

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

DE 16-674

CLIFTON BELOW

Motion to Correct Errors in PUC Determination of Avoided Costs

ORDER OF NOTICE

On June 17, 2016, Clifton Below, a customer-generator located in the electric service territory of Liberty Utilities (Granite State Electric) Corp. d/b/a Liberty Utilities (Liberty), filed a “Motion to Correct Errors in PUC Determination of Avoided Costs” (Motion), citing N.H. Code Admin. Rules Puc 903.02(j). Mr. Below filed a revised version of the Motion, together with supporting documentation and spreadsheets, on June 22, 2016.

The Motion asserts that the Commission has erred in its annual determination of rates for utility avoided costs for energy and capacity consistent with the requirements of the Public Utilities Regulatory Policy Act of 1978 (PURPA) (16 U.S.C. §824a-3 and 18 C.F.R. §292.304), as such determination is required under Puc 903.02(i). These avoided cost rates provide the basis for payments made by utilities to net metering customer-generators under certain circumstances, as described in Puc 903.02(h). In particular, Mr. Below claims that the Commission erred in this determination by using a simplifying assumption of \$1.00/MWh in lieu of calculating the actual value of “generation related ancillary service charges,” and by miscalculating adjustments based on the “average line loss in New Hampshire between the wholesale metering point and the retail metering point.” Mr. Below included his own recalculations of these utility avoided cost rate components together with the Motion.

The Motion and subsequent docket filings, other than any information for which confidential treatment is requested of or granted by the Commission, will be posted to the Commission's website at <http://www.puc.nh.gov/Regulatory/Docketbk/2016/16-674.html>.

The Motion raises, *inter alia*, issues related to whether the Commission has correctly determined the rates for utility avoided costs for energy and capacity consistent with the requirements of PURPA, as required under Puc 903.02(i), and the potential reconciliation of amounts paid or credited at the originally published rates and capacity factors by revised rates and factors.

Each party has the right to have an attorney represent the party at the party's own expense.

Based upon the foregoing, it is hereby

ORDERED, that a Prehearing Conference, pursuant to N.H. Code Admin. Rules Puc 203.15, be held before the Commission located at 21 South Fruit Street, Suite 10, Concord, New Hampshire, on August 18, 2016 at 1:30 p.m., at which each party will provide a preliminary statement of its position with regard to relevant matters and any of the issues set forth in N.H. Code Admin. Rules Puc 203.15; and it is


FURTHER ORDERED, that, immediately following the Prehearing Conference, Mr. Below, Commission Staff, and interveners hold a Technical Session to review the Motion and other relevant matters and to develop a procedural schedule for the proceeding; and it is

FURTHER ORDERED, that, pursuant to N.H. Code Admin. Rules Puc 203.12, the Executive Director shall notify all persons desiring to be heard at this hearing by publishing a copy of this Order of Notice on the Commission's website no later than July 7, 2016; and it is

FURTHER ORDERED, that consistent with N.H. Code Admin. Rules Puc 203.17 and Puc 203.02, any party seeking to intervene in the proceeding shall submit to the Commission seven copies of a petition to intervene, with copies sent to the Office of the Consumer Advocate and all parties listed on the Commission's service list for this proceeding, on or before August 15, 2016, such petition stating the facts demonstrating how its rights, duties, privileges, immunities, or other substantial interest may be affected by the proceeding, as required by N.H. Code Admin. Rules Puc 203.17 and RSA 541-A:32, I (b); and it is

FURTHER ORDERED, that any party objecting to a petition to intervene make said objection on or before August 18, 2016.

By order of the Public Utilities Commission of New Hampshire this sixth day of July, 2016.


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.

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
amanda.noonan@puc.nh.gov
clifton.below@gmail.com
david.wiesner@puc.nh.gov
donald.kreis@oca.nh.gov
karen.cramton@puc.nh.gov
leszek.stachow@puc.nh.gov
ocalitigation@oca.nh.gov
tom.frantz@puc.nh.gov