

Community Power Coalition of New Hampshire (CPCNH) Responses

NHPUC Docket: DE 22-060

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

Public Service Company of New Hampshire d/b/a/ Eversource Energy (EE)
Set 1 Data Requests to CPCNH

Date Request Received: 2/6/24
Request No. EE to CPCNH 1.14

Date of Response: 2/20/24
Witness & Respondent: Clifton Below

REQUEST:

1.14. Please review the following example in the context of Page 12, lines 4-7 of rebuttal testimony:

Net Metering Tariffs approved by the Massachusetts Department of Public Utilities (“MA DPU”) require Massachusetts Electric Distribution Companies (“EDCs”) to “report all exported power from [Front of Meter Class II and Class II Net Metering Facilities] to ISO-NE as a settlement only generator and include any energy settlement revenue in the Distribution Company’s annual Net Metering Recovery Surcharge reconciliation” *M.D.P.U No. 68K* Sec. 1.08(8)(g).

Solar Massachusetts Renewable Target (“SMART”) Tariffs also approved by MA DPU require Massachusetts EDCs to “report all exported power from any Alternative On Bill Credit Generation Unit greater than 60 kW to ISO-NE as a settlement only generator and include such energy settlement revenue in the Distribution Company’s annual SMART reconciliation” *M.D.P.U. No. 74F Section 6.3.3*

Massachusetts Net Metering and SMART tariffs both provide credit for excess generation at rates that exceed wholesale market prices for energy.

The 2023 ISO-NE Forecast Report of Capacity, Energy, Loads and Transmission (CELT) identifies 1,470 MW of solar photovoltaic generation capacity registered as generating assets with ISO-NE by Massachusetts EDCs, and 10 MW of solar photovoltaic generation capacity registered as generating assets with ISO-NE by New Hampshire EDCs.

- a) Based on the above information, are the Massachusetts Net Metering and SMART tariffs impermissible and pre-empted by federal law?
- b) All else equal, would the allocation of Regional Network Service costs to New Hampshire customers increase or decrease if Massachusetts EDCs withdrew 1,470 MW of generating capacity from the market and instead reported generation from those facilities as load reduction?

RESPONSE:

- a) CPCNH objects to this data request as it asks for original research and analysis, legal research, and conclusions of law, which are not reasonable or appropriate for data requests.**

Notwithstanding our objection, and speaking based on my expertise in electric utility regulatory policy and not as an lawyer, I would observe that Massachusetts is different than New Hampshire and that the Massachusetts DPU may have first implemented their approach before FERC approved ISO-NE OATT tariff changes¹⁵ that now explicitly allow the output of a distributed generator under 5 MW that is interconnected to the distribution grid and not registered as a Generator with ISO-NE to offset Monthly Regional Network Load calculations, lowering transmission cost allocation and charges for its state ratepayers.

- b) Increase, to the extent such generation actually produces power during the coincident peak hour of each month when transmission costs are charged, though there would be no need to “report” such generation as load reduction, rather it would just function that way as the load it offsets on the distribution grid would not be “reconstituted” for purposes of determining transmission charges.**

¹⁵ 178 FERC ¶ 61,086, Order Accepting Tariff Revisions, February 11, 2022, Docket No. ER21-2337-002.