



Comments on Group Net Metering Rulemaking, PUC parts 902 and 909

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Clean Energy Collective (CEC) is the nation's leading developer of shared and community-owned solar projects. We operate in eight states with approximately forty facilities operating or under development and are currently evaluating whether to make investments in solar net metering facilities in New Hampshire.

Shared solar allows everyone to participate in the development and benefits of clean, local renewable energy facilities. We appreciate the efforts of the Legislature and Governor in enacting SB 98 in 2013, enabling group net metering in New Hampshire. We also recognize the excellent work the Public Utilities Commission (PUC) has done in adopting interim rules 902 and 909 to implement the legislation. This has resulted in an exciting opportunity to expand renewable energy options for New Hampshire customers that were previously limited by geography, cost, or the lack of ownership of their home/business premises.

As the PUC moves forward in writing permanent rules for group net metering, we request careful consideration of how the rules may impact developers considering building in New Hampshire. The framework laid out by statute has created a group net metering program unique from those in other states. CEC respects the desire of the Legislature, Governor, and PUC to create program rules that are appropriate for New Hampshire. However, we believe that adopting certain restrictions above and beyond those laid out in statute may result in a program without potential for significant development. Among the issues raised in previous meetings in this process are how a host customer-generator facility is defined and regulatory authority over group agreements.

First, a host customer-generator facility should be explicitly defined by the meter interconnected with the distribution utility, as opposed to common land parcels, proximity to other facilities, common ownership, or shared interconnection facilities. If a group host demonstrates a unique group, it should be able to request a dedicated meter for the production facilities dedicated to that group. This will benefit New Hampshire consumers, promote the growth of the renewable energy market in the state, and facilitate responsible land-use policy. Specifically:

- Defining each facility by the meter matches the intent of existing net metering statute in 362-A:9(III), which states that, "Metering shall be done in accordance with normal metering practices." This implies that each individual meter can be a unique account with the utility and, therefore, each facility can be associated with a specific meter and account. For group net metering, this means that each host meter and account can represent a unique group and net metering facility. The sponsors of SB 98 have been on record that they intended for the parasitic load of a facility to be the only needed load for a meter.

- Developers may find a project site that is agreed upon by local interests and land-use regulators to be an ideal site for renewable energy, and may be large enough to host more than one group. Allowing multiple meters to be installed at this location prevents unnecessary land disruption that would be required if other groups were forced to find less ideal locations. This fragmentation of energy development would be inefficient from a land use perspective and not cost-effective for New Hampshire's ratepayers. Given recent concerns about the siting of energy generation, the PUC can encourage responsible and coordinated development of these important projects.
- Focusing the rules on the meter will ensure that the net metering aspects of the program occur correctly. The group's allocation of credits is defined by the result of the meter's calculations. Placing unnecessary restrictions on the land that may or may not be used for a group may result in inefficient distribution of credits.

Second, some discussion was raised at the rulemaking hearing that the PUC should review or regulate group agreements, potentially to assert qualifications on group and host relationships. While CEC does not oppose the PUC placing restrictions on agreements to assure customer protection, we do question the need for additional regulatory authority. Statute provides clear guidance on criteria that the PUC must assure in group agreements in 362-A:9(XIV): historic load calculations, kilowatt-hour utilization processes, registration, and changes in membership. We believe the existing draft rules provide full oversight of these subjects. Adding further regulatory burden will restrict the flexibility in agreement structure that is allowed by statute. This flexibility is a key provision and allows a better functioning market by providing developers and customers with the ability to structure their relationship as best fit for their situation.

We encourage the PUC to consider these suggestions as a means of fulfilling the intent of statute and SB 98 sponsors in opening new markets for clean energy in New Hampshire. Every additional locally-sited solar generation facility in New Hampshire provides significant indirect benefit to New Hampshire and its ratepayers. They reduce New Hampshire's dependence on spot market energy products at times of extreme high prices. They reduce pollution caused by the dirtiest of New England's fossil-fueled peaking generators. They also reduce New Hampshire's share of New England's transmission costs, and they offset and defer New Hampshire's need to make costly transmission and distribution system upgrades.

Thank you for your consideration of these comments and please let us know if you have any questions or concerns.

Best,

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