

**THE STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION**

Docket No. DE 22-060

ELECTRIC DISTRIBUTION UTILITIES

**Consideration of Changes to the Current Net Metering Tariff Structure, Including
Compensation of Customer-Generators**

**CONSERVATION LAW FOUNDATION
PETITION TO INTERVENE**

Conservation Law Foundation (“CLF”) hereby petitions to intervene in the above-captioned proceeding pursuant to the New Hampshire Public Utilities Commission’s (“Commission”) September 20, 2022 Order of Notice establishing this docket and in accordance with N.H. Admin. Rules, Puc 203.17, and RSA 541-A:32. In accordance with recently enacted legislation, including SB 261-FN (2022) and HB 1599-FN (2022), as well as the recent completion of the Value of Distributed Energy Resources Study by the New Hampshire Department of Energy, the Commission has initiated this proceeding to consider whether it should implement new alternative net metering tariffs, which may include other regulatory mechanisms and tariffs for customer-generators, and whether and to what extent such tariffs should be limited in their availability within each electric distribution utility’s service territory. In support of its petition to intervene, CLF avers as follows:

1. CLF is a non-profit organization dedicated to protecting New England’s environment for the benefit of all people. CLF uses the law, science, and markets to create solutions that build healthy communities, sustain a vibrant economy, and preserve natural resources, including resources affected by the generation, transmission, and distribution of electric

power and the transportation and use of natural gas. Consistent with its mission to promote thriving, resilient communities, CLF advances sound clean energy policies that strengthen New England's—and New Hampshire's—economic vitality. CLF has approximately 5,600 members in New England, including over 760 members in New Hampshire.

2. CLF's expertise in the energy arena extends to residential, community, and utility-scale renewable energy including distributed generation such as solar photovoltaic, hydroelectric, wind, and combined heat and power projects. CLF also has expertise in energy efficiency, grid modernization including the integration of renewables, and non-transmission alternatives. Through active participation in regulatory proceedings on subjects such as energy efficiency, demand response, and compensation for distributed energy resources, CLF has developed expertise in the area of cost benefit analysis. CLF also has significant experience in the areas of electric reliability and rate development.

3. CLF's involvement in New Hampshire energy matters has spanned the past two decades and includes intervention in numerous proceedings before the Commission, including the following Docket Nos.: DE 01-057; DE 07-064; DE 08-103; DE 08-145; DE 09-033; DE 10-160; DE 10-188; DE 10-261; DE 11-215; DE 11-250; DE 13-108; DE 13-275; DE 14-120; DE 14-238; IR 15-124; IR 15-296; DE 16-241; DE 16-576; DE 16-693; DE 16-817; DE 17-124; DG 17-152; DE 17-189; DG 17-198; DE 19-033; DE 19-104; IR 20-004; IR 20-166; DE 20-170; DE 21-030; DG 21-036; DE 21-078; IR 22-042; and IR 22-053.

4. CLF has long supported the increased penetration of distributed generation for purposes including reducing greenhouse gas emissions, empowering consumers of electric power, reducing the need for costly and intrusive large infrastructure, and diversifying energy resources. CLF has participated in net metering and related legislative and regulatory

proceedings in states throughout the region, including Massachusetts, Vermont, Rhode Island, and Maine. In Vermont, for example, CLF participated in legislative hearings regarding the development and later modifications of Vermont's net metering program, including providing testimony to Vermont's legislative committees. In the development of net metering rules in Vermont, CLF participated in the rule making proceeding, including providing comments on various technical and policy aspects of effective implementation of net metering.

5. In New Hampshire, CLF was an active participant and provided testimony in the legislative process that led to House Bill 1116 (2016), which modified the cap on net energy metering tariffs available to eligible customer generators and required the Commission to initiate a proceeding to develop alternative net energy metering tariffs. Subsequently, CLF was granted intervenor status and participated in the Commission proceeding involving net metering that resulted from House Bill 1116 and which directly preceded the instant docket, Docket No. DE 16-576. CLF was also a participant in the Grid Modernization Working Group, pursuant to Docket No. IR 15-296, which addressed certain issues related to net metering, including the enhanced integration of distributed generation into the electric power grid.

6. CLF has members who reside in New Hampshire in the service territories of Unitil Energy Systems, Eversource Energy, and Liberty Utilities, including members who reside in service territories subject to this docket who own distributed generation, including rooftop solar installations, and members who hope in the future to install such distributed generation. CLF and its members are concerned about and directly affected by the need for reliable, affordable, and low-carbon energy resources with minimal terrestrial impacts, as well as the adverse impacts of climate change. CLF and its members have a substantial interest in ensuring reasonable compensation mechanisms for distributed energy resources in New Hampshire.

Consequently, the rights, privileges, and interests of CLF and its members will be affected by the outcome of this proceeding.

7. CLF respectfully submits that as a result of its special expertise and experience, its intervention as a party in this proceeding is likely to elucidate important issues and facilitate an expeditious and just resolution of this proceeding. In particular, CLF intends to provide expertise on the appropriate costs and benefits that should be objectively evaluated relative to distributed generation. Distributed generation can provide valuable benefits to the grid, and to communities, including reduced carbon emissions, increased resiliency, and consumer empowerment.

8. CLF's participation is in the interests of justice and the orderly and prompt conduct of the proceeding. CLF's participation will neither delay nor disrupt this proceeding. The interests of CLF and its members are not adequately represented by any other party.

WHEREFORE, CLF respectfully requests that it be granted full intervenor status in this proceeding.

Respectfully submitted,

CONSERVATION LAW FOUNDATION

By: /s/Nick Krakoff
Nick Krakoff, Staff Attorney
27 North Main Street
Concord, NH 03301
(603) 225-3060 x 3015
nkrakoff@clf.org

December 06, 2022