

**THE STATE OF NEW HAMPSHIRE**

**PUBLIC UTILITIES COMMISSION**

**DRM 13-311**

**RULEMAKING**

**Puc 900 Group Net Metering**

**Puc Parts 902 and 909, Group Net Metering**

**ORDER OF NOTICE**

On June 9, 2014, the Commission voted pursuant to RSA 541-A to initiate a rulemaking for N. H. Code Admin. Rules, Puc Parts 902 and 909, Group Net Metering. The Commission's Initial Proposal is to readopt the existing Puc Parts 902 and 909 with amendments.

Puc Parts 902 and 909 regulate group net metering. Puc Part 902 contains definitions and Puc Part 909 contains the rules governing group net metering. The initial proposal contains many amendments to the rules, mostly relating to the following topics: a new definition of "facility," changes to the registration process, provisions allowing the transfer of hosts, changes to the annual report requirements, clarification of how to calculate utility payments, and a general reorganization of some sections. Upon conclusion of the formal rulemaking process, the proposed amended rules will replace the current versions of Puc Parts 902 and 909.

A rulemaking notice form (Notice) as required by RSA 541-A:6 was filed with the Office of Legislative Services on June 20, 2014, and has been sent to all regulated electric utilities and interested parties. The Notice established a public hearing to be held at the Commission on August 27, 2014, at 10:00 a.m., and a deadline for submission of written comments on September 9, 2014. That Notice is attached. Pursuant to RSA 541-A:6, III, this Order of Notice will also be provided by public notice advertisement in a publication of daily statewide circulation.

Following the public hearing on August 27, 2014, Staff will hold a technical session with interested parties for purposes of discussing the proposed amended rule.

The Initial Proposal may be viewed on the Commission website, at <http://www.puc.nh.gov/Regulatory/proposedrules.htm#DRM13-311>, 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 August 27, 2014, at 10:00 a.m. followed by a technical session, and that the deadline for submission of materials in writing or via e-mail shall be September 9, 2014, 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 August 6, 2014, in a newspaper with a daily statewide circulation, publication to be documented by affidavit filed with the Commission on or before August 25, 2014.

By order of the Public Utilities Commission of New Hampshire this twenty-fifth day of July, 2014.



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 South Fruit Street, Suite 10, Concord, New Hampshire 03301; 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.

NEW HAMPSHIRE DRAFTING AND PROCEDURE MANUAL  
APPROVED 1-6-12 TO BE EFFECTIVE 2-20-12

APPENDIX II-C

RULEMAKING NOTICE FORM

Notice Number \_\_\_\_\_ Rule Number Puc 902 and Puc 909

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: **GROUP NET METERING**

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

Puc 902 contains definitions related to group net metering. Puc 909 implements group net metering by establishing a registration process for hosts, minimum requirements for agreements among hosts and their members, duties of the distribution utilities, required annual reports, sanctions, and forms.

This initial proposal will supersede and amend the existing rules, which are interim rules. The amendments to the interim rules include a general reorganization of some sections, clarification of the definition of "customer-generator" and a new definition of "facility," a streamlining of the registration and annual report process, a new section allowing the transfer of host registrations, and a clarification of the utility payments to hosts.

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

The rules affect customer-generators and customers who wish to become hosts and members. The rules affect the distribution utilities that must calculate and administer the payments required under the statute and prepare reports. The rules also affect the Public Utilities Commission which must register hosts, prepares reports, and administer the new law.

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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)	State Statute (RSA)	Federal Statute	Federal Regulation
Puc 902 and 909 (other specific provisions implemented by specific rules listed below)	362-A:9, X and 365:8, XII		
902.01	362-A:9, XIV(a)		
902.03	362-A:1-a, II-b		
902.09	362-A:1-a, II-b		
902.11	362-A:9, XIV(a)		
902.13	362-A:9, XIV(a)		
902.16	362-A:9, XIV(a)		
909.01	362-A:9, XIV		
909.02	362-A:9, XIV		
909.03	362-A:9, XIV(a)		
909.04	362-A:9, XIV(a)		
909.05	362-A:9, XIV(a)		
909.06	362-A:9, XIV(a)		
909.07	362-A:9, XIV(a); 362-F:10, IV		
909.08	362-A:9, XIV(c)		
909.09	362-A:9, XIV(a)		
909.10	362-A:9, XIV(a); 362-F:10, IV		
909.11	362-A:9, XIV(e)		
909.12	362-F:10, IV; 365:8, IV and XIV		
909.13	294-E		

NEW HAMPSHIRE DRAFTING AND PROCEDURE MANUAL  
APPROVED 1-6-12 TO BE EFFECTIVE 2-20-12

APPENDIX II-C (Continued)

RULEMAKING NOTICE FORM

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

Name:	<b>Michael Sheehan, Esq.</b>	Title:	<b>Staff Attorney</b>
Address:	<b>NH Public Utilities Commission 21 South Fruit Street Suite 10 Concord, NH 03301</b>	Phone #:	<b>603-271-6028</b>
		Fax#:	<b>603-271-4033</b>
		E-mail:	<b>Michael.Sheehan@puc.nh.gov</b>

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: **September 9, 2014**

Fax

E-mail

Other format (specify):

9. Public hearing scheduled for:

Date and Time: **August 27, 2014, at 10:00 a.m.**  
**Public Utilities Commission**  
Place: **21 South Fruit Street, Suite 10**  
**Concord, NH 03301**

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

FIS #     **FIS 14:093**    , dated     **6/17/2014**    

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. They 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 - EMAIL ADDRESSES - DOCKET RELATED**

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

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Docket #: 13-311-1 Printed: July 25, 2014

**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.**

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