

PUBLIC UTILITIES COMMISSION

March 28, 2017 - 9:07 a.m.
Concord, New Hampshire
ONLY

DAY 2
MORNING SESSION

RE: DE 16-576
ELECTRIC DISTRIBUTION UTILITIES:
Development of New Alternative Net
Metering Tariffs and/or Other
Regulatory Mechanisms and Tariffs
for Customer-Generators.
(Hearing on the Merits)

PRESENT: Chairman Martin P. Honigberg, Presiding
Commissioner Robert R. Scott
Commissioner Kathryn M. Bailey

Sandy Deno, Clerk

APPEARANCES: *(No appearances taken - refer
to the daily sign-in sheets for
this date of the proceedings)*

**CERTIFIED
ORIGINAL TRANSCRIPT**

Court Reporter: Susan J. Robidas, NHLCR No. 44

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I N D E X

WITNESS PANEL:

HEATHER M. TEBBETTS
ASHLEY C. BROWN
EDWARD A. DAVIS
MICHAEL HARRINGTON
RICHARD C. LABRECQUE
THOMAS P. MEISSNER

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1 P R O C E E D I N G S

2 CHAIRMAN HONIGBERG: Good morning.
3 We're back for Day 2. We have good attendance
4 out there, and we have outstanding attendance
5 over in the witness box. What, if anything,
6 Mr. Wiesner, do we need to do this morning
7 before beginning?

8 MR. WIESNER: I am not aware of
9 anything. We did circulate a sign-in sheet in
10 lieu of taking appearances, and it seems like
11 everyone is here who should be here. And we
12 know who's here, in any event.

13 The Utility/Consumer Coalition
14 panel has already take the stand, as you see.
15 And I think we have general agreement in terms
16 of order of questioning. My understanding is
17 that it's proposed that the representatives of
18 CLF and Acadia will go first in questioning
19 this panel, followed by other members of the
20 Energy Future Coalition.

21 CHAIRMAN HONIGBERG: Is there an
22 order as to the rest of the questioning?

23 MR. WIESNER: I think we had
24 generally agreed previously that City of

1 Lebanon would follow the opposing panel,
2 followed by other non-aligned parties, with
3 Staff bringing up the rear.

4 CHAIRMAN HONIGBERG: All right. Do
5 you want to -- do the Utility/Consumer group --
6 and you don't have to do it right this second,
7 but maybe at the break you'll tell me what
8 order you want to do questioning of this panel?
9 Actually, I guess you're going to be going
10 first after CLF and Acadia. We might not make
11 it to the break at that point. So who's going
12 to go first for the Utility/Consumer settlement
13 group? Mr. Sheehan, you look like you're ready
14 to grab the microphone.

15 MR. SHEEHAN: These are the
16 Utility/Consumer witnesses --

17 CHAIRMAN HONIGBERG: I got it
18 reversed, don't I. Sorry. So it's Utilities
19 questioning this panel to start introducing.

20 MR. WIESNER: On direct, right.

21 CHAIRMAN HONIGBERG: Then CLF and
22 Acadia, or then the --

23 MR. WIESNER: So, direct questioning,
24 followed by CLF and Acadia, followed by other

1 members of the Energy Future Coalition, City of
2 Lebanon --

3 CHAIRMAN HONIGBERG: That's the group
4 I want to know.

5 MR. WIESNER: -- then Staff.

6 CHAIRMAN HONIGBERG: That's what I
7 want to know, if you have an order.

8 MR. HINCHMAN: Good morning, Mr.
9 Chairman. I think I will start on behalf of
10 ReVision, which is a member of the Coalition,
11 and then Attorney Griset and then Attorney
12 Buxton, all covering different topics.

13 CHAIRMAN HONIGBERG: Oh, yeah.
14 You're right. You're covering different
15 topics. I understood that. I'm sorry. Who's
16 going to be going second?

17 MR. HINCHMAN: Attorney Griset.

18 CHAIRMAN HONIGBERG: What's your --
19 spell the last name.

20 MR. GRISET: G-R-I-S-E-T.

21 CHAIRMAN HONIGBERG: That answers
22 partially the question of who's here today and
23 wasn't here yesterday, or who's going to be
24 speaking.

1 Is there anybody else here today
2 who wasn't here yesterday as an intervenor or
3 other who intends to speak?

4 [No verbal response]

5 CHAIRMAN HONIGBERG: All right.
6 That's helpful. At least I'm organized in that
7 way.

8 All right. Anything else we
9 need to do before I confuse myself further?

10 [No verbal response]

11 CHAIRMAN HONIGBERG: All right. Who
12 am I turning it over to? Mr. Sheehan?

13 MR. SHEEHAN: Yes, sir. Mr.
14 Chairman --

15 CHAIRMAN HONIGBERG: Did we swear the
16 witnesses in, Mr. Sheehan?

17 MR. SHEEHAN: Yes -- we have not yet.

18 CHAIRMAN HONIGBERG: All right. Ms.
19 Robidas.

20 (WHEREUPON, HEATHER M. TEBBETTS, ASHLEY
21 C. BROWN, EDWARD A. DAVIS, MICHAEL
22 HARRINGTON, RICHARD C. LABRECQUE AND
23 THOMAS P. MEISSNER were duly sworn and
24 cautioned by the Court Reporter.)

1 MR. SHEEHAN: We generally intend to
2 follow the template that the other group went
3 through yesterday. I'll introduce the
4 witnesses, mark their testimonies, admit their
5 testimonies, and after that process we will
6 turn them loose to give the presentation, both
7 supporting our settlement agreement and
8 contrasting the others, and then they will be
9 available for cross-examination.

10 CHAIRMAN HONIGBERG: How long do you
11 think the period will be during which they are,
12 as you put it, "turned loose"?

13 MR. SHEEHAN: We have an unofficial
14 agreement that the other parties followed
15 yesterday to be a total of 40 minutes. They
16 divided it pretty evenly between support and
17 critique. Our witnesses attended both of
18 those. But in any event, we have made clear to
19 these witnesses they have roughly six minutes a
20 head to go through that process.

21 CHAIRMAN HONIGBERG: Perfect. Thank
22 you.

1 DIRECT EXAMINATION

2 BY MR. SHEEHAN:

3 Q. I'll start with Ms. Tebbetts from Liberty.
4 Would you please introduce yourself and who you
5 represent this morning.

6 A. (Tebbetts) Yes. My name is Heather Tebbetts.
7 I work for Liberty Utility Service Corp. I
8 work at our rate and regulatory group, and my
9 role there is to support the regulatory and
10 rates services for Granite State Electric.

11 Q. And Ms. Tebbetts, did you file testimony in
12 this docket?

13 A. (Tebbetts) Yes, I did.

14 Q. And that has been marked as Exhibit 16. And
15 did you also -- were you a signatory to the
16 technical statement filed in support of the
17 settlement agreement?

18 A. (Tebbetts) Yes, I was.

19 Q. And that has been marked as Exhibit 6; is that
20 correct? I will tell you that is correct. And
21 the settlement agreement itself is Exhibit 5.

22 Ms. Tebbetts, do you have any changes or
23 additions to your testimony?

24 A. (Tebbetts) I do not.

1 Q. And if I were to ask you those questions today,
2 would your answers be the same?

3 A. (Tebbetts) Yes.

4 Q. So do you adopt your testimony here this
5 morning?

6 A. (Tebbetts) Yes.

7 MR. SHEEHAN: Mr. Commissioner, I
8 move the admission of Exhibit 16, Ms. Tebbetts'
9 testimony.

10 CHAIRMAN HONIGBERG: Without
11 objection, we'll strike the I.D. on that
12 testimony.

13 (Exhibit 16 admitted.)

14 MR. SHEEHAN: Following the order
15 that they plan to speak, so next is Mr.
16 Harrington.

17 BY MR. HARRINGTON:

18 Q. Could you please introduce yourself and for
19 whom you are appearing this morning.

20 A. (Harrington) Yes. My name is Michael
21 Harrington. I'm appearing for the New England
22 Ratepayers Association.

23 Q. And Mr. Harrington, did you file direct and --
24 strike that.

1 You did file both direct and rebuttal
2 testimony in this matter; is that correct?

3 A. (Harrington) Yes.

4 Q. And your direct testimony has been marked as
5 27, and your rebuttal testimony has been marked
6 as 62, with the attachments being Exhibits 63
7 and 64. Are there any changes or corrections
8 to that testimony or rebuttal testimony this
9 morning?

10 A. (Harrington) No, there are not.

11 Q. If I were to ask you the questions contained in
12 those testimonies, would your answers be the
13 same this morning?

14 A. (Harrington) Yes, they would.

15 Q. Do you therefore adopt your testimony here this
16 morning?

17 A. (Harrington) Yes, I do.

18 MR. SHEEHAN: Mr. Chairman, I move
19 the admission of 27, 62, 63 and 64.

20 CHAIRMAN HONIGBERG: Without
21 objection, we'll strike the I.D. on those
22 exhibits and they'll be admitted.

23 (Exhibit 27, 62, 63, 64 admitted.)

24 BY MR. SHEEHAN:

1 Q. Next, Mr. Labrecque from Eversource. Please
2 introduce yourself and for whom you are
3 speaking today.

4 A. (Labrecque) Good morning. My name is Richard
5 Labrecque. I'm the manager of distributed
6 generation for Public Service of New Hampshire,
7 doing business as Eversource Energy.

8 Q. And Mr. Labrecque, you were part of a group
9 that filed both direct and rebuttal testimony
10 this morning; is that correct?

11 A. (LaBrecque) Yes.

12 Q. Your direct testimony has been marked as
13 Exhibit 14, and that was with a Mr. Johnson.
14 Is Mr. Johnson here this morning?

15 A. (LaBrecque) No, he is not.

16 MR. SHEEHAN: Mr. Chairman, I
17 understand that Mr. Fossum has filed the
18 affidavit on behalf of Mr. Johnson. That's
19 already in the record.

20 BY MR. SHEEHAN:

21 Q. Mr. Labrecque, your direct testimony is 14 and
22 your rebuttal testimony is Exhibit 43. Do you
23 have any changes to either of those two
24 testimonies?

1 A. (LaBrecque) No, I do not.

2 Q. Do you have any other supplement that you
3 wanted to raise here this morning as part of
4 your testimony?

5 A. (LaBrecque) Yes. We were hoping to supplement
6 Attachment B to our settlement proposal and
7 technical statement with a chart that is for
8 illustrative purposes only to help us as we go
9 through the course of the day and explain
10 various quantities that people may be
11 interested in discussing.

12 Q. Mr. Fossum is circulating a copy of that chart.
13 And this is the document that was mentioned
14 yesterday during the other panel's
15 presentation; is that correct?

16 A. (LaBrecque) Yes.

17 MR. SHEEHAN: Okay. Mr. Chairman
18 that does not have a number to it. We can
19 either go to the next number or we could make
20 it an attachment or Exhibit 6A, referencing the
21 technical statement that is sort of part of
22 the -- if it becomes more confusing, we can
23 just go to the next number.

24 CHAIRMAN HONIGBERG: We're going to

1 go to the next number, which will be 67.

2 MR. SHEEHAN: Thank you.

3 (Exhibit 67 marked for identification.)

4 BY MR. SHEEHAN:

5 Q. Mr. Labrecque, this is a chart you prepared; is
6 that correct?

7 A. (Labrecque) Correct.

8 Q. And without going into a long description, it
9 is -- the purpose of it is to do what?

10 A. (Labrecque) It's a depiction of a idealized,
11 typical profile of a residential customer with
12 a typical solar profile layered on top of it
13 and a description of -- I've labeled four
14 quadrants on the chart that can be used to
15 describe, for example, what would be measured
16 in the import or purchase channel of these
17 bidirectional meters that we've been talking
18 about versus what would be measured in the
19 export or sale channel.

20 Q. And you intend to reference this in your
21 presentation later this morning; is that
22 correct?

23 A. (Labrecque) That's correct.

24 MR. SHEEHAN: Mr. Chairman, I move

1 the admission of Exhibit 67, I believe you
2 said.

3 MR. HINCHMAN: Mr. Chairman, can I --

4 CHAIRMAN HONIGBERG: Mr. Hinchman.

5 MR. HINCHMAN: Objection. There's no
6 data. We have no idea what these numbers are,
7 where they come from, what they mean, what
8 they're based on. Without the underlying data,
9 we don't know how to even look at these
10 numbers.

11 CHAIRMAN HONIGBERG: So until Mr.
12 Labrecque testifies further about it, you'd
13 object to having the I.D. struck?

14 MR. HINCHMAN: I suspect I know what
15 the data is, but --

16 CHAIRMAN HONIGBERG: I suspect you
17 do, too.

18 MR. HINCHMAN: But they haven't
19 clarified. And this is a new chart --

20 CHAIRMAN HONIGBERG: It's the one you
21 were looking at yesterday, as I understand it.
22 And in fact, one of your witnesses was ready to
23 testify about it yesterday.

24 MR. HINCHMAN: It is a -- I believe,

1 but I don't know, that it's a subset of the
2 data. And so this is one month versus a
3 12-month average from the chart yesterday. So
4 I'd like them to put in the data so that the
5 data is also available.

6 CHAIRMAN HONIGBERG: Mr. Fossum and
7 Mr. Sheehan, this is a page from another
8 exhibit in this record; is it not?

9 MR. FOSSUM: Mr. Chairman, no, not
10 exactly. It is slightly different. But as you
11 pointed out, Mr. Labrecque's prepared to
12 testify about it today, and he can speak to it
13 later and the information that it's intended to
14 show.

15 CHAIRMAN HONIGBERG: I'll tell you
16 what, Mr. Hinchman. We won't strike the I.D.
17 yet. You keep track of this, Mr. Sheehan. If
18 after Mr. Labrecque or others have testified
19 about it further you want to raise an
20 objection, you'll do it at that time, okay.
21 Your objection for now, I guess, is granted.
22 But they're not precluded from further
23 testifying about it and moving it again.

24 MR. SHEEHAN: Thank you, Mr.

1 Chairman.

2 BY MR. SHEEHAN:

3 Q. Next is Edward Davis. Please introduce
4 yourself and for whom you are appearing this
5 morning.

6 A. (Davis) Good morning. My name is Edward Davis.
7 I am the director of rates for Eversource
8 Energy. And I'm here on behalf of the
9 utilities and the Utility Coalition to provide
10 support for the proposal that we put before the
11 Commission.

12 Q. And Mr. Davis, you filed both direct testimony
13 on your own, and you were part of a group of
14 three that filed rebuttal testimony; is that
15 correct?

16 A. (Davis) That's correct.

17 Q. The direct testimony, your direct testimony, is
18 Exhibit 15, and the rebuttal testimony with Mr.
19 Labrecque [sic] and Mr. Johnson is Exhibit 43.
20 If I were to ask you the questions -- well,
21 first, do you have any corrections or changes
22 to either of those testimonies?

23 A. (Davis) Yes, I do have one minor correction to
24 Exhibit 15, the direct testimony I submitted.

1 And on lines in that direct prefiled --

2 CHAIRMAN HONIGBERG: Wait, wait. We
3 have a lot of notebooks back here, like 15
4 inches worth.

5 (Pause in proceedings)

6 A. (Davis) Bates Stamp 38. So, on Line 17 of that
7 testimony, the first date appearing on the line
8 is 1996; it should be 1997. That's the
9 correction.

10 Q. Mr. Davis, with that correction, if I were to
11 ask you the same questions this morning that
12 are contained in both the direct and rebuttal,
13 would your answers be the same?

14 A. (Davis) Yes.

15 Q. Do you this morning adopt those two
16 testimonies?

17 A. (Davis) I do.

18 MR. SHEEHAN: Mr. Chairman, I move
19 the admission of Exhibit 15, which is Mr.
20 Davis' -- I'm not sure I moved the admission of
21 Mr. Labrecque's, which was 14. And I also move
22 the admission of the joint testimony, which is
23 43. So, 14, 15 and 43 are the Eversource
24 testimonies.

1 CHAIRMAN HONIGBERG: All right.
2 Without objection, we'll strike the I.D. on
3 those three exhibits, and they are full
4 exhibits.

5 (Exhibits 14, 15, 43 admitted.)

6 BY MR. SHEEHAN:

7 Q. Next, Mr. Meissner, please introduce yourself.

8 A. (Meissner) My name is Thomas Meissner. I'm
9 chief operating officer of Unitil Corporation
10 and the senior vice-president of Unitil Energy
11 Systems, Inc., where I oversee operations,
12 planning and engineering functions. I am also
13 here today to support the joint utility
14 settlement that has been submitted.

15 Q. Mr. Meissner, you also filed direct and
16 rebuttal testimony in this matter?

17 A. Yes, I did.

18 Q. The direct is Exhibit 8 and the rebuttal is
19 Exhibit 40. Do you have any changes or
20 corrections to those testimonies?

21 A. (Meissner) I do not.

22 Q. If I were to ask you those questions today,
23 would your answers be the same?

24 A. Yes.

1 MR. SHEEHAN: Mr. Chairman, I move
2 the admission of Exhibits 8 and 40, Mr.
3 Meissner's testimonies.

4 CHAIRMAN HONIGBERG: Without
5 objection, we'll strike the I.D. on those two
6 exhibits, and they are full exhibits.

7 (Exhibits 8, 40 admitted.)

8 MR. SHEEHAN: Also at this time, Mr.
9 Chairman, Unitil also filed the testimony of
10 Mr. Overcast, which is Exhibit 9. His
11 attachments are 10 and 11. His supplemental
12 direct is 12, and supplemental attachments are
13 13. And his rebuttal testimony is 39. As
14 everyone knows, he is not present today. The
15 mechanism that has been discussed and agreed to
16 admit his testimony this morning is to file an
17 affidavit. And Mr. Licata has the appropriate
18 original and copies of that affidavit. And
19 with that filing, we move the admission of
20 Mr. Overcast's testimony, which is 9, 10, 11,
21 12, 13 and 39.

22 CHAIRMAN HONIGBERG: Without
23 objection, I.D. is struck, and those are
24 admitted.

1 (Exhibits 9, 10, 11, 12, 13, 39
2 admitted.)

3 BY MR. SHEEHAN:

4 Q. Last, but certainly not least, Mr. Brown.

5 A. (Brown) My name is Ashley Brown, and I'm here
6 testifying on behalf of Unitil.

7 Q. These microphones, you need to get really close
8 as you speak.

9 A. (Brown) Yeah, my name is Ashley Brown, and I'm
10 here testifying on behalf of Unitil.

11 Q. And Mr. Brown, you also filed rebuttal
12 testimony in this matter; is that correct?

13 A. That is correct.

14 Q. And that has been marked as Exhibit 41, with
15 attachments being Exhibit 42. Do you have any
16 corrections to your testimony?

17 A. (Brown) I do not.

18 Q. And if I were to ask you questions in that
19 testimony this morning, would your answers be
20 the same?

21 A. (Brown) It would.

22 Q. And do you adopt your testimony here this
23 morning?

24 A. (Brown) Correct.

1 MR. SHEEHAN: Mr. Chairman, I move
2 the admission of Exhibits 41 and 42.

3 CHAIRMAN HONIGBERG: Without
4 objection, I.D. will be struck and those are
5 full exhibits.

6 (Exhibit 41, 42 admitted.)

7 CHAIRMAN HONIGBERG: Mr. Sheehan, it
8 may be just my notes keeping up. But when you
9 were speaking with Mr. Harrington, did you deal
10 with 63 and 64?

11 MR. SHEEHAN: I did mention them,
12 yes.

13 CHAIRMAN HONIGBERG: Okay. Everybody
14 else seemed to get it. I missed it.

15 MR. SHEEHAN: And I'm not sure I did
16 it either, but I'll go back to Ms. Tebbetts.

17 BY MR. SHEEHAN:

18 Q. The settlement agreement, which is Exhibit 5,
19 and the technical statement, is something that
20 you prepared along with Mr. Labrecque and Mr.
21 Debski of Unitil; correct?

22 A. (Tebbetts) Yes.

23 Q. And those documents -- the settlement agreement
24 is what this group asked the Commission to

1 approve, and the technical statement is the
2 statement in support of the settlement
3 agreement; is that correct?

4 A. (Tebbetts) Yes.

5 MR. SHEEHAN: I would move the
6 admission of 5 and 6.

7 CHAIRMAN HONIGBERG: Without
8 objection, we'll strick the I.D. on those two
9 and they're full exhibits.

10 (Exhibit 5, 6 admitted.)

11 MR. SHEEHAN: Thank you.

12 Mr. Chairman, the plan is to
13 have Ms. Tebbetts walk through the settlement
14 agreement and explain its terms, to make sure
15 the room understands our proposal. And then we
16 will go through the witnesses in the order I
17 introduced them, and they will each give a
18 brief statement in support of and contrasting
19 our settlement with the competing settlement.
20 Thank you.

21 CHAIRMAN HONIGBERG: Have at it, Ms.
22 Tebbetts.

23 A. (Tebbetts) Thank you. Good morning. The first
24 piece that I'm going to talk about are the

1 terms of the agreement.

2 Section 1 deals with the proposed start
3 date for both large, over 100 kW projects, and
4 small projects, which is equal to and under 100
5 kW, that reserve a place in the queue,
6 consistent with the requirements in Docket
7 DE 15-271. After June 30th, 2017, they'll be
8 moved to the proposed tariff once the utilities
9 are able to bill these changes that we've
10 proposed in our settlement. Until that time,
11 these customers will be billed under the net
12 metering tariff that's in effect as of
13 March 2nd, 2017.

14 Section 2 is Interconnection Application
15 Fees. The proposed tariff will not change the
16 application fee for large projects or small
17 projects, and in the future, the utilities will
18 file with the Commission for approval of a
19 different application fee that is based on
20 demonstrated costs.

21 Section 3 is the Customer Charge. The
22 customer charge for each of the utilities won't
23 change as a result of the approval or
24 implementation of this tariff. In the future,

1 the utilities may request Commission approval
2 for supplemental customer charge applicable to
3 net-metered customers based on demonstrated
4 incremental customer-related costs for
5 metering, billing and interconnection.

6 CHAIRMAN HONIGBERG: Ms. Tebbetts,
7 slow down just a little bit.

8 A. (Tebbetts) Section 4 is Rate Design. This
9 tariff will not require, and the parties do not
10 recommend, any changes to the rate design of
11 the utilities. The utilities will apply the
12 prevailing rates, as they maybe amended from
13 time to time.

14 Section 5 is the Lost Revenue Recovery.
15 Once the tariff is approved, the utilities will
16 be allowed to recover their lost revenues using
17 the mechanism and calculations approved in
18 Order No. 25,991, dated February 21, 2017. The
19 parties agree that this mechanism is
20 appropriate for the recovery of lost revenues.
21 Parties also agree that they will support and
22 not oppose any utility requests made before
23 December 31st, 2020, to recover lost revenues
24 consistent with that mechanism.

1 Section 6, the Applicability of Various
2 Charges. For both the large and small
3 projects, net-metered customers will be billed
4 all charges applicable to the relevant rate
5 class for which the electricity is imported
6 from the grid. For electricity exported,
7 net-metered customers will not receive credit
8 for distribution service or for any rate
9 element deemed to be non-bypassable, such as
10 stranded cost charge, system benefit charge,
11 electricity consumption tax, storm recovery
12 adjustment, and the non-transmission portion of
13 Unitil's external delivery charge.

14 Section 7 is the Commodity Credit for
15 Kilowatt Hours Exported to the Grid. For small
16 and large projects, all net-metered customers
17 taking default service will receive credit for
18 exported electricity at the default service
19 rate. Customers taking service from a
20 third-party supplier will receive credit for
21 those exports on the energy service portion of
22 their bill as calculated by PUC 903.02(I),
23 which is basically the avoided cost
24 calculations annually calculated by the

1 Commission. Consistent with the current
2 existing tariffs, small and large group host
3 projects, both the host customer and all
4 members, must be default energy service
5 customers of the interconnecting distribution
6 utility. So this is not a change.

7 The parties recommend that the Commission
8 investigate requiring competitive suppliers to
9 notify their customers that becoming a
10 net-metered customer will affect the terms
11 under which they participate in net metering,
12 such as the fact that they are going to be paid
13 the avoided costs calculated rate rather than
14 the energy service rate or any other rate.

15 For large projects, the net-metered
16 customer must consume on site and behind the
17 meter at least 20 percent of the actual or
18 estimated generation from the large project on
19 an annual basis to qualify for the tariff that
20 we've proposed. They may take energy service
21 from a competitive supplier, which will be
22 responsible for any export terms and credits.
23 That is also the case today.

24 Should the customer not consume at least

1 20 percent of the large project generation on
2 site, the large project will be required to
3 register as a group host.

4 Section 8, Transition Credit for Kilowatt
5 Hours Exported to the Grid. For small
6 projects, net-metered customers will receive a
7 credit equal to a hundred percent of the
8 volumetric transmission charge of the
9 customer's applicable rate class for
10 electricity exported to the utility, and large
11 projects will not receive such credit, as is
12 the case under current net metering rules as
13 well.

14 Section 9, Renewable Energy Certificates.
15 Customers will own their RECs, with no
16 obligation by the utility to purchase them.
17 Utilities will work with parties on
18 solicitation for a third-party administrator or
19 aggregator for customers who want to
20 participate in the REC market, and utilities or
21 their designee will be the independent monitor.
22 The utilities agree to undertake customer
23 education efforts relating to RECs and to
24 assist in promoting REC participation.

1 Section 10, Monetary Credit to Customers
2 and Recovery of Costs. For all projects, any
3 credits relating to the amount of exported
4 electricity will be provided as a credit on a
5 dollar-value basis rather than a
6 per-kilowatt-hour basis on the net-metered
7 customer's bill. These customers may, at their
8 election, convert the bill credit balance to a
9 cash payment upon exiting the net metering
10 program for reasons such as moving or otherwise
11 terminating service, or once a year, each
12 April, they may be provided a bill credit where
13 they can cash it out if the balance is greater
14 than \$100. Large group hosts will continue to
15 receive a monthly payment check rather than
16 on-bill monetary credit each month as they do
17 today.

18 The default service or avoided cost
19 credit, if the customer is with a third-party
20 supplier for exported energy, will be recovered
21 through the reconciliation of the default
22 service charge. The total of all kilowatt-hour
23 exports that are credited at default service or
24 avoided cost rates will be applied to reduce

1 the utility's ISO-New England wholesale load
2 obligation that is allocated to all suppliers,
3 except for those projects registered with
4 ISO-New England as settlement-only generators.
5 The transmission credit will be recovered
6 through the utility's annual transmission rate
7 reconciliation proceedings. So the current
8 structure of banking will no longer apply to
9 these future -- to this future tariff -- or
10 future customers who come online after the
11 start date.

12 Section 11 is Grandfathering. Projects
13 that come into the queue after June 30th, 2017,
14 will be grandfathered until December 31st,
15 2040. For those customers who exit the net
16 metering program prior to that time or elect to
17 go to a new net metering tariff, they will be
18 able to return to a net metering tariff that is
19 available at the time that they decide to
20 return.

21 Section 12 deals with Data Collection and
22 Studies. So the settling parties agree to a
23 locational value study similar to the Nexant
24 study that was performed in New York and

1 referenced in the December 21, 2016 rebuttal
2 testimony of Eversource witnesses, and
3 performed under the supervision of the
4 Commission.

5 To further review the appropriate
6 compensation for avoided transmission cost
7 allocation, particularly for large projects,
8 the parties have agreed to review by
9 April 30th, 2018, that compensation.

10 The Commission -- the parties are
11 requesting that the Commission open a
12 proceeding to conduct a value of DER study
13 based on real-time market prices and
14 distribution system needs, in which, 1),
15 they'll differ -- different DER resources at
16 various levels of capacity value will be
17 considered; 2), valuation will be based as
18 closely as possible to real-time prices and
19 near-term marginal costs, with no long-term
20 projections or forecasts to be considered in
21 this study; 3) actual costs to installers and
22 customers for implementing DER resources in New
23 Hampshire are considered; and 4) there are
24 opportunities for public comment prior to the

1 study being conducted.

2 Utilities will also be entitled to timely
3 recovery of those reasonable costs related to
4 the studies and associated data collection
5 efforts.

6 Q. Ms. Tebbetts, we're running a little tight on
7 time, so why don't you move to the last one,
8 metering, and we'll pick up the pilot task
9 force as questions go along.

10 A. (Tebbetts) So the last section is Metering.
11 And customer-generators are going to be
12 required to have bidirectional meters. And the
13 customer has the opportunity to get that meter
14 for free, if they so choose. The utility is
15 willing to provide that customer with the
16 production meter if they are willing to put it
17 on the meter box. The utility will then
18 request to recover costs associated the
19 production meter when it files for its annual
20 reconciliation. And by offering the production
21 meter to the customer, it gives them the
22 opportunity to participate in the REC program
23 previously mentioned.

24 Q. Mr. Harrington.

1 A. (Harrington) Thank you. Good morning. I just
2 want to start by mentioning, as I think
3 everybody knows, we're facing a bit of a crisis
4 on the cost of electricity in New Hampshire.
5 We've seen recently SIG Sauer ship 200 jobs to
6 Arkansas. I received a letter a couple weeks
7 ago -- I know, slow, slow, right -- from
8 Wayland Engineering saying that they were
9 planning a major expansion which might be done
10 out of state. And the reasons for these were
11 strictly linked to high electric costs in New
12 Hampshire. And I think going forward on any of
13 these, I'm sure the Commission holds that in
14 high importance, that we need to be doing
15 something about electric rates or we're going
16 to continue to lose jobs like this.

17 This is a compromised agreement, which
18 means just that. We don't necessarily agree
19 with everything in here, but it is a
20 compromise. And I think it addresses a lot of
21 the issues that need to be done. The major
22 thing here is that it's going to be paying
23 default service rather than LMP -- though we
24 feel LMP would be the more appropriate one.

1 But again, it's a compromise, so we do that.
2 And we need to not lose track of what we're
3 dealing with here. Solar power is an
4 intermittent, non-dispatchable, unpredictable
5 and highly volatile source of electricity.
6 There is no way that they have commitments such
7 as a regular generator. They don't have an
8 obligation to produce power in any particular
9 time or face any negative consequences. In
10 fact, they're basically at the whim of the
11 weather. And, you know, the prediction has
12 gotten somewhat better over the years. But,
13 you know, a thunderstorm shows up an hour
14 earlier than predicted and it starts raining
15 heavily, the solar production goes way down.
16 But it takes a good amount of time for the
17 air-conditioning load to drop corresponding to
18 that. So you have to bring on other resources.
19 Normally this involves reserves that have to be
20 there in case the solar cuts out unexpectedly.
21 Again, there's no requirement that the solar
22 produce at any given time.

23 And also, we have to remember this is a
24 shift, a cost shifting from higher incomes to

1 lower incomes. I mean, if you look at this --
2 I made a few calls to solar producers, and they
3 told me that you should have somewhere in the
4 vicinity of \$150-a-month bill at a minimum or
5 higher in order to make the long-term
6 cost-effectiveness of putting these in, even
7 with all the various tax breaks. A lot of
8 people have lower bills than that. A lot of
9 people live in apartments, they live in mobile
10 homes, they live in condos. They just live in
11 a house that's not large enough to support
12 solar panels, and their rates are going to be
13 higher to support someone who has a very large
14 house, maybe a hot tub and swimming pool and
15 central air. Those are the people with the
16 biggest electric bills that would get the most
17 benefit from net metering.

18 And as far as one of the main points in
19 here goes, we proposed that we treat the import
20 and export of electricity as two different
21 mechanisms, two different types of commodity,
22 because they are completely different. And I'm
23 not going to go into reading all the details of
24 that, but I think that's a major point to

1 recognize what's imported onto a net-metering
2 customer is a different type of product than
3 what they export. One has to be there 24/7 for
4 whatever they want all the time, and the other
5 one can come and go basically as it pleases.
6 There's no requirement, even if it's a bright,
7 sunny afternoon. If someone's inverter breaks,
8 there's nothing that requires a net-metering
9 customer to go out and say, Well, I'll fix that
10 today so I can start producing my electricity
11 again as soon as possible. I'll fix it next
12 week, or, hey, I might not get around to it for
13 another month. But there is absolutely no
14 requirements to do that.

15 The other thing on here is that we also
16 gave credit to the transmission costs for --
17 and I think this is major concession for the
18 net metering. I think a good case can be made
19 that there's very little transmission costs
20 saved by solar net metering. And we've also
21 seen a lot of statements and studies recently
22 that the load, as we look to the future, is at
23 best leveling off and maybe even going down
24 slightly. And it's really hard to say you're

1 going to save money on future transmission
2 costs that aren't required because the load
3 isn't going up. And as long as the load
4 remains stable, there's no driving force to
5 build a lot of new transition.

6 Additionally, in this settlement agreement
7 we single out solar net metering and give it
8 preferential treatment on transmission costs as
9 compared to other resources -- and by that I
10 mean energy efficiency. A lot of people in the
11 room are familiar with the long battle that
12 NESCOE and NECPUC had with ISO-New England on
13 getting credit for energy efficiency. The
14 region spends about a billion dollars a year of
15 ratepayer money on energy efficiency. And they
16 got that into the future planning of
17 transmission, so that the cost of transmission
18 went down substantially in the 10-year
19 Vermont-New Hampshire plan. Was in the
20 hundreds of millions of dollars of deferred or
21 eliminated cost for transmission because of
22 energy-efficiency programs. But we don't pay
23 any direct payments to energy-efficiency
24 resources for this. They don't get any

1 specific credit. They get to take advantage of
2 a lower electric bill like everybody else does,
3 but there's no direct payments for them. And
4 yet, in this case we're saying for net metering
5 we want to give additional payments for
6 transmission savings that may or may not be
7 there. But that's one of the concessions we
8 made as part of this agreement.

9 Q. Mr. Harrington, it's time to move on to Mr.
10 Labrecque. If you have --

11 A. (Harrington) No. I just would like to bring up
12 those things in general, that people should
13 keep in mind here what we're doing here in
14 this. And again, this was a settlement
15 agreement that was a compromise. And it's
16 certainly not what we would prefer, but it's
17 probably the best we can get at this time.
18 Thank you.

19 Q. Thank you. Mr. Labrecque.

20 A. (Labrecque) Thank you. Good morning,
21 Commissioners. Good morning, everyone. If I
22 can, I'm going to speak very briefly off this
23 one-page supplement that we referred to a few
24 minutes ago.

1 To demonstrate the quantities that we're
2 talking about in the two various proposals --

3 MR. HINCHMAN: Is that in the record?

4 CHAIRMAN HONIGBERG: What do you
5 mean?

6 MR. HINCHMAN: You're talking about
7 the chart; right?

8 CHAIRMAN HONIGBERG: It's been marked
9 as Exhibit 67 for identification, and he's
10 going to talk about it.

11 MR. HINCHMAN: So is he building a
12 foundation for admission?

13 CHAIRMAN HONIGBERG: I don't know.
14 Why don't we find out what he has to say about
15 it.

16 A. (Labrecque) I've labeled four sections on this
17 graph to try to help people understand the
18 quantities involved. When you put a
19 bidirectional meter on, you have the ability to
20 measure the imported power -- in this case,
21 Sections A1 and A3 -- separately from the
22 exported power -- in this case, Section A4,
23 when the solar is producing more than the
24 customer is consuming. This is merely to point

1 out that in the Utility/Consumer proposal,
2 we're going to bill full retail rates for full
3 requirements, retail load-following,
4 PUC-rate-approved structure, and we're going to
5 pay a different quantity for the exported power
6 in Section A4. And in our proposal, it's a
7 compromise. We're suggesting that we would use
8 the default energy rate plus the volumetric
9 transmission rate, despite the fact that this
10 bears no resemblance to full retail,
11 PUC-approved rate structures. It is
12 intermittent, customer-owned, non-dispatchable
13 resource. And that's all I wanted to say about
14 that particular piece of paper.

15 Yesterday we heard --

16 MS. BIRCHARD: Mr. Chairman, I'm
17 sorry --

18 (Court Reporter inquiry)

19 CHAIRMAN HONIGBERG: Ms. Birchard.

20 MS. BIRCHARD: Melissa Birchard. Is
21 this not being admitted for the shape of the
22 chart or the data that underlies it? I don't
23 have an understanding of what data underlies
24 it, and that's my concern. If this is being

1 admitted as a visual, you know, intended for us
2 to look at and understand that the data is
3 meaningful, if so, where does the data come
4 from?

5 A. (Labrecque) I can describe the data, if that's
6 what you'd like me to do.

7 CHAIRMAN HONIGBERG: Hang on just one
8 second. Is there a ground rule about one
9 attorney per side lodging objections, or is it
10 going to be a free-for-all and any of the
11 lawyers on that side is going to be allowed to
12 speak to this? I thought I was hearing from
13 Mr. Hinchman.

14 Ms. Birchard, what's the
15 arrangement here?

16 MS. BIRCHARD: The arrangement, to my
17 understanding, was that there was some
18 discussion as to Acadia being somewhat
19 independent, so we have agreed to the --

20 CHAIRMAN HONIGBERG: Make sure it's
21 on and you're close to it, please.

22 MS. BIRCHARD: So my understanding is
23 that Acadia and CLF are acting in a combined
24 manner.

1 CHAIRMAN HONIGBERG: All right.
2 Thank you. It's not really appropriate for you
3 to start asking this witness questions. If you
4 want to object to what's going on, you address
5 that to us and we'll deal with it.

6 MS. BIRCHARD: Certainly. And I was
7 attempting to do so. I'm sorry I'm hiding
8 behind someone.

9 CHAIRMAN HONIGBERG: And I wasn't
10 even sure you were actually here for a while,
11 then I realized you were hiding behind the row
12 in front of you.

13 MS. BIRCHARD: I apologize.

14 CHAIRMAN HONIGBERG: So I take it you
15 are objecting to further discussion about this
16 unless there's some explanation of what the
17 numbers are? What I heard Mr. Labrecque just
18 talk about was the shape.

19 Really, in large measure, I'm
20 talking to Mr. Sheehan mostly right now. This
21 was being used as a chalk demonstration type of
22 thing that he could have drawn up and said,
23 well, these four sections of this curve are
24 going to be treated in different ways under our

1 approach.

2 MR. SHEEHAN: I believe that to be
3 the case, and I believe Mr. Labrecque said,
4 "I'm done with that piece of paper for now."
5 And the questions that the CLF and others may
6 have are cross-examination questions that
7 should be reserved then. And at the end of the
8 presentation today, I will move the admission
9 of that document again. And based on that
10 cross-examination and what use Mr. Labrecque
11 intended for that document, you can then make a
12 ruling as to whether it's admissible or not.

13 CHAIRMAN HONIGBERG: Well, I'd be
14 concerned, if I were you, about the numbers
15 that appear on here, because they may or may
16 not mean anything. He didn't say anything
17 about them. And if they choose not to ask
18 anything about them, those -- I don't -- I
19 mean, I understand the rules evidence don't
20 apply. We can take it in and take it for what
21 it's worth. But it seems to be just a little
22 bit of the kind of thing he could draw up on a
23 white board to show a demonstration. I'm not
24 sure what significance of the numbers are

1 unless he testifies about them.

2 MR. SHEEHAN: And he has testified,
3 well, to the extent that these presentations
4 are testimony. If at the end of this
5 proceeding there's still a question of what
6 this document means, we have an opportunity for
7 redirect, and we will make sure we get the
8 sufficient foundation to get this document into
9 evidence.

10 CHAIRMAN HONIGBERG: He said he's
11 done with it, so I'm not sure there's really
12 much for you all to do. It's not being moved
13 at this time, and I think at this point it just
14 feels like a chalk to me.

15 All right. Mr. Labrecque, you
16 can continue.

17 A. (Labrecque) Thank you. Yesterday we heard
18 repeatedly about the inability of solar
19 providers to model the arrangement, the netting
20 arrangement that the Utility Coalition has put
21 forth. And it seems that only full retail
22 monthly netting is a concept that they'd be
23 able to sell. On the contrary, I think these
24 are highly sophisticated technology companies

1 that are fully capable of modeling. If they
2 would spend a little time with each customer
3 perhaps getting to understand the load profile
4 of the customer, they could install
5 load-monitoring equipment for a period of weeks
6 or months in order to get a better handle on
7 the type of load profile of the customer that
8 they are marketing to. They can take that
9 opportunity to build a stronger relationship
10 with their customer, create a workable model of
11 the extent to which the solar power will be
12 consumed internally by that customer rather
13 than exported. That would also give them the
14 opportunity to discuss with the customer
15 additional products and services, such as
16 battery storage and load-control technologies
17 that might be used to ensure that a higher
18 proportion of the solar power was matched with
19 internal consumption.

20 Lastly, I just want to mention that in
21 this docket there's been very little discussion
22 about the concepts of reasonable opportunities
23 to invest or fair compensation, which was part
24 of the purpose statement of House Bill 1116.

1 Yesterday there was some attempt to talk about
2 PPA pricing models and how it is that solar
3 companies put together their pricing
4 structures, but the witnesses were successful
5 in avoiding that discussion. I think this --
6 it will be difficult for us to truly get a
7 handle on what is the appropriate and fair
8 level of compensation for distributed
9 generation without an exploration of these
10 topics. That's why the Utility/Consumer
11 Coalition suggested value of DER study. We
12 have suggested that these types of topics be
13 addressed. Thank you.

14 Q. Mr. Davis.

15 A. (Davis) Good morning. I'm going to just build
16 briefly off what my colleague said and have
17 talked to so far.

18 In our proposal, you know, we provide a
19 simple, transparent and easy-to-understand
20 alternative to net metering. We are seeking
21 to, recognizing it's a settlement, to move
22 toward equitable cost recovery and rate
23 structures. And our proposal provides a
24 framework to make some corrections, but also,

1 more importantly, where we can measure, charge
2 and compensate for actual transactions that
3 occur in real time every month. The
4 transparency particularly afforded by
5 separately measuring the imports and exports
6 and addressing the current rate structures and
7 the appropriate rate structures and cost
8 recovery, as well as whatever the basis for
9 compensation is, but transparent compensation
10 where we do not promulgate net metering, but
11 instead have very clear measurements of what
12 the actual electric service being provided is
13 in both directions. We don't necessarily
14 presume so-called "value of solar pricing" is a
15 foregone next step, but we have put forth
16 pilots, research in other parts of our proposal
17 to examine that. Meanwhile, having a framework
18 in place that we can practically implement is,
19 in our mind and reflected in our proposal, a
20 reasonable and very well understood or
21 easy-to-understand next step. We factored in
22 many practical considerations, particularly on
23 the metering and billing side. And how we can
24 make this work is clearly one of the biggest

1 questions that is not often answered or not
2 addressed when looking at all the conceptual
3 and other frameworks and policy directions that
4 have come up in this docket and that we've all
5 had to work with extensively as we try to see
6 what a proper alternative might be, both in the
7 short term and long term. We think our
8 proposal addresses both the short term and
9 provides a platform going forward for fair and
10 equitable rates going forward.

11 Our focus is on the customer and
12 their electric service needs and the use that
13 each customer requires; it's as different as
14 each customer. Ratemaking in a regulated
15 environment for certain aspects of service are
16 clearly part of the consideration. We also
17 recognize we're in a mixed mode of both
18 competitive and regulated pricing and electric
19 transactions. We think our framework in both
20 the delivery and supply aspects of service
21 provides a very clear, and as I said earlier,
22 transparent basis for setting proper rates, for
23 providing better cost recovery than net
24 metering would provide, and for addressing a

1 number of issues that are reflected in our
2 proposal. We address a number of other issues
3 that are policy-related. And we think we have
4 solutions, including cost shifting and
5 renewable energy certificate production through
6 our lost revenue mechanism and our proposal for
7 having production meters. And working off of
8 that, that integrates and fits well within the
9 overall structure that we propose and is
10 reflected in our proposal.

11 Q. Mr. Meissner.

12 A. (Meissner) Good morning. To ensure there's
13 enough time for Mr. Brown, I'll be very brief.
14 But I just wanted to talk briefly about a
15 couple of the differences between the two
16 settlement proposals and how they might be seen
17 differently by the utilities, in terms of their
18 impact on our operations, that being the
19 netting period and also the credit for
20 distribution for exports of our electricity.

21 In terms of netting, I think the Utility
22 proposal, which is to install two-channel
23 kilowatt-hour meters, has been characterized as
24 "instantaneous netting," which I believe is a

1 term we all prefer not to use. But there was a
2 great deal of testimony that indicated it was
3 very complicated. I think there was confusion
4 between the meters that we would use and
5 interval meters. I heard at one point 31
6 million data points. And just to be clear, the
7 metering that we would be using is identical to
8 the metering that would be used under the other
9 proposal. It is simply a standard
10 kilowatt-hour meter with two channels, one
11 measuring import and one measuring export --
12 export. So at the end of the month, we would
13 essentially have two pieces of information
14 where we now have one. We would have imports
15 and we would have exports instead of the net of
16 the two.

17 In terms of the netting period,
18 instantaneous netting was described as "bad
19 policy," "bad pricing signals" that would
20 encourage behaviors that would be detrimental
21 to the distribution system. In fact,
22 instantaneous netting is far preferable, from
23 the standpoint of distribution planning,
24 because we would prefer the customers

1 right-size their generation equipment and then
2 use as much of their own production as possible
3 on site rather than exporting uncontrolled,
4 intermittent and non-dispatchable generation
5 onto the distribution system.

6 In contrast, the proposal from the
7 Coalition would be monthly netting. And I
8 believe there was some suggestion that it would
9 send price signals encouraging conservation
10 behaviors and shifting of consumption to
11 off-peak hours. In fact, monthly netting sends
12 no price signals. Customers are not incented
13 to change their behaviors at all. Instead, it
14 enables customers to continue to consume
15 electricity at their own convenience, as they
16 do now.

17 From a policy standpoint, though, I would
18 make the argument that one clear policy
19 implication is that monthly netting will act as
20 a deterrent to on-site energy storage, as there
21 is now no economic incentive for customers to
22 install energy storage behind the meter and to
23 manage their own consumption.

24 In terms of the distribution charge,

1 there's been a lot of testimony suggesting that
2 there's no data in the record to support the
3 lack of credit for exported electricity, in
4 terms of its value to the distribution system.
5 I would argue differently. I think during the
6 course of this proceeding we have provided
7 extensive information, including multi-year
8 planning studies, multi-year circuit analysis.
9 We've provided low profile showing coincidence
10 with solar output. We've provided all of our
11 multi-year capital budgets and investment
12 plans. And I think, taken together when
13 viewing that information, it was clear that
14 there was little or no short-term benefit to
15 the distribution system from these DER
16 resources. And even over the longer term there
17 was very minimal opportunity for solar DER to
18 offset future investments by the electric
19 utilities. So I just wanted to make those
20 points. With regard to the Coalition
21 settlement proposal, I would argue that there's
22 no data underlying the 50-percent and
23 75-percent credit that has been proposed after
24 monthly netting.

1 With that, I'll turn it over to Mr. Brown.

2 A. (Brown) Thank you. I wanted to do, really, two
3 things and try to do it as quickly as possible.
4 One is to go through what I think are the very
5 significant concessions that have been made by
6 the utilities in offering the settlement
7 proposal, and secondly, to talk about the
8 positive aspects of what's being proposed. But
9 let me put the concessions in context.

10 Many of these concessions are not simply
11 concessions by the utilities, they are simply
12 acquiescence to the shifting of costs from the
13 people that cause them to be incurred -- in
14 this case, the solar customers that are not
15 solar customers who did not cause them to be
16 incurred. And I'll go through those
17 concessions specifically related to that and
18 then go through the other concessions that are
19 important.

20 No. 1, there is an agreement not to charge
21 intermittent solar customers for the fixed
22 costs of transmission and generation which they
23 caused the system to incur, but for which they
24 do not pay when they're generating energy with

1 their solar panels, nor is there any -- and
2 then there's also an agreement not to pass on
3 demand charges that similarly are incurred,
4 regardless of whether a customer has a solar
5 panel or not. So that's a very significant
6 economic concession. And it also largely
7 forgives the fact that solar panels on rooftops
8 are not only intermittent, they're a
9 double-contingency intermittency. As Mr.
10 Harrington said, they're dependent on the
11 weather, but they're also dependent on the use
12 of the customer premises. If the customer is
13 using everything, it's not available to the
14 system. So this is unlike wholesale renewable.
15 This is a double-contingency intermittency.

16 Let me go through more rapidly some of the
17 other concessions. Grandfathering existing
18 units for more customers than are currently on
19 the books, or than the statute actually
20 provides, I should say, paying the default rate
21 for export as opposed to LMP, that's a
22 significant economic concession.

23 Mr. Harrington spoke to that, and I agree with
24 him. There's no change in the customer charge

1 for now, even though I think there are
2 justifications for it. The agreement to do a
3 value study subsequently after this proceeding,
4 no change in rate design for solar customers,
5 this has been a controversy for a lot of
6 jurisdictions, but the utilities have agreed
7 not to do that, at least for now. Customers
8 get to keep the RECs. And that's interesting
9 because, not only do the customers keep the --
10 the customers who don't get to keep their RECs
11 under this plan are those that lease their
12 units, and those customers -- those RECs belong
13 to the solar companies. In the case of the
14 customers have their RECs and purchase the
15 units, they get to keep the RECs.

16 The incremental -- the change here is
17 highly incremental. I mean, I've seen these
18 cases in many other states where the changes
19 are far more significant than they are here.
20 These are very modest changes being proposed in
21 this proposed settlement. It helps also -- the
22 utilities have agreed to assist customers in
23 managing their RECs, which is also important
24 because it needs some degree of sophistication

1 to participate meaningfully in that market.

2 It overlooks the fact -- and this is not
3 insignificant -- that solar preferences,
4 distributed solar preferences, preferential
5 pricing as opposed to other renewable energy
6 resources, actually drives down the carbon
7 price in the RGGI market, and by doing so
8 decreases the cost of reducing carbon for
9 everybody in New England, or from not just the
10 New England region, but the entire RGGI region,
11 including, of course, New Hampshire and the
12 rest of New England.

13 (Court Reporter inquiry)

14 A. (Brown) The last two concessions that are
15 important is that the bidirectional meters are
16 being installed at no cost to the customer, and
17 also that it overlooks the socially regressive
18 effects that, or the remaining socially
19 regressive effects that are only partially
20 obviated by this proposed settlement. In many
21 respects, what net metering has been is kind of
22 a Robin Hood in reverse. This modifies it a
23 bit, but not entirely. And there's an
24 agreement not to entirely try to get rid of the

1 socially regressive effect at this point.

2 Apart from the concessions, there's six
3 positive elements of what's being proposed
4 that's important. One is the term we use or
5 don't use, but the term in this case,
6 "instantaneous netting," is actually
7 incremental, a modest but incremental movement
8 towards the kind of time-sensitive pricing that
9 the solar people claim they support. And this
10 is, in fact, moving in that direction. It
11 moves away from a flat, meaningless price to a
12 price that has a little more meaning. Not as
13 much meaning as LMP, but it does have more
14 meaning. It's a real price signal, and it
15 actually fits very well with intermittent
16 resources because it actually matches not quite
17 in real time but comes much closer to that in
18 measuring the output of an intermittent
19 resource.

20 It also adds an element that's called for
21 in House Bill 1116 of transparency in pricing.
22 Net metering is almost the opposite of
23 transparency pricing. In fact, it is the
24 opposite of transparency pricing.

1 Also, and this is very significant,
2 because what this actually -- this proposed
3 settlement helps both the solar and non-solar
4 customers because it's a step in the direction
5 of allowing the declining costs, a greater
6 share of the declining costs of solar panels to
7 be passed on to customers. This is a critical
8 point. Solar costs have declined dramatically
9 in recent years. Net metering is a system by
10 which those price signals, or those cost
11 declines are hidden from customers, solar and
12 non-solar, except to the limited extent that
13 there's some competition among solar providers.
14 But since the price is so arbitrarily high, the
15 value of that competition is severely
16 diminished. This is in fact a major move -- a
17 significant move, although not as dramatic as
18 one could argue could be made, in allowing the
19 customers to see benefits of declining costs.
20 That's important. In fact, it actually helps
21 solar in the long run for that reason.

22 It also encourages more customers to be
23 self-sufficient and effectively helps to shift
24 load off peak. Most solar generate -- some of

1 the solar testimony we've seen actually argues
2 that, well, the effect of shifting of this
3 proposal would be to cause customers to use
4 their appliances more when their solar panels
5 are generating. Well, in fact, their solar
6 panels, for the most part in New England and in
7 New Hampshire, are generating off peak. So
8 they shift to when solar panels are producing.
9 That's not an adverse thing. That's actually a
10 good signal. So it's actually encouraging more
11 customer self-sufficiency. And as was pointed
12 out earlier, that also allows customers to use
13 other things, like load management, like
14 batteries and other kinds of storage to move in
15 a more effective use of the solar panels much
16 more efficiently.

17 It's also a step, only a modest step, but
18 it is a step towards market pricing, which is
19 what we have -- which I think is a desirable
20 result.

21 And the last two items are it's an early
22 start and a modest -- and I emphasize "modest
23 start" on trying to get the prices right and
24 send customers the right price signals.

1 And I mentioned this, but I want to
2 mention it again, and this is my final point.
3 It is a powerful incentive to enhance the value
4 of solar, the worth of solar to customers, by
5 encouraging the use of batteries, load
6 management and other things that not only
7 supplement solar power, but enhance its worth
8 to the customer. Thank you.

9 MR. SHEEHAN: Mr. Chairman, the
10 witnesses are available for cross-examination.

11 CHAIRMAN HONIGBERG: All right.
12 Who's up first? Ms. Birchard.

13 MS. BIRCHARD: Thank you. I'm
14 grateful for the opportunity to examine the
15 witness first today, but I'm also cognizant of
16 the fact that there are many people who also
17 are waiting to speak with the witnesses and
18 that there are many witnesses on the panel. So
19 I am intending to be as quick as I can, and my
20 goal will be to, you know, specify to whom my
21 questions are directed. If I fail to be
22 specific, please go ahead and let me know and
23 ask me to whom I'm intending to direct my
24 question.

1 CROSS-EXAMINATION

2 BY MS. BIRCHARD:

3 Q. Thank you for taking the panel today and for
4 taking my questions.

5 Mr. Labrecque, if I could start with you
6 back in the corner. May we first turn to your
7 direct prefiled testimony for a moment. I
8 believe it's been marked Exhibit No. 14 at this
9 point. And I'd just like to confirm a few
10 details from that testimony. Do you have that
11 there?

12 A. (Labrecque) I do.

13 Q. Okay. So at the bottom of Page 15, Line 12 of
14 your testimony, you state that intermittent
15 power resources are, and I'm quoting now, "are
16 capable of providing wholesale energy and
17 capacity, both of which are compensated by
18 ISO-New England." Can you confirm that's
19 correct, that that's what it says there?

20 A. (Labrecque) Yes.

21 Q. Thank you. And then moving on to the top of
22 Page 16, you state that, "While most
23 net-metered projects are very small scale (for
24 example, an 8-kilowatt rooftop solar project),

1 they provide wholesale products (energy and
2 capacity) that are identical to those provided
3 by large central station generation resources."
4 Can you also confirm that's what you say in
5 your testimony there?

6 A. (Labrecque) Could you just give me the page
7 again? Did you say top of 16?

8 Q. Top of 16. Is your pagination the same there?

9 A. (Labrecque) Unfortunately, I've got probably
10 the incorrect pagination. Should I be in the
11 binder? Is that...

12 Q. It may have been repaginated by Eversource.

13 CHAIRMAN HONIGBERG: In the version
14 that we have, what Ms. Birchard just read
15 started at the bottom of 15 and continued on to
16 the top of 16.

17 A. (Labrecque) Ah, sorry. I got it.

18 BY MS. BIRCHARD:

19 Q. Okay. Great. Is that consistent with your
20 version, Mr. Labrecque?

21 A. (Labrecque) Yeah, and that is consistent.

22 Q. Mr. Davis, ISO-New England is the Independent
23 System Operator of the New England electricity
24 grid; is that correct?

1 A. (Davis) That's my understanding.

2 Q. Just getting the basics.

3 Are you generally aware that ISO-New
4 England produces forecasts that concern the
5 regional electric system, including load
6 forecasts?

7 A. (Davis) I recall there's an annual forecast
8 produced, I believe in the second quarter of
9 the year.

10 Q. Thank you. And these are typically referred to
11 as "CELT" reports; is that right?

12 A. (Davis) Yes.

13 Q. Does that ring a bell?

14 A. Otherwise coined the "CELT" report, yes.

15 (Court Reporter inquiry)

16 MS. BIRCHARD: C-E-L-T, for Capacity
17 Energy Loads and Transmission.

18 We have some copies of a couple
19 of these reports that I'd like to bring to your
20 attention, if I may. The first one is not in
21 the binder, but I believe there are copies
22 available. So if I may hand those out now.
23 It's the "Draft 2016 CELT ISO-New England
24 Annual Energy and Summer Peak Forecast,"

1 produced by ISO-New England's Planning Advisory
2 Committee.

3 CHAIRMAN HONIGBERG: Ms. Birchard,
4 while this is happening, why don't you ask him
5 something else while they're collecting the
6 copies and handing them out, rather than us
7 sitting here for three minutes while this
8 happens.

9 MR. BIRCHARD: I apologize, but this
10 is the subject of my cross-examination for
11 Mr. Davis.

12 CHAIRMAN HONIGBERG: Let's go off the
13 record for a minute.

14 (Discussion off the record.)

15 CHAIRMAN HONIGBERG: The next exhibit
16 is 68, and that's what has been distributed.

17 MR. WIESNER: Is that correct, Mr --
18 chairman? The affidavit from Overcast --

19 CHAIRMAN HONIGBERG: No one's said
20 anything about it. It was just, quote,
21 unquote, filed. As far as -- I'm not sure. No
22 one asked. So I'm assuming that it's just
23 going to become part of the docket associated
24 with that testimony. We can mark it or not.

1 Do you think that's advisable?

2 MR. WIESNER: I think that would be
3 my preference, at least -- I don't know if
4 others agree -- that that be marked as an
5 exhibit.

6 CHAIRMAN HONIGBERG: Mr. Sheehan.

7 MR. SHEEHAN: I have no objection to
8 that.

9 (Exhibit 68 marked for identification.)

10 CHAIRMAN HONIGBERG: All right. So
11 that answers that question that we were just
12 musing about up here. So the affidavit that
13 Mr. Sheehan presented for -- which witness, Mr.
14 Sheehan?

15 MR. SHEEHAN: Mr. Overcast.

16 CHAIRMAN HONIGBERG: -- for Mr.
17 Overcast is going to be 68, just because we're
18 not in order.

19 MR. FOSSUM: Mr. Chairman, before you
20 continue --

21 CHAIRMAN HONIGBERG: Mr. Fossum, yes.

22 MR. FOSSUM: We had filed an
23 affidavit on Friday for Russell Johnson.
24 Should that -- it's in the Commission's docket

1 book. It was filed. Since we're making them
2 exhibits, should that become an exhibit as
3 well?

4 CHAIRMAN HONIGBERG: It seems like
5 that would be the consistent way to treat that.
6 Again, I'm not entirely sure that it's
7 necessary. But if that's the practice that
8 we're going to follow for this proceeding,
9 that's fine with me. So we're going to make
10 Mr. Johnson's -- is that what you just said Mr.
11 Fossum?

12 MR. FOSSUM: Yes.

13 CHAIRMAN HONIGBERG: Mr. Johnson's
14 affidavit will be 69.

15 (Exhibit 69 marked for identification.)

16 (Exhibit 70 marked for identification.)

17 CHAIRMAN HONIGBERG: All right. Ms.
18 Birchard, having completely broken your
19 flow...

20 MS. BIRCHARD: Can you hear me better
21 now? Yes? Okay.

22 BY MS. BIRCHARD:

23 Q. Okay. So, Mr. Davis, do you now have the
24 exhibit I'm talking about?

1 A. (Davis) I have the Draft 2016 CELT ISO-New
2 England Annual Energy and Summer Peak
3 Forecast --

4 Q. Great.

5 A. (Davis) -- Exhibit No. 68.

6 CHAIRMAN HONIGBERG: I think it's
7 actually 70.

8 MS. BIRCHARD: Exhibit 70. Thank
9 you.

10 BY MS. BIRCHARD:

11 Q. Would you do me the favor of turning to
12 Page 31.

13 A. (Davis) I am at Page 31.

14 Q. Thank you. Can you read the header at the top
15 of that page?

16 A. (Davis) I can. "Draft 2016 CELT ISO-New
17 England Annual Energy Forecast in Gigawatt
18 Hours."

19 Q. Thank you. And this is a graph of the annual
20 forecast energy needs of ISO-New England region
21 in gigawatt hours for the years 2016 through
22 2025; is that correct? You can see the years
23 at the bottom of the page.

24 A. (Davis) I'll take your word that that's what

1 this is.

2 Q. Can you tell me from this page what the blue,
3 yellow and red lines are meant to describe?

4 They are indicated at the bottom of the page in
5 blue -- excuse me -- blue, red and black lines.
6 That's what we've got on this.

7 A. (Davis) The labels state that the blue line is
8 -- or show that the blue line is gross; the red
9 line says "Net BTM Solar PV," and the black
10 line represents "Net BTM Solar PV and Passive
11 DR."

12 Q. Thank you. To be clear, "gross" is gross.
13 "Net BTM solar PV" refers to net behind the
14 meter solar photovoltaic; is that correct?

15 A. (Davis) Well, I haven't had a chance to review
16 this report and the definitional terms. For
17 discussion, we can assume that "gross," my
18 first initial reaction or interpretation is
19 that would be gross production, that "BTM" is
20 behind the meter. I'm not sure what "net"
21 means in this context, but it's behind the
22 meter something. And there's no units on
23 the -- well, I assume these are all gigawatt
24 hours. Are they gigawatt hours?

1 Q. That's right, yeah. And "solar PV" means --

2 (Court Reporter inquiry)

3 A. (Davis) And the black, initially I'm going to
4 interpret that represents solar PV behind the
5 meter net and passive demand response.

6 Q. That's right, yes. Would that be --

7 A. (Davis) Subject to being able to confirm what
8 these mean, that's my initial interpretation of
9 what these might represent.

10 Q. Subject to check. Thank you very much.

11 Looking at the graph, we see the blue
12 line, which is gross, at the top; we see a red
13 line below, which is, as you said, net behind
14 the meter solar photovoltaic; and at the bottom
15 we see the black line with net behind the meter
16 solar photovoltaic and passive demand response.
17 Is that your reading of this graph?

18 A. (Davis) That's what it appears to indicate.

19 Q. And from your reading of this graph, does it
20 indicate that behind the meter solar
21 photovoltaic reduces the load demand, the load
22 needs for the region?

23 A. (Davis) I'm not sure I can draw that
24 conclusion.

1 Q. What additional information would you require?
2 Perhaps we can glean it from the rest of the
3 report.

4 A. (Davis) Well, I don't know what you're saying
5 "reduction" is relative to in your question.

6 Q. Correct. So, the blue line is higher than the
7 red line. If the blue line is gross and the
8 red line is net behind the meter solar
9 photovoltaic, then would that tend to indicate
10 to you on reading this graph that net behind
11 the meter -- solar photovoltaic indicates that
12 when you subtract behind the meter photovoltaic
13 from the gross, you have a reduced load?

14 A. (Davis) I would interpret this as aggregated
15 annual kilowatt hours, or gigawatt hours in
16 this case --

17 Q. Right, gigawatt hour.

18 A. -- which on an energy basis this appears to
19 indicate that the red line is a reduction of
20 what the load otherwise would be, but for solar
21 production behind the meter.

22 Q. Thank you. Thank you.

23 Moving on, I would like to introduce
24 another exhibit, which is in the exhibit binder

1 that the Energy Future Coalition has provided
2 and that is marked as Energy Future Coalition
3 Exhibit No. 179.

4 CHAIRMAN HONIGBERG: Off the record.
5 (Discussion off the record)

6 CHAIRMAN HONIGBERG: So we're marking
7 this next document as Exhibit 71.

8 (Exhibit 71 marked for identification.)

9 MS. BIRCHARD: Thank you.

10 BY MS. BIRCHARD:

11 Q. Mr. Davis, do you have Exhibit 71 before you?

12 A. (Davis) I apologize. Trying to get organized
13 on the document handed out. Is this entire
14 exhibit what you referred to as Exhibit 71?

15 Q. There is one exhibit within that marked "179."

16 A. (Davis) I have 179 within the book.

17 Q. Excellent. Okay.

18 CHAIRMAN HONIGBERG: Off the record.
19 (Discussion off the record)

20 CHAIRMAN HONIGBERG: Now we're back
21 on the record.

22 MS. BIRCHARD: Thank you.

23 BY MS. BIRCHARD:

24 Q. Mr. Davis, turning to the first page of this

1 report, I'll go ahead and read the front. And
2 you can correct me if I'm wrong. "Draft 2017
3 CELT ISO-New England Annual Energy and Summer
4 Peak Forecast," prepared by ISO-New England and
5 published on March 22nd, 2017. Is that what
6 the front page reads?

7 A. (Davis) Yes.

8 Q. Thank you.

9 Would you please turn to Page 9 of the
10 report. Mr. Davis, would you mind taking a
11 moment to read over this page.

12 A. (Davis) Page 9?

13 Q. Correct. At the top it should read "2016
14 Summer Seasonal Peak - Friday, August 12, 2016.
15 Observed Load vs. 2016 CELT Forecast."

16 (Witness reviews document.)

17 A. (Davis) Okay. I read it.

18 Q. Thank you.

19 A. (Davis) You're welcome.

20 Q. This references the peak day, peak load day for
21 ISO-New England in summer 2016; is that
22 correct?

23 A. (Davis) Yes, that's what it says.

24 Q. And "Observed Load versus 2016 CELT Forecast"

1 refers to the actual observed load that
2 occurred on that peak day in 2016, as opposed
3 to the forecast that was made prior to that
4 date; is that correct?

5 A. (Davis) I'll take it on its face that that's
6 the case, particularly given this is a draft
7 report.

8 Q. Thank you. Under the second bullet, after the
9 first comma, it reads, "The observed system
10 peak load on August 12th was about 1,100
11 megawatts lower than the 2016 CELT 50/50 summer
12 load forecast predominantly due to three
13 factors." Have I got that right, Mr. Davis?

14 A. (Davis) That's what it says.

15 Q. And underneath that bullet there are three
16 numbered items, each of which is one of the
17 factors that predominantly explained why
18 ISO-New England's 2016 system peak load was, in
19 fact, unexpectedly low -- is that correct --
20 from your reading of the page?

21 A. (Davis) That's your interpretation. I would
22 say that's probably consistent.

23 Q. That's consistent with your interpretation as
24 well?

1 A. (Davis) Well, again, I haven't had a chance to
2 study this. But my interpretation of what's
3 stated in this second major bullet, that seems
4 to be reasonable.

5 Q. So the second bullet says, "Despite the
6 [relatively] severe weather, the observed
7 system peak on August 12th was about 1,100" --

8 CHAIRMAN HONIGBERG: I think you
9 already read that into the record.

10 BY MS. BIRCHARD:

11 Q. And then it lists three items.

12 CHAIRMAN HONIGBERG: And you're not
13 going to read those into the record, are you?

14 MS. BIRCHARD: No, but I am going to
15 ask Mr. Davis to read No. 3 into the record, if
16 he wouldn't mind.

17 A. (Davis) I can do that. No. 3 states --

18 CHAIRMAN HONIGBERG: Hang on. Mr.
19 Epler. Why don't you speak into the microphone
20 so everybody can hear here you.

21 MR. EPLER: Yes, I mentioned
22 yesterday that one of the Unitil's witnesses
23 has a time constraint. And so the point I
24 make, though, is a general one. If we're

1 already putting this exhibit in the record, I
2 don't think we need to have witnesses read
3 what's already in the record. So I would
4 suggest that we could speed things up. And
5 this is generally. I'm not trying to pick out
6 this particular counsel. We might be able to
7 speed things up. If we're introducing
8 exhibits, we don't necessarily have to have
9 them read. We can just refer to the page and
10 state "on such-and-such a page."

11 MS. BIRCHARD: I appreciate that. I
12 would say that I'm almost done with this line
13 of questioning. And our instructions prior to
14 the hearing were to reference any exhibits in
15 hearing if we intend to have them admitted.

16 CHAIRMAN HONIGBERG: I don't disagree
17 with that, Ms. Birchard. I think you have to
18 use your judgment as to the best usage of your
19 time. And if you believe that it's best to
20 read and then have the witness read, that's
21 entirely up to you. Whether you need to do
22 that, you might want to confer with others as
23 to whether they also agree with you that that's
24 the best use of your time.

1 MS. BIRCHARD: Thank you. I
2 appreciate you patience. I am almost done with
3 this line of questioning. And I can read No. 3
4 if it would be faster?

5 A. (Davis) Your preference.

6 CHAIRMAN HONIGBERG: Well, we can all
7 see it. We all have it front of us and it's in
8 the record.

9 MS. BIRCHARD: Excellent.

10 BY MS. BIRCHARD:

11 Q. So, "Peak occurred at hour ending 15."
12 Mr. Davis is "hour ending 15" likely to refer
13 to the hour between two and three?

14 A. (Davis) Yes, although you might have to assume
15 whether it's Daylight Savings Time or Eastern
16 Standard Time. But it's probably prevailing
17 time.

18 Q. Granted. Thank you.

19 Peak occurred at hour ending 15, resulting
20 in more behind the meter photovoltaic load
21 reduction than forecast; is that correct?

22 A. (Davis) Appears to be the case.

23 Q. Thank you. And Mr. Davis, would you mind
24 turning to Page 32 of the same report.

1 A. (Davis) I am at Page 32.

2 Q. Okay. At the top of the page it says "Draft
3 12th CELT ISO-New England Energy Forecast."
4 And this is parallel to the Draft 2016 report
5 that we already looked at. It shows a blue
6 line for gross, a yellow line for net behind
7 the meter photovoltaic, and a red line for net
8 behind the meter photovoltaic and passive
9 demand response; is that correct?

10 A. (Davis) Very similar.

11 Q. So this would appear to be the same forecast
12 for the subsequent year; is that correct?

13 A. (Davis) I apologize. Could you please repeat
14 the question?

15 Q. This would appear to be the same type of
16 forecast for subsequent years. So, here at the
17 bottom says "2017 through 2026," whereas the
18 Draft 2016 report said "2016 through 2025";
19 correct?

20 A. (Davis) They do appear to be the same type.

21 Q. And the yellow line indicates that behind the
22 meter photovoltaic reduces load in ISO-New
23 England; is that correct?

24 A. (Davis) consistent with what we described in

1 the 2016 draft chart, yes.

2 Q. Thank you, Mr. Davis.

3 Mr. Labrecque, if I may turn again to you
4 and also, again, to your direct testimony. So
5 hopefully you still have that before you.

6 On my Page 24 it states, and I quote,

7 "There is an uncertain contribution of
8 distributed generation to peak reduction."

9 Does that appear in your copy as well?

10 A. (Labrecque) What line are you at? I see it.

11 Around Line 5 and 6. "Hence, there is an
12 uncertain contribution of such DG generation to
13 peak reduction."

14 Q. Thank you. In order to reduce the peak loads
15 on the distribution equipment, distributed
16 solar facilities would need to generate some
17 energy at that time; is that accurate?

18 A. (Labrecque) Say that again, please?

19 Q. In order to reduce the peak loads on the
20 distribution equipment, distributed solar
21 facilities would need to generate some energy
22 at those times; is that accurate?

23 A. (Labrecque) Yes.

24 Q. And if the solar PV doesn't generate at the

1 times that equipment peaks, then it won't help
2 relieve loads on equipment; is that accurate?

3 A. (Labrecque) Yes.

4 Q. Returning to your testimony at Page 24, you
5 state that "There is an uncertain contribution
6 of distributed generation to peak reduction."
7 And for support of this conclusion, you state,
8 and I'm also reading from Page 24 now,
9 beginning quote: "During the summer, peak
10 loads generally occur in the 5 to 8 p.m. time
11 period. Circuits with higher concentrations of
12 commercial load peak earlier, and circuits
13 serving primarily residential customers peak
14 later. Solar generation begins to wane prior
15 to this peak, creating a mismatch between their
16 generation and system needs." Did I read that
17 correctly?

18 A. (Labrecque) You did.

19 Q. Okay. And for context, when you refer to
20 "system" in this passage, you're talking
21 specifically about Eversource's distribution
22 system in New Hampshire; correct?

23 A. (Labrecque) Yes.

24 Q. Mr. Labrecque, today is the seventh day of

1 spring. The sun is going to set somewhat after
2 7 p.m. And by July 4th, when we're setting off
3 fireworks, it will be setting another hour and
4 a half later. But to be clear, when you say
5 "solar generation begins to wane," what you're
6 saying is that there isn't as much generation
7 at 5, 6 or 7 p.m. as there is from a solar
8 facility at, say, noon, not that solar PVs
9 cease to produce before 7 p.m.; is that
10 correct?

11 A. (Labrecque) Today, it's doing very little,
12 given the cloud cover. But, yeah, if you're
13 just looking at the 24 hours of the day, yeah,
14 it begins to wane prior to our peak. And
15 depending upon the cloud cover, it's going to
16 be at some reduced level relative to the peak
17 production level of the system. And hour by
18 hour, month by month, you know, that fraction
19 of the full nameplate capacity is volatile.

20 Q. Mr. Labrecque, you stated in your testimony
21 that peak loads generally occur in the 5 to 8
22 p.m. time period as you read earlier.

23 Mr. Chernick, in his reply testimony on
24 behalf of CLF, determined that the data

1 Eversource provided in response to a data
2 request shows that the majority of Eversource's
3 summer substation peak falls in the hours of
4 noon to 5, with no summer substation peaks
5 apparent in the hour ending at 8 p.m. Are you
6 aware of that? Did you read Mr. Chernick's
7 testimony analyzing your assertion and the data
8 underlying it?

9 A. (Labrecque) I don't recall reading that
10 particular statement.

11 Q. Okay. Did you dispute or seek to correct Mr.
12 Chernick's characterization of the data that
13 you provided regarding your substation peaks?

14 A. (Labrecque) I don't recall whether we did or
15 whether we didn't.

16 Q. Thank you, Mr. Labrecque.

17 Ms. Tebbetts, I have just a few questions
18 that I'd like to direct to you, if you'll bear
19 with me for a moment.

20 I believe your prefiled testimony has been
21 admitted already as Exhibit No. 16; is that
22 correct?

23 A. (Tebbetts) Yes.

24 Q. Great. Would you mind turning to Page 6, Lines

1 2 through 9. And there you state that, "The
2 Company has found that customer-sited
3 distributed generation facilities can provide a
4 long-term benefit to the equipment on the
5 distribution system"; is that correct?

6 A. (Tebbetts) Yes.

7 Q. Saving time, move down a little bit, it says,
8 "The offset to load lessens the burden on the
9 distribution system equipment, which in theory
10 should extend the life of that equipment"; is
11 that correct?

12 A. (Tebbetts) Yes.

13 Q. And at Page 7, Line 14, your testimony states
14 that a long-term analysis -- and I'm quoting --
15 "Long-term analysis could show whether the
16 presence of distributed generation reduces the
17 usage of distribution equipment, and therefore
18 prolongs its life, resulting in a benefit to
19 all customers." Is that correct?

20 A. (Tebbetts) Yes.

21 Q. Ms. Tebbetts, as signatory to the Utility
22 settlement agreement, Consumer Advocate Don
23 Kreis submitted a statement to this docket
24 shortly after the filing of the Utility

1 settlement proposal. That statement has been
2 included on a premarked exhibit list as I.D.
3 No. 7. Are you aware of that letter that Mr.
4 Kries submitted to the docket?

5 A. (Tebbetts) I am aware that Mr. Kries submitted
6 something else after this was filed, but I
7 don't have it in front of me.

8 Q. Hopefully you will in a moment.

9 CHAIRMAN HONIGBERG: Off the record.
10 (Discussion off the record).

11 CHAIRMAN HONIGBERG: Go back on the
12 record.

13 BY MS. BIRCHARD:

14 Q. Do you have it before you now, Ms. Tebbetts?

15 A. (Tebbetts) Yes.

16 Q. Thank you. Do you recognize it as the
17 statement that was submitted to the docket by
18 the Consumer Advocate in support of the
19 settlement that he signed with your
20 organization?

21 A. (Tebbetts) I don't see a cover letter, but I do
22 see the last page Mr. Kries signed.

23 CHAIRMAN HONIGBERG: No one's going
24 to disagree with this, Ms. Birchard. It is

1 what it is. Ask her what you want to ask her.

2 MS. BIRCHARD: I'd just like to move
3 that it be admitted at this time.

4 CHAIRMAN HONIGBERG: Without
5 objection, we'll strike the I.D. on Exhibit 7.

6 (Exhibit 7 admitted.)

7 Q. Turn to Page 2 of that letter, Ms. Tebbetts,
8 the last full paragraph reads, "Deployment of
9 distributed generation" --

10 CHAIRMAN HONIGBERG: Slow down.
11 There's no way the stenographer can keep up
12 with that.

13 Q. "Deployment of distributed generation in New
14 Hampshire is in a relatively nascent state, and
15 the effects of distributed generation are
16 difficult to assess at this time, given the
17 lack of advanced metering technology and the
18 resulting derth of data." Do you see that, Ms.
19 Tebbetts?

20 A. (Tebbetts) Yes.

21 Q. Thanks. Do you agree with Mr. Kries, that
22 there is a lack of advanced metering technology
23 in the state?

24 A. (Tebbetts) I'm not sure what you're defining as

1 "advanced metering technology." I don't know
2 what Mr. Kries has defined as "advanced
3 metering technology" either, so I can't comment
4 on what Mr. Kries was insinuating with regards
5 to his statement here.

6 Q. Okay. Thank you. Do you agree with the
7 statement that, if there were more advanced
8 metering technology, we would have more data?

9 A. (Tebbetts) I honestly don't know.

10 Q. Ms. Tebbetts, would you agree with the
11 statement that transmission costs in New
12 England and in New Hampshire are pretty high?

13 A. (Tebbetts) I couldn't answer that because I
14 don't know what you're comparing "high" to.

15 Q. Do they make a significant -- do they represent
16 a significant portion of the customer's bill,
17 in your experience?

18 A. (Tebbetts) Again, I don't know what
19 "significant" is. I know Liberty's rates, and
20 I don't -- I'm not familiar with the other
21 utilities' rates, so I don't know.

22 Q. Okay. That's fair. Can you offer your opinion
23 as to your own bills?

24 A. (Tebbetts) Our transmission rate makes up a

1 very small portion of the customer bill for our
2 residential customers.

3 Q. Would you agree that distributed energy
4 resources can help to avoid some of the
5 transmission costs that New Hampshire
6 ratepayers pay, for example, just as energy
7 efficiency can reduce some of those costs?

8 A. (Tebbetts) I for certain don't know if they can
9 be reduced. And that's one of the reasons why
10 we proposed a pilot to review and take a look
11 at the charges, and maybe there's an
12 opportunity there. But I just -- I don't know
13 if that is certain. I just don't know.

14 Q. Are you referring to energy efficiency,
15 distributed resources, or both?

16 A. (Tebbetts) I'm referring to both.

17 Q. So you don't believe that energy efficiency can
18 help lower a customer's transmission costs?

19 A. (Tebbetts) No, didn't say I don't believe that.
20 I said I don't know.

21 Q. Have the utilities not included certain avoided
22 costs in their energy-efficiency work of late?

23 A. (Tebbetts) I am not familiar with the
24 energy-efficiency work that has been filed as

1 of late.

2 Q. Okay. Is there anyone on the panel who is
3 familiar with the utilities' energy-efficiency
4 work of late?

5 [No verbal response]

6 MS. BIRCHARD: Mr. Davis?

7 A. (Davis) Not of late.

8 Q. I'm sorry?

9 A. (Davis) Not of late, if I interpret "of late,"
10 being, say, within the last six months.

11 Q. Correct. Yes. Well, thank you very much.
12 That answers my questions.

13 CHAIRMAN HONIGBERG: All right. I
14 think it's appropriate to take a break. It's
15 quarter to eleven right now. We'll be back at
16 eleven. So, off the record.

17 (Brief recess was taken at 10:43 a.m.,
18 and the hearing resumed at 11:05 a.m.)

19 CHAIRMAN HONIGBERG: Back on the
20 record. Who's up next? Is it Acadia, or was
21 that -- Ms. Birchard took care of that?

22 MS. BIRCHARD: Yes.

23 CHAIRMAN HONIGBERG: Is it Mr. Below?
24 No? Who's up? Mr. Hinchman?

1 MR. HINCHMAN: Thank you, Mr.
2 Chairman. The first exhibit I'm going to seek
3 admission on we just passed out. So we'll
4 maybe start by offering the final report for
5 the grid mod working group to the Commission
6 that was submitted by the working group on
7 March 17th.

8 CHAIRMAN HONIGBERG: So we're going
9 to mark that as 72.

10 (Exhibit 72 marked for identification.)

11 MR. HINCHMAN: I'm going to talk
12 about it in a minute.

13 CHAIRMAN HONIGBERG: It's marked.

14 MR. HINCHMAN: Everybody has a copy.
15 We have a few extra up here if anybody needs
16 them.

17 CROSS-EXAMINATION

18 BY MR. HINCHMAN:

19 Q. So, for the Utility members of the panel, if
20 you could refer to Exhibit 6 at Page 10. Just
21 a clarification with regard to your settlement
22 proposal. The proposal requires bidirectional
23 meters for all net-metered DG; correct?

24 A. (Tebbetts) It requires by directional meters

1 for any customers coming online or placed in
2 the queue after June 30th, consistent with
3 Docket DE 15-271.

4 Q. Okay. And the settlement's not clear. Are you
5 proposing that any obligation to record and
6 make available to customers their instantaneous
7 usage data, or their instantaneous export data
8 from the two channels in the metering?

9 A. (Tebbetts) I don't understand your question.

10 Q. Will you -- will the meter -- does the
11 settlement proposal contemplate that the
12 utilities will record interval data on an
13 instantaneous basis for both of the two
14 channels, the purchased channel and the sale
15 channel, and make that data available to
16 customers?

17 A. (Tebbetts) The customer will have the
18 bidirectional imports and exports recorded each
19 month because that's part of what we'll bill
20 them or credit them.

21 Q. Okay. So you will be giving them the output of
22 those meters on a monthly interval.

23 A. (Tebbetts) The output of the bidirectional
24 meters.

1 Q. Sorry. I don't know if "output" is the right
2 word. The metering result that you give them
3 each month will be just the monthly interval,
4 the accumulated usage over the month and the
5 accumulated exported solar production over the
6 month, no shorter interval. You won't give
7 them daily, hourly, 5-minute, 15-minute,
8 nanosecond.

9 A. (Tebbetts) We will not be providing them
10 anything less than what they would be provided
11 under normal billing practices, which is
12 monthly information, unless otherwise requested
13 by customer. And our tariffs allow for that
14 today.

15 Q. So, just to be clear, the default is monthly
16 interval data.

17 A. (Tebbetts) I don't understand because you're
18 adding "interval data" in there, and that's --
19 I don't know. I don't understand.

20 Q. You're reporting the data collected from the
21 two channel meters to the customer, and the
22 aggregate information of the data you give the
23 customer is the entire usage for a month, no
24 shorter interval.

1 A. (Tebbetts) Yes, that's correct.

2 Q. And the same for exports. It's the aggregate
3 for that billing cycle, which we're calling a
4 month, no shorter interval.

5 A. (Tebbetts) Yes, that's correct. That's the
6 default of what we will provide customers.

7 Q. Thank you. Turning to the grid mod report, if
8 you'd please turn to Exhibit -- to Appendix B.
9 And Ms. Tebbetts, we'll start with you, I
10 guess, since we're still talking -- I think
11 it's Page 39, Table B.12a. Is it correct
12 that -- first, the foundation.

13 As part of the grid mod docket, they
14 collected the current technological capacity of
15 the meters in use by the three utilities on
16 this panel; correct?

17 A. (Tebbetts) Yes. The utilities submitted a
18 bunch of data as part of the grid modernization
19 docket.

20 Q. And part of that data included, in your case,
21 the current number of total meters, 43,333,
22 which is shown on Table B.12a on Page 39 of the
23 report. The Bates says 40 of 45 at the top of
24 the page.

1 A. (Tebbetts) Oh, okay. I apologize. 12a is
2 actually shown on 39, but the table is on 40.
3 Okay. We're -- yeah. Yes, that's correct,
4 43,333.

5 Q. And if you turn to Page 41 of the report, which
6 is Bates Page 42, and you look at Table B.17 --

7 A. (Tebbetts) I'm there.

8 Q. So, of the 43,333 meters, we see a breakdown in
9 the first column of how many meters are set up
10 for drive-by meter reading, time of use
11 registry, reading of interval data and daily
12 reading at the company's office, and then
13 on-demand/real-time meter reading.

14 So, is it fair to interpret this report
15 saying 358 of the 43,000 meters are capable of
16 reading interval data?

17 A. (Tebbetts) Yes.

18 Q. And 1,178 are capable, I have time-of-use
19 register. Is that like a date stamp?

20 A. (Tebbetts) It's not a date stamp. The meters
21 are programmed for our time-of-use rate. So
22 they're static. They're not -- the periods do
23 not change for which we provide on peak or off
24 peak.

1 Q. Okay. And the drive-by meter reading means --
2 can you explain to the -- what that means?

3 A. (Tebbetts) So, Liberty has AMR meters, and we
4 don't have to walk up to the meter to read it.
5 We're able to grab a signal from a vehicle that
6 has the capabilities to read it via driving by.

7 Q. Okay. And for 8 of those -- or sorry -- for
8 358 of those when you drive by, you could pick
9 up some interval data.

10 A. (Tebbetts) No, that's not correct. C is the
11 reading of interval data, which is not included
12 in the drive-by meter reading. These are large
13 customers, G1, our industrial customers, and
14 G2, larger commercial customers that have
15 specific interval meters associated with how we
16 bill them for kilowatt VARs and kilowatt hours.

17 Q. So is it fair to say, then, that the
18 non-industrial customers, the current metering
19 they have is not capable of reading interval
20 data?

21 A. (Tebbetts) That is correct.

22 Q. Thank you.

23 So, for Eversource, I'm not sure which
24 member of the panel wants to address it, but

1 the same exercise. If you look at, I think
2 it's Table B.12c, it shows you have just over
3 570,000 meters --

4 A. (Davis) Yes.

5 Q. -- total. And then if you'd look at Table
6 B.17?

7 A. (Davis) I have that.

8 Q. You have 1 meter capable of reading interval
9 data? I was going to ask if that was Cliff
10 Below's meter, but I'm not sure he lives in
11 your territory.

12 A. (Davis) There is one residential meter with
13 that capability at the time these statistics
14 were produced.

15 If you look across the row, there are 234
16 C&I remotely-read meters that can be picked up
17 via AMR, or remotely. And there are 112
18 residential and 1,815 C&I manually-read
19 interval meters.

20 Q. So, by and large, all of our meters currently
21 do not report interval data of less than the
22 billing cycle?

23 A. (Davis) If you're looking at the sum total of
24 all meters --

1 Q. I'm looking at the column "AMR & Remotely Read
2 Meters" for reading of interval data for
3 residential; so there's one. But there's
4 487,716 residential meters that are read
5 remotely that don't collect interval data; is
6 that correct? Am I reading that correctly?

7 A. (Davis) That's my understanding, that the
8 487,716 residential meters are AMR drive-by
9 meters as Ms. Tebbetts explained, similar
10 capability. And those are strictly registers
11 which capture total monthly kilowatt hours.

12 Q. Thank you.

13 A. (Davis) They are capable of being programmed to
14 capture bidirectional flow, as well as demand
15 values.

16 Q. Thank you.

17 And for Unitil, Table B.12b,
18 77,000 meters; correct?

19 A. (Meisner) That's correct.

20 Q. Now, you have all AMI meters. Could you
21 short-circuit the questioning process and tell
22 us the interval capability for the AMI meters?

23 A. (Meissner) Most existing AMI meters do not have
24 interval metering capability. The only ones

1 that have that capability are the 2170 listed
2 on Line C.

3 Q. Thank you.

4 It says "currently expanding," meaning you
5 have the capability to add -- do you have the
6 ability to add that capacity to the AMR meters?

7 A. (Meissner) As part of the normal migration path
8 of our system, the vendor obviously makes
9 improvements to their technology each ear year
10 and over time. So we are currently upgrading
11 to a new standard that they call PLX, which has
12 interval metering capabilities. However, when
13 we upgrade our substation facilities to that
14 new technology platform, that does not mean
15 we're going to change all the meters on our
16 system. So the system will be capable of
17 interval reading, but we would not get that
18 capability unless we changed the meter.

19 Q. Thank you.

20 If the Panel could turn to Page 20 of the
21 report, which is Bates Page 21, and if you
22 could look at the second paragraph, which is
23 the first full paragraph on that page. If each
24 of the utilities could take a second to read

1 that paragraph.

2 A. (Meissner) Can you please just identify the
3 heading of what we're supposed to read --

4 Q. Oh, sure. My apologies. The paragraph
5 starting with, "The larger C&I customers of
6 utilities..." And it's really the second
7 sentence there. "Current utility metering for
8 resi and smaller C&I customers typically
9 doesn't record or report interval data, except
10 for monthly meter readings." As we've just
11 established the particulars for each of the
12 three utilities with regard to that capacity.

13 And then the paragraph goes on to make the
14 point that upgrading your meters requires
15 metering equipment, requires communication
16 systems, and it requires a methodology for data
17 collection, archiving and management of the
18 data; is that correct?

19 A. (Labrecque) Yeah. Is that correct that that's
20 what it says?

21 Q. Is that correct that that's what it says? Yes.

22 A. (Labrecque) Yes.

23 Q. I paraphrased.

24 Would you also agree that those are --

1 functionally, that's what's required to install
2 what we might call "advanced metering
3 initiative," AMI, capable of detailed interval
4 data collection and archiving?

5 A. (Labrecque) Well, our current meters that are
6 deployed are capable of billing the tariff
7 design that that customer is under. There's
8 not additional, more granular data contained
9 within those meters. But the customers are
10 more than willing and able, if they're
11 interested, to install their own monitoring
12 equipment in order to get more granular data --

13 Q. Right. But I'm asking --

14 CHAIRMAN HONIGBERG: Mr. Hinchman,
15 you need to wait until he's done. If you think
16 that he's gone far afield and you need to stop
17 him, look for help.

18 MR. HINCHMAN: Thank you.

19 BY MR. HINCHMAN:

20 Q. Okay. So, for the record, customers can do
21 what they want. But in terms of what the
22 utility is doing in order to record interval
23 data that is a shorter period than one month,
24 it would require these steps referenced in this

1 paragraph: Changes to the equipment, a system
2 to get that data from the customer's meter to
3 the utility, and then a system to process,
4 manage and archive that data; is that correct?

5 A. (Labrecque) Yes.

6 Q. Could you turn to Page 22 of the report. And
7 let me just take a break for a second to back
8 up and say this is a consensus report of the
9 Working Group. But the Working Group -- it's
10 my understanding that the Working Group didn't
11 reach consensus on all issues. And where that
12 was the case, the report will report out the
13 non-consensus -- the non-consensus positions of
14 each party.

15 CHAIRMAN HONIGBERG: Is that a
16 question for the Panel?

17 MR. HINCHMAN: I just want to
18 establish that the Panel agrees that that's the
19 methodology in this report.

20 A. (Tebbetts) Yes.

21 BY MR. HINCHMAN:

22 Q. And so in the discussion of metering
23 technology, there's one of those situations
24 where we have non-consensus. And so we have

1 two conclusions, one by the non-utilities
2 position and one by the utilities.

3 So the non-utilities starts, I believe on
4 Page 22, Item 6, if I have it right. I might
5 have the wrong page. Hang on one second.

6 Item 4. So those are the non-utility parties.
7 And the non-utility parties' preference is an
8 opt-in with hourly interval data and, ideally,
9 5-minute interval data, with customer access to
10 the data? Do you agree that's the Utility
11 position in the report?

12 A. (Davis) I'm sorry. Could you re-reference
13 exactly where you're looking? The page
14 numbers, depending on which page you're on, are
15 different. And you mentioned 6 and then 4 --

16 Q. You're right, you're right. I see three
17 different page numbers on this page. So I'm
18 going to use the Bates page number. It's Page
19 23 of 45. At the bottom of the page it's
20 Item 4. And the next page, which is the
21 Utility, OCA and Pat Martin position, is also
22 Item 4. So there's two contrasting positions
23 with regard to discussion of metering
24 technology on those two pages.

1 And is it fair to summarize the
2 non-utility position, the first one, as
3 recommending the ability of customers to opt-in
4 to an interval meter, including bidirectional
5 meters for DG customers, capable of logging,
6 compiling and storing kilowatt-hour interval
7 data down to a granularity of at least hourly
8 intervals, and ideally 5-minute intervals? Ms.
9 Tebbetts, is that fair?

10 A. (Tebbetts) Could you tell me where you see the
11 word "bidirectional" in that paragraph? Maybe
12 I'm just missing it.

13 Q. So it's on the second line of No. 4, after the
14 comma, "including bidirectional meters." The
15 end of that --

16 A. (Tebbetts) Okay. So, actually, that's not --
17 the utilities did not agree to that. That is
18 the City of Lebanon, Revolution Energy, Acadia,
19 RESA --

20 Q. Correct. I'm framing this as the "non-utility
21 position."

22 A. (Tebbetts) Okay. I apologize. I didn't hear
23 that in the question.

24 Q. So, to reframe the question, is it fair to say

1 the non-utility position is for a opt-in meter
2 capable of logging, compiling and storing
3 kilowatt interval data down to a granularity of
4 at least hourly, and ideally 5-minute
5 intervals, and customer able to access the
6 data?

7 A. (Tebbetts) That's what this says.

8 Q. Is it fair to say that the utility position
9 next page is as Mr. Labrecque just said;
10 customers can buy whatever they want, but for
11 utilities, the utilities should not be
12 obligated to produce 5-minute interval data out
13 of a concern that it's cost prohibitive and
14 that there should be cost/benefit analysis done
15 before that's required?

16 A. (Tebbetts) That's correct. And as a
17 participant in this docket, the grid
18 modernization docket, the utilities felt that
19 15-minute interval data could be very well what
20 is needed to provide to customers and that the
21 back office costs associated with 5-minute
22 intervals may be cost-prohibitive when looking
23 at [having all customers pay for something that
24 maybe only a fraction of customers will be

1 using.

2 Q. All right. And you would also note that the
3 ISO-New England settlement method is going to
4 go to 5-minute interval data for generation and
5 billing, not for resi, but at the level above
6 the distribution system?

7 A. (Tebbetts) Yes.

8 Q. Thank you.

9 With regard to Exhibit 5, which is the
10 settlement proposal, the utilities offer an
11 opt-in for a DG production meter. So, to be
12 clear, that would be a second meter that would
13 be metering only the production of the net --
14 qualified net metering facility?

15 A. (Davis) That's correct.

16 Q. And would that meter be equipped with interval
17 data; and if so, what interval will that data
18 be collected, archived, maintained by the
19 utility, and will that data be made available
20 to customers?

21 A. (Davis) We contemplate a standard monthly
22 kilowatt-hour meter. Typically it would be
23 similar to the meters for residential
24 customers, characterized as "AMR" and available

1 for data capture by a drive-by metering van.
2 And that would be the most cost-effective
3 meter. And I think also universally
4 cost-effective and applicable and compatible
5 with each of the utilities' systems for data
6 collection and data processing.

7 Q. So is it fair to say you're going to -- you're
8 going to bill for usage on a monthly interval
9 and you're going to record usage on a monthly
10 interval and you're going to record production
11 and/or exports, depending upon if the
12 customer's opted in for a production meter on a
13 monthly interval, and that you have no plans to
14 make interval data of a shorter duration than a
15 month available -- to either record it or make
16 that available to customers; is that fair?
17 Have I summarized your position?

18 A. (Davis) For the opt-in proposal, to the extent
19 the revenue meter is measuring and is used for
20 billing as you described, the production meter
21 would also match that period. And we would
22 have plans in that case for a kilowatt-hour, a
23 monthly kilowatt-hour-based production meter.
24 To the extent the customer has a meter that

1 captures more granular data, for example,
2 interval meters, we would still contemplate an
3 opt-in production meters that measures total --
4 or registers total monthly kilowatt hours.

5 Q. And is it correct that RSA 362-A:9, III, which
6 defines net metering and the terms of net
7 metering, which is quoted in, I believe, Mr.
8 Labrecque's and in Mr. Meissner's testimonies,
9 are referring to normal net metering practices,
10 which is defined as a single meter that shows
11 the customer's net energy usage by measuring
12 both the inflow and the outflow of electricity
13 internally, so that the current practice for
14 net metering and the current meter requirement
15 under statute is exactly what you have
16 installed and what you're currently using?

17 A. (Labrecque) Yes.

18 Q. And you want to change the net metering
19 practice in the statute to go to essentially
20 instantaneous instead of netting on that
21 monthly billing interval. You would change it
22 to essentially an instantaneous recording.
23 Rather than measuring both the inflow and
24 outflow of electricity internally in the meter,

1 you would like to go bidirectional meters that
2 record those separately and no longer use a
3 monthly net billing cycle.

4 A. (Davis) This may be a point of confusion, and
5 maybe I can help clarify. And I'll speak for
6 Eversource specifically, and maybe we can
7 expand it to all three utilities.

8 But we currently measure, explicitly
9 measure the separate kilowatt hours over the
10 month for imports and exports at the customer
11 delivery point. So that's a so-called "revenue
12 meter." We do the netting after the fact in a
13 software algorithm that nets the two. My
14 understanding is that that's not necessarily
15 the case with the other utilities currently,
16 where the netting of those import and export
17 kilowatt hours occurs within the meter. But
18 our proposal would put all three utilities on
19 the same platform as I described for
20 Eversource, in which we would separately
21 measure the export kilowatt hours over the
22 month, separately measure the import kilowatt
23 hours over the month, and those would support
24 the Utility and Consumer Coalition proposal.

1 Q. Agreed.

2 A. (Davis) I just wanted to make sure --

3 Q. Let me clarify my question. The question is:
4 The statute says that the interval that you net
5 those two channels of production -- currently
6 the interval is monthly. And in order to adopt
7 your proposal and the portion of our proposal
8 referring to non-bypassable charges, the
9 Commission would have to exercise its authority
10 under HB 1116 to modify the section of 362-A:9,
11 III, definition of net metering terms and
12 practices.

13 A. (Davis) I would ask that we seek legal counsel
14 on the interpretation of that statute and the
15 necessary procedures and processes to make the
16 changes contemplated in our proposal.

17 Q. Okay. Fair enough.

18 MR. HINCHMAN: Mr. Bean is going to
19 pass out an exhibit. And Mr. Chairman, on the
20 recess, I got together with counsel for
21 Eversource, and we worked out a solution to the
22 objections over the graphs from yesterday and
23 the graphs from this morning. So the proposal
24 is that the graph in Exhibit B of exhibit --

1 sorry -- Exhibit 5, Attachment B, and the graph
2 that Mr. Labrecque used this morning are drawn
3 from the same data, but they're not the same
4 graph. And the issue yesterday was that the
5 underlying data of that graph is not in the
6 record. And we first saw that graph when the
7 settlement proposal was submitted by the
8 utilities. We had a very brief discovery
9 period. We asked for the work papers that
10 created the graph. They gave it to us. It's
11 an Excel spreadsheet. If you print it out,
12 it's 600 pages, and if I print 40 copies of
13 that, it's 2400 pages.

14 CHAIRMAN HONIGBERG: That would be a
15 really bad idea.

16 MR. HINCHMAN: So we have agreed
17 that -- and you have in front of you the
18 summary page and the -- which is EFC186,
19 Utility Q25, Page 1. And the back page is the
20 summary of the data. So, just to explain that,
21 on the summary page, the box to the bottom
22 right-hand side appears in Exhibit 5,
23 Attachment B. And the box is --

24 CHAIRMAN HONIGBERG: I think it's

1 Exhibit 6, but I know the one you're talking
2 about.

3 MR. HINCHMAN: My apologies. I stand
4 corrected. Exhibit 6. That box is in the
5 settlement statement. And that box draws data
6 from the 600 pages. But the summary of that
7 data is rolled up into Page 2 of the exhibit
8 that we've just passed out. And I think I'm
9 authorized to state that Eversource would not
10 object if we simply admitted for the record the
11 summary of the data rather -- and all the
12 parties have the Excel sheet, including the
13 Staff. And rather than print out all 2400
14 pages --

15 CHAIRMAN HONIGBERG: Okay. So the
16 upshot of that is that the two-sided piece of
17 paper you just handed us is going to become
18 Exhibit 73. And there's no objection to it
19 being a full exhibit; is that correct? 73 is
20 the right number, isn't it? Okay.

21 (Exhibit 73 admitted.)

22 CHAIRMAN HONIGBERG: And as a
23 consequence then, is there now no longer an
24 objection making Exhibit 67 a full exhibit?

1 MR. HINCHMAN: For my part --

2 CHAIRMAN HONIGBERG: I think you
3 objected and Ms. Birchard objected.

4 MR. HINCHMAN: I'll withdraw my
5 objection to this graph.

6 MS. BIRCHARD: Sounds like a
7 solution has been agreed to, so I will also
8 withdraw my objection.

9 CHAIRMAN HONIGBERG: So we'll
10 withdraw the objection to 67, and that will be
11 a full exhibit. Have we sorted that out?

12 MR. HINCHMAN: And I'm going to --
13 yes.

14 (Exhibit 67 admitted.)

15 CHAIRMAN HONIGBERG: You have some
16 questions now you want to ask about this
17 exhibit?

18 MR. HINCHMAN: I have questions I
19 want to ask about the graph.

20 CHAIRMAN HONIGBERG: Excellent.

21 MR. HINCHMAN: And just for the
22 edification of the Commission, Page 11 of 13 in
23 Exhibit 6, Attachment B, is a graph showing an
24 average of all 12 months of the data period.

1 And Exhibit 67 is showing the average of just
2 the month of July, of the data that we're
3 referring to.

4 BY MR. HINCHMAN:

5 Q. Is that correct, Mr. Labrecque?

6 A. (Labrecque) That is correct.

7 Q. So, in Exhibit 6, Attachment B, you describe
8 that graph as a "representative calculation of
9 the credits under the existing and proposed net
10 metering tariffs." And on Page 9 you describe
11 the chart as a "typical residential load
12 profile and typical PV profile"; correct?

13 A. (Labrecque) Correct.

14 Q. So the red line -- let's use -- for ease of
15 discussion, let's use Exhibit 67. So, Mr.
16 Labrecque, the red line in Exhibit 67, is that
17 hourly load or instantaneous load?

18 A. (Labrecque) I apologize. I don't have a color
19 one with me. Is it the more flat line --

20 Q. Yes.

21 A. (Labrecque) -- is the red line?

22 Q. The red line is the more flat line and that in
23 the key is marked as "usage."

24 A. (Labrecque) Yes, that is an average daily

1 profile of a Eversource residential customer
2 based on 2015 load research interval metering,
3 I believe the sample is north of a hundred
4 sites.

5 Q. And that data is hourly; is that correct?

6 A. (Labrecque) That is hourly data.

7 Q. Yes. And the peak line, which in the key is
8 marked "PV" and it's green on the colored
9 version, is that hourly or instantaneous solar
10 generation?

11 A. (Labrecque) Hourly.

12 Q. Hourly. Thank you.

13 And in your box you have -- you've done
14 some math for each of the quadrants labeled
15 "A1, A2, A3 and A4." And in doing that math to
16 determine the usage behind the meter, you
17 subtracted the hourly average demand in that
18 hour, minus the hourly average production in
19 that hour; is that correct?

20 A. (Labrecque) That is correct.

21 Q. So it's correct to say that this graph
22 represents hourly netting and not instantaneous
23 netting?

24 A. (Labrecque) It represents hourly average

1 quantities.

2 Q. Does your settlement propose hourly netting or
3 instantaneous netting?

4 A. (Labrecque) Our proposal is that all the power
5 that is recorded in the purchase channel of the
6 meter -- in this case, represented in Sections
7 A1 and A3 -- be charged the normal retail rate
8 for the customer, and that excess depicted
9 here, Section A4, all of the excess, all of the
10 exported kilowatt hours, will be paid at the
11 settlement proposed rate.

12 Q. So that's recorded on essentially an
13 instantaneous basis; correct?

14 A. (Labrecque) In the meter it would be, yes.

15 Q. Yes. So the reference to "instantaneous
16 netting" refers to the fact that you're
17 recording exports on an instantaneous basis and
18 not the net of exports minus imports on an
19 hourly or monthly basis; is that correct?

20 A. (Labrecque) Correct. The meters record
21 instantaneous quantities.

22 Q. So, in this graph and Attachment B to
23 Exhibit 6, you come up with some conclusions
24 with regard to how much behind-the-meter usage

1 there would be from a, quote, typical solar
2 project.

3 A. (Labrecque) I wouldn't refer to it as a
4 conclusion, other than an illustrative case
5 subject to fluctuations. Every customer is
6 different, of course, and all of the quantities
7 on there will be different. So I wouldn't call
8 it a conclusion, but it's an illustration of
9 the proposal.

10 Q. And to come up with that illustrative graph,
11 you use a methodology that is different than
12 the methodology you actually used to bill
13 customers; is that correct?

14 A. (Labrecque) The methodology isn't different.
15 We're still using the same quantities.

16 Q. All right. So in the methodology, you take an
17 hour, say the 3:00 hour of generation, minus
18 the 3:00 hour of -- sorry. You take the 3:00
19 hour of load minus the 3:00 hour of generation.

20 A. (Labrecque) No. There's no netting within the
21 meter. The meter channels are measuring the
22 total aggregate power quantities in the import
23 direction and export direction. So it's not
24 recording the net internal to the meter.

1 Q. Understood. The question I was asking,
2 though -- and if you would turn to Page 2 of
3 Exhibit 73.

4 A. (Labrecque) Can you help me find that one?

5 Q. The one we just passed out?

6 A. (Labrecque) Still in my hand. I have it.

7 Q. So there's four banks of data on this page.
8 And the second bank is titled "Average of Rate
9 kW." So if I'm interpreting this correctly,
10 this is hourly consumption. So, 1kW for one
11 hour would be a kilowatt hour. So these are
12 kilowatt hours?

13 A. (Labrecque) Yes.

14 Q. And that's from your 120 typical customer
15 database, correct, from 2015?

16 A. (Labrecque) Yes.

17 Q. And the third bank is a scale of the PV data
18 that you got from NHSEA. And it's scaled so
19 that the annual generation is equal to the
20 annual load in the second bank; correct?

21 A. (Labrecque) That's correct.

22 Q. And the fourth bank -- and we're using the 3:00
23 hour. So if you look at the column labeled
24 "15," the hour 15 -- and let's do it with the

1 hour starting 3:00, not the hour ending 3:00.
2 So that column labeled as the 15th hour would
3 be 3:00; correct?

4 A. (Labrecque) It would be an accumulation of the
5 data between 2 and 3.

6 Q. Well, I'm just asking for the column.

7 A. (Labrecque) Ask that again, please.

8 Q. So if you just look at the 15, the hour labeled
9 "15," that column represents the 3:00 hour
10 correct?

11 A. (Labrecque) The hour ending at 3:00. Correct.

12 Q. Okay. And the formula is you're subtracting
13 the second bank of data, the load data from --
14 you're taking that and you're subtracting from
15 it the PV data.

16 A. (Labrecque) Correct.

17 Q. So the data that you're outputting is on an
18 hourly recording interval; correct? So the
19 methodology you've used to generate this table
20 uses hourly netting.

21 A. (Labrecque) It nets hourly quantities.

22 Q. Thank you. But your proposal would not net
23 hourly quantities; correct?

24 A. (Labrecque) Our proposal would use aggregate

1 quantities accumulated in two separate channels
2 over the month and treat them differently,
3 according to our proposal.

4 Q. Okay. Let's try it with a "Yes" or "No."

5 Would your proposal net hourly quantities?

6 A. (Labrecque) No.

7 Q. Thank you.

8 So we discussed this yesterday. Within a
9 given hour, isn't it possible that you could
10 have cloud cover for the first half of the
11 hour, with zero solar generation, and the cloud
12 goes away and you have full solar generation
13 second hour. So your solar generation could be
14 split 30/30 -- 30 minutes, 30 minutes -- over
15 an hour. And your load could be coincident
16 with the generation or also be split 30/30, and
17 it could be non-coincident with the generation.
18 And under those different scenarios, you might
19 have a net of zero or a net of a hundred
20 percent, correct, or something in between?

21 A. (Labrecque) I would agree with you that within
22 the hour things can happen, so that, you know,
23 the solar can fluctuate wildly during an hour
24 and a customer's load, while it usually follows

1 a somewhat more well-behaved pattern, there are
2 different types of equipment that cycle on and
3 off within an hour. So, yeah, those things
4 will be going on within the hour. And that is,
5 you know -- among other things, it's reflective
6 of the value that being connected to the
7 utility system provides to a solar customer,
8 the ability to handle those types of
9 fluctuations, and under typical today's net
10 metering act as essentially a free battery for
11 those customers.

12 Q. So, for purposes of a customer considering a
13 solar investment, as we discussed yesterday,
14 knowing their instantaneous generation
15 history -- sorry -- their instantaneous load
16 history --

17 (Cell phone ringing.)

18 MR. HINCHMAN: You want to collect
19 that \$5 now?

20 CHAIRMAN HONIGBERG: Off the record.

21 (Discussion off the record)

22 CHAIRMAN HONIGBERG: We're back on
23 the record.

24

1 BY MR. HINCHMAN:

2 Q. Let me just short-circuit. Keeping in mind the
3 line of questioning from yesterday in which the
4 suggestion was made, I think by Mr. Epler, that
5 you don't really need to know your
6 instantaneous usage data history, you could
7 simply assume a worst case of zero coincidence
8 between generation and load, and so 100 percent
9 of your generation is exported, that would be
10 one way to manage it. And also keeping in mind
11 you're not planning on recording any interval
12 data on either generation or load and not
13 planning on making that data available to the
14 customer. So, from the customer's perspective,
15 they don't have the data they need to evaluate
16 a solar proposal, or if they build a solar
17 proposal, to take action to optimize the
18 operation of that generation in relation to
19 their usage without that data; is that correct?

20 A. (Labrecque) No, that's not correct. There's --
21 the customer, in evaluating whether or not they
22 want to go solar, there a lot of different
23 factors that go into play. Some of them have
24 considerable uncertainty. Even on a monthly or

1 yearly basis, their consumption over the span
2 of a solar investment could be wildly volatile.
3 They could even move out of the home in five
4 years. So there's a lot of uncertainties.
5 Also, when customers are the evaluating the
6 economics of a potential investment, they might
7 be considering what utility rate they might be
8 avoiding. So, over 25 years there's a
9 considerable degree of uncertainty in any kind
10 of economic modeling of the value of their
11 investment because, you know, you can't just
12 say utility rates are going to escalate the
13 Consumer Price Index for the next 25 years.

14 So, I agree with the general premise that
15 there will be some fuzziness to any estimation
16 of the exact amount of solar production, which
17 is also volatile month to month, day to day.
18 But the exact quantity that will be consumed
19 internally in the property, you can only get to
20 a working estimate, similar to the other
21 quantities I just mentioned. But I think in
22 developing a relationship with the customer, in
23 reviewing their data -- and they can collect
24 subhourly data for as long as they would like

1 in order to get comfortable with their
2 investment decision -- they can do that. This
3 is a big investment decision. It should not be
4 made without a full and complete understanding
5 of what they're about to do.

6 So I would agree with you to a limited
7 extent. This would put solar companies that
8 spend very little time educating their
9 customers on the way this is going to affect
10 their bill. I would suggest they will be at a
11 slight disadvantage, but it's not
12 insurmountable. You could develop a working
13 estimate of the quantity you're getting to.

14 Q. So you do agree that understanding how much of
15 your load will be offset instantaneous by
16 generation is an important factor in a
17 customer's consideration of whether or not to
18 invest in a solar project, one of others?

19 A. (Labrecque) It is one --

20 Q. Just a "Yes" or "No," please.

21 A. (Labrecque) Yes, I agree.

22 Q. And you are suggesting that it's the customer's
23 burden to collect and acquire that data, and
24 that the utility, even though it's going to go

1 to recommending a rate tariff that imposes this
2 instantaneous structure on the customer, it's
3 the customer's burden to collect that data, not
4 the utility's burden.

5 A. (Labrecque) It's primarily the customer and the
6 solar company's burden to analyze this
7 investment.

8 Q. Okay. Thank you.

9 Could you turn to the grid mod report.
10 What number is that, 73? Exhibit 72? And if
11 you would turn to Bates Page 14 of 45, you'll
12 see a discussion on rate design principles, and
13 that's followed by a discussion of rate design
14 recommendations. And if you would turn to the
15 section on Bates Page 15 of 45 regarding demand
16 charges, and if you'd take a moment to read the
17 "small C&I customers" paragraph under Demand
18 Charges. And reading that second sentence into
19 the record, "Utilities should apply demand
20 charges for small C&I customers only if
21 metering and information is available as an
22 option to customers in a timely manner so that
23 they can take action to reduce and manage their
24 costs."

1 So the question, Mr. Labrecque, is: Would
2 you say that the same principle of rate design
3 should apply here in this case, that the use of
4 an instantaneous netting rate tariff should
5 only be applied if there is metering
6 information available to customers in a timely
7 manner to enable them to take action and reduce
8 and manage their costs?

9 A. (Labrecque) I think we just had a discussion
10 about that. And are you asking me to comment
11 on whether that information should be coming
12 from the utility?

13 Q. I'm asking you to comment if the same rate
14 design principle should apply to instant
15 netting tariff the way you've recommended that
16 it apply to demand charge tariffs.

17 A. (Labrecque) I was not involved in the grid mod,
18 so I can't really reflect on exactly what
19 principles are embodied in the few sentences
20 you just pointed out.

21 A. (Brown) I'm not sure if I can interject in
22 this, but if I could respond to that. You're
23 comparing apples and oranges here, because what
24 happens in the context of a solar -- when we

1 refer to the grid mod study and the
2 recommendations vis-a-vis demand charges has to
3 do with the utilities -- the actual charges
4 imposed by the utility. And then the question
5 is: Who caused those costs to be -- how do
6 those costs get incurred, and who benefits from
7 it? And that's entirely --

8 MR. HINCHMAN: Mr. Chairman, could I
9 ask to halt the witness? This is not -- he's
10 freelancing. This is not even germane to
11 the -- he's talking about cost causation, not
12 about information available to customers to act
13 on --

14 CHAIRMAN HONIGBERG: I think Mr.
15 Hinchman probably is correct, that the question
16 addressed to Mr. Labrecque, Mr. Labrecque
17 answered to an extent saying that he wasn't
18 familiar with the analysis that went into
19 demand charges, so he couldn't be sure if it
20 was the same. Based on the beginning of your
21 statement, Mr. Brown, I'm not sure how what
22 you're saying is responsive to the question.

23 WITNESS BROWN: It's responsive
24 because the two applications to that issue are

1 quite different --

2 CHAIRMAN HONIGBERG: And I think Mr.
3 Labrecque probably would agree with you. And I
4 think the others on the panel probably would
5 agree with you. Maybe even Mr. Hinchman would
6 agree with you.

7 Mr. Hinchman, you have another
8 question?

9 BY MR. HINCHMAN:

10 Q. Well, since you've chimed in, Mr. Brown, you're
11 the one who said that solar doesn't generate
12 during peak periods; correct?

13 A. (Brown) I didn't make a flat statement. I said
14 it's generally off peak.

15 Q. And we just heard that in the CELT report that
16 the peak hour for generation in ISO-New England
17 territory in 2016 was the 3:00 hour. If you
18 look at the graph that we've been talking
19 about, would you say that at hour 15 solar is
20 generating at almost its peak, that there's a
21 high coincidence of solar peak with the 2016
22 ISO-New England system peak? "Yes" or "No,"
23 please?

24 A. (Brown) I don't think that's "Yes" or "No"

1 answer.

2 Q. Thank you. Another line of questioning, if I
3 may.

4 So, under the statute, it's my
5 understanding that the utilities -- I don't
6 know. This could be a statute, could be a
7 rule. You guys know this better than I do.
8 But you report the available room under the
9 100-megawatt cap through an online reporting
10 methodology which customers can look up and
11 find out what the current availability under
12 the cap is; correct? Ms. Tebbetts?

13 A. (Tebbetts) I don't understand your question.
14 Can you --

15 Q. That Liberty Utilities has a web page that
16 quantifies the total cap for net-metered
17 projects applied to Liberty Utilities for both
18 small and large projects -- small being under
19 100 kW and large being over 100 kW.

20 A. (Tebbetts) Yes.

21 Q. Subject to check, your cap is 8.74 megawatts,
22 and your web page for March 17th said you had
23 available about 3.39 megawatts.

24 A. (Tebbetts) Subject to check, if that's what it

1 says.

2 Q. And that would be about 40 percent of your cap
3 remains open?

4 A. (Tebbetts) Subject to check, that calculation
5 is correct.

6 Q. So, Mr. Labrecque, for Eversource, same
7 question. Your cap is just over 31 megawatts
8 for -- excuse me -- for small projects.

9 A. (Labrecque) Small projects in the extra
10 50-megawatt program, yeah, it's somewhat a
11 little higher than 30. I'm sorry. I don't
12 know the exact number.

13 Q. Okay. And subject to check, as of
14 February 6th, which is the last web page I
15 could find that you had posted, the
16 availability was about 15.8 megawatts.

17 A. (Labrecque) I did update it a few days ago. I
18 don't know if it's posted on web page yet. But
19 subject to check, the number sounds about
20 right.

21 Q. Thank you. So, roughly 50 percent of your cap
22 remains open in the supplemental 50-megawatt
23 for small projects.

24 A. (Labrecque) Correct.

1 Q. And Mr. Meissner, for Unitil, same question.
2 Your cap is roughly 12.7 kW -- sorry --
3 megawatts for small projects?

4 A. (Meissner) I'll accept that, subject to check.

5 Q. And your availability, as reported on
6 February 16th, 2017, was 6.7 megawatts?

7 A. (Meissner) Again, subject to check.

8 Q. So that's just over 50 percent of your cap
9 remains open.

10 A. (Meissner) Yes.

11 Q. Okay. And the settlement proposal from the
12 utility parties says that -- I guess I'll refer
13 to the statement, which would be Exhibit 6, at
14 Page 2, which is Section C1. It states that
15 the utilities will require time to modify their
16 billing and data management systems to be able
17 to accurately bill customers taking service
18 under the new tariff. And the question would
19 be for -- let's start with Ms. Tebbetts.

20 Do you currently have a billing system and
21 other data needs capable of billing under this
22 proposed tariff?

23 A. (Tebbetts) We have a billing system that needs
24 to be modified under either proposal, actually.

1 Q. Thank you. In either order, Liberty or Unitil
2 and Eversource?

3 A. (Labrecque) Our answer is identical to that of
4 the Liberty witness.

5 A. (Meissner) And ours would be the same.

6 Q. And that would happen at some point after so
7 you know what to design; correct?

8 A. (Tebbetts) Yes.

9 A. (Labrecque) Yes.

10 A. (Meissner) Yes.

11 Q. Okay. So the start date proposed in your
12 proposal is June 30th; correct? And that's
13 also, if you would, the qualifying date to be
14 grandfathered under the existing tariff;
15 correct?

16 A. (Tebbetts) Yes.

17 Q. And so that is, based on your proposal, you
18 must be in the queue and under the cap in order
19 to qualify for grandfathering under the
20 existing tariff -- in the queue by June 30th
21 and under the cap in order to qualify for
22 grandfathering.

23 A. (Tebbetts) No, that's not correct.

24 Q. Correct me then.

1 A. (Tebbetts) So the customer -- we don't have to
2 be under the cap because, as I believe we
3 have -- give me a moment, please.

4 (Witness reviews document.)

5 A. (Tebbetts) So, in part of our settlement we
6 talk about that, if they reserve a place in the
7 queue after June 30th, 2017, consistent with
8 the requirements in DE 15-271, or before that
9 date if they're above the 100-megawatt cap,
10 then they will be placed in there. So, once
11 this approval -- my understanding is once --
12 let's assume our proposal was accepted and the
13 Commissioner issued an order. Then any
14 customer being placed in the queue would fall
15 under this new tariff, regardless of the cap.

16 Q. So, prior to June 30th -- so let's say the
17 order says the tariff is effective June 30th,
18 as you've requested. So, in order to be
19 grandfathered under the existing tariff, you
20 have to be placed in the queue prior to
21 June 30th and you have to be under the cap;
22 correct?

23 A. (Tebbetts) That's correct.

24 Q. And as we've established, you're not at your

1 cap.

2 A. (Tebbetts) That's correct.

3 Q. And if I apply on July -- or August 1st --
4 sometime in July, but you haven't redone your
5 billing system, how are you going to bill me?
6 Under the old tariff or the new tariff?

7 (Witness reviews document.)

8 A. (Tebbetts) So, in our settlement we described
9 that these customers will be billed under the
10 net metering tariff effective March 22, 2017,
11 until such time as we're able to bill them
12 under the new tariff.

13 Q. Once you're able to bill under the new tariff,
14 are they grandfathered, or are they
15 automatically switched over to the new tariff?

16 A. (Tebbetts) They would be moved over to the new
17 tariff as part of our settlement, which we
18 noted.

19 Q. So, even though you have room under the cap and
20 you don't have a billing system in place
21 capable of managing the new tariff, you want
22 the grandfathering date to be accelerated to
23 June 30th; correct?

24 A. (Tebbetts) That's what we've proposed in our

1 settlement based on what was also available for
2 information under House Bill 1116.

3 Q. When you make a major -- when you make a change
4 to a rate tariff, isn't it one of the
5 principles of public utility rates and
6 generally accepted practice that siting -- you
7 know, issues like rate stability, avoiding
8 unexpected changes, customer confusion, that
9 there needs to be a period of notice in order
10 for your customers to prepare for the rate
11 change?

12 A. (Tebbetts) Yes, and all our customers will be
13 notified if they -- let's assume for the
14 purpose of this discussion that our proposal is
15 accepted. When a customer sends us their
16 interconnection application, we'll let them
17 know -- we'll discuss with them that they will
18 be billed under the current tariff in place.
19 And once we're able to bill them, they will be
20 billed under the new tariff. And we will
21 provide the information to the customer so that
22 they understand that will be a change based on
23 the date that they've installed their system,
24 and then when we subsequently are able to bill

1 them under this tariff.

2 Q. So did you hear the testimony yesterday
3 regarding the sales cycle for solar up to six
4 months, with the first two to three months of
5 that being the sales process, and the second
6 half of that being the permitting and
7 construction process?

8 A. (Tebbetts) Yes.

9 Q. So if the notice comes out -- a decision comes
10 out from the Commission per the current
11 schedule on June 1st, you will have customers
12 that are in the middle of a solar sales cycle
13 who suddenly have 30 days to be grandfathered
14 under the existing tariff that they've had no
15 notice of because nobody knows what the new
16 tariff is going to be; correct?

17 A. (Tebbetts) I don't know what "no notice" is.
18 This docket was noticed for the past 10 months,
19 so anyone has the opportunity to find
20 information about that.

21 Q. Sure. Is that how you normally handle notice
22 for rate tariffs, that there's a 30-day segue
23 from a final decision to the implementation of
24 the new tariff?

1 A. (Tebbetts) When our customers -- actually, I'll
2 be very honest. Since this docket has started,
3 we have discussed with our customers that there
4 will be changes coming up with the net metering
5 structure. We don't know what those changes
6 are going to be. We've been very clear with
7 the customers who send us questions, and we --

8 Q. Does your customer --

9 (Court Reporter inquiry)

10 CHAIRMAN HONIGBERG: Mr. Hinchman,
11 one moment. She was still answering that
12 question.

13 A. (Tebbetts) So we have talked to our customers
14 through e-mails and telephone calls to explain
15 this to them and to let them know that, if they
16 are looking to interconnect at some point, that
17 there may be changes. We don't know what those
18 changes are. But there may be changes, and
19 they should talk to their solar developer about
20 what it is they're installing and get more
21 information, as best they can, and then we can
22 provide them what we can for information about
23 what's going on in the docket. We have been
24 very open with our customers that changes in

1 this docket are going to change what is
2 happening with their solar installation if they
3 don't install prior to an order coming out in
4 this docket, or an effective date that the
5 Commission imposes.

6 Q. Thank you. Does anybody know right now what
7 the new tariff is going to be?

8 A. (Tebbetts) No.

9 Q. Thank you.

10 MR. HINCHMAN: Mr. Chairman, I have
11 one last separate topic line of questioning, so
12 this is a good time of break if we need one.

13 CHAIRMAN HONIGBERG: I don't think
14 so. I think you're going to go because we've
15 only been back for a little over an hour, and I
16 think we can go a little longer before we break
17 for lunch.

18 MR. HINCHMAN: Okay. No problem.

19 BY MR. HINCHMAN:

20 Q. So I think most of these questions will be
21 addressed to Mr. Meissner. They have to do
22 with more of an engineering basis, so it
23 probably suits your background.

24 So when you provide distribution service,

1 you have to meet certain criteria regarding the
2 parameters, the quality of that service for
3 each customer that takes service. And I'm
4 thinking of things like voltage and frequency
5 levels, also thermal ratings for all your
6 equipment you have to stay within certain
7 tolerances; correct?

8 A. (Meissner) In terms of the service we provide
9 to customers, it's limited more to voltage and
10 frequencies, certainly. I think some of the
11 other characteristics you mentioned would be
12 ones that we would employ in the design of our
13 own system.

14 Q. Sure. So, some of it is the circuit or the
15 substation. Some of the parameters apply to
16 equipment located at the substation or the
17 circuit, the distribution circuit, which is the
18 line. But something like voltage levels, the
19 tolerance of voltage would apply at the
20 customer's service.

21 A. (Meissner) Correct. We design our system to
22 meet those parameters for the customer.

23 Q. And for a given voltage level at the customer's
24 service, the tolerance is plus or minus

1 5 percent? Do I have that correct?

2 A. (Meissner) There's an IEEE standard on that.
3 We employ our own internal standards to ensure
4 that we don't drop below those levels. But
5 generally for a residential customer, it's
6 going to be between 114 and 125 volts on a
7 120-volt service.

8 Q. What are some of the reasons why voltage for a
9 particular customer at a particular location on
10 a distribution circuit might exceed those
11 tolerances? I'll give you some examples.

12 A motor starting up, high load levels at
13 peak, or maybe the distance of that customer
14 from either the substation or source of
15 reactive power, would those be some examples?

16 A. (Meissner) Yes. Voltage decreases along a
17 circuit, and it is affected by the operation of
18 loads on the circuit.

19 Q. Right. So in your planning practices, or if
20 you discover an actual exceedance of the
21 tolerance in practice, the utility must
22 identify a solution and then make sure the
23 solution is installed; correct?

24 A. (Meissner) Yes.

1 Q. And what types of solutions for this example,
2 which is a voltage out of tolerance at
3 somewhere along the distribution circuit
4 affecting customer service, what type of
5 solutions do you typically have in your toolbox
6 to address that?

7 A. (Meissner) Solutions might commonly be voltage
8 regulators or capacitors in the type of
9 situation you mentioned.

10 Q. So you could add a capacitor on a pole or at
11 the substation?

12 A. (Meissner) That's correct.

13 Q. And could you also feed that customer from a
14 different -- if you had an alternate circuit
15 maybe with switches, you could feed part of
16 that line from a different location addressing
17 the voltage problem?

18 A. (Meissner) It's possible.

19 Q. And if you didn't have a switching device,
20 you'd have to add one, if that was the solution
21 chosen?

22 A. (Meissner) Conceivably, yes.

23 Q. So, who buys that equipment and pays for it to
24 be installed?

1 A. (Meissner) The utility generally buys all the
2 equipment on the distribution system. And
3 again, it's not typically done for benefit of
4 one customer. It's done for benefit of all the
5 customers installed on that system.

6 Q. And how does the utility get reimbursed for
7 that expense?

8 A. (Meissner) Through recovery and rates.

9 Q. So that equipment would be added to the
10 distribution rate base?

11 A. (Meissner) That's correct.

12 Q. And then those rates are charged to customers?

13 A. (Meissner) Yes.

14 Q. So the rate base has an effect on the rates
15 customers pay.

16 A. (Meissner) Correct.

17 Q. Are there alternate ways that we haven't
18 discussed to meet this voltage requirement
19 situation we've been talking about?

20 A. (Meissner) It's an open-ended question. I
21 would say I'm sure there are. I just cited a
22 couple of examples. Generally in planning, the
23 engineers try to determine the least-cost way
24 to meet that requirement.

1 Q. So if the power-quality problem was caused by
2 running -- a customer who is running
3 inefficient motors, could the customer
4 contribute to the solution by replacing those
5 with more efficient motors, or perhaps
6 installing a soft-start controls that would
7 reduce the voltage surge?

8 A. (Meissner) I think we're talking about a number
9 of different concepts. I mean, motor starting
10 is distinct from the other things we're talking
11 about. That's usually evaluated at the time
12 the motor is installed. And if soft-starting
13 is required, it would have been specified in
14 advance by the engineers.

15 For most operation, if there's load out on
16 the system that's contributing to a drop in
17 voltage, the planning engineers don't
18 necessarily know what that load is on any given
19 day, but we do have an energy-efficiency group
20 that works with customers on energy-efficiency
21 measures.

22 Q. So, could energy efficiency be a solution to a
23 discrete voltage problem on a location?

24 A. (Meissner) A reduction in load will result in a

1 change in voltage.

2 Q. Are you aware that increasingly PV
3 installations include smart inverters?

4 A. (Meissner) Yes.

5 Q. And are you aware that smart inverters are
6 capable of measuring voltage coming into the
7 inverter from either the array or from the
8 distribution circuit?

9 A. (Meissner) Not an expert on smart inverters,
10 but I'll accept they're capable of doing that.

11 Q. Yeah. And some of those smart inverters can
12 also act the same way as a capacitor and be,
13 through dispatch, be directed to add reactive
14 power to the circuit?

15 A. (Meissner) I think the operative phrase there
16 is "through dispatch." There may be
17 installations of solar on our system that have
18 smart inverters. Those are not dispatchable.
19 There's no control system where they have
20 utility data or that the utilities have access
21 to those inverters to dispatch them. So, in
22 terms of the smartness of the inverter, I would
23 say it's fairly limited in what they could do
24 currently.

1 Q. Well, they have the capability, but the
2 capability is not currently usable to the
3 utility; is that correct?

4 A. (Meissner) That's correct.

5 Q. So you have potential customer actions to solve
6 this discrete voltage problem that we've been
7 talking about. Anything from reducing load to
8 adding efficiency, to actually adding reactive
9 power or some other sort of voltage regulation.

10 A. (Meissner) It's possible if it was
11 cost-effective to do so.

12 Q. So if a third party, not the utility, but the
13 customer, took actions -- say we have a
14 customer that has a lot of motors, and they
15 invest in efficiency. The customer with a
16 large PV array, they offer to sell reactive
17 power to the utility on dispatch to meet the
18 reliability requirement. Checkcheck.

19 So the customer makes the investment, and
20 the utility is simply rewarding that customer
21 for that service through some fee structure
22 that's negotiated. Then the utility would not
23 have to invest in a switch gear or capacitor or
24 other equipment to solve the problem.

1 A. (Meissner) My concern with the scenario you're
2 outlining is that might be true if the sun was
3 shining. But as soon as the cloud passes over
4 the PV on that circuit, we lose all the
5 reactive power on that circuit.

6 Q. Okay. I can accept that. The customer has a
7 battery attached in between the array and the
8 inverter, so the battery has sufficient storage
9 to provide reactive capacity on dispatch
10 whenever it's needed.

11 A. (Meissner) If the customer was able to dispatch
12 reactive power at the same level of reliability
13 as the utility equipment, and if we were able
14 to dispatch it, then, yes, there would be value
15 to that.

16 Q. And if that were the case, then that customer
17 equipment would not be added to the rate base;
18 right?

19 A. (Meissner) Correct.

20 Q. And so that customer equipment would not be
21 added to distribution charges.

22 A. (Meissner) Well, there would be compensation
23 that would be, I assume.

24 Q. That's right. But it wouldn't be the full

1 20 -- 40-year cost of the equipment
2 necessarily. It might be a different
3 arrangement?

4 A. (Meissner) It might be a different arrangement.

5 Q. Thank you. Could the same sort of thing happen
6 for other criteria? For example, thermal
7 requirements for equipment in a substation or
8 on a circuit where the thermal exceedance
9 really only occurs during peak load conditions,
10 say in the 10 days of the summer?

11 A. (Meissner) Well, I would say that we don't
12 actually have thermal exceedance on our system
13 because we design our system to ensure we
14 don't.

15 Q. Right. And so thermal exceedances are a
16 function of your line capacity and peak load
17 and ambient weather conditions.

18 A. (Meissner) That's how we rate our lines.

19 Q. So if you have a line with, for example,
20 peak-load growth, where you're starting to
21 approach your 90/10, or whatever your planning
22 criteria are within the 10-year planning
23 horizon, so you, in your planning process,
24 forecast a need to upgrade that part of your

1 distribution system to resolve a forecasted
2 thermal violation.

3 A. (Meissner) That is correct.

4 Q. Okay. So, one way to solve that problem, just
5 like the voltage problem we discussed, would be
6 by allowing third parties to perhaps remove
7 load at peak through a variety of distributed
8 energy resources, be it solar or storage or
9 efficiency or demand response. Could be
10 dynamic pricing. Could be load shifting.
11 Could be load shedding. Any number of
12 distributed energy resource type of strategies,
13 which I'm defining as "customer-side
14 strategies" could provide the necessary load
15 relief to meet the thermal requirement.

16 A. (Meissner) In theory, that is true. In
17 reality, it's limited by some very real
18 constraints, one of them being that the
19 load-driven portion of our investment budget is
20 small in comparison to our investment program.
21 I think there's a presumption that a lot of our
22 spending is for the reasons you're saying. And
23 I think as we showed in discovery, it's not.

24 The other thing I'll point out is,

1 typically these constraints are very localized
2 on our system. They don't tend to involve a
3 large portion of our system. And they
4 typically arise on short notice at the time of
5 budgeting in the fall, for example, knowing
6 that we have to meet a new load for a new
7 customer or a new housing development, and we
8 may have to implement that solution between the
9 time of budgeting and June of the following
10 year for the next summer's peak.

11 Q. So are you aware of, as was discussed
12 yesterday, some of the pilot projects where
13 this exact thermal, for example, scenario has
14 been addressed successfully by third parties
15 through the use -- there's a pilot project in
16 Maine, in Boothbay, where this exact scenario
17 you're talking about was addressed successfully
18 through use of non-wires and non-transmission
19 solutions. Are you of that pilot project?

20 A. (Meissner) I heard of that pilot program. I'm
21 aware that that could be a solution in the
22 right set of circumstances. I'm just not sure
23 that we have any of those circumstances on our
24 system.

1 Q. Fair enough. The locational issues are a
2 significant issue in dispute in the docket.

3 MR. HINCHMAN: Mr. Chairman, I'd like
4 to offer the final report for the Boothbay
5 Smart Grid pilot project.

6 CHAIRMAN HONIGBERG: That's 74. That
7 will be marked.

8 (Exhibit 74 marked for identification.)

9 CHAIRMAN HONIGBERG: Off the record.

10 (Discussion off the record.)

11 CHAIRMAN HONIGBERG: Yeah, we're back
12 on the record.

13 MR. HINCHMAN: Thank you. No further
14 questions.

15 CHAIRMAN HONIGBERG: You want to ask
16 him anything about 74?

17 MR. HINCHMAN: I just did ahead of
18 time, which was, "Is this an example?" and he
19 said, "Yes, it is an example."

20 CHAIRMAN HONIGBERG: Do you want to
21 ask him if he recognizes this as the report
22 that resulted from that study with which he had
23 some familiarity?

24 MR. HINCHMAN: Sure. Wasn't sure how

1 formal we were supposed to be.

2 CHAIRMAN HONIGBERG: Well, I kind of
3 want to know if this is what you all are
4 talking about. And I don't know if anybody's
5 going to object. I kind of think not. But I
6 see Mr. Epler ready to object.

7 Mr. Epler, do you have an
8 objection before or after Mr. Hinchman asks his
9 next question? And if you can speak into the
10 microphone, it will help.

11 MR. EPLER: I have an objection
12 before, and my objection is we've been at this
13 docket for some time. We've had enumerable
14 technical sessions and opportunities for
15 discovery and so on. This report's dated
16 January 19, 2016. It happens to be my
17 birthday. And I'm not complaining about the
18 quality of the report or what may be in here.
19 But to introduce it now, at this late date, for
20 purposes of trying to show that something can
21 be done I find troubling. This is something
22 that we could have discussed at many different
23 sessions. So I object to trying to enter this
24 at this late date.

1 MR. HINCHMAN: Mr. Chairman.

2 CHAIRMAN HONIGBERG: Mr. Hinchman.

3 MR. HINCHMAN: I have to make an
4 enormous apology. There is a printing error.
5 The final report was filed March 17th, St.
6 Patrick's Day, 2017. This is the prior year's
7 report. So, with --

8 CHAIRMAN HONIGBERG: So you -- okay.
9 All right. So we have the wrong report in
10 front of us.

11 MR. HINCHMAN: We have the wrong
12 report. During the summer of 2016, another
13 round of testing was done, which is covered in
14 the final report for the year 2016 that was
15 released on March 17th of 2017. This prior
16 report is referenced in the testimony of
17 several witnesses and has been part of the
18 discussion all along. The final report was not
19 available until last week. I will get this
20 corrected and bring you the corrected final
21 report.

22 MS. BIRCHARD: If I may? I believe
23 the report was included in the binder that was
24 distributed as EFC Exhibit 182. It's not a

1 colored version, but it seems to be dated
2 March 17th 2017.

3 CMSR. BAILEY: Which number, please?

4 CHAIRMAN HONIGBERG: 182. I was in
5 the same place you were, Ms. Birchard. Look in
6 the binder. And so, just so I'm clear, the
7 binder that I have, and I think everybody else
8 has, was given to everybody in advance as a
9 group of documents that the solar group might
10 want to use as exhibits. And having found
11 No. 182, thanks to Ms. Birchard, we see a
12 document that on its face is dated March 17th,
13 2017 -- not Mr. Epler's birthday. Is that the
14 document you meant to use?

15 MR. HINCHMAN: Yes. I stand
16 corrected. Thank you.

17 CHAIRMAN HONIGBERG: Mr. Epler.

18 MR. EPLER: The fact that it's not my
19 birth date doesn't change my objection because
20 other reports obviously were available. And
21 even if something comes in at a late date, the
22 witnesses haven't had a chance to examine it.
23 We haven't had a chance to ask discovery on it.
24 So, putting it in now, I mean, there's a

1 boatload of information out there on many
2 different subject areas. The fact that it may
3 have been a reference in someone's testimony is
4 meaningless. I attended, I believe, all the
5 technical sessions, and I don't believe there
6 was a discussion of the Boothbay Sub-Region
7 Smart Grid Reliability Pilot Program. So,
8 again, my objection still stands.

9 CHAIRMAN HONIGBERG: All right. Now,
10 Mr. Hinchman, now that we have the right
11 document in front of us, what is your response
12 to what Mr. Epler just said?

13 MR. HINCHMAN: I think he's arguing
14 surprise and that we should have given him the
15 prior year's study of the Boothbay pilot
16 project. That information was cited in the
17 reports. Cites were given in discovery. It
18 was discussed yesterday by the panelists as an
19 example of the type of distributed energy
20 resource solution that can result in reductions
21 to the distribution rate base and that can make
22 the grid more efficient. This is a pilot
23 testing exacting that hypothesis. I would
24 argue that it is offered for the purposes of

1 demonstrating for the record that, particularly
2 with regard to the locational, proposed
3 locational pilots in the settlement proposals,
4 that these types of projects have been tried
5 and they do work.

6 CHAIRMAN HONIGBERG: Okay, okay. I
7 think you're making an argument about its value
8 to us.

9 Do you want to ask these
10 witnesses about their familiarity with it?
11 They may or may not know anything about it.
12 And I understand that this document -- I
13 understand what this document is. I understand
14 it's an update of something that has been
15 discussed during the course of the docket you
16 represented to me. But I don't really know
17 what these people know about it. And it might
18 be valuable for you to ask a few questions like
19 that, which I think you were planning on doing
20 after I prodded you to do that. So it might
21 make sense for you to go ahead along those
22 lines. And we'll see how that shakes out
23 before we have -- I mean, we don't have
24 anything else to do at this point, so why don't

1 we do that.

2 BY MR. HINCHMAN:

3 Q. So, Mr. Meissner, if you could turn to the
4 executive summary, which is Bates Page 6 of 111
5 in the report, if looking at the very first
6 paragraph --

7 MR. FOSSUM: Mr. Chairman --

8 CHAIRMAN HONIGBERG: Who's speaking?

9 MR. FOSSUM: Me, Matthew. I have a
10 question about this document before we go
11 through it.

12 Looking at the cover, it says
13 "2016 Final Report," but looking over the next
14 page, it's showing a whole series of cutoff
15 deletions in the margin. I have a real
16 question about, you know, is this someone's
17 working draft? Is this truly a final report?
18 What is this document?

19 CHAIRMAN HONIGBERG: You make a good
20 point. It says on its cover, "Final Draft For
21 Review." That's how it's labeled on the cover.
22 Mr. Hinchman?

23 MR. HINCHMAN: So, this is the final
24 draft filed with the Maine Public Utilities

1 Commission in Docket 2011-00138 -- add two
2 zeros -- documenting the results of the 2016
3 summer season --

4 CHAIRMAN HONIGBERG: How do you know
5 that? How do I know that?

6 MR. HINCHMAN: I know that because I
7 am a partner in Grid Solar and I filed the
8 report myself and I helped write the report.

9 CHAIRMAN HONIGBERG: So it sounds
10 like maybe you should be testifying about this
11 and maybe you should be up there.

12 MR. HINCHMAN: I'm also general
13 counsel for Grid Solar, the smart grid energy
14 services operator that conducted the study.

15 CHAIRMAN HONIGBERG: Is anyone on the
16 panel familiar with the process that took place
17 in Maine that produced this report?

18 WITNESS MEISSNER: (Meissner) I am
19 not.

20 CHAIRMAN HONIGBERG: The record will
21 reflect they're all shaking their heads. The
22 only person who knows about this is you. So
23 I'm not sure what you would ask this panel to
24 talk about.

1 MR. HINCHMAN: My intent was simply,
2 having discussed the possibility of non-wires
3 solutions to offer a lower cost method to meet
4 the utilities' requirements for maintaining the
5 distribution plant, to offer the pilot as an
6 example of where this proposition has been
7 actually tested with a detailed pilot project.

8 CHAIRMAN HONIGBERG: And my memory is
9 you asked Mr. Meissner a question about it
10 already, and he had heard of it.

11 MR. HINCHMAN: Yes.

12 CHAIRMAN HONIGBERG: And that's about
13 it; right?

14 MR. HINCHMAN: Yes. I don't expect
15 that he has read the report because it was just
16 filed.

17 CHAIRMAN HONIGBERG: Yeah, this -- I
18 am sympathetic to the objections regarding the
19 introduction of this report. This report, if
20 it was relevant to your presentation, and it
21 was -- the project was discussed yesterday by
22 your witnesses. This document should have been
23 offered then by people who knew something about
24 it. Instead, you're the only one -- you're

1 testifying here about the bona fide of this
2 report and what it is or isn't. These
3 witnesses know nothing about it.

4 MR. HINCHMAN: If it pleases the
5 Chair, I'll withdraw the report. It is filed
6 in the record of the adjacent jurisdiction and
7 probably subject a record notice.

8 CHAIRMAN HONIGBERG: And if need us
9 to take -- if you are asking us to take
10 administrative notice of a filing in another
11 court, I'm sure there's a way to do that under
12 our rules. This is not it.

13 So at this point I accept your
14 withdrawal of what was incorrectly marked
15 because it was the wrong document as Exhibit 74
16 and ask if you have any other topics you want
17 to cover with this panel?

18 MR. HINCHMAN: I'm done. Thank you.

19 CHAIRMAN HONIGBERG: Okay. Thank
20 you, Mr. Hinchman. Mr. Below, can I help you?

21 MR. BELOW: Yes. With regard to
22 Exhibit 72, the grid mod report, I just wanted
23 to note for the record that I don't believe
24 this is actually the final report. I think

1 it's a near-final draft. It says "submitted
2 March 17." That's in yellow highlighting. The
3 actual final report I think was submitted on
4 March 20th. For instance, the final report
5 that I have says "New Hampshire Republic
6 Utilities Commission" rather than "Public
7 Service [sic] Commission." And the
8 highlighting that was on the pages referenced
9 is not in the final report, and there's a
10 little different mix of where the parties
11 align.

12 CHAIRMAN HONIGBERG: No one has moved
13 its admission. If there is a filing at the New
14 Hampshire Public Utilities Commission, which is
15 something Commissioner Bailey and I are
16 probably going to be the last two to find out
17 about, then there is a way for us to take
18 administrative notice of filings in our own
19 docket. That would be an easy process. It
20 would probably make sense for the parties to
21 figure out what the correct document is to be
22 in the record here. You've given me
23 information I did not know, Mr. Below. I
24 appreciate that. You know the ways of this

1 Commission probably as well as anyone in this
2 room, along with Mr. Harrington. So it makes
3 sense for the parties to work that out. And I
4 appreciate you're raising that.

5 It's twenty minutes to one right
6 now. I know there's some other people who will
7 be questioning this panel. But it makes sense
8 for us to break at this point. Off the record.

9 (Discussion off the record)

10 CHAIRMAN HONIGBERG: So, back on the
11 record. We are breaking now, and we will look
12 to come back at twenty minutes to two.

13 (Lunch recess taken at 12:38 p.m. and
14 concludes the Day 2 Morning Session. The
15 hearing continues under separate cover in
16 the transcript noted as "Day 2 Afternoon
17 Session ONLY.")

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