

STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION

ELECTRIC AND GAS UTILITIES

Consideration of Changes to the Current Net Metering Tariff Structures,
Including Compensation for Customer-Generators

Docket No.: DE 22-060

PETITION TO INTERVENE
of
BRIGHT SPOT SOLAR, LLC

Pursuant to the Supplemental Order of Notice issued by this Commission on November 18, 2024, and as further authorized by NH RSA 541:3 and RSA 541-A:31, Bright Spot Solar, LLC, a New Hampshire limited liability company ("Bright Spot") hereby petitions to intervene in this proceeding IAW PUC Rule Admin. P. 203.02 and 203.17. In support thereof, Bright Spot states as follows:

1. That Bright Spot is a New Hampshire company based out of Farmington and Rochester, New Hampshire, which is perhaps the state's largest seller and installer of dual action solar tracker arrays for the production of electricity. Bright Spot employs 10 full time workers in the state. Gross sales exceeded \$4,800,000.00 in 2024.

2. Since its inception in 2020, Bright Spot has erected approximately 200 dual axis solar trackers in the State, with 80 installed in 2024 alone to date. Bright Spot and its affiliated companies, all owned by W. Packy Campbell, owner of six (6) LLC's chartered in the State of New Hampshire, own and operate fourteen (14) solar tracker sites producing a combined total of approximately 1.014 Megawatts DC producing 1.875 MW of electricity per year.

3. Additionally, another affiliated company named GNM Solar 17, LLC, is in the finishes stages of constructing and interconnecting a sixty (60) tracker solar array project with a nameplate rating of 975 kW AC located at 60 Shaw Drive in the City of

Rochester. Once on line, that project will produce an estimated total of 2.4 MW electricity per year. Combined current and future production of electricity by the Intervenor and affiliated companies will therefore total over 6.4 MW of electricity produced in New Hampshire per year, electricity that offsets said affiliated companies' energy demands and sends the balance to the New Hampshire electric grid via the net metering process.

4. Additionally, beyond procuring and installing dual axis solar tracker arrays for itself and affiliated companies, Bright Spot has sold and installed 62 separate solar tracker projects totaling approximately 1.823 kW DC in the State of New Hampshire, State of Maine and Commonwealth of Massachusetts for various residential, commercial and industrial customers. All of those sales were to Customer-Generators under the net-metering regulatory regimes of the aforesaid states.

5. For each and every one of the solar tracker arrays that your Intervenor and affiliated companies have erected for its own investment, your Intervenor utilized finance capital in the form of bank or private investor financing to either purchase the equipment, erect and install it, or to recover the Intervenor's outlay of its own capital by way of end-stage financing secured by various forms of secured financing. Accordingly, your Intervenor is intimately familiar with the loan underwriting requirements to satisfy banks and other lenders as to the cash flow projections from the sale of net-metered electricity that are necessary to procure both conventional and unconventional finance capital to develop and deploy distributed energy assets, i.e. solar power tracker arrays, in the State. Your Intervenor believes that presentation of such financing knowledge is crucial for the PUC and DOE to properly understand the importance of a defined and consistent cash flow generated by DE asset in order to finance the development of DE assets in this State.

6. Decisions reached in this Docket will clearly have a direct and indirect impact upon the conduct of your Intervenor's business, its affiliated companies, and its customers that seek to also develop solar power in this State. The potential change to the net metering tariffs, and further the possible elimination of legacy net metering rates,

could cause great harm to the present and future financial return on investments of your Intervenor, its affiliates and customers, that jeopardize future development of solar powered DE in this State.

7. Your Intervenor further asserts that the nature of its solar business, specifically the sales, installation, ownership and management of *dual-axis solar tracker arrays*, is exactly the type of “innovative and beneficial technology” that RSA 362-A:1 sought to promote, and that such technology advances needs to be considered in evaluating the historic perception (or I prefer, misperception) of cost-shifting. In addition to producing a higher ratio of electricity vs. fixed mounted solar arrays, in our case having a ratio of approximately 1.85/1, our dual-axis trackers with real-time sensing technology permits the DE owner to produce electricity on a more consistent basis over the course of daylight hours, eliminating the traditional “duck curve” that is used to show how solar power “cost shifts” by spiking production when demand is lower.

8. Moreso, by producing as steady rate of electricity over daylight hours, importantly including peak early morning and late afternoon demand periods, this advanced dual axis solar tracker technology helps the grid by lowering peak demands flows, which helps lower the per kWh market rate for electricity in the ISO market, thereby contributing to reduced demand fees paid by *all electric consumers* statewide. This is a benefit to New Hampshire ratepayers that the PUC has, upon information and belief, never considered before, but which broad economic benefit should be weighed in any evaluation of the merits of net metering.

9. Your Intervenor respectfully asserts that the Decision of this Commission in Order 27,072 directly affects both the present and future economic interests of the Intervenor, its affiliated companies and its customers because by its terms it limits the legacy period of present and future DE assets to December, 2040.

10. The Order in Section II further rules that this Commission may only consider economic factors in evaluating net metering rates. In so doing, your Intervenor

respectfully asserts that this Commission mis-interpreted RSA 362-A:9, XVI (a), b essentially, inserting the word or concept of “economic” in front of the words “costs’ and “benefits” in the following clause of said subsection (a): the costs and benefits of customer-generator facilities;” That subsection DOES NOT include the word “economic,” and by essentially inserting the word “economic” this Commission erred in construing the provision so narrowly.

11. Further, W. Packy Campbell, Member of the Intervenor, suffers from asthma, a debilitating medical condition that is exacerbated by the emission of air pollutants by fossil fuel burning power stations in this State. He can testify as to the personal and societal costs of ignoring the economic effect on society by only considering *economic* costs and benefits of alternative energy.

12. The undersigned Member of the Intervenor LLC, W. Packy Campbell, is a former NH state legislator who was over the past several years been intimately involved with the regulatory and legislative process dealing with the Net Metering laws, rules and regulations, and further has interacted with other stakeholders, such as equipment vendors and suppliers and its local electric utility company. As such, your Intervenor’s participation in this docket is appropriate and warranted, may aid in the furtherance of the purpose of this docket, and may promote the interest of justice.

13. The rights, privileges, duties, immunities, economic and other substantial interests of your Bright Spot Solar, LLC, of its owner W. Packy Campbell, and its affiliates and customers will be affected by decisions made by this Commission in this docket.

14. Accordingly, Bright Spot Solar, LLC respectfully requests that this Commission approve this Motion to Intervene in this docket.

15. Notice: This pleading was prepared with the assistance of a New Hampshire attorney.

Respectfully submitted on this the 15th day of December, 2024.

By: 
Name: W. Packy Campbell, Member
Bright Spot Solar, LLC
PO Box 77, Farmington, NH 03835
Phone: 603-765-9101
Email: packy@brightspot.solar

CC: I hereby certify that a copy of this Motion was delivered to the Service List of record on this date in Docket DE 22-060.