

Borrego Solar Systems, Inc.  
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Tel: 978-513-2600, Fax: 617-208-1288  
[www.borregosolar.com](http://www.borregosolar.com)



STATE OF NEW HAMPSHIRE BEFORE THE NEW HAMPSHIRE PUBLIC UTILITIES COMMISSION

**PETITION FOR AUTHORIZATION PURSUANT TO RSA 362-A:9, XVI FOR THE DEVELOPMENT OF NEW ALTERNATIVE NET METERING TARIFFS AND/OR OTHER REGULATORY MECHANISMS AND TARIFFS FOR CUSTOMER-GENERATORS**

**Petition to Intervene of Borrego Solar Systems, Inc.**

NOW COMES Borrego Solar Systems, Inc (Borrego Solar) a California corporation, and, pursuant to RSA 541-A:32,I(b) and N.H. Admin. R. Rule Puc 203.17 respectfully petitions the New Hampshire Public Utilities Commission ("Commission") for intervention as a full party in the above-captioned proceeding. In support of this petition, Borrego Solar states as follows:

1. The Commission opened this proceeding on May 19, 2016 with an Order of Notice stating, in part, that as part of this proceeding the Commission will “develop new alternative net metering tariffs, which may include other regulatory mechanisms and tariffs for customer-generators, and determine whether and to what extent such tariffs should be limited in their availability within each electric distribution utility's service territory”. In addition as part of “developing such alternative tariffs and any limitations on their availability, RSA 362- A:9, XVI requires that the Commission consider: the costs and benefits of customer-generator facilities; an avoidance of unjust and unreasonable cost shifting; rate effects on all customers; alternative rate structures, including time based tariffs; whether there should be a limitation on the amount of generating capacity eligible for such tariffs; the size of facilities eligible to receive net metering tariffs; timely recovery of lost revenue by the utility using an automatic rate adjustment mechanism; and electric distribution utilities' administrative processes required to implement such tariffs and related regulatory mechanisms. The Commission is authorized to waive or modify specific size limits and terms and conditions of service for net metering specified in RSA 362-A:9, I, III, IV, V, and VI that it finds to be just and reasonable in the adoption of alternative tariffs for customer-generators. The Commission is also authorized to approve time and/or size limited pilots of alternative tariffs.” Furthermore “In connection with such alternative net metering tariff development, the Commission will be guided by the legislative purposes stated in HB 1116, including, among other things, **the continuance of reasonable opportunities for electric customers to invest in and interconnect customer-generator facilities and receive fair compensation for such locally produced power while ensuring costs and benefits are fairly and transparently allocated among all customers, and the promotion of a balanced energy policy that supports economic growth and energy diversity, independence, reliability, efficiency, regulatory predictability, environmental benefits, a fair allocation of costs and benefits, and a modern and flexible electric grid that provides benefits for all ratepayers.**”

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2. The statutory standards for intervention are set forth in RSA 541-A:32, I and II. First, a petition for intervention must be granted if the petitioner states facts demonstrating how its rights, duties, privileges, immunities or other substantial interests may be affected by the proceeding (or the petitioner qualifies under any provision of law) and the interests of justice and orderly and prompt conduct of the proceedings would not be impaired by allowing intervention. See RSA 541-A:32, I(b) and (c). Second, the Commission may grant a petition to intervene "at any time, upon determining that such intervention would be in the interests of justice and would not impair the orderly conduct of the proceedings." RSA 541-A:32,II. See also N.H. Admin. R. Puc 203.17 (requiring the Commission to grant one or more petitions to intervene in accordance with the standards of RSA 541-A:32).

3. Borrego Solar is a developer of commercial scale DG solar projects in New Hampshire. We have successfully interconnected over 1MW of projects in NH and have a pipeline of nearly 15MW in the state. Borrego Solar would like to expand its business in NH, providing jobs and renewable energy to support local economies and seeks fair compensation for renewable power produced from projects it plans to bring on line. We have a thorough understanding of the costs to develop, construct, operate and maintain these facilities and have developed financial models that will determine the economic viability of these projects based on the rate set by the PUC for compensating customer-generators for their system production.

4. As the foregoing information demonstrates, Borrego Solar has knowledge and experience that are likely to be of value to the Commission and other parties in this proceeding. Borrego Solar's intervention will not impair the orderly conduct of this proceeding and, thus, granting this petition for intervention would be in the interest of justice.

5. The Petitioner in this proceeding has no objection to this petition for intervention.

WHEREFORE Borrego Solar respectfully requests that the Commission grants it full intervener status in the proceeding and grant such other relief as the Commission deems just and equitable.

Respectfully submitted,  
Borrego Solar Systems, Inc  
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Certificate of Service

I hereby certify that a copy of the foregoing Petition has on this 23rd day of May, 2016 been sent by electronic mail to persons listed on the Service List for this proceeding.

By:

Chris Anderson