

Community Power Coalition of New Hampshire (CPCNH) Responses

NHPUC Docket: DE 22-060

Consideration of Changes to the Current Net Metering Tariff Structure,
Including Compensation of Customer-Generators

Public Service Company of New Hampshire d/b/a/ Eversource Energy (EE)
Set 1 Data Requests to CPCNH

Date Request Received: 2/6/24

Date of Response: 2/20/24

Request No. EE to CPCNH 1.8

Witness & Respondent: Clifton Below

REQUEST:

1.8. From Pages 11-12 of rebuttal testimony: “Furthermore, for those customer-generators > 1 MW participating in the ISO-NE market, the definition of “Municipal Host” enacted in 2021 requires that their generating capacity be “used to offset the electricity requirements of a group consisting exclusively of one or more customers who are political subdivisions”. However, if that power is being sold into the ISO-NE market, then FERC approved tariffs and ISO-NE operating procedures prohibit that same generation from being used to offset electricity requirements on the distribution grid, making the definition a legal fiction and requiring NH suppliers to purchase the entire load of such customers from ISO-NE without any offset.”

- a) Please cite to the specific provisions of “FERC approved tariffs and ISO-NE operating procedures” from being used in the manner described.
- b) Please describe what is meant by “electricity requirements on the distribution grid.”
- c) Please describe the function that is the foundation for any such prohibition, whether load reconstitution, tariff restriction or any other operation of law or tariff that is creating such a prohibition.

RESPONSE:

CPCNH objects to this data request as it asks for legal research, which is not reasonable or appropriate for data requests.

Notwithstanding our objection, and based on my experience and expertise in electric utility policy and regulation, as I am a not lawyer, I offer the following:

The ISO New England OATT at §II.21.2 describes the calculation of Monthly Regional Network Load as excluding load served by any resource that is not a “Generator” such as a Municipal Host that is not registered with ISO-NE to participate in that federal market. The inverse of this is to the extent that a “Generator” such as Municipal Host that is selling their power into the ISO-NE market exports power to the distribution grid then they will NOT be accounted for as offsetting network load. In other words, the load that they nominally reduce on the distribution grid is not considered to be “offset” by that Generator.

To further clarify it helps to understand the definition of “Generator” under OP-14 (with emphasis added):

II. TECHNICAL REQUIREMENTS FOR GENERATORS

This section describes the basic technical requirements that a Generator shall meet to be considered for offer, dispatch and settlement. Generators shall also meet the eligibility requirements of Section III of the ISO New England Inc. Transmission, Markets, and Services Tariff (ISO Tariff) and ISO New England Manuals (ISO Manuals) to offer into the New England Markets. Criteria used to define registration options outlined in Section II.A.2 shall be used for all generating facilities. All registered SOGs shall comply with the registration requirements of Section II.A.2 of this OP on or before January 1, 2021.

A. Generator Defined

1. A Generator shall be defined consistently for all ISO applications for the purposes of offer, dispatch and settlement. ...

2. Except as provided for in Sections II.A.3 and II.A.4 below, the registration options for a generating facility are as follows:

a. A generating facility (of any size) interconnected at 115 kV or above shall register as a Generator.

b. A generating facility of five (5) MW or greater interconnected below 115 kV shall register as a Generator.

c. A generating facility that is at least one (1) MW and less than five (5) MW interconnected below 115 kV:

o May register as a Generator

o May register as a SOG or

o **May elect to not register**, or to register as an ATRR only, **if not participating in any New England Markets other than as a load reducer** or regulation provider

d. A generating facility less than one (1) MW interconnected below 115 kV:

o May register as a SOG or

o **May elect to not register**, or to register as an ATRR only, **if not participating in any New England Markets other than as a load reducer** or regulation provider

In a similar manner as for a Municipal Host that does not register as “Generator” with ISO-NE, it will function as a “load reducer” relative to the power that must be procured or settled in the ISO-NE market. If a Municipal Host is a “Generator” then its output will not be treated as a “load

reducer” and instead, to the extent that it reduces the apparent amount of power supplied off the PTF from ISO-NE (matching the load), that “load” will be reconstituted for load obligation settlement purposes and not treated as having actually “offset” retail load on the distribution grid.

In other words, such a “Generator” will not “offset electricity requirements on the distribution grid;” whereas, a Municipal Host whose power is not being sold into the ISO-NE market, will function to offset electricity requirements on the distribution grid, functioning as a load reducer, relative to load settlement and determination of Monthly Regional Network Load.