

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

DRM 10-216

RULEMAKING

N. H. Code Admin. Rules PART Puc 900, Net metering

ORDER OF NOTICE

On February 23, 2011, the Commission voted pursuant to RSA 541-A to initiate a rulemaking for N. H. Code Admin. Rules PART Puc 900, Net metering for Customer-Owned Renewable Energy Generation Resources of 100 Kilowatt or Less rules. The Commission's Initial Proposal represents a readoption of the existing Puc 900 rules with amendments. Puc 900 sets forth definitions of terms, general rules, rights and obligations, statutory and other requirements, requirements relating to the interconnection application process, technical requirements for interconnection, description of separate compliance paths for units using inverters or meters to interface with the electrical grid and procedural requirements for all interconnected units. The proposed amendments reflect 2010 legislative changes to RSA 362-A which increase the size of eligible facilities up to 1000kW. The 2010 amendment also provided alternative payment options for customers where production from a customer facility exceeded the power consumed by the customer. Upon approval, the proposed amended rule will replace the current version of Puc 900. The readoption of the rules will assure a common expiration date for the entirety of Puc 900.

A rulemaking notice form (Notice), as required by RSA 541-A:6, was filed with the Office of Legislative Services on March 10, 2011. The Notice sets forth a date for a public

hearing to be held at the Commission and a deadline for submission of written comments. That notice is appended hereto.

A copy of the Rulemaking Notice will be sent to all regulated utilities and to those parties previously requesting notice of rulemakings pertaining generally to utility service and customer relations. Pursuant to RSA 541-A:6, III, notice will also be provided by public notice advertisement in a publication of daily statewide circulation.

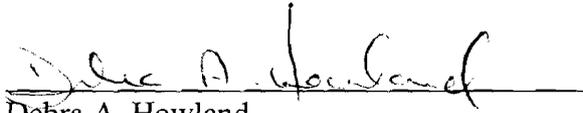
The readoption with amendment Initial Proposal may be viewed on the Commission website, <http://www.puc.nh.gov/Regulatory/Docket/2010/10-216.htm>, or copies may be obtained from the Commission as set forth in the Notice.

Based upon the foregoing, it is hereby

ORDERED, that a Public Hearing, pursuant to 541-A:11, be held before the Commission located at 21 South Fruit Street, Suite 10, Concord, New Hampshire on April 19, 2011 at 2:00 p.m., and that the deadline for submission of materials in writing or via e-mail shall be April 29, 2011, as set forth in the Notice; and it is

FURTHER ORDERED, that pursuant to RSA 541-A:6, III, the Commission shall undertake a public notice advertisement by publishing a copy of this Order together with the Notice no later than March 24, 2011, in a newspaper with a daily statewide circulation, publication to be documented by affidavit filed with the Commission on or before April 19, 2011.

By order of the Public Utilities Commission of New Hampshire this eighteenth day of
March, 2011.

A handwritten signature in black ink, appearing to read "Debra A. Howland", is written over a horizontal line.

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 2011-35

Rule Number

Puc 900

1. Agency Name & Address:

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

2. RSA Authority:

RSA 362-A:9 X &
RSA 365:8, XII

3. Federal Authority:

4. Type of Action:

Adoption _____

Amendment _____

Repeal _____

Readoption _____

Readoption w/amendment X

5. Short Title: **Puc 900 – Net Metering for Customer-Owned Renewable Energy Generation Resources of 1000 Kilowatts or Less**

6. (a) Summary of what the rule says and the effect of the rule on those regulated:

Specifically, the proposed rule sets forth definitions of terms, general rules, rights and obligations, statutory and other requirements, requirements relating to the interconnection application process, technical requirements for interconnection, description of separate compliance paths for units using inverters or meters to interface with the electrical grid and procedural requirements for all interconnected units.

Net energy metering is a way to provide a reasonable opportunity for small customers to choose interconnected self generation, to encourage private investment in renewable energy resources, to stimulate in-state commercialization of innovative and beneficial new technology, to enhance the future diversification of the state's energy resource mix, and reduce interconnection and administrative costs.

The amendments to Puc 900 implement the 2010 amendment to RSA 362-A which increased the size of eligible facilities up to 1000kW. The 2010 amendment also provided alternative payment options for customers and provided alternative for customers where production from a customer facility exceeded the power consumed by the customer.

6. (b) Brief description of the groups affected: **Any person or entity which seeks to interconnect to the electric grid with a renewable energy generation resource of 1000 kilowatts or less in capacity. Additionally 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.**

NN 2011-35 Continued

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

Rule(s)	State Statute (RSA)
Puc 900 (other specific statute provisions implemented by specific rules are listed below)	RSA 362-A: 9,X
Puc 901	RSA 362-A:1
Puc 902.01	RSA 362-A:1-a
Puc 902.05	RSA 374-F:2, II
Puc 902.09	RSA 362-A:1-a, III-a
Puc 903	RSA 362-A:9
Puc 903.01(c)	RSA 362-A:9, III
Puc 903.01(n)	RSA 362-A:9, XIII
Puc 903.02(e)	RSA 374-F:7
Puc 904.01 (a)(1)	RSA 362-A:9,I
Puc 904.02	RSA 362-F:4, I (a) through (f), RSA 541-A:16,I(b)
Puc 908.03	RSA 365:8,I
Puc 908.05	RSA 541-A:30,II
Puc 908.06	RSA 374:15
Puc 908.07	RSA 362-A:9, I

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

Name: **Suzanne Amidon**
 Address: **21 South Fruit Street**
Suite 10
Concord, NH 03301

Title: **Staff Attorney**
 Phone #: **603-271-6616**
 Fax#: **603-271-3878**
 E-mail: **suzanne.amidon@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: **April 29, 2011**

Fax

E-mail

Other format (specify):

9. Public hearing scheduled for: **April 19, 2011**

Date and Time: **2:00 p.m.**
Public Utilities Commission
 Place: **21 South Fruit Street, Suite 10**
Concord, NH 03301

NN 2011-35 Continued

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

FIS # 11:031 dated 03/07/11

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):

There are no additional costs or benefits attributable to the proposed rules.

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 modify an existing program or responsibility, and do not apply to any political subdivision and therefore do not violate Part I, Article 28-a.**