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March 24, 2017

Re: DE 16-576, Development of New Alternative Net Metering Tariffs and/or Other Regulatory Mechanisms and Tariffs for Customer-Generator
Commission Ruling on Motion To Focus Issues at Hearing

To the Parties:

On March 23, 2017, the Conservation Law Foundation (CLF) filed a Motion in Limine to Focus the Issues at Hearing. CLF filed the motion on behalf of itself, the Acadia Center, the Alliance for Solar choice, Borrego Solar Systems, Energy Freedom Coalition of America, New Hampshire Sustainable Energy Association, and ReVision Energy. The motion identifies 15 issues that these parties believe are relevant to our determination. The Commission issued a Secretarial Letter requiring written responses by 12:00 p.m. on March 24.

No party objected to the 15 issues that CLF proposed. Those issues included:

- (a) New alternative tariff commencement date;
- (b) Non-bypassable charges excluded from the credit for exported electricity;
- (c) Commodity credit value and purchases from competitive suppliers;
- (d) Distribution credit value, whether no credit or a percentage of retail kWh charge;
- (e) Transmission credit value and potential avoided cost determination for large Customer generators;
- (f) Instantaneous netting or monthly netting of kWh for monetary bill credit calculation;
- (g) Renewable energy certificate purchase, aggregation, and monitoring options;
- (h) Grandfathering of queued and/or interconnected customer-generator systems in Phases 1 and 2;
- (i) Bidirectional and production meter installation, ownership, and cost provisions;
- (j) Data collection requirements and timing as described in the Settlements;
- (k) Pilot programs number, type, design, and timing as described in the Settlements;
- (l) Value of Distributed Energy Resource study design and timing;
- (m) Transition to Phase 2 net metering tariffs process and timing and design elements;
- (n) Lost revenue recovery by utilities through automatic rate adjustment mechanism; and
- (o) Consistency of the Settlements with applicable statutory criteria and legislative purposes.

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The Office of the Consumer Advocate (OCA) and the City of Lebanon are the only parties that filed responses. OCA and the City both supported the motion. The OCA also requested that the topic of "community net metering for low- and moderate-income consumers" be added to the list of relevant issues at hearing. The City listed a number of issues that it believes fall within the scope of those proposed by CLF (including the issue proposed by the OCA), and a list of issues that the City desires to raise at hearing but that may be controversial.

The Commission reviewed the submissions of the parties and determined that the issues proposed by CLF and the OCA are relevant and appropriate for hearing. Consequently, the Commission granted the motion with the addition of the issue raised by OCA. The Commission reasoned that, given the City's statement that its issues may be controversial, more context is necessary to understand the appropriateness of the City's issues before it can rule. Consequently, the Commission deferred ruling on the City's issues until an appropriate time during the hearings. This decision should not be construed as deciding whether parties are entitled to rebuttal testimony.

Sincerely,

A handwritten signature in cursive script that reads "Debra A. Howland/ce".

Debra A. Howland
Executive Director

cc: Service List (Electronically)
Docket File

SERVICE LIST - EMAIL ADDRESSES- DOCKET RELATED

Pursuant to N.H. Admin Rule Puc 203.11(a) (1): Serve an electronic copy on each person identified on the service list.

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Docket #: 16-576-1 Printed: March 24, 2017

FILING INSTRUCTIONS:

- a) Pursuant to N.H. Admin Rule Puc 203.02 (a), with the exception of Discovery, file 7 copies, as well as an electronic copy, of all documents including cover letter with:**
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- b) Serve an electronic copy with each person identified on the Commission's service list and with the Office of Consumer Advocate.**
- c) Serve a written copy on each person on the service list not able to receive electronic mail.**

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