



**Public Service
of New Hampshire**

A Northeast Utilities Company

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Matthew J. Fossum
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September 9, 2014

NHPUC 9SEP'14PM4:07

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

RE: DE 13-311, Puc 900 Group Net Metering
Comments of Public Service Company of New Hampshire

Dear Director Howland:

On August 27, 2014, the Commission held a public hearing in the above- referenced docket relative to proposed changes to the Puc 900 Rules on Group Net Metering. Public Service Company of New Hampshire ("PSNH"), among others, provided comments at that hearing. According to the Commission's order of notice, written comments on the proposed rules were due to be filed on or by September 9, 2014. Enclosed, please find the written comments of PSNH in this docket, which are intended to supplement the comments PSNH provided at the public hearing.

Thank you for your assistance with this matter. Please do not hesitate to contact me with any questions.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Matthew J. Fossum".

Matthew J. Fossum
Senior Counsel

Enclosures
Cc: Service List (electronic only)

THE STATE OF NEW HAMPSHIRE
before the
PUBLIC UTILITIES COMMISSION

PUC 900 RULES – GROUP NET METERING

Docket No. DE 13-311

COMMENTS OF PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE

1. The proposed Puc 900 Rules under review in this docket are based upon authority granted to the Commission through RSA 362-A:9. Pursuant to RSA 362-A:9, XIV(a) a group host shall certify that all members of the group have executed an agreement with the host regarding the utilization of kilowatt hours produced by the eligible net metered facility. RSA 362-A:9, XIV(a) also states that “the commission shall verify that these group requirements have been met and shall register the group host.” Consistent with this requirement, PSNH believes the commission should clarify, within Puc 909.05, that it has the authority to request a copy of each executed agreement between a host and group members, and that the host shall provide such agreement to the Commission upon its request.

2. PSNH believes that the rules should contain language regarding the ability of a host to voluntarily discontinue acting as a host, and language governing the length of term an entity must serve as a host. For example, once registered per Puc 909.03(b), the rules should state that a host must serve as a host for a minimum term length, *e.g.*, 12 months, and should clarify that a host may not enter and exit from the role at will. PSNH recommends that there be rules in place that prevent or minimize the potential for “gaming”, *e.g.*, that a group host may jump in and out of its host role periodically to take advantage of shifts in wholesale prices.

3. Puc 909.05(c) allows a group member to sign an agreement with more than one group host, provided the member’s load is not double-counted, *i.e.*, that the portions allocated to each group do not, when aggregated, exceed the member’s total load. The current rules do not clarify how this allocation will be tracked, nor is it clear how the Commission and the distribution utilities are to be informed that a member has signed an agreement with multiple hosts. The administrative burden associated with monitoring this allocation must reside with the hosts. PSNH recommends that it be added to the reporting requirements in Puc 909.07.

4. With respect to Puc 909.08(d) PSNH suggests adding “using the information provided by hosts pursuant to 909.07(a)” in the initial sentence. Utilities will not be able to calculate the payment adjustment without the information required to be filed by hosts pursuant to Puc 909.10(a)(4). PSNH also recommends amending 909.08(d) by adding the following to the end: “If the utility does not receive information required by 909.07(a) that is sufficient to make this determination, it shall refer the matter to the Commission”.

5. Regarding Puc 909.08(f), PSNH recommends changing the final sentence to read “The distribution utility shall restart monthly payments as of the start of the next billing cycle following the host’s re-registration” to be consistent with Puc 909.08(a).

6. On Puc 909.08(g), PSNH recommends adding the phrase “as provided by the host pursuant to 909.07(a)” after “the total load of members for each facility”. As with 909.08(d), utilities will not have access to this information until receipt of the data required by Puc 909.10(a)(4).

7. On Forms 909.09 and 909.10 – please change the email address to PSNHSESD@NU.com.

8. During the technical session following the public hearing on the rules, an issue was raised regarding whether to include the Electricity Consumption Tax (“ECT”) among the charges to be used when calculating the payments due to group hosts. PSNH does not believe the ECT should be included in that calculation. RSA 362-A:9 IV(a) refers to “all charges that are based on kilowatt-hour usage.” Initially, it is not clear that a tax on consumption of electricity that has been levied by the state, and which is remitted to the state, represents a “charge” as contemplated by the law. In this context, utilities merely act as the collection agents for a state tax. Moreover, should it be included, the actual administration of the tax in this context is not clear. For example, it is not clear that the legislature intended for the counting of surplus kwh at a host site to result in lower ECT collection by the utilities. PSNH believes this should be clarified.