

STATE OF NEW HAMPSHIRE**Intra-Department Communication****DATE:** September 15, 2011**AT (OFFICE):** NHPUC**FROM:** Barbara Bernstein *BB*
Sustainable Energy Analyst**SUBJECT:** Re: DE 11-190, Turn Cycle Solution's Request for Thomas Kelly to be Certified as an Independent Monitor Pursuant to Puc 2502.09
Staff Recommends Approval**TO:** Chairman Thomas B. Getz
Commissioner Clifton C. Below
Commissioner Amy L. Ignatius
Debra A. Howland, Executive Director**CC:** Jack K. Ruderman, Director, Sustainable Energy Division *JKR*
Suzanne Amidon, Staff Attorney***Summary***

On August 29, 2011, Turn Cycle Solutions submitted an application requesting the Commission grant Thomas Kelly independent monitor status pursuant to the New Hampshire Code of Administrative Rules Puc 2505.09. As an independent monitor, Mr. Kelly would provide monitoring services for New Hampshire-based, customer-sited sources qualifying for renewable energy certificates (RECs).

Staff recommends the Commission grant this request for Thomas Kelly to be an independent monitor for customer-sited sources that qualify for New Hampshire RECs.

Analysis

Puc 2505.09 (c) states that an independent monitor shall be a licensed electrician or engineer in New Hampshire; a certified building analyst; a certified energy manager; a Residential Energy Services Network (RESNET) home energy rater; or, a certified independent monitor under another state's renewable portfolio standard program. According to the application submitted by Turn Cycle Solutions, Mr. Kelly qualifies as an independent monitor pursuant to Puc 2505.09 (c) because he is certified¹ as a Building Analyst Professional by the Building Performance Institute, Inc. as of May 27, 2011.²

¹ Note that Mr. Kelly's certification expires 05-27-2014.

² Staff verified with the Building Performance Institute that Thomas Kelly earned his Building Analyst certification on September 7, 2011.

Puc 2505.09 (h) requires an independent monitor to conduct the following tasks:

1. Perform initial inspection of the source's meter for accuracy and capability to measure the power produced (unless owned by a distribution utility that has already inspected it);
2. Measure the source's annual electricity production or displacement;
3. Report the annual production or displacement of electricity by January 31st for the preceding calendar year; and,
4. Inspect customer-sited sources to demonstrate they are installed and operating in conformance with applicable safety, zoning and building codes and that the interconnection meets Puc 900 requirements. (See Puc 2507.04(h)).

Mr. Kelly does not currently have an agreement to provide monitoring services for a New Hampshire-based REC qualified facility. When Mr. Kelly does enter into such an agreement, Puc 2505.09 forbids him from being a member of the immediate family of the owner of the source he wishes to monitor. Mr. Kelly will also be restricted from selling or installing the equipment used by the source. The RPS rules also prohibit Mr. Kelly from receiving compensation that is a function of the number of RECs issued to any source. Table 1 below outlines Turn Cycle Solutions' proposed rates.

Table 1: Rates for Renewable Energy Source Eligibility for Independent Monitoring		
Description	Unit	Rate
Research background information, site investigation, measurements, sketches, photographs. Report preparation. (Rate includes office administration, toll calls, photocopying, and correspondence.)	Per hour	\$49.50
Mileage	Per mile	\$.35
Distribution of copies of report to relevant parties. (Rate to include printing & postage costs.)	Per page	\$.50
Notes:		
1) Turn Cycle Solutions requires a site inspection. A site inspection reservation should be accompanied by a \$50.00 deposit that will be deducted from the final invoice. The deposit is non-refundable for reservations cancelled within 45 days of the inspection. Deposits will be credited to the next site inspection for cancellations made prior to 45 days before the inspection.		
2) Rates are subject to change at any time. This rate schedule is effective August 10, 2011.		

Recommendation

Staff has reviewed Turn Cycle Solutions' application for Mr. Kelly to become an independent monitor and can attest that the applicant has provided the necessary certification demonstrating that he meets the requirements set forth in Puc 2505.09. Therefore, Staff recommends that the Commission approve Mr. Kelly's request for independent monitor status provided that he meets the affiliation restrictions listed in Puc 2505.09 (f), has a compensation fee independent of the number of RECs produced and performs the duties listed in Puc 2505.09 (h).