

**THE STATE OF NEW HAMPSHIRE
BEFORE THE NEW HAMPSHIRE PUBLIC UTILITIES COMMISSION**

ELECTRIC DISTRIBUTION UTILITIES

**Development of New Alternative Net Metering Tariffs and/or
Other Regulatory Mechanisms and Tariffs for Customer-Generators**

DE 16-576

CITY OF NASHUA'S PETITION TO INTERVENE

The City of Nashua, New Hampshire ("City") by and through its attorneys, Office of Corporation Counsel, petitions the Public Utilities Committee to allow it to intervene in the above-captioned matter in accordance with RSA 541-A:32 and N.H. Code Admin. Rules PUC 203.17, stating as follows:

1. By Orders of Notice dated May 19, 2016, the New Hampshire Public Utilities Commission ("Commission") ordered that any party seeking to intervene in the proceeding shall submit its Petition to Intervene on or before June 7, 2016.
2. The City owns the Jackson Mills Hydroelectric Facility on the Nashua River in Nashua, New Hampshire ("Jackson"). Jackson has a 1 MW generation capacity which is currently eligible for net metering under RSA 362-A:9.
3. The City is an electrical utility customer who owns and operates an electrical generating facility powered by renewable energy. Accordingly, per RSA 362-A:1-a, II-b the City is an "customer generator."
4. The City is interested in net-metering Jackson. The tariffs set by this proceeding will determine the compensation the City would receive for the electricity it generates at Jackson were it to become net-metered.

5. The City is also co-licensee and has exercised its option to purchase the Mine Falls Hydroelectric Facility on the Nashua River in Nashua, New Hampshire (“Mine Falls”). Pursuant to the terms of the option, the purchase is to be completed no later than December 2017.

6. After the City purchases Mine Falls, the City is interested in net-metering Mine Falls if it were to become eligible through this proceeding or other legislative action.

7. In the Orders of Notice, the Commission states it is considering whether there should be a limitation on the amount of generating capacity eligible for net metering tariffs in this proceeding. This consideration could affect Mine Falls eligibility for net-metering.

8. The City’s fiscal year 2016 budget for electricity was \$3,800,000 (rounded). The City consumes approximately 46,300 MW of power annually. Therefore, the City is interested in the rate effects and the avoidance of unjust and unreasonable cost shifting considered by this proceeding.

9. RSA 541-A:32 and N.H. Code Admin. Rules PUC 203.17 provide that the Commission, shall grant petition for intervention if

- (1) The petition is submitted in writing to the presiding officer, with copies mailed to all parties named in the presiding officer’s order of notice of the hearing, at least 3 days before the hearing;
- (2) The petition states facts demonstrating that the petitioner’s rights, duties, privileges, immunities’ or other substantial interests might be affected by the proceeding or the petitioner qualifies as an intervenor under any provision of law; and

(3) The presiding officer determines that the interests of justice and the orderly and prompt conduct of the proceedings would not be impaired by allowing the intervention.

10. Given its ownership of Jackson, its pending purchase of Mine Falls and the fact that it is a large consumer of electric energy, the City, has substantial interests that will be affected by the outcome of this proceeding.

11. The City requests intervenor status because as discussed herein, the proceeding will impact the rights, duties, privileges, immunities' and other substantial interests of the City. The interest of justice and orderly and prompt conduct of the proceeding will not be impaired by allowing the intervention.

WHEREFORE, the City of Nashua respectfully requests that the Commission:

- A. Grant the City of Nashua's Petition to Intervene; and
- B. Grant such other and further relief as may be just.

Respectfully submitted,

CITY OF NASHUA

Date: June 2, 2016

By: 

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CERTIFICATE OF SERVICE

I hereby certify that on this ____ day of June, 2016, the original, six copies and one electronic copy of the foregoing were sent to the Commission, additionally copies of the foregoing were sent by electronic mail (or U.S. Mail where required) to persons named on the Service List of this docket, and an electronic copy was sent to the Office of the Consumer Advocate.

Date: June 2, 2016

By: 

Celia K. Leonard, Esquire