



780 N. Commercial Street
P.O. Box 330
Manchester, NH 03105-0330

Jessica A. Chiavara
Senior Counsel

Phone: 603-634-2972
Jessica.Chiavara@eversource.com

April 30, 2024

Via Electronic Mail Only

New Hampshire Department of Energy
Alexandra K. Ladwig, Esq.
21 South Fruit Street, Suite 10
Concord, NH 03301-2429

RE: **CPT 2024-004** Complaint of GNM Solar 17, LLC and Bright Spot Solar, LLC against
Public Service Company of New Hampshire d/b/a Eversource Energy
PSNH d/b/a Eversource response to complaint

Attorney Ladwig:

On February 14, 2024 GNM Solar 17, LLC and Bright Spot Solar, LLC both represented by Mr. W. Packy Campbell (the "Complainant") filed a complaint (the "Complaint") against Public Service Company of New Hampshire d/b/a Eversource Energy ("Eversource" or the "Company") with the New Hampshire Department of Energy ("DOE" or "Department"). On March 21, 2024 the Department issued a letter to the Company requesting that Eversource either satisfy the matters complained of, or provide an answer to the charges in writing noting whether the Company disputes the complaint within ten business days of the DOE's letter, which was later extended to thirty calendar days upon Eversource's request, and again extended to the end of April upon request of the Complainant due to ongoing conversations with Eversource.

By this response, Eversource disputes that the Complaint contains any claims of any violation of a provision of law, or of the terms and conditions of Eversource's franchises or charter, or of any order of the commission, as required by RSA 365:1 and 365:5. Accordingly, there are no damages or harm, proximate or otherwise, arising out of Eversource's actions in processing the Complainants' distributed generation ("DG") interconnection applications ("Applications") for which reparations or any other corrective actions are warranted, and the Complaint should be dismissed in its entirety.

Eversource also notes that, assuming for a moment that there are valid claims of a violation in the Complaint, which Eversource maintains there are not, the Complaint's requests for relief are not appropriate for the Company to agree to or the DOE to grant via the complaint resolution process. Requests 1 through 3 pertain to the Company's actions regarding a specific project, which is governed by the Company tariff. The tariff relies on the Company's "Interconnection Standards for Inverters Sized Up to 100 KVA" and "[f]or all other generating facilities, the Company must be contacted for site specific interconnection requirements prior to interconnecting the generating

facilities with the Company’s facilities.”¹ Eversource is adhering to its interconnection standards, and so these requests for relief are unwarranted, but even assuming the Company were not adhering to its interconnection standards, the only appropriate recourse would be to ensure that Eversource get in alignment with its interconnection standards, and by extension the Company tariff, to resolve any alleged violation set forth rather than departing from those standards to give favorable treatment to one Application, as such treatment would be discriminatory in violation of Puc 903.01(b).

Request 4 seeks to modify the Company’s interconnection standards and processes, which is not appropriate to negotiate on an individual customer basis and an ill-fitting remedy for a complaint against a utility. The only appropriate recourse for a complaint against a utility is corrective action or reparations stemming from a violation of a provision of law, the terms and conditions of Eversource’s franchises or charter, or any order of the commission, consistent with RSA 365:1 and 365:5. The utility negotiating a change to tariff-governed processes in reaction to an individual customer complaint would run contrary to the Company tariff, which must be administered uniformly. But this assumes a valid allegation exists, which it does not, and so request 4 should not be considered. Request 5 asks the Department to get the Commission to hold a hearing. This is only appropriate if the DOE finds that the Complaint is first meritorious and determines that the Complaint has not been satisfactorily resolved, warranting adjudication by the Commission. Eversource maintains that there are no claims of violations of rule, law, or order within the Complaint, and so the request for a Commission hearing is unfounded and should be denied. Request 6 demands that the Commission involve itself in legislative efforts, which the Company is certainly in no position to negotiate, but in any event would not negotiate in this instance given the lack of legal or regulatory violation.

The portion of the Complaint that comes closest to an allegation of a violation is on page 4, where Complainant asks that the DOE declare the use of Eversource’s N-1 standard for Application project review² illegal and refund the costs for such a review to the Complainant. Such a declaration would be a legislative function and would therefore exceed the jurisdiction of the Department and the complaint resolution process would be an inappropriate venue for ruling on the legality of a Company standard that is not currently addressed by statute, rule or Commission order. But even if this were not the case, the Department has declined to opine on the N-1 standard on multiple occasions,³ noting most recently in proceeding IP 2022-001: Investigative Proceeding Relative to Customer-Generator Interconnection, that the standard was a “non-consensus and key issue[] to address” in the recommended DOE working groups that are to follow that investigative proceeding. To the Company’s knowledge no further analysis has been done by the Department since that statement was made. Eversource’s position regarding the N-1 standard likewise remains unchanged, though the Company welcomes robust discussions with stakeholders over the appropriate standards to apply to interconnection of DG in New Hampshire including discussion of the N-1 standard.

¹ See Public Service Company of New Hampshire d/b/a Eversource Energy Delivery Service Tariff NHPUC No. 10 at Original Page 30.

² The N-1 standard was memorialized in the Eversource Distribution System Planning Guide, which can be found in Docket No. DE 20-161, Tab 1, Bates page 69.

³ See New Hampshire Department of Energy’s Post-Hearing Reply Brief, Docket No. DE 20-161, Tab 95, June 30, 2023.

In the meantime, it is worth noting that Eversource has been applying N-1 to DG project Application since 2004 in New Hampshire and there is no statute, rule, or Commission order that has ever prohibited or currently prohibits its use; any claim that the standard is illegal is in error. Much the opposite, N-1 advances the primary objective of the Company to provide safe and reliable service, which in turn advances DG proliferation. The International Energy Agency addresses the N-1 standard in its report “Power System Security Concepts and Principles” and describes it in the following manner:

Operational experience has led to the development of various reliability standards and practices to ensure that power systems are operated in a stable and secure manner. From a practical operational perspective the most important of these reliability protocols is the “normal minus one” or N-1 standard. A power system can be defined as being N-1 secure when it is capable of maintaining normal operations in the event of a single contingency event such as unplanned loss of a transmission line, generator, or transformer. This standard has been adopted by system operators around the world to inform operational contingency planning, to guide management of system operation, and to guide emergency efforts to return systems to a secure and stable operating condition within a reasonable time following a single contingency event, usually within 15-30 minutes.⁴

The current series of Institute of Electrical and Electronics Engineers (“IEEE”) 1547 Standards also adhere to planning for contingencies in the event of abnormal configurations, another way to describe N-1. Below is an excerpt from IEEE Std. 1547-2018, “IEEE Standard for Interconnection and Interoperability of Distributed Energy Resources with Associated Electric Power Systems Interfaces”:

The technical specifications for, and testing of, the interconnection and interoperability between utility electric power systems (EPSs) and distributed energy resources (DERs) are the focus of this standard. It provides requirements relevant to the performance, operation, testing, safety considerations, and maintenance of the interconnection. It also includes general requirements, response to abnormal conditions, power quality, islanding, and test specifications and requirements for design, production, installation, evaluation, commissioning, and periodic tests.

The N-1 standard assures owners, investors, and other long-term financial beneficiaries that DG will not be disconnected, potentially for extended periods, should any of the studied points on the grid were to fail, requiring that the grid be operated in an alternative configuration. N-1 helps provide revenue assurance for owners and investors in clean energy projects by ensuring reliability and preventing extended outage periods, even the possibility of which could materially impact the financial viability analysis of a project. Without a safe and reliable grid, interconnecting a DG project to the distribution system would become an increasingly risky venture, subsequently creating an unsustainable policy landscape for DG development. And of course, the Company cannot interconnect DG by sacrificing reliability and resiliency for all other customers Eversource

⁴ <https://www.iea.org/reports/strengthening-power-system-security-in-kyrgyzstan-a-roadmap/power-system-security-concepts-and-principles>. (April 30, 2024).

serves. For this and many other reasons detailed more fully for reference in Docket No. DE 20-161 at Tab 87,⁵ Eversource stands firmly behind the N-1 standard as the best method for ensuring safe and sustainable electric service for everyone in both the near and long terms. N-1 is a critical component to ensuring grid reliability in the face of rapid DG growth that began a couple of years ago that has since become a sustained trend of DG expansion in New Hampshire. This sharp upward trend is what has brought N-1 to the fore: DG projects have always been reviewed using N-1 criteria but prior to the expansion of the DG industry in the last couple of years there was little to no need for system upgrades because there was sufficient existing capacity to interconnect the projects being submitted. Because there was enough capacity to serve projects in the queue, the N-1 review was not resulting in a need for system upgrades.

It has only been with recent expansion of DG—including a trend of applications with inflated project sizes in areas of the grid that cannot accommodate such oversized projects—and circuits generally reaching capacity and requiring upgrades to build additional capacity that N-1 has become a sticking point for developers. It is not that N-1 is illegal or less than best practice, it is that it adds costs to projects that necessitate system upgrades and takes time to apply to a project Application. But none of this means that N-1 should not be used. Circuits and substation transformers are reaching capacity regardless the standard of review, and the increasingly large project applications will necessitate upgrades due to their size alone. N-1 is empirically proven to shore up grid resilience and assures that the grid will run seamlessly despite outage events, providing predictability to DG and non-DG customers alike. To set aside this proven standard to cut costs or speed up application processing for developers would be akin to a dereliction of Eversource’s primary responsibility of providing safe and reliable service for all customers.

Setting the N-1 standard aside, Eversource happily reports that the Company had already begun to address the overarching concern of the Complainant prior to the Complaint being docketed. Eversource had identified an opportunity for process improvement in its efforts to address the near tripling of the applications in the interconnection queue that began in mid-2022 and continues to the present day.⁶ Upon implementation of the PowerClerk software, which has reduced the average application processing time for over 95% of Applications to three days (many small applications of 25 kW or less being processed in a single day) Eversource began to examine further process improvements for larger projects.

These additional efforts have led to the formulation of a fast-track Application process modeled after that in the Interstate Renewable Energy Counsel’s model rules for qualifying Applications from 100 kW up to 500 kW, with an ultimate goal of applying that process to projects up to 999 kW.⁷ A critical criterion for the Application to be fast tracked is that the project be sized appropriately to the existing load and capacity of the existing electric service infrastructure, which can now be assessed by any project applicant to a certain extent using various tools such as

⁵ https://www.puc.nh.gov/Regulatory/Docketbk/2020/20-161/BRIEFS/20-161_2023-06-05_EVERSOURCE_INITIAL-BRIEF.PDF. (April 30, 2024).

⁶ See Response to the Complaint of Kearsarge Solar LLC, ReWild Renewables, LLC, and Lodestar Energy LLC against Public Service Company of New Hampshire d/b/a Eversource Energy, CPT 2024-005, at pages 4-6.

⁷ Projects of 1 MW or more trigger notification of ISO-NE, which may decide to do its own analysis and study, over which the Company has no control, so projects of this size are not conducive for fast tracking.

Eversource’s hosting capacity map.⁸ “Oversized” Applications however—those Applications with design sizes that exceed existing infrastructure capabilities—will still require additional study to determine costs and timing of needed upgrades for infrastructure to support the project, as would the need for system upgrades for any reason.⁹ The costs for such upgrades may ultimately limit the size of the solar project due to various financial constraints of the project, the financing parameters, or budgets of the developers or customers. In these cases, Eversource works closely using its DG Customer Care, Metering and Engineering groups to consult the developer and determine the least cost and quickest solution for the interconnection considering customer needs and expectations. All of this takes time. But if a project applicant works with existing infrastructure capacity in their project design so that upgrades are not required and stays under 1 MW so ISO-NE review is not triggered, Eversource will apply this new fast-track process. The majority, if not all of the Complainant’s Applications would be eligible for this process.

As for the many factual allegations in the Complaint, none are tied to an allegation of a violation of rule, law or order as required by RSA 365:1 and 365:5, and so calls for no further discussion. However, to generally address the Company’s actions and approach to processing Applications, Eversource would like to incorporate by reference the Company’s response to the Complaint of Kearsarge Solar LLC, ReWild Renewables, LLC, and Lodestar Energy LLC against Public Service Company of New Hampshire d/b/a Eversource Energy, CPT 2024-005, filed with the DOE on April 22, 2024. Eversource would like to point specifically to the discussion of the Company’s good faith and due diligence regarding all Applications in the interconnection queue and the complexities of managing that queue. The Company’s interactions with and treatment of the Complainant has at all times met or exceeded the standards the Company holds itself to, including the actions taken since the Department docketed the Complaint. Eversource staff have had multiple discussions with the Complainant, and fully engaged the Complainant on all issues in the Complaint, but Eversource has maintained throughout that while it is open to continuous process improvement, the Company also must remain faithful to its obligations under its tariff and the Puc 900 rules, as well as any other applicable rules, laws and Company best practices. Additionally, the Company is aware of ongoing legislative efforts to have the Department spearhead a rulemaking to implement statewide interconnection standards. Eversource will not circumvent these efforts just as it will not negotiate terms for interconnection on a one-off basis with any particular applicant in the interconnection queue.

⁸ <https://www.eversource.com/content/residential/about/doing-business-with-us/interconnections/new-hampshire/new-hampshire-hosting-capacity-map> (April 30, 2024).

⁹ See Response to Kearsarge et al., at page 5, for a discussion of System Impact Studies.

Eversource remains an accessible resource to interconnection queue applicants including the Complainant and will continue to process Applications using all recently implemented process improvements and additional resources, discussed in detail in the response to CPT 2024-005. However, the Company sees no practical way to address the relief requested in the Complaint, as doing so would be inappropriate given the lack of violation and for the reasons discussed above. For these reasons Eversource respectfully reiterates its request that the Department dismiss the Complaint in its entirety with prejudice, knowing that the Company is processing Complainant's Applications consistent with all applicable statutes, rules, the Company tariff and Commission orders, and that the Complainant has ready access to Company staff and resources to discuss his Applications. The Company appreciates the Department's consideration of this answer, which is being submitted electronically only consistent with the Department's direction. Paper copies will not follow.

Thank you,

A handwritten signature in black ink, appearing to read 'J.A. Chiavara', written in a cursive style.

Jessica A. Chiavara
Senior Counsel, Eversource Energy

cc: W. Packy Campbell on behalf of GNM Solar 17, LLC and Bright Spot Solar, LLC; Office of Consumer Advocate