

THE STATE OF NEW HAMPSHIRE

CHAIRMAN
Martin P. Honigberg

COMMISSIONERS
Robert R. Scott
Kathryn M. Bailey

EXECUTIVE DIRECTOR
Debra A. Howland



PUBLIC UTILITIES COMMISSION

21 S. Fruit Street, Suite 10
Concord, N.H. 03301-2429

TDD Access: Relay NH
1-800-735-2964

Tel. (603) 271-2431

FAX (603) 271-3878

Website:
www.puc.nh.gov

December 16, 2016

Paul Button
Energy Audits Unlimited, LLC
Manchester, NH 03102

Re: DE 10-128 Energy Audits Unlimited, Request for Waivers of Puc 2505.09(a) Direct Service Retention Requirement for Independent Monitors

Dear Mr. Button:

On November 14, 2016, Paul Button of Energy Audits Unlimited (EAU) filed a letter requesting a waiver from the Puc 2505.09(a) rule provision governing independent monitors so that EAU's independent monitoring fees can be deducted by a renewable energy certificate (REC) aggregator from the net proceeds of applicable REC sales and then paid to EAU. EAU was approved as an independent monitor of New Hampshire customer-sited sources generating renewable electricity production in 2010. In addition, EAU previously requested and was granted limited waivers from Puc 2505.09(a), Puc 2505.09(i)(2), and Puc 2505.09(j) in July, 2016, to facilitate implementation of its business model.

Under 2505.09(a), the services of an independent monitoring are required to be retained directly by each customer-sited renewable energy source, and this restriction would not permit Knollwood Energy of MA LLC (Knollwood), in its role as a REC aggregator, to deduct from its net proceeds of REC sales the annual flat fee charged by EAU for its independent monitoring services and pay the amount of such fee to EAU.

In particular, EAU describes the proposed Knollwood fee amount deduction and payment arrangements as follows:

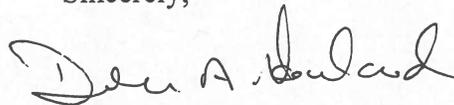
1. Knollwood will deduct an amount equal to the EAU flat fee for independent monitoring services from the sales proceeds of RECs generated by a solar PV system and then pay the deducted amount to EAU.
2. EAU, as Independent Monitor will receive compensation only in the form of a flat fee, effectively collected by Knollwood rather than EAU, and EAU will receive no compensation that is a function of REC production by a monitored renewable energy source.

On December 15, 2016, Staff filed a memorandum recommending that the Commission grant the rule waiver requested by EAU. According to Staff, approval of the requested waiver would relieve EAU of the administrative burden of directly billing and collecting its annual flat fee for monitoring services from those customer-sited renewable energy sources who use Knollwood as their REC aggregator, thus increasing the efficiency of fee billing and collection from the perspective of both EAU and its customers. Staff further noted that EAU verifies the majority of small PV systems in the state, therefore performing a vital function in the Class II REC market, and Staff maintained that the proposed new model for fee billing and collection would streamline the process, ensuring that EAU would receive payment for its independent monitoring services and enabling EAU to continue to offer those services.

The Commission has reviewed EAU's rule waiver request and Staff's memorandum and has determined that the requested waiver of Puc 2505.09 would serve the public interest and would not disrupt the orderly and efficient resolution of matters before the Commission, as required under Puc 201.05. In determining the public interest would be served by the requested rule waiver, the Commission found that compliance with the rules would be onerous given the circumstances of the affected person and that the purpose of the rules would be satisfied by the alternative method proposed.

Accordingly, EAU is granted a waiver from the relevant provisions of Puc 2505.09(a) as requested in its letter filed on November 14, 2016, effective for EAU's annual fees assessed for or during calendar year 2016 (if such fees have not previously been paid) and for or during calendar years thereafter.

Sincerely,



Debra A. Howland
Executive Director

cc: Service List
Docket File

SERVICE LIST - EMAIL ADDRESSES - DOCKET RELATED

Pursuant to N.H. Admin Rule Puc 203.11 (a) (1): Serve an electronic copy on each person identified on the service list.

Executive.Director@puc.nh.gov
Alane@KnollwoodEnergy.com
amanda.noonan@puc.nh.gov
barbara.bernstein@puc.nh.gov
david.wiesner@puc.nh.gov
jody.carmody@puc.nh.gov
jwebb@apx.com
karen.cramton@puc.nh.gov
linda@knollwoodenergy.com
paul.button42@gmail.com
Stephen.Eckberg@puc.nh.gov
tom.frantz@puc.nh.gov

Docket #: 10-128-1 Printed: December 16, 2016

FILING INSTRUCTIONS:

- a) Pursuant to N.H. Admin Rule Puc 203.02 (a), with the exception of Discovery, file 7 copies, as well as an electronic copy, of all documents including cover letter with:**
- DEBRA A HOWLAND
EXEC DIRECTOR
NHPUC
21 S. FRUIT ST, SUITE 10
CONCORD NH 03301-2429
- b) Serve an electronic copy with each person identified on the Commission's service list and with the Office of Consumer Advocate.**
- c) Serve a written copy on each person on the service list not able to receive electronic mail.**