



September 29, 2023

New Hampshire Department of Energy  
21 S Fruit St., Suite 10  
Concord, N.H. 03301-2429  
*Via email: [jody.m.carmody@energy.nh.gov](mailto:jody.m.carmody@energy.nh.gov)*

**RE: REF PUBLIC COMMENTS, Low-Moderate Income Community Solar Program**

Thank you for the opportunity to submit comments on the Low-Moderate Income Community Solar Program funded by the Renewable Energy Fund. The Energy Clinic at Vermont Law and Graduate School provides pro-bono law, policy, and technical assistance to low-moderate income communities seeking to adopt renewable energy projects to reduce their community's energy burden and carbon footprint. The REF Low-Moderate Income Community Solar Program has been essential to ensuring equitable access to renewable energy by New Hampshire's most economically vulnerable households who bear a disproportionate energy burden.

**2022 Changes to the RFP Process**

In the October 2022 review process, the Energy Clinic recommended the following improvements to the RFP process for the Low-Moderate Income Community Solar Program:

- Issue the REF RFP at the same time each year to help stakeholders plan for the process.
- The RFP should be open for 2-3 months to allow stakeholders to complete the initial steps necessary to prepare a response. In our comment letter of October 23, 2022, we outlined the significant preparatory steps that needed to be completed before an LMI community would be ready to respond to the REF RFP.
- The RFP open period should avoid the Thanksgiving, Christmas, and New Year holiday period. We noted that it is difficult to complete the necessary work to prepare a response to the REF RFP when the RFP period falls during the Thanksgiving, Christmas, and New Year holiday period. During this period, it is difficult to engage with necessary stakeholders including solar installers, community members, and town planners.
- Increase the project implementation period to 30-36 months.

We appreciate the Department's efforts to implement these suggested improvements.

**Consistent Funding Level**

The Department has asked whether there is a consistent funding level that it should target to encourage project development. The Energy Clinic supports a consistent funding level. Consistency and predictability of funding opportunities - including factors such as total funding available, maximum funding per project, and the timing of funding (as outlined above) - helps

stakeholders prepare in advance for upcoming funding rounds. However, we recognize the difficulty of providing such certainty where the total funding available varies from year to year.

### **REF and Solar for All**

The Energy Clinic generally supports the expansion of the REF Low-Moderate Income Community Solar Program through additional Solar for All grant funding. However, the Energy Clinic notes one significant concern with this approach (in addition to the factors already noted by the Department, such as BABA and Davis Bacon, which will likely increase project costs) . The New Hampshire REF Low-Moderate Income Community Solar Program addresses barriers to entry for not just low-income households but also moderate-income households, with incomes up to 300% of the Federal Poverty Guidelines qualifying as “low-moderate income.” By contrast, Solar for All sets the qualifying criteria at 200% of the Federal Poverty Guidelines, thereby excluding moderate-income households. Moderate-income households, especially those only slightly above the 200% threshold, are generally not eligible for other Federal assistance and may in fact be more financially vulnerable with a potentially greater energy burden than households sitting just below the 200% threshold. Already, these moderate-income households are excluded from energy assistance programs as well as New Hampshire’s SB 270 (2022) EAP Community Solar Program. We strongly believe it is important not to overlook moderate-income households in a just energy transition. For this reason, we recommend that the Department administer the REF funds separately to the Solar for All grant funds, while striving to achieve administrative and procedural efficiencies by closing aligning the programs.

We are grateful to the New Hampshire Department of Energy’s continued commitment to this very important program for New Hampshire’s low-moderate income households and a just energy transition. We appreciate the opportunity to provide these comments and look forward to participating in future funding rounds.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeannie Oliver".

Jeannie Oliver