

STATE OF NEW HAMPSHIRE
PUBLIC UTILITIES COMMISSION

**COMPLAINT OF
STEELS POND HYDRO, INC.
AGAINST
PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE
D/B/A EVERSOURCE ENERGY**

Now Comes Steels Pond Hydro, Inc., co-exemptee with the State of NH in FERC P-3265, and, pursuant to RSA 365:1, and Rules Puc 204 and Puc 908.04, hereby complains against Public Service Company of New Hampshire d/b/a Eversource Energy (“PSNH”), and in support hereof states as follows:

1. Steels Pond Hydro, Inc. ("Steels Pond") is the owner of the Steels Pond Hydro Project (the "Facility") which has been certified by the Commission as a Class IV Hydro Source with a total nameplate capacity of one megawatt or less. *See* Docket No. 15-107.

2. The Facility is located at 367 Elm Avenue, Antrim, New Hampshire 03440. Energy from Steels Pond's three (eventually five) hydro-electric generators is stepped up from 480 V to 34.5 KV and transmitted to PSNH's 34.5 KV line that runs along Elm Avenue in Antrim, New Hampshire.

3. The ISO-New England asset identification number for the Facility is MSS # 909.

4. PSNH is a New Hampshire electric utility subject to the jurisdiction of the New Hampshire Public Utilities Commission.

5. Until recently, PSNH has purchased the output of the Facility at PSNH’s Short Term Avoided Cost Rate pursuant to Section 33 (Rates for Purchases from Qualifying Facilities Availability) of its Electric Delivery Tariff.

6. Currently, Steels Pond is a Net Metering customer-generator pursuant to RSA 362-A:9, and additionally, is a “group host” pursuant to RSA 362-A:9, XIV (a) A and Rule Puc 909 (Group Net Metering).

7. The University of New Hampshire (“UNH”), a PSNH default service customer, is a “group member” hosted by Steels Pond.

8. Steels Pond receives a credit from Eversource for its surplus generation that is based on the prevailing default service energy rate¹. Steels Pond, in turn, pays a portion of the revenue received from Eversource to UNH.

¹ Pursuant to RSA 362-A:9 IV (b), the customer-generator shall pay all applicable charges on all kilowatt hours supplied to the customer over the electric distribution system, less a credit on default

9. On a separate but related matter, in order to maximize its revenue while selling to PSNH under the Short Term Avoided Cost Rate, Steels Pond designated Eversource to serve as Lead Participant for the Facility at ISO-NE. This is a voluntary arrangement, and according to ISO-NE can be terminated at any time by Steels Pond.

10. Steels Pond has been a participant in the ISO-NE Forward Capacity Market for the Capacity Commitment period 2015-16.

11. Commencing in May 2015, Eversource has ceased to pass through the FCM Auction Payment to Steels Pond.

12. Upon information and belief, Eversource has determined that Steels Pond as a host for “group net metering” should no longer receive the FCM payments emanating from ISO-NE associated with the Facility. Eversource evidently has decided to retain the FCM payments for itself, perhaps using the FCM payments to offset the credits made to Steels Pond for its surplus generation that are based on the prevailing default service energy rate.

13. A draft copy of this Complaint was provided to Eversource on August 18. No response has been received.

WHEREFORE, Steels Pond Hydro, Inc. respectfully requests that the Commission to:

- A. Order Eversource to pass through the FCM Auction Payment to Steels Pond;
- B. Order such further relief as may be just and equitable; or
- C. Permit Steels Pond to enter into an agreement with a different “lead participant” who will pass the FCM payments on to Steels Pond as permitted under the ISO rules.

Respectfully Submitted,
Steels Pond Hydro, Inc.

Dated: September 8, 2015

/s/ James T. Rodier

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