

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

Docket No. DE 16-576

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

CONSERVATION LAW FOUNDATION
ASSENT AND JOINDER TO THE MOTION OF THE ENERGY FREEDOM
COALITION FOR PERMISSION TO CONDUCT DEPOSITIONS

Conservation Law Foundation (“CLF”) hereby assents to and joins the Motion filed by the Energy Freedom Coalition of America (“EFCA”) seeking permission to depose Mr. James Voyles and Mr. David Holt of Consumer Energy Alliance (“CEA”).

1. As set forth in the Motion and Revised Motion of EFCA to Depose Mr. Voyles and Mr. Holt, filed in the instant docket on December 12, 2016 and December 13, 2016, respectively:

- Mr. Voyles, the attorney of record for CEA in this proceeding, has filed testimony to which a report that CEA apparently commissioned is appended. The CEA-commissioned report, much like CEA, appears to claim to be supportive of the growth of solar (“pro-solar”) but is not.
- Mr. Voyles, as attorney of record, appears to lack the credentials to support an investigation of the veracity of data and analysis contained in the appended report, yet Mr. Voyles appears to intend that the report be admitted to the official record of this proceeding for due consideration by the Commission.

- CEA has declined to provide certain background information and supporting evidence relative to the report.
- It is unclear to what extent the appended report may represent expert analysis as opposed to the institutional policy and preference of CEA. Key facts surrounding the report and its author remains shaded.
- The nature of CEA’s credentials remains unclear, as well as the credentials of the author of the CEA-commissioned report, and the information evaluated by the report’s author.

2. CEA claims – including in its petition for intervention in this docket – that it seeks to “advance the use of solar power,” yet the evidence that exists to date belies this. According to CEA’s website, its Board of Directors is comprised of international petrochemical and mining interests, among others. CLF is as of this date unaware of any “pro-solar” advocacy that CEA has conducted.

3. While CEA is entitled to its own opinions, it is not entitled to misrepresent its positions or the nature of its organization before this Commission, or any other agency or decision-maker.

4. More information on this subject, together with an understanding of Mr. Voyles’s expertise, is immediately relevant to the weight that should be accorded to the evidence submitted by CEA in the docket.

5. The requested depositions may also shed light on whether CEA’s interests are in fact already sufficiently represented by other corporate interests in this docket, and therefore redundant.

6. For these reasons, and consistent with the reasoning and law identified by EFCA, CLF agrees that it is necessary to depose Mr. Voyles and Mr. Holt.

WHEREFORE, Conservation Law Foundation respectfully requests that the Commission grant the request of EFCA to depose James Voyles and David Holt of Consumer Energy Alliance, together with this joinder.

Respectfully submitted,

CONSERVATION LAW FOUNDATION

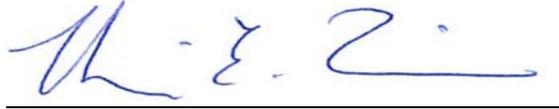


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Dated: December 14, 2016

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Petition to Intervene has on this 14th day of December 2016 been sent by email to the service list in Docket No. DE 16-576.



Melissa E. Birchard
Conservation Law Foundation