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Via Electronic Mail and Hand Delivery

Debra A. Howland, Executive Director
NH Public Utilities Commission
21 S. Fruit Street, Suite 10
Concord, NH 03301-2429

NHPUC 5FEB'20PM2:03

RE: Docket DRM 19-158, New Hampshire Code of Administrative Rules Chapter Puc 900
Net Metering for Customer-Owned Renewable Energy Generation Resources of 1,000
Kilowatts or Less, Comments of City of Lebanon

Dear Ms. Howland,

Thank for the opportunity to comment on draft Final Proposed Puc 900 rules. The City of Lebanon appreciates Staff's efforts to accommodate stakeholder concerns and suggestions and believes that the draft final proposal generally represents a good update to the Puc 900 rules. We would like to suggest three areas where the Final Proposal could be improved. The first two concern Puc 903.03, Where Multiple Projects Are Deemed a Single Facility, a new provision intended to standardize the practice and determination of how the size of projects are determined in lieu of utility determination of what constitutes separate facilities in the normal course of business.

1) With regard to proposed PUC 903.03(c)(1) that creates an exception to a requirement to treat projects on the same or adjacent parcels as one facility when each such project is being or has been developed: "To serve not less than 50 percent of the annual on-site load of existing or new retail electric customers." This provision is not clear. The City originally suggested a similar provision with this language for the exception:

(1) Each of such projects is being developed primarily to serve primarily the on-site load of existing retail electric customers; or

(2) to serve primarily the on-site load of new electricity customers consisting of separate dwelling units, or separate commercial spaces leased or owned by separate legal entities

Staff did a good job of shrinking the verbiage, and on the face of it the phrase "not less than 50 percent" would seem to be equivalent to "primarily" with the intent that the project is being developed at a size that half or more of the output is used for on-site load. However the way the wording came out can be read that as long the project is developed to serve at least 50% of on-

site load, then it would qualify for the exemption, perhaps even it produced enough power to serve 10 times the on-site load, but not if served just 25%, which is obviously not the intent.

The clause could be rephrased to read that such project is being or has been developed: "Such that not less than 50 percent of the annual generation output is to serve the on-site load of existing or new retail electric customers."

II) There was language discussed and not objected to in technical sessions that was removed in the draft Final Proposal that should be put back in to the final proposal, as individual customer choices for behind the meter generation are unnecessarily diminished for no apparent reason and arguably contrary to the legislative intent expressed in RSA 362-A:1 that:

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

The language that we believe should be restored is the following in italics at Puc 303.03 (a):

(a) Except as otherwise provided in (c) below, projects consisting of electricity generating equipment powered by an eligible renewable energy source or that employ a heat led combined heat and power system, and located behind separate retail meters, shall be deemed to be one facility for purposes of net metering eligibility if the projects are located on the same parcel of land or adjacent and contiguous parcels of land, *unless each of the following conditions applies:*

(1) Each project is located on a separate parcel of land;

(2) The property boundaries of each parcel of land have not been subdivided, modified, or otherwise altered within the three years immediately preceding the submission of a project interconnection request to the distribution utility;

(3) Each project is owned by a separate individual or by a separate corporation, limited liability company, or other legal entity; and

(4) Each project is interconnected with the utility distribution system through a separate interconnection point and with a separate meter.

III) Finally, we think it is commendable and desirable to enable the use of smart inverters at Puc 906.01, but it is not clear that all the standards are fully in place to require such at this point, so perhaps it should be made clear that this is an option.

Thank you for your consideration of these comments.

Yours truly,



Clifton Below,
Assistant Mayor, City of Lebanon