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**From:** tomburack@comcast.net [mailto:tomburack@comcast.net]

**Sent:** Thursday, May 21, 2009 10:58 PM

**To:** Ruderman, Jack

**Subject:** Re: NH PUC Docket No. DE 09-054 - Residential Renewable Energy Generation Incentive Program

Dear Jack: Thank you very much for forwarding this revised draft application form. I agree that it is much improved and far more user friendly. I have several additional comments on this revised draft for you to consider and to share with the PUC:

1. In Section D.2., the form requests copies of "Invoice by item and item cost." In the case of the contract that my wife and I signed with our installer, we were simply given a lump sum price, and we paid this with an initial deposit followed by three progress payments based on specified milestones in the contract. We also have a separate invoice from a local contractor for the cost of excavation for the support frame and digging a trench to bury the conduit (since the PV system is ground-mounted in the field to the east of our house). Please ensure that the language of Section D.2. provides sufficient flexibility not only to address this kind of multiple invoice structure and content, but also those that may call out separate costs for system components. Please also clarify whether you are expecting some form of proof of payment on the invoices. In our case, it appears that we have received copies of all of the invoices from the installer marked as "paid," but this may not be the case for all applicants. (I also note that we have a check number for the payment to the contractor who assisted with the installation of the frame for the panels and dug the conduit trench, but we don't appear to have a copy of the invoice marked by the contractor as "paid.") If proof of payment is needed, you might just require a certification by the applicant that the full amount of all invoices has been paid to the installer (and any other service providers on the project) except as otherwise explained in a written attachment to be provided by the applicant.

2. In Section D.3., the form requests an "Interconnection Agreement." My wife and I have a form entitled, "Interconnection Application-Renewable Generation Up To 25kW" which includes a second page entitled, "Mutual Indemnity Agreement." I assume that our installer obtained this form from our utility (PSNH). On the second page, both a PSNH representative and I have signed. Please clarify whether or not a form of this type constitutes an "Interconnection Agreement." I note that there's also a signature block for "Electricity Supplier" on this form, but there is no signature there so my understanding would be that because PSNH delivers and supplies the electricity to my house that PSNH didn't need to sign this form in both places. Please clarify whether or not the "electricity supplier" would also be expected to sign such a form, particularly if the supplier and the delivery company are one and the same entity (which I would imagine to be the case for all residential customers in NH). The goal should be to avoid

finding an application to be incomplete merely because an interconnection agreement doesn't show a signature by an electricity provider.

3. In Section D.4., the form requests an "Authorization to interconnect from your electric utility." Alas, I can find no record of ever receiving such a form from PSNH, although I was told by the installer that PSNH came to our house, inspected the system and then authorized the interconnection in early August 2008. Is it possible that such authorizations are given only orally? Or would a written authorization have been given by PSNH to our installer but not also to us as the owners of the PV system? Please confirm that the draft form is requesting documentation that, in fact, the utility companies issue in writing directly to each system owner, and not solely to the installer. If it turns out that only our installer has a copy of such a signed form from PSNH, I do not know how easily or quickly it would or would not be retrieved by the installer from its files (if it has retained such files) and provided to us. How easily could PSNH and the other utilities search their files and provide such documents directly to the PUC? If it turns out that an applicant has lost such a form, how readily could its utility provide a copy or a substitute form or letter confirming such authorization? Please, don't make this overly burdensome for applicants and put us in the position of having to track down pieces of paper that may or may not exist any longer in installer or utility company files. This could result in long and unfair delays in being able to submit applications to the PUC for incentive payments.

4. I note that we were provided with a certification by our installer that components of the system hardware comply with UL standards (1703 for PV panels and 1741 for inverters). Please confirm that such a certificate does not need to be submitted.

5. The current form of notarial acknowledgment has an extra and unnecessary "then" in the first line and otherwise reads awkwardly. I strongly recommend that this form adopt the approved "short form" acknowledgment found at RSA 456-B:8, I, which reads simply, "This instrument was acknowledged before me (date) by (name of person)." This simplifies the form and ensures compliance with current NH law. Also, it appears that if a married couple has installed a system, only one of the individuals must sign the form and have his or her signature acknowledged. Please clarify and confirm that this is the PUC's intent. It would be most unfair and unfortunate if the PUC were to turn down applications because only one of the parties signed unless the PUC makes clear that both must sign.

6. I note that the new form creates a single class of applicants for projects that begin operation between July 1, 2008 and August 31, 2009, and that all projects anticipated to come on line after August 31, 2009 must apply in advance. While I support the creation of this distinction, I repeat my request and recommendation from my original comments that first priority within the July 1, 2008 to August 31,

2009 cohort be given to those projects eligible only for the \$2,000 federal tax credit and not for the expanded federal tax credit (I believe it's either 30% or 33% of total project costs, without a cap) that took effect sometime after October 1, 2008 (and possibly not until early 2009 with enactment of the federal stimulus law). Early adopters who are not also getting the benefit of the greatly expanded federal tax credit should be given preferential treatment by the PUC since such parties acted very quickly after the NH Legislature enacted these provisions. My recommendation for fairly administering such an approach is set out in my original set of comments.

Due to schedule conflicts, it is unlikely that I will be able to attend and participate in the May 26 PUC hearing on this matter. Accordingly, I would most appreciate it if you would convey my comments to the PUC Commissioners at the hearing or otherwise enter them into the record for this docket, and that you please note that, as with my original set of comments, I submit these comments in my personal and in no other capacity. Should you have any questions about any of my comments, please be in touch via email to [tomburack@comcast.net](mailto:tomburack@comcast.net). Thank you.

Respectfully submitted, Tom Burack