and Moderate Income Community Solar Grant (LMI Grant program); and
- Authorize Staff to conduct stakeholder session(s) to consider potential program revisions that may be necessary as a result of statutory amendments to ensure that funds are effectively utilized to incentivize renewable energy project development while facilitating the expenditure of funds within a fiscal year, to be followed by notice and public comment hearing with respect to any proposed program revisions to go into effect in fiscal year 2022.

Funding Analysis

House Bill 517 (2017) (2017 Laws Chapter 156 §156:105) amended RSA 362-F:10, I replacing “continually appropriated to the commission to be expended in accordance with this section” with “nonlapsing.” In mid- to late-2020, the Department of Administrative Services undertook a complete review of the REF account to determine whether any funds that were continually appropriated prior to that statutory amendment remained available for use in FY21. The state Comptroller determined that funds remained at the time the “continually appropriated” language was removed, and that those funds are available for use up to the REF’s state budget appropriation. The Department of Justice has also reviewed that approach. Based on the REF’s FY21 Statement of Appropriation, \$4,241,977 is available for allocation to FY21 grant and rebate programs.

Table 1 presents the statutorily required funding breakdown between sectors:

Table 1: Program Funding Allocations by Sector

\$4,241,977	FY21 Rebate and Grant Program Funds Available
\$1,781,630	Funds allocated to Residential Sector (42%)
\$2,460,347	Funds allocated to Commercial & Industrial (non-residential) Sector (58%)

Table 2 summarizes the rebate applications received prior to July 1, 2020, contracts signed but not encumbered in fiscal year 2020 (FY20), new rebate applications received in FY21, and the recommended allocation of funding to the individual Residential and Commercial and Industrial (C&I) programs supported by the REF. To satisfy the program funding requirements of RSA 362-F, including the Low Moderate Income program, and to provide adequate funding to fully satisfy applications received to date, Staff recommends the program allocations presented in Table 2:

Table 2: Recommended Funding Allocations by Program

	Applications received prior to 7/01/2020, and contracts signed but not encumbered in FY20	New Applications Received in FY21 (as of 11/24/2020)	Total Applications received prior to 7/01/2020, and contracts signed but not encumbered in FY20plus applications received in FY21	Recommended Program Allocations for FY21
Residential				
Solar PV Rebates	\$360,873	\$394,000	\$754,873	\$847,803
Solar Hot Water Rebates	\$0	\$0	\$0	\$0
Bulk-Fed Pellet Central Heating Rebates	\$89,914	\$117,248	\$207,162	\$280,000
LMI Grant (min 15%)	\$253,827	\$0	\$253,827	\$653,827
<i>sub-total</i>	<i>\$704,614</i>	<i>\$511,248</i>	<i>\$1,215,862</i>	<i>\$1,781,630</i>
Commercial & Industrial				
Solar Rebates	\$859,724	\$44,158	\$903,882	\$960,347
Bulk-Fed Pellet Central Heating Rebates	\$343,712	\$18,316	\$362,028	\$400,000
Competitive Grants	\$0	\$0	\$0	\$1,100,000
<i>sub-total</i>	<i>\$1,203,436</i>	<i>\$62,474</i>	<i>\$1,265,910</i>	<i>\$2,460,347</i>
Total Residential and C&I	\$1,908,050	\$573,722	\$2,481,772	\$4,241,977

*Staff recommends no funding be allocated to the Residential Solar Thermal Rebate program. This program received no applications during fiscal years 2018 and 2019, and demand remains low.

Program Recommendations

The REF is no longer continually appropriated to the Commission. Therefore, all program funding allocations for FY21 must be expended, or encumbered, during FY21 (i.e., no later than June 30, 2021).

Staff recommends updating the rebate application Step 1 approval letters for all rebate programs to clearly indicate that projects must be installed, and Step 2 payment requests must be received at the Commission, in each case no later than June 7, 2021, to enable payment prior to July 1, 2021. Staff recommends that RFPs for the C&I Competitive Grant program and the Low and Moderate Income Community Solar Grant program be issued no later than December 31, 2020, with due dates no later than February 1, 2021. That timeline will help ensure grant contract approval and encumbrances during this fiscal year.

As shown in Table 2, after accounting for rebate applications received in FY20 and to-date in FY21, funding levels remain limited for new renewable energy projects requesting a rebate. Staff recommends funding all applications received prior to July 1, 2020 first, followed by applications received in FY21. New rebate applications will be accepted until all funds are committed. Staff requests approval to establish a waitlist for the Residential Solar PV program up to \$20,000 and a waitlist for the C&I Solar program up to \$50,000. Once an individual program waitlist reaches the recommended threshold, that program will suspend the acceptance of new rebate applications.

Staff also recommends that stakeholder session(s) be scheduled to consider potential program revisions to ensure funds are effectively utilized to incentivize renewable energy project development and to facilitate the expenditure of funds within a fiscal year. Pursuant to RSA 362-F:10, any program revisions would require notice and hearing. Technical sessions and public hearings on revisions to specific program terms and conditions would be noticed separately under specific program dockets. Staff expects those sessions to be scheduled beginning in early 2021.

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