

STATE OF NEW HAMPSHIRE

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August 11, 2017

Ms. Debra A. Howland
Executive Director
New Hampshire Public Utilities Commission
21 South Fruit Street, Suite 10
Concord, New Hampshire 03301

11 AUG '17 AM 11:15

Re: Docket No. DE 16-576
Development of Alternative Net Metering Tariffs, &c.
Low and Moderate Income Solar Participation Pilot Program Development

Dear Ms. Howland:

I write on behalf of the Office of the Consumer Advocate as well as Keene Housing, New Hampshire Legal Assistance, the New Hampshire Sustainable Energy Association, Rep. Lee Oxenham of Plainfield, the Plymouth Area Renewable Energy Initiative, ROC-NH,¹ Southern New Hampshire Services, and the Energy Clinic of Vermont Law School.

We are a coalition of groups that has been meeting on an informal basis to discuss the development of community solar projects, and potentially other group net metering projects, for the benefit of low- and moderate-income customers in light of the enactment of 2017 N.H. Laws Ch. 227 (Senate Bill 129) and Order No. 26,029 (June 23, 2017) in the above-referenced docket. Representatives of most if not all of our organizations intend to participate in the technical session the Commission has scheduled for August 16, 2017 to discuss the working groups contemplated by Order No. 26,029.

As you know, Senate Bill 129 amended RSA 362-F:10, X to provide that no less than 15 percent of the state's Renewable Energy Fund "shall annually benefit low-moderate income residential customers, including, but not limited to, the financing or leveraging of financing for low-moderate income community solar projects in manufactured housing communities or in multi-family housing." Senate Bill 129 further amends RSA 362-A:9, XIV(c) so that it references the development of "only one new project . . . in each utility's service territory by December 31, 2019." Order No. 26,029, issued several weeks before Senate Bill 129 became law, directs each of the state's investor-owned electric utilities (Liberty Utilities, Public Service Company of New

¹ ROC-NH is a program of the New Hampshire Community Loan Fund that provides loans, training and technical assistance to residents of manufactured housing communities so that they can buy and manage the communities as consumer cooperatives pursuant to RSA 301-A.

Hampshire d/b/a Eversource, and Unitil) “to develop a pilot program that would use monetary bill credits to make the benefits of solar DG [distributed generation] ownership available to low and moderate income customers,” specifying that such pilot programs should be “consistent with, and not duplicative of, any such programs and projects required under enacted legislation.” Order No. 26,029 at 63 (specifically referencing Senate Bill 129).

On the agenda for the August 16 technical session is the question of “Overlap and Interaction between LMI Solar Pilot and SB 129 Programs.” In an effort to promote clarity and to facilitate progress toward making community solar and other DG technologies meaningfully available as quickly as possible to Granite State residents of limited means, we are taking this opportunity to make clear our firm view that the initiatives contemplated by Senate Bill 129 and Order No. 26,029 are cumulative in nature. In other words, the Legislation and the Order, including the reference to non-duplicative pilots in the latter, should be understood as endorsing the development of *both* a pilot program in each utility’s service territory that would rely in part on the Renewable Energy Fund *and* community solar projects that would include special monetary bill credits for eligible group members.

Pilot projects taking advantage of Senate Bill 129 may or may not include special monetary bill credits for low- and moderate-income customers; this is a question of designing specific pilot programs that are economically viable for all concerned. But the Commission should not allow the adoption of Senate Bill 129 to become the basis for abandoning the separate and additional efforts centered on bill credits that the Commission endorsed on page 63 of Order No. 26,029.

The proponents of community solar for low- and moderate-income customers successfully convinced both the Legislature and the Commission of the importance of leaving no one behind as New Hampshire continues to develop distributed generation as a critical element of the state’s electricity resources. Assuring such a result is no easy task in light of the economic and practical realities involved. Accordingly, it is good public policy, and consistent with the intent of both the Legislature and Order No. 26,029, to interpret the applicable directives broadly. We will encourage other participants in the working group to adopt this view when we convene at next week’s technical session.

Sincerely,



D. Maurice Kreis
Consumer Advocate

cc: Service List