

BEFORE THE
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 FOR REHEARING
BRIGHT SPOT SOLAR, LLC

NOW COMES Bright Spot Solar, LLC (hereafter "Bright Spot"), by its sole owner and member W. Packy Campbell, and pursuant to NH RSA 541:3, respectfully moves and petitions for a rehearing of the Commission's Order No. 27,074 (hereafter "the Order") dated November 18, 2024, and respectfully states in support thereof as follows:

I. STANDING:

1. That Bright Spot is a New Hampshire company based out of Farmington and Rochester, New Hampshire, and 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, and its gross sales exceeded \$6,000,000.00 in 2024.
2. That 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 the undersigned 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, generating approximately 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) dual-axis solar tracker 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 Petitioner and affiliated companies will, after interconnection of the 60 Shaw Drive project, will 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 authorized by NH RSA 362-A.

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 third party customers. All of those sales were to Customer-Generators under the net-metering regulatory regimes of the aforesaid states, including the said RSA 362-A in New Hampshire.

5. Decisions reached in this Docket# DE 20-060 will clearly have a direct and indirect impact upon the conduct of your Petitioner'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 Petitioner, its affiliates and customers, that jeopardize future development of solar powered DE in this State in general, and sales of dual axis solar trackers by your Petitioner in particular.

6. Accordingly, your Petitioner respectfully asserts that it is "a person directly affected by" the deliberations of this Commission in Docket 22-060, and that it is therefore a party withstanding to bring this Petition for Rehearing pursuant to NH RSA 541:3.

II. GROUNDS FOR REHEARING

A. Misapplication of Law:

7. In Section II of the Order the Commission stated the standard of review applicable to the issues before it, and specifically in response to the Conservation Law Foundation's arguments that the Commission consider "non-economic" benefits of net metering. While those standards of review the Commission articulated is accurate, it then erroneously did something in the Order that the standards it articulated prohibited.

8. The first error is only incorporating only the fourth (4th) articulated purpose set forth in RSA 362-A:1 as the premises of its Order. (Order at Page 12, 13). In so doing, it ignored the first three statements of purpose that clearly included what are non-economic factors behind the spirit and intent of the statute. As a result, it was recognized that there are factors beyond the economic benefits of net-metering, but then failed to consider them in its subsequent analysis.

9. Petitioner avers that the Commission then ignored the standards of review it articulated by, in essence, reading into the eight (8) factors set forth in RSA 362-A:9, XVI, or "add(ing) language that the legislature did not see fit to include." (*Polonsky* at 229). Specifically, it appears that the Commission "read into" and added the word "economic" in front of the second factors, most importantly the words "costs" and "benefits."

The second factor is "the costs and benefits of customer-generator facilities." While the words "cost" and "benefit" are often tied to economics, those words also have non-economic uses. Merriam-Webster defines "cost" as "loss or penalty incurred especially in gaining something,, the example being "the cost of lives during war." As a verb, costs can be to "require effort, suffering or loss" or "to cause to pay, suffer or lose something," the example being "frequent absences cost him his job." Likewise for "benefits", Webster's first definition is "something that produces good or helpful results or affects that promotes well-being" before applying the financial or economic contexts to define the word.

10. It goes without saying that the fossil fuel burning facilities in the state, such as the Newington gas plant or the Merrimack coal plant, emit air pollution in the process of generating electricity. Those air pollution particulates are proven to affect the health and well-being of persons, including residents and ratepayers in the State of New Hampshire. (See Dunsky report). Those facilities impose "costs" on our state and ratepayers beyond economic costs; they impose societal costs that affect the health and well-being of citizens in generally, and those with lung issues, such as asthma, in particular.

11. Conversely, the solar tracker facilities that your Petitioner sells, builds, and operates emit no air pollution into the state's environment during the operation of those facilities.¹ As such, those facilities impose no such societal costs. Instead, they provide "societal benefits" (so to speak) to the state, and ratepayers, by not adding to the air pollution that the Dunsky report shows imposes "societal costs" (so to speak) on society beyond economic losses; burning fossil fuels emit air pollution that directly contributes to human suffering and death, to include citizens and rate payers in the State of New Hampshire.

12. By essentially adding the word "economic" or "financial" in its consideration of the "costs and benefits of customer-generator facilities," the Commission erred by limiting the scope of its review to solely economic factors that ignore both the stated purpose and language of the statute.

I offer this petition to the Commission to provide an opportunity to rehear the issue as to whether the scope of its inquiry into the eight factors of RSA 362-A 9, XVI is limited to "economic" costs and benefits.

13. Additionally, the undersigned personally suffers from the very type of "public health" issue that environmental issues caused by air pollutants generated by fossil-fuel burning power plants. I suffer from asthma, a debilitating lung condition. From the Dunsky Report that details

¹ While vehicles or equipment used in constructing, operating or maintaining such facilities may emit pollutants, the facilities themselves do not. Note, however, that the Petitioner uses three (3) EV vehicles that are almost exclusively powered by solar generated electricity in its operations, thereby even minimizing air pollution by use of such EVs.

the personal and financial "costs" imposed by air pollution to the World Health Organization finding that show how many people die from air pollutants each year, there is no dispute in fact or law that air pollution caused by the burning of fossil fuels has environmental and public health costs that affect the citizens and ratepayers in the State of New Hampshire.^{2, 3, 4} I can offer personal testimony as to the public health "costs" that fossil fuel burning imposes on people in my situation, costs that the Commission ignored in its deliberations and Order.

14. Another "benefit" of distributed energy provided by customer-generators is the effect such power has on other aspects of the economy. For example, your Petitioner and its affiliated companies have, in 2024, produced 3,644,069 kWh of electricity that offsets the demand for 123,370 therms of natural gas for producing the equivalent amount of electricity, or for 98,488 gallons of gasoline to fuel combustion engines. Beyond reducing greenhouse gas and air pollutant emissions, this customer-generated electricity replaces the physical demand on these depleting commodities in the marketplace. Applying Adam Smith's concept of "supply and demand," this electricity in turn contributes to lowering the demand upon, and therefore the costs of, those commodities due to simple supply and demand market dynamics. When applied to all electricity provided by customer-generators in this State, the benefit clearly exists but is not considered by the Commission.

15. Whereas the undersigned Member of the Petitioner is a former New Hampshire state legislator, I am personally concerned when state bodies, whether courts, commissions or other quasi-judicial bodies, misinterpret statutes or seemingly change the very tenor of a statute by

² "Health consequences of air pollution on populations," 25 June 2024, accessed at <https://www.who.int/news/item/25-06-2024-what-are-health-consequences-of-air-pollution-on-populations>

³ "Pollution from Fossil-Fuel Combustion is the Leading Environmental Threat to Global Pediatric Health and Equity: Solutions Exist," by [Frederica Perera](#), accessed at <https://pmc.ncbi.nlm.nih.gov/articles/PMC5800116/#:~:text=An%20estimated%20%24361%20to%20%24886,fuel%20electricity%20%5B105%2C107%5D%3B>

⁴ "The Public Health Impact of Energy Policy in the United States," Dated November 13, 2018. Accessed at: <https://apha.org/policies-and-advocacy/public-health-policy-statements/policy-database/2019/01/28/public-health-impact-of-energy-policy>

"add(ing) language that the legislature did not see fit to include." Whether the error was caused by a simple mistake or by a personal or political preference that deviates from the very statement of purpose of the statute, the error warrants a rehearing in order to correctly apply the statute as written.

16. Accordingly, your Petitioner respectfully requests that this Commission rehear the issue as to the scope of "costs" and "benefits," consider environmental and public health costs as well as economic costs when interpreting those two quoted words, and revise its findings in Section II of the Order to factor environmental and public health costs and benefits.

III. "Cost-Shifting" Analysis

17. The statute does clearly provide a solely economic factor that this Commission may consider, namely that of "cost shifting." However, your Petitioner respectfully avers that the Commission utilizes a concept of "cost shifting" that does not adequately factor in all of the saved costs and other benefits to the utilities, ratepayers and grid, that are provided by customer-generators.

18. Under the net-metering tariff, customer-generators selling surplus electricity "to the grid" are credited at a rate that includes (a) the default service rate, (b) transmission charges, and (c) 25% of the distribution costs; those components presently result in a net-metering credit of approximately \$0.11/kWh. Conversely, when utilities sell electricity to ratepayers they charge the full average rate of electricity in New Hampshire, which includes the "supplier" fee and the "delivery" fee of roughly \$0.2486 / kWh for commercial and \$0.2002 / kWh for residential customers.⁵

⁵ Compare New Hampshire Electricity Rates, by Thad Warren of "Energybot" dated December 16, 2024, accessed at <https://www.energybot.com/electricity-rates/new-hampshire/#:~:text=The%20average%20New%20Hampshire%20commercial,higher%20than%20the%20national%20average>).

19. When a customer-generator feeds electricity into the grid, the physics of electricity results in that electricity being delivered and consumed by the nearest service connection with a load demand calling for electricity. In other words, for the purpose of this Petition, I will say that the electricity that your Petitioner sells is literally sold and delivered to its residential, commercial or industrial neighbors who consume electricity from the line my facilities feed power into. Whether those neighbors are a hundred feet away, or one thousand feet, the physics is that electricity the Petitioner sells to the grid is consumed in close proximity to my point of interconnection.

20. The utility to which we sell electricity, typically Public Service Company of New Hampshire ("PSNH") in my region, then sells that electricity to my neighbor, and charges the tariff that includes delivery charges. That power did not pass through transmission lines from Canada, or from Tamworth, or from Merrimack, or from Newington; it was sent from my properties to my literal neighbors over a distance measured in feet, not miles. As such, the electricity this customer-generator sold to the utility did not utilize but a microscopic fraction of the utility lines of the grid, yet the utility seller of that electricity was paid the full "delivery" fee established by tariff as if the electricity my neighbor consumed came from a distant generating source.

21. The Order recites the concept of "cost-shifting" without considering that net-metering provides this significant benefit to the grid, as well as to the utilities purchasing electricity from a customer-generator and then selling the electricity to the "next door neighbor" in close proximity to the generator of that electricity. The reality is that customer-generators provide a hidden benefit to the grid, utilities and ratepayers by minimizing the need to upgrade or maintain power lines to deliver power to my neighbors and by avoiding the loss of electricity during transmission. The Commission seemed to only consider the "costs" but not the benefits of net-metering in its cost-shifting analysis.

22. To demonstrate the above-stated argument, your Petitioner will introduce compelling evidence at rehearing to show that its utility bills document the significant economic benefits, or contribution margin, made by its sales of electricity to the utility that then sells that electricity to

Petitioner's neighbors. In the specific case of your Petitioner, it has a net-metering project at 17 Sterling Drive in Rochester, and then an affiliated company owns a car wash at 123 Farmington Road; a non-net metered customer, the distance between the transformers on those properties are approximately three hundred feet (300'). While the electricity sold at 18 Sterling received about \$0.11/kWh, the electricity purchased at 123 Farmington Road was about \$0.28/kWh. Evidence of the bills for only those two properties will show that the utility had a contribution margin of \$3,200 solely in the month of November for the power that the Petitioner produced and, essentially, sold some 300' away to myself; the middleman and ratepayers benefited from that transaction.

23. To demonstrate this dynamic, your Petitioner and its affiliated companies have, in 2024, produced 3,644,069 kWh of electricity as a customer-generator, of which approximately one-third was "sold to the grid" via net metering at an average price of less than \$0.11/kWh. The electricity, about 1,093,000 kWh, was then turned around and sold by the utility *to my neighbors* for approximately \$0.28/kWh, with a resulting "contribution margin" of about \$185,847 calculated at \$0.17/kWh for delivery charges. That "contribution margin" income helps both the utility and the ratepayers by minimizing the use of the grid for the delivery of that electricity while generating a high rate of return to the utility. This benefit will lower the utility tariff to ratepayers must be considered as a *positive cost shift* in favor of all non net-metered customers.

To further demonstrate the equivalent environmental and public health benefit, that same 3,644,069kWh of power produced by out customer-generator facilities offsets the demand for 123,370 therms of natural gas for producing the equivalent amount of electricity, or 98,488 gallons of gasoline for combustion engines. Beyond reducing greenhouse gas and air pollutant emissions, this replaces the physical demand on these commodities in the marketplace, which in turn contributes to lowering the relevant costs of those commodities due to simple "supply and demand" market dynamics.

24. Another factor affecting "cost-shifting" not considered by the Commission to which the Petitioner will testify is that the reduction of demand load that distributed energy enables is that the lack of sales created by customer-generated power does not really add any costs to the grid or ratepayers. By producing power on site that it consumes behind the meter, the customer-

generator is, in a sense, simply not purchasing electricity from the grid or utility, and therefore not using the grid infrastructure. It is like turning off a light, or more appropriately simply not turning on a light. Consuming less electricity should not be considered a "cost-shift"; its like penalizing someone from not turning up the heat from 65° to 70°! This customer-generator activity reduces demand on the transmission grid that helps lower overall costs of improvement and repair and the underlying wholesale market of electricity costs.

25. Another factor of how net-metering benefits the utilities and rate-payers that was not considered by the Commission is how distributed energy production by customer-generators helps save the utilities, and ratepayers, for higher costs of electricity during peak demand hours. Specifically, the Commission should consider how the "innovative technology" of dual-axis trackers with real-time sensing to maximize production of PV electricity helps reduce rate-payer costs by driving down demand charges. For reference, your Petitioner understands that "demand charges" are the fees added to the "supply" fee of commercial and industrial users to pay for the higher market cost of peak demand periods.

24. Dual-axis solar power trackers using real-time sensing produce electricity at a much higher ratio of production than either fixed mounted or bi-directional solar trackers. While the industry average ratio of power production per kWh of fixed mounted PV panels is 1kw DC to :1.3 Kw AC your Petitioner will introduce evidence to show that its dual-axis trackers produce electricity at a ratio ranging from one and seven-tenth to one (1 kw DC :1.85 Kw AC) or even in some cases more than twice the face value of the DC panels in annual production. 1Kw DC to :2 KW AC) annual production. Making a single solar panel worth 2 times more on a tracker than a traditionally placed solar panel.

25. Beyond producing more than fixed panels, these innovative dual-axis tracker arrays reduce the "duck curve" affect by producing a near-steady stream of electricity to the grid from sun up to sun down. Unlike fixed solar that peaks near the noon hour, dual axis trackers with real time sensing produces maximal electricity during all sunlight hours. The benefit of dual axis trackers in reducing the duck curve is another non-economic benefit that the Commission should

consider in this Docket. Trackers are considered west facing panels and produce power while grid is experience peak demand.

25. By failing to consider the above indirect affects on the costs and benefits of customer-generator facilities, the Commission erred in its cost-shifting analysis which should be reconsidered in this Docket.

IV. Legacy Period

26. In making its findings and rulings on the issue of the "legacy period" of the various iterations of net-metering, including alternative tariffs, for both large and small customer-generators, the Commission rejected the proffered evidence of the parties, specifically Mr. Hayden and Mr. Littell, finding that there was insufficient direct evidence of the importance of a legacy period in procuring long term financing. (Order at Page 24). Your Petitioner is exactly the type of developer and owner of distributed energy assets that can provide direct evidence in support of that fact of the necessity for a legacy period to properly effectuate the spirit and intent of the legislation.

27. The undersigned member of the Petitioner, through the different New Hampshire based LLC's he owns, including the Petitioning LLC, has utilized various forms of financing in all aspects of its business operations to either purchase, develop, construct, operate or maintain the roughly 90 dual axis solar tracker arrays that it has built in the past four years. From owning single trackers in one business location to sixty trackers in a 975 kW ac for another project, the undersigned is an investor in both small and large residential and commercial solar projects with extensive first-hand experience with the requirements that banks and other lenders require in order to finance such projects. The Petitioner can provide first person testimony on the critical need for consistent long-term income that a defined long-term legacy period of twenty (20) years will provided in order to meet the underwriting criteria to finance DE systems, facilities and projects. Instead of anecdotal evidence, the undersigned can offer specific evidence, such as the following:

a. That a car wash facility was only able to procure a fifteen (15) amortization schedule for the construction of three (3) solar arrays to meet those businesses' electrical needs because the current legacy period is through December, 2040. The lender required that shorter period instead of the thirty (30) year life expectancy of the asset due to the uncertainty as to the value of the income the trackers would receive after that date, and the higher monthly payments caused by shorter amortization schedules results in less cash flow.

b. With an existing 16 year legacy period, the Petitioner overcame that issue for a specific lender by entering into a long term Power Purchase Agreement ("PPA") with a New Hampshire School Administrative Unit in Lempster. The twenty (20) year term of that PPA justified the financier to enter into a twenty year loan, amortized over the same 20 year term. This is the only project of the 15 separate customer-generator facilities owned by the undersigned's various entities with a twenty year term. This gave a reasonable monthly debt service payment, allowing the project to positively cash flow.

c. Other than the fixed twenty year term of the Lempster project being the linchpin to a multi-facility secured loan for small customer-generator sites, all other bank financing packages provided to the undersigned's various entities owning customer-generator facilities have terms of not more than ten (10) years. Every one. No lender was willing to go beyond that time period because of the lack of a long term defined income stream from the customer-generator facilities. So while the undersigned has procured commercial loans for other assets, such as residential or commercial real estate, the customer-generator business is unable to procure such longer terms.

d. And additional financing concern that the Petitioner can provide evidence of is that beyond being concerned with the length of the loan, lenders have a very standard debt to income ratio of, usually 1.25 to 1 for these loans. This means that any major drop in income due to a reduction in the NEM compensation rates has the potential to place the loans of the undersigned's various entities into technical default.

e. Next, because of the uncertainty as to the stability of long-term income generated by customer-generator facilities, lender's have imposed a much lower loan to value ("LTV") ratios. While commercial real estate loans may have LTV ratios of seventy-five to eight percent (75-80%), in certain of the undersigned's loans the LTV was as low as fifty percent (50%)! This lower LTV provided additional cushion to the lender that allowed it to grant the grant the financing.

f. The lack of a lengthy and certain legacy period just recently caused the Petitioner to recommend to a seventy-seven (77) year old potential customer - a Veteran on a fixed income - to delay deciding on purchasing a tracker to meet his residential needs. The undersigned could not in good conscience recommend that the 77 year old true Patriot living on a fixed income, in times of heightened inflation, enter into an agreement for solar power when this Commission could decide to not only *not extend* but to potentially *shorten* the legacy period of customer-generator facilities in the future. This seems to be in direct contract to the grandfathering period provided in Statute. In direct conflict with the sprit and intent of Net metering law. The Commission should clarify and specifically should offer an additional 20-year legacy period from date of interconnection.

g. The Commission should consider the "lifetime of the asset" as a permanent treatment of the customer-generator to keep the standard tariff at the time of interconnection. Given that the current standard tariff is a market-based rate that adjusts with market pricing of electricity, and given that cost-shifting in favor of the utility and ratepayers as described above , a permanent legacy period for the projected life of the asset of for customer-generators and storage systems with batteries is appropriate as both of those innovative technologies create long-term benefits, with cost savings, for all stakeholders including rate-payers.

h. Another entity of the undersigned operates an assisted living facility in Charlestown. That property is improved with both a 48 panel solar tracker and a 20 kW battery storage system to provide emergency power to the facility housing elderly residents. Again, like the Patriot, the beneficiaries of this project are elderly and low-income customers (in this case who generally qualify for Medicaid). Reducing or eliminating the legacy period would prevent

small entrepreneurs like the undersigned from utilizing customer-generator facilities to provide affordable, and secure, electricity to their elderly and poor patients.

i. Finally, the Commission by the Order implies they could change the standard tariff rate and not maintain the grandfather period for the Standard Rate. The Petitioner and its lenders relied upon the grandfathered period in pursuing the investment into customer-generation through solar to have, at least, a stable rate of return until the currently-stated deadline. The Commission should clarify that the standard and any new alternative rates that may be offered or approved by the Commission cannot change and does not supersede the grandfathered date of December 31, 2040. The Commission may only consider new net-metering tariffs per RSA 362-A:9, XVI (a).

28. To the extent that the Commission has implied that it may alter the duration of legacy period for alternative tariffs under RSA 362-A:9, XVI, your Petitioner respectfully suggests that the above-stated arguments for a twenty-year legacy period for tariffs most certainly apply equally to the future development of customer-generator facilities. Regardless of the tariff regime, i.e. of NEM 1.0, NEM 2.0 or a future NEM 3.0, etc., any developer of customer-generator facilities, including this Petitioner, will require a lengthy legacy period of stable defined income in order to procure financing for the development of such facilities.

29. In the Order when dismissing the evidence offered by various parties and experts at Page 25, the Commission stated that it "... does not find this unspecified and general description sufficient evidence..." It further declared, frankly without any evidence on the record to support the declaration, that "...the absence of a twenty-year legacy period for net-metering compensation levels will not itself prevent investors from entering into long-term financing arrangements." The record does not show that any evidence to support this declaration was offered; the declaration appears to simply come out of nowhere.

30. As reflected above, the Petitioner, by the testimony of the undersigned Member whose various entities have invested millions of dollars of customer-generator facilities, can therefore provide first hand evidence that the absence of a long-term defined legacy period has a

significant detrimental effect on the ability of entrepreneurs to procure financing for the development of customer-generator facilities. Indeed, the undersigned would testify that lack of a legacy period will be the death knell for the development of customer-generator facilities by entrepreneurs because the absence of a legacy period will, indeed, prevent me from entering into long-term financing arrangements. The lack of a legacy period will result in me, as an investor, to re-assess the economic risk profiles of this industry and, in spite of my strong personal commitment to personal and other societal benefits, I will need to stop my investment in customer-generation going forward. To be clear, as an investor the Commission by Order 27,074 creates economic uncertainty that will likely prevent me from continuing to invest in customer-generation solar power and will lead to closing down of my multi-generation small business Bright Spot Solar, LLC. Further, without a legacy period to at least December 31, 2040 I cannot in good conscience recommend to any of my customers to invest in distributed energy through customer-generation facilities except for small DE systems that are simply behind the meter to offset purchasing power from the grid, thus eliminating any of the net billing benefits in RSA 362-A:9 in the future.

31. Whereas the Commission specifically determined the record was devoid of such first-hand evidence, your Petitioner requests that the Commission rehear the matter so that such first-hand evidence can be provided in support of maintaining existing legacy periods and providing a lengthy period as recommended by the Settling Parties. To be honest, the undersigned would recommend that the Commission adopt a longer legacy period of thirty (30) years or life of the solar investment so that financing for solar projects can match the typical expected productive life-cycle of solar panels which is typically thirty years.

V. MOVE TO CLARIFY LAST ORDER IN 27,074

32. The last clause of the Orders of this Commission set forth of Order #27,072 states as follows:

“FURTHER ORDERED, that the Commission shall issue an order of notice to review and adjudicate additional proposal related to the net-metering program tariffs pursuant to its obligation to continue to review and develop net metering tariffs under RSA 362-A:9, XVI.”

33. Your Petition respectfully avers that the above language of the Order is missing a crucial word that is contained in the cited statute, specifically the word “new” that is situated between the words “develop” and “net-metering.” Just as the Commission is not able to “add” a word that the legislature did not deem fit to add, likewise the Commission cannot *delete* a word that is present in the statute when it refers to said statute in its deliberations or Orders. This is especially true when a review that is missing the proper statutory language may potentially give the review a much more broad power than the statute delegates to the Commission.

34. Accordingly, your Petition request that this Commission amend the Order to clarify and confirm that it shall “continue to review and develop *new* net-metering tariffs” under RSA 362-A:9, XVI. Your Petitioner respectfully assert that a review that seeks to change *existing* net-metering tariffs, whether the Standard Tariff or NEM 2.0, is beyond the powers of the Commission, and the Order should be clear that the intent is only to consider new potential alternative tariffs.

VI. CONCUR WITH PENDING MOTIONS FOR REHEAR

35. The Petitioner is aware that other parties of record have filed various motions for reconsideration and rehearing. Without expressing an option as to concur or object to said motions, your Petitioner agrees that such motions should be granted, as the Order #27,074 has created more issues than it sought to resolve, warranting reconsideration and rehearing to resolve the myriad issues in this Docket.

CONCLUSION

36. For the reasons stated above, your Petitioner Bright Spot Solar, LLC, by and through its sole member W. Packy Campbell, requests that the New Hampshire Public Utilities Commission grant this Motion for Rehearing to reassess the implications of Order No. 27,074 in light of RSA 362-A:9 and the actual benefits provided by customer-generators to the grid system.

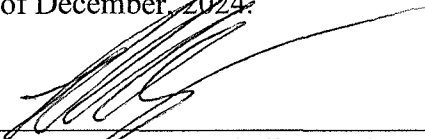
VII. REQUESTED RELIEF

Based upon the foregoing, your Petitioner respectfully moves that this honorable Commission:

1. Conduct a rehearing of the issues raised herein;
2. Conduct a rehearing as requested by other parties of record;
3. Reconsider the findings related to cost shifting in light of RSA 362-A:9 XV.
4. Reevaluate the economic impact of customer-generator contributions, considering both the geographic and economic benefits to the local grid and utility customers.
5. Grant this Motion for Rehearing to correct the Order and ensure compliance with state law and a fair assessment of the contributions made by customer-generators.
6. Clarify the final Order contained in Order #27,074 to ensure that the review referred to therein is limited to only new net-metering tariffs.

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

Respectfully submitted on this the 17th day of December, ~~2024~~.

By: 
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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.