



For a thriving New England

CLF New Hampshire 27 North Main Street
Concord, NH 03301
P: 603.225.3060
F: 603.225.3059
www.clf.org

NHPUC 3SEP19PW4:14

September 3, 2019

VIA EMAIL AND HAND-DELIVERY

Debra Howland
Executive Director & Secretary
New Hampshire Public Utilities Commission
21 S. Fruit Street, Suite 10
Concord, New Hampshire 03301-7319

**RE: Docket No. DE 16-576 Development of New Alternative Net Metering Tariffs and/or Other Regulatory Mechanisms and Tariffs for Customer-Generators
Joint Comments of CLF, CENH, NHLA, Revision Energy and Vote Solar on Staff Proposal to Eliminate Low- and Moderate-Income Pilot Program Requirement**

Dear Ms. Howland:

This letter provides comments in response to the Commission's Secretarial Letter of August 9, 2019, which provided that parties may submit written comments regarding Staff's recommendation filed on that date to eliminate the Low- and Moderate-Income (LMI) Pilot Program Requirement in Order No, 26,029 (June 23, 2017). These comments are filed on behalf of Conservation Law Foundation, Clean Energy New Hampshire, New Hampshire Legal Assistance, Revision Energy, and Vote Solar. We enclose an original and seven (7) copies and have provided electronic copies to the service list.

As several of us expressed at the public comment hearing held on August 27, 2019, we do not support Staff's recommendation to eliminate the LMI pilot program requirements in the Net Metering Order. We do not believe as a general matter that utility solar pilot programs to provide the benefits of solar energy to LMI customers are duplicative of the requirements of SB129 of 2018, or those of SB165 of 2019. In addition, specific utility pilot proposals, such as Eversource's proposal under consideration in DE 19-104, can be rigorously reviewed to ensure that they will advance the state's policy goal of increasing access to the benefits of solar for LMI customers, and concerns about the potential for duplication can be raised in proceedings such as that docket. Indeed, the Commission could reject a pilot proposal if it found that it was unnecessarily duplicative, and could direct a utility to develop a different proposal.

As indicated at the technical session held on August 27, 2019, there are likely challenges and complexities ahead in the implementation of SB 165, highlighting the fact that the timeline and successful developments of LMI community solar projects under that policy are uncertain and will take time. In addition, the LMI solar pilots required under DE 16-576 aimed to deliver



conservation law foundation

useful and timely information, and we believe these pilots are still the most expeditious way to produce this information in a timely manner.

We also support the statement of Senator Feltes that was read into the record by Staff at the public comment hearing, in which he stated that it was not the intent of the sponsors of SB165 of 2019 to eliminate any current or proposed LMI solar pilot program. We also urge the Commission to direct Unitil and Liberty to comply with the requirement to propose a pilot program as soon as practicable, as more than two years have passed since the Order requiring the pilots was issued.

Thank you for the opportunity to provide these comments. We stand ready to work cooperatively with Staff and the utilities to ensure that solar programs designed to benefit LMI customers provide meaningful benefits, advance the state's clean energy goals, are harmonized to the greatest extent possible, and are not duplicative. Please do not hesitate to contact me or any of the other parties listed above if you require additional information.

Sincerely,

Meredith A. Hatfield
Senior Attorney

cc: Docket No. DE 16-576 Service List (electronic service only)