

PUBLIC UTILITIES COMMISSION

DRM 19-158

RULEMAKING

**New Hampshire Code of Administrative Rules Chapter Puc 900
Net Metering for Customer-Owned Renewable Energy Generation Resources
of 1,000 Kilowatts or Less**

ORDER OF NOTICE

On September 6, 2019, the Commission voted pursuant to RSA 541-A to initiate a formal rulemaking for N.H. Code Admin. Rules Chapter Puc 900, Net Metering for Customer-Owned Renewable Energy Generation Resources of 1,000 Kilowatts or Less. The Commission's initial proposal effectively represents a readoption with amendments of the existing Puc 900 rules.

The Puc 900 rules establish reasonable interconnection requirements for safety, reliability, and power quality for net energy metering, and set forth the procedures and conditions for net energy metering by customer-generators with distributed generation. The rules also cover group net metering by customer-generators. The proposed amendments are primarily intended to update the Puc 900 rules to address recent statutory amendments and orders of the Public Utilities Commission issued pursuant to RSA 362-A:9, XVI in Docket No. DE 16-576. In particular, the proposed amendments clarify the differences between customer-generators who are subject to the standard net metering tariff specified in the statutory language and those who are subject to the alternative net metering tariff provisions adopted by the Commission. Upon completion of the formal rulemaking process, the proposed amended rules will replace the current version of Chapter Puc 900.

A notice of rulemaking, as required by RSA 541-A:6 (Notice), was filed with the Office of Legislative Services on September 16, 2019, and has been sent to all persons who have made

a timely request for advance notice of these rulemaking proceedings. The Notice establishes a public hearing to be held at the Commission on October 31, 2019 at 9:00 a.m. and a deadline for the submission of written comments of November 8, 2019. The Notice, as published in the New Hampshire Rulemaking Register, is appended hereto. Pursuant to N.H. Code Admin. Rules Puc 203.12, this Order of Notice will also be published on the Commission's website.


The Initial Proposal for readoption with amendments of the Puc 900 rules may be viewed on the Commission's website at <http://www.puc.nh.gov/Regulatory/Docketbk/2019/19-158.html>, or copies may be obtained from the Commission as set forth in the Notice.

Based upon the foregoing, it is hereby

ORDERED, that a Public Hearing, pursuant to RSA 541-A:11, be held before the Commission located at 21 South Fruit Street, Suite 10, Concord, New Hampshire, on October 31, 2019 at 9:00 a.m., and that the deadline for submission of materials in writing or by e-mail shall be November 8, 2019, as set forth in the Notice; and it is

FURTHER ORDERED, that, pursuant to N.H. Code Admin. Rules Puc 203.12, the Executive Director shall notify all persons desiring to be heard at this hearing by publishing a copy of this Order of Notice on the Commission's website no later than October 17, 2019.

By order of the Public Utilities Commission of New Hampshire this twenty-seventh day of September 2019.


Debra A. Howland
Executive Director

Individuals needing assistance or auxiliary communication aids due to sensory impairment or other disability should contact the Americans with Disabilities Act Coordinator, NHPUC, 21 S. Fruit St., Suite 10, Concord, New Hampshire 03301-2429; 603-271-2431; TDD Access: Relay N.H. 1-800-735-2964. Notification of the need for assistance should be made one week prior to the scheduled event.

Notice Number 2019-162Rule Number Puc 900

1. Agency Name & Address:

Public Utilities Commission
21 S. Fruit Street, Suite 10
Concord, NH 03301

2. RSA Authority: RSA 362-A:9, X &
RSA 365:8, I

3. Federal Authority: _____

4. Type of Action:

Adoption _____

Amendment _____

Repeal _____

Readoption _____

Readoption w/amendment X

5. Short Title: **Net Metering for Customer-Owned Renewable Energy Generation Resources of 1,000
Kilowatts or Less**

6. (a) Summary of what the rule says and of any proposed amendments:

The Public Utilities Commission intends to readopt with amendments its Chapter Puc 900 rules on Net Metering for Customer-Owned Renewable Energy Generation Resources of 1,000 Kilowatts or Less. The Puc 900 rules specify reasonable interconnection requirements for safety, reliability, and power quality for net energy metering, and set forth the procedures and conditions for net energy metering by customer-generators with distributed generation. The rules also cover group net metering by customer-generators.

The proposed amendments are primarily intended to update the Puc 900 rules to address recent statutory amendments and orders of the Public Utilities Commission issued pursuant to RSA 362-A:9, XVI in Docket DE 16-576. In particular, the proposed amendments clarify the differences between customer-generators who are subject to the standard net metering tariff specified in the statutory language and the alternative net metering tariff provisions adopted by Commission order.

The existing Puc 901 and Puc 903-908 rules were scheduled to expire on September 20, 2019, but are subject to extension pursuant to RSA 541-A:14-a.

6. (b) Brief description of the groups affected:

The Puc 900 rules affect any person or entity which seeks to interconnect to the electric grid with a renewable energy generation resource of 1,000 kilowatts or less in capacity. Also affected are electric utilities which distribute electric power within the state of New Hampshire and electric suppliers within the state as defined in the rule.

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6. (c) Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement:

Rule(s)	Statute
Puc 902 and 909 (other specific provisions implemented by specific rules listed below)	RSA 362-A:9, X and 365:8, I(l)
Puc 902.01	RSA 362-A:9, XIV(a)
Puc 902.02	RSA 362-A:9, XVI
Puc 902.03	RSA 362-A:1-a, I-d
Puc 902.04	RSA 362-A:1-a, II-b
Puc 902.08	RSA 374-F:2, II
Puc 902.09	RSA 362-A:1-a, II-c
Puc 902.12	RSA 362-A:9, XIV(a)
Puc 902.13	RSA 362-A:1-a, II-d
Puc 902.14	RSA 362-A:9, XIV(a)
Puc 902.17	RSA 362-A:9, XIV(a)
Puc 902.18	RSA 362-A:1-a, III-a
Puc 902.22	RSA 362-A:9, XVI
Puc 903	RSA 362-A:9
Puc 903.01(c)	RSA 362-A:9, II
Puc 903.01(n)	RSA 362-A:9, XIII
Puc 903.02(g)	RSA 374-F:7
Puc 904.02	RSA 362-A:9; RSA 362-F:4, I (a) through (f), RSA 365:8, I(l)
Puc 908.03	RSA 365:8, I
Puc 908.05	RSA 365:8, I(l)
Puc 908.06	RSA 541-A:30, II
Puc 908.07	RSA 362-A:9; RSA 374:15
Puc 909.01	RSA 362-A:9, XIV
Puc 909.02	RSA 362-A:9, XIV
Puc 909.03	RSA 362-A:9, XIV(a)
Puc 909.04	RSA 362-A:9, XIV(a)
Puc 909.05	RSA 362-A:9, XIV(a)
Puc 909.06	RSA 362-A:9, XIV(a)
Puc 909.07	RSA 362-A:9, XIV; RSA 362-F:10, IV
Puc 909.08	RSA 362-A:9, XIV
Puc 909.09	RSA 362-A:9, XIV(a)
Puc 909.10	RSA 362-A:9, XIV(a); RSA 362-F:10, IV
Puc 909.11	RSA 362-A:9, XIV(e)
Puc 909.12	RSA 365:8, I(d); RSA 91-A:5
Puc 909.13	RSA 294-E

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7. Contact person for copies and questions including requests to accommodate persons with disabilities:

Name:	David K. Wiesner, Esq.	Title:	Staff Attorney
Address:	Public Utilities Commission 21 S. Fruit Street, Suite 10 Concord, NH 03301	Phone #:	603-271-6006
		Fax#:	603-271-4033
		E-mail:	David.Wiesner@puc.nh.gov
		TTY/TDD Access:	Relay NH 1-800-735-2964 or dial 711 (in NH)

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **November 8, 2019**

☒ Fax ☒ E-mail ☐ Other format (specify):

9. Public hearing scheduled for:

Date and Time: **October 31, 2019 at 9:00 a.m.**
Place: **NH Public Utilities Commission
21 South Fruit Street, Suite 10
Concord, NH 03301**

10. Fiscal Impact Statement (Prepared by Legislative Budget Assistant)

FIS # 19:165, dated September 13, 2019

1. **Comparison of the costs of the proposed rule(s) to the existing rule(s):**
There is no difference in cost when comparing the proposed rules to the existing rules.
2. **Cite the Federal mandate. Identify the impact on state funds:**
No federal mandate, no impact on state funds.
3. **Cost and benefits of the proposed rule(s):**
 - A. **To State general or State special funds:**
None.
 - B. **To State citizens and political subdivisions:**
None.
 - C. **To independently owned businesses:**
None.

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution:

The proposed rules do not mandate or assign any new, expanded, or modified programs or responsibilities to any political subdivision of the State of New Hampshire, and therefore do not violate Part I, Article 28-a of the N.H. Constitution by necessitating additional local expenditures by a political subdivision.

Service List
DRM 19-158 - Rulemaking
NH Code of Admin Rules Chapter 900 Net Metering for Customer-Owned
Renewable Energy Generation Resources of 1,000 Kilowatts or Less

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