

State of New Hampshire Department of Energy



**Low Moderate Income Community Solar Project Designation
Community Solar Photovoltaic (PV) Projects Providing On-Bill Credits to
EAP-Eligible Customers**

2023 Application Process Instructions and Notice of Deadline

Release Date December 22, 2023

Application Due: 4:30 p.m. EST February 29, 2024

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Executive Summary

Pursuant to RSA 362-A:9 XIV, the New Hampshire Department of Energy (Department) issues these application instructions and notice of deadline for projects seeking designation as community solar projects that meet the requirements as set forth in Senate Bill 270 (2022), i.e., projects that will designate their production for the benefit of New Hampshire residents who have enrolled in, or are on the waitlist for, the state Electric Assistance Program (EAP)(EAP LMI members) through the provision of on-bill credits to those residents. Applications must present a comprehensive plan that clearly demonstrates and quantifies the percentage allocations for the host and members of on-bill monetary credits as calculated based on the host's net excess electricity exported to the distribution system at the end of each billing cycle. Such percentage allocations to EAP LMI members shall not be less than 25 percent of the total credit amount allocated to the host and all group members. Selected projects will receive formal designation from the Department as low-moderate income community solar projects eligible under RSA 362-A:9, XIV (EAP LMI Community Solar Projects). The Department may designate projects up to and including a state-wide aggregate nameplate capacity of 6 megawatts (MW) annually. After projects receive designation as EAP LMI Community Solar Projects, EAP LMI members will be selected and enrolled in each project group by the electric distribution utility with oversight by the Department through the group net metering (GNM) registration process in accordance with statutory and process requirements as outlined in the Order issued by the Department on December 22, 2023, approving the process described herein (Order). Once the project has been assigned members and registered for GNM, EAP LMI Community Solar Projects may receive the LMI Adder credit amount from their utility. For further information regarding these processes, applicants should fully review the Order.

Applications must be received at the Department no later than 4:30 p.m. EST on February 29, 2024.

Pertinent Dates and Information

1. Schedule of Events

Event	Date/Deadline	Time
EAP LMI Application Acceptance Period Open	12/22/2023	4:30 PM
Question Period Closes	01/19/2024	4:30 PM
Responses to Questions Posted	02/02/2024	4:30 PM
Application Acceptance Period Closes	02/29/2024	4:30 PM

2. Written Inquiries

All inquiries concerning this application must be submitted by e-mail to the following EAP LMI Application Point of Contact:

New Hampshire Department of Energy
EAP LMI Community Solar Project Designation 2023
Application Process Instructions and Notice of Deadline

Jody Carmody, Analyst I
New Hampshire Department of Energy
21 S. Fruit Street, Suite 10
Concord, NH 03301-2429
jody.m.carmody@energy.nh.gov

Inquiries must be received no later than Close of Question Period as specified in the Schedule of Events above. The subject of the email should state the following: 2023 EAP LMI Community Solar Project Designation Application. **No phone calls.** It is highly recommended that prospective applicants review these application instructions as soon as possible as well as the Order¹ and submit any questions promptly. Responses will be posted by the above-described deadline at: [NH Senate Bill 270 Low to Moderate Income Community Solar Program | NH Department of Energy](#).

3. Application Submission Instructions

Applications **must be received** at the Department no later than the time and date specified in the Schedule of Events, herein. Late submissions will not be accepted, nor will extensions be given. Delivery of the applications shall be the applicant's responsibility. The Department accepts no responsibility for damaged, mislabeled, or undeliverable emailed applications. Applications that are incomplete will not be considered. Faxed or physical applications will not be accepted. The strongly preferred format includes 12-point font size with 1-inch page margins. Page numbers should be included.

Jody Carmody, Analyst I
jody.m.carmody@energy.nh.gov

Applications must be submitted as a file attachment to an email and must be searchable. The only acceptable format for file attachments are PDF and Excel. In no event should an application be provided through a link embedded in the submitted email. The file will be considered received when it is successfully submitted to the mailbox associated with the email address above, and the time of submittal will be based on the time stamp in the receiver's email. The Department can accept electronic files no larger than 25 MB. Applications may consist of multiple attachments or one PDF with all attachments combined.

The subject of the email should state the following: **2023 EAP LMI Community Solar Project Designation Application.**

The Department shall assess completeness and responsiveness of the application to eliminate nonconforming applications. The Department may waive or offer a limited

¹ Order available online here: [NH Senate Bill 270 Low to Moderate Income Community Solar Program | NH Department of Energy](#)

opportunity to cure immaterial deviations from the requirements stated herein if it is determined to be in the best interests of the State.

I. Overview

A. BACKGROUND AND PURPOSE

The New Hampshire Department of Energy (Department), an executive branch agency, is responsible for the development of a process by which community solar developers that designate their production for the benefit of households that have enrolled in or are on the waiting list for the Electric Assistance Program (EAP) can apply for designation as a low-moderate income community solar project.² The Department may designate projects up to and including a state-wide aggregate nameplate capacity of 6 megawatts (MW) annually. If more than 6 MW of projects apply for designation, the Department must select for designation the projects that offer the largest on-bill credit to EAP LMI members.

Selected projects will receive a formal designation entitling them to participate and receive LMI adder credit once the project is registered. The projects designated as a “low-moderate income community solar project” consistent with 362-A:9, XIV, that designate their production for the benefit of EAP-Eligible Customers (EAP LMI members) through the provision of on bill credits, shall be eligible to receive the “LMI Solar Adder” per XIV(c)(1).³ Such projects will be referred to as EAP LMI Community Solar Projects.

The Department is seeking applications from qualified individuals, entities, or multiple entities for new community solar projects that will designate their production to providing an on-bill credit to EAP LMI members, equal to a minimum of 25% of the project’s total monetary credit from net excess generation. 362 A-9 XIV (e) states “If more than 6 megawatts of projects apply for designation, the department of energy shall select the projects that offer the largest on-bill credit”. Projects will therefore be ranked based on the highest projected monthly on-bill credit per EAP LMI member as calculated using the methods and assumptions outlined in Section II.D of this application.

Designations allocating up to the 6 MW cap of annual capacity will only be made to applications for EAP LMI Community Solar Project designation submitted during application open period. Any applicants that fail to submit an application during this period will be required to wait for subsequent year application deadlines. Group

² See 2022 N.H. Laws Chapter 329 (SB 270) *codified at* RSA 362-A:9, XIV(d)-(i) .

³ RSA 362-A:9, XIV(c) requires each utility to provide on-bill credits for each member and the host along with a 2.5 cent per kWh addition for community solar projects.

members will be selected and enrolled in accordance with statutory and program requirements as outlined in the Order, available on the Department's website⁴.

Upon group registration, RSA 362-A:9, XIV(c) requires each utility to provide on-bill credits for each member and the host along with a 2.5 cent per kWh addition for community solar projects.

B. DEFINITIONS

As used in these instructions, the term "project" includes both the equipment and facilities comprising the solar PV system, and the management and administration of financing, funding, operations, maintenance, benefits provision, participating customer income verification, admission, replacement, education, communications, and other related matters.

C. BASIC PROJECT ELIGIBILITY REQUIREMENTS

To be eligible for designation as an LMI EAP Community Solar Project, projects must meet the following minimum requirements:

1. Projects must consist of new ground--mounted, carport, or rooftop, group net metered community solar PV projects.
2. Project system capacity must not exceed 1 megawatt alternating current (AC).
3. Projects must designate their production for the benefit of EAP-Eligible Customers selected and assigned to their groups pursuant to RSA 362-A:9, XIV(d) and (f) and the Order.
4. Projects must provide on-bill credits equal to a minimum of 25% of the project's total monetary credit from net excess electric generation to the EAP LMI members assigned to their groups. Projects that do not maintain the bill credit proposed in their application will lose their designation.
5. Only community solar PV projects as defined under 362-F:2, X-a. as well as 362-A:9, XIV(e) are eligible for designation.
6. Projects must be physically located in New Hampshire; any point of grid interconnection must also be in New Hampshire. Neither the project nor the end-user customers to be served by the system may be located in, or a customer of, a municipal electric utility or the New Hampshire Electric Cooperative.

⁴ [NH Senate Bill 270 Low to Moderate Income Community Solar Program | NH Department of Energy.](#)

II. APPLICATION SUBMISSION REQUIREMENTS

The overall application emphasis should be on completeness and clarity of content. Applications that are incomplete or unsigned will not be considered. Applications shall include the following information, and respond to all areas listed below, in the order listed.

A. LETTER OF TRANSMITTAL

Include the name of the applicant, contact information for, and signature of, the individual authorized to bind the applicant (if other than an individual), and identify the applicant's point of contact for this application. (1 page)

B. PROJECT SUMMARY SHEET

Applicants must use the form provided in Attachment A, "Project Summary Sheet."

C. TECHNICAL PROJECT DETAILS

1. Overview of project site location (including panoramic and aerial site photos) and description of where array is, or is to be, sited.
2. System size (kW AC and kW DC). Indicate if project is roof-mounted or ground mounted.
3. Solar PV system schematic.
4. Solar Site Survey, including a solar shading analysis and estimated annual production.
5. Projected kilowatt-hours (kWh) to be generated (annual and lifetime) and the assumptions (including capacity factor outlining system loss types and amounts, tilt, azimuth, module and array type) used for the estimate.
 - i. Provide the analysis for total projected annual and lifetime generation as calculated through the National Renewable Energy Lab "PV Watts Calculator"⁵ using the system projected size, module type, array type, losses including adjustment for shading, as well as system tilt and azimuth.

⁵ Available at: [PVWatts Calculator \(nrel.gov\)](https://www.nrel.gov/pv/watts/)

- ii. Include documentation outlining the detailed assignment of loss factor values through the loss calculator.
6. Project timeline, including start date, key milestones in project progress (e.g., design, permitting, construction, start-up, commissioning), and expected interconnection date.
7. Status of control of any site(s) on which the project(s) is or will be constructed including whether or not control has been secured, and specification as to whether such control is through ownership, lease, or binding option to acquire or lease such site(s).
8. Describe assignments and roles of individual key project personnel, listing the project developer, solar installation company, and identifying any contractors and subcontractors, or describe process and timeline to identify and engage them.
9. Identify funding and financing sources or plan to secure such sources.

D. PROJECT MODEL/LMI BENEFIT

A narrative description and analyses comprehensively addressing the on-bill credit that will be provided directly to participating EAP LMI members:

1. Host Production
 - a. Provide the analysis for total projected average annual and total lifetime generation as calculated through the National Renewable Energy Lab “PV Watts Calculator”⁶ using the system projected size, module type, array type, losses including adjustment for shading, as well as system tilt and azimuth.
 - b. Include documentation outlining the detailed assignment of loss factor values through the loss calculator.
 - c. Include documentation of annual averaging calculation including annual generation for each year of system assumed lifetime as provided by NREL “PV Watts”.
2. Host Load
 - d. Provide the host’s estimated annual electricity usage.
 - e. If the proposed host is an existing building/meter, provide documentation of the past year of host historic annual electricity usage.
 - f. If projected host usage differs from historical, provide an explanation and detailed analysis of any estimated load changes.

⁶ Available at: [PVWatts Calculator \(nrel.gov\)](https://pvwatts.nrel.gov)

3. Benefit and Distribution:

g. Basic System Information

Provide the following basic system information:

- i. Total estimated average annual production developed as outlined above, in kWh.
- ii. Total estimated annual host usage developed as outlined above, in kWh.
- iii. Total resulting annual excess generation in kWh.

h. EAP LMI Member Benefit

- i. Provide the estimated total monthly on-bill credit per EAP LMI member using the following assumptions:
 1. To calculate total estimated number of members: Calculate 105% of the average annual excess generation and then divide this total by 12 to determine 105% facility monthly excess generation estimate. Divide this number by an assumed 625kWh load/month per member. Note members will be assigned by the utility to each project using this method.
 2. To calculate total monthly monetary credit: Assume \$.15/kWh credit per exported kWh and multiply this by the total average monthly excess generation (average annual excess generation/12)
 3. To calculate total monthly monetary credit to EAP LMI members: multiply monetary credit calculated in step 2 by total percentage allocation to EAP LMI Members (must be a minimum of 25%).
 4. To calculate total monthly monetary credit to each EAP LMI member: divide the total monetary credit allocation from step 3 by the total number of members from step 1.
- ii. Provide the total percentage of monthly monetary credit which will be allocated to LMI participants.

E. CONFLICTS OF INTEREST

Describe any potential conflicts of interest on the part of any members of the project team or its contractors and subcontractors. Contractors have a continuing obligation throughout the entire procurement process to update this information.

III. Application Selection Process and Criteria

A. GENERAL SELECTION PROCESS OVERVIEW

Applications will be reviewed and evaluated in a two-tier review process, followed by formal project designation. The selection process is outlined further in C and D below and will be directed based on the total sum capacity of applicant projects.

The steps are summarized below:

Step 1: Application Screening: The Department shall assess the completeness and responsiveness of applications to eliminate non-conforming applications; the Department may waive or offer a limited opportunity to cure immaterial deviations from application requirements if it is determined to be in the best interests of the State.

Step 2: Preliminary Evaluation: An Evaluation Team consisting of Department Staff shall evaluate conforming applications according to the criteria below, including both technical requirements and percentage of generation revenue allocated to EAP LMI members. Staff shall determine if applications received exceed 6 MW of capacity. If the total requested capacity from applications received by the Department does not exceed 6 MW, staff will submit designation recommendations for all qualifying applications for Commissioner review as outlined in Step 4 below. If the total requested capacity resulting from applications received exceeds 6 MW, Staff will select the project applications that offer the largest estimated monthly on-bill credit per member as calculated in Section II. D of this application. In the event that two or more applications which, after ranking by monthly LMI on-bill credit amounts., result in total requested designations over 6 MW, and propose allocation of the same amount of on-bill credit to EAP LMI members, such applications will be selected for designation via a public lottery process.

Step 3: Public Lottery Process: Eligible applications which after ranking by LMI on-bill credit percentages as outlined above, result in total request designations over 6 MW, and propose allocation of the same percentage of production as on-bill credit to EAP LMI members will be entered into an automated lottery to be scheduled following the close of the application period as necessary. This lottery will randomly assign queue positions and projects will be designated until available capacity is met. Applicants will be notified regarding their queue position and status following the lottery completion.

Step 4: Commissioner's Review: Staff shall submit recommendations regarding project designations to the Department Commissioner; Based on the recommendations developed by staff, the Department Commissioner will review and make a determination regarding the designations. Designations may not be made to all qualifying applications if applications received exceed the maximum capacity of 6 MW.

Step 5: The Department shall formally designate selected projects as EAP Low-Moderate Income Community Solar Projects by written notice. Projects must still work through their utility to apply and register with the Department for group net metering.

B. INELIGIBLE APPLICATIONS

Applications will be deemed incomplete, nonconforming, and ineligible for selection if information required under these instructions is not included in the application. Applications that fail to meet the following criteria will be deemed ineligible:

- Filing of a timely application, with all mandatory elements;
- Propose a project for community solar photovoltaic that will provide on-bill credits equal to a minimum of 25% of excess generation revenue to EAP-eligible LMI residential electric customers (EAP LMI members) assigned to the project's group as an on-bill credit;
- Present a comprehensive description and calculation of the benefit received by the project and the on-bill credit to be provided to participating EAP LMI members;
- Identification of contractors and subcontractors, or a detailed process and timeline to identify and engage them;
- Listing of key project milestones and the associated timeline and project schedule; and
- Identification of other funding and financing sources, or in the alternative a statement that there are no other funding or financing sources, and related letters of intent or commitment.

Ineligible projects will not be selected for designation. All projects deemed ineligible will receive notification of that determination.

C. SELECTION FOR APPLICANT POOL TOTALING LESS THAN 6MW

In the event that the applications received by the application deadline do not exceed 6 MW of capacity, all applications that meet the eligibility requirements will be awarded formal designation following the process outlined above.

D. SELECTION FOR APPLICANT POOL TOTALING GREATER THAN 6MW

The Department will rank applications received based on the largest on-bill credit allocated to the EAP LMI members. On-bill credit will be measured and ranked according to the estimated monthly monetary credit applied to each member as calculated using the methods and assumptions outlined in Section II.D of this application. The highest-ranking projects will be designated based on the ranking of applications as outlined above until the total designations meet the 6MW capacity cap.

In the event that two or more applications which, after ranking by LMI on-bill credit amounts, result in total requested designations over 6 MW, and propose allocation of the same amount of on-bill credit to EAP LMI members, applications will be selected for designation via a public lottery process.

IV. General Conditions

- A. Reservation of Rights. The Department reserves the right: to determine what constitutes a conforming application, to waive irregularities that it considers non-material to the application, solely as it deems to be in the best interests of the State; and to negotiate with any party in any manner deemed necessary to best serve the interests of the State. These instructions and all information relating to these instructions including, but not limited to, fees, contracts, agreements, and prices), are subject to the laws of the State of New Hampshire regarding public information.
- B. Requests for Additional Information. The Department reserves the right to request additional information from any or all parties submitting applications to assist in the evaluation process.
- C. Public Disclosure. By submitting an application, the applicant acknowledges that the Department is subject to the Right-to-Know Law, RSA Chapter 91-A. Accordingly, information submitted as part of an application may be subject to public disclosure unless otherwise exempt. *See* RSA 91-A.

Business financial information, confidential information, such as personally identifiable information, including, but not limited to, names, addresses, social security numbers, and account numbers, proprietary information such as trade secrets, financials models and forecasts, and proprietary formulas, are categories of information that may be exempt from public disclosure. RSA 91-A:5, IV.

If any part of its application contains information that an applicant asserts is exempt from public disclosure, **the applicant must specifically identify all relevant text in a letter to the Department and must mark or stamp each page of the materials claimed to be exempt from disclosure as “confidential,”** and provide support for such assertion(s) as part of applicant’s submission. The applicant shall explain, in writing, what measures it has taken to keep such information confidential, and the personal privacy or competitive business interests that would be harmed if such information were to be publicly disclosed. The explanation shall also identify by page number and application section number the specific information the applicant claims to be exempt from public disclosure pursuant to RSA 91-A:5. It is helpful if the text claimed to be confidential is also highlighted, underlined, or otherwise identified in the actual application itself. Marking the entire application or entire sections of the application (e.g., costs) as “confidential” will neither be accepted nor honored.

The Department shall maintain the confidentiality of information contained in applications, insofar as doing so is consistent with RSA Chapter 91-A. Any information an applicant identifies as exempt from disclosure shall be kept

confidential until the Department has determined, as necessary, whether such information is exempt from public disclosure pursuant to RSA 91-A.

In the event that the Department receives a request to view portions of an application that the applicant has properly and clearly marked “confidential,” the Department shall notify the applicant and specify the date the Department intends to release the requested information, redacting any information the Department independently concludes is exempt, consistent with applicable laws and regulations. Any effort to prohibit or enjoin the release of the information the Department identifies for release shall be the applicant’s responsibility at the applicant’s sole expense. If the applicant fails to obtain a court order enjoining the disclosure, the Department may release the information on the date the Department specified in its notice to the applicant(s), or in its notice to any other relevant parties, without any liability to the applicant(s).

- D. Project Changes. Continuing project designation is contingent upon the project maintaining the on-bill credit specified in its application to the number of EAP households calculated in its application, within parameters approved by the Order.
- E. Nature of the Instructions and Notice of Deadline. These instructions and notice of deadline are not an offer, nor will the resulting designation create a contract with the State of New Hampshire, or any vested rights in the Applicant vis-à-vis the State.
- F. Property of the State. All application materials and data submitted to or received by the Department will become the property of the State and will not be returned to the applicant. Upon project selection and designation, the State reserves the right to use any information presented in any application, provided that its use does not violate any copyrights, or other provisions of law, including RSA 91-A.
- G. Challenges on Form or Process. Any challenge regarding the validity or legality of the form and procedures used by the Department to designate projects including, but not limited to, the evaluation and ranking (if needed) of applications, shall be brought to the attention of the Department at least ten (10) business days prior to the deadline for submission of applications, by sending written notice to the application point of contact, Ms. Jody Carmody, the Department’s Energy Analyst. By submitting an application, the applicant is deemed to have waived any challenges to the Department’s authority to conduct this designation process and the form and procedures used.

Attachment A. PROJECT SUMMARY SHEET

Please fill in the Project Summary Sheet and insert directly following the letter of transmittal in the final proposal submission.

Please see next page.

Project Summary Sheet			
Project Name			
Project Team <i>(entities, contacts, roles)</i>			
Applicant Name <i>(name of entity to receive Department designation)</i>			
Contact Information for person authorized to enter into agreement			
Project Location			
Summary of Project and LMI Benefit*			
Capacity and Anticipated Annual Energy Production	kW DC and kW AC	(Modeled average production/year)	
Annual usage information (kWh)	Total host usage/year	Total average excess generation/year	
Total monthly monetary credit*	Total excess generation/month(kWh)	Total monetary credit/month	
Total monetary credit that will be allocated to EAP LMI members	Total monetary credit to LMI /month	Total % credit to LMI/month	Total est. number of members**
Anticipated Project Completion Date			

* Note these sections should follow methods and assumptions outlined in Section II. D of this application.

** Use method outlined in II.D (h) to estimate total number of members