

QUESTIONS AND ANSWERS

NEW HAMPSHIRE DEPARTMENT OF ENERGY

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

	Questions	Answers
1.	If we bid in the '24 year and are not selected, can we bid the same project in '25?	Yes, if applications received exceed the annual state-wide aggregate nameplate capacity of 6 megawatts, and a project does not receive designation, the project may re-apply in the following application open period.
2.	How long after being granted an award does the developer have to accept the award and participate in the program? Do we know when awards are to be issued?	<p>Upon selection of projects as outlined in Application Instructions section III. Application Selection Process and Criteria, the Department shall formally designate selected projects by written notice as outlined in Section III.A, step 5. By submitting an application to this program, an applicant is certifying they meet all requirements and plan to pursue the project outlined upon designation.</p> <p>If a project that receives designation in this program as a low-moderate income community solar project is not developed or elects not to provide benefits to EAP participants and meet the other requirements of the program as outlined in the application instructions lmi-community-solar-eap-application_12.22.23.pdf (nh.gov), Section C. Basic Project Eligibility Requirements, the allocated MW from the state-wide aggregate nameplate capacity of 6 megawatts annually is no longer available for other projects.</p>
3.	What is the minimum stage of development the project must achieve in order to bid?	Applications must meet the requirements as outlined in I. Overview, Section C Basic Project Eligibility Requirements of the Application Process Instructions and Notice of Deadline, as well as submit a complete application that addresses all Application Submission Requirements in Section II. lmi-community-solar-eap-application_12.22.23.pdf (nh.gov)
4.	Are there PIS deadlines to bid in certain program years?	Assuming that “PIS” refers to Placed in Service, the current application does not include a requirement for project completion.
5.	What kind of termination rights exist for the developer to pull a project out of the program after receiving an award? Are there any deposit	<p>Please see the response to question 2 regarding termination rights of a designated project.</p> <p>There are currently no deposit requirements associated with this program.</p>

	requirements upon submission and/or award?	
6.	If a developer pulls a project out following an award, does it disqualify the developer/the project from bidding in the future?	There are currently no program requirements that would disqualify a developer from bidding in future open periods if a designated project that meets program requirement is not developed
7.	What is the duration of the program?	The program application process and project designation shall be conducted annually, see 362-A:9 XIV(e). Section 362-A:9 Net Energy Metering. (state.nh.us) Net metering compensation for a designated project once developed and registered for group net metering is based on current net metering tariffs as outlined in response to question 8.
8.	Are payments from the utility to the developer at the net of discount price?	Under current net metering statute and rules, payment for projects which receive low-moderate income community solar project designation will be at the alternative net metering tariff rate plus the LMI 2.5 cent adder. See Section 362-A:9 Net Energy Metering. (state.nh.us) , PUC Docket DE 16-576, PUC 900
9.	What recurring reporting is required to be provided to the Utility and/or PUC from the developer?	The Department of Energy oversees the program, therefore reporting requirements are submitted to the Department. Group hosts will coordinate with the utility regarding requests for information and data related to required reporting. Please see the Department Order dated December 22, 2023 for further information order-low-moderate-income-comm-solar-eap-program.pdf (nh.gov)
10.	The order approving the EAP Program says "For calendar year 2023, applications will be accepted...until 4:30 on February 29, 2024." Is the application period currently open for projects that will be PIS in '24 and beyond? or projects that were PIS in 2023?	Please see Section I. Overview, Section C. Basic Project Eligibility Requirements, 1. "Projects must consist of <i>new</i> ground--mounted, carport, or rooftop, group net metered community solar PV projects." [emphasis added]. Projects that begin operation prior to the end of the application open period are not eligible for designation. For the purpose of this process, the Department considers the operational date as the date the project receives permission to operate from the interconnecting utility.
11.	If applying in the current allocation year, what is the PIS requirement?	Please see the response to question 4.
12.	The Order notes that cross eligibility for the EAP and 'standard' LMI adder program will be reviewed again in 2024. When is guidance anticipated to be released?	Please use the sign-up page here: https://maillist.nh.gov/list/energy_metering/?p=subscribe to receive notifications and updates regarding Net Metering/Group Net Metering/900 rules.

13.	Does the \$0.025 adder get applied to all excess net-metered generation, regardless of LMI status, or does it apply only to the portion of the excess net-metered generation that is directed to EAP customers?	The LMI adder applies to all excess net-metered generation. Per 909.13 (b), (b) “A group registered with a low-moderate income community solar project shall receive additional on-bill monetary credits for all excess electricity production eligible under Puc 909.08(c) through (j), at the following rates for the specified time periods: (1) An additional 3 cents per kilowatt-hour through July 1, 2021; and (2) An additional 2.5 cents per kilowatt-hour on July 2, 2021 and thereafter.”
14.	Within Section II.D.3.h.i.2: Is the \$0.15/kWh for ease of NH DOE’s internal comparisons, or is it guaranteeing an actual energy value? We assume that this is for your comparison purposes.	The .15/kwh in Section II.D.3.h.i.2. is strictly an assumption used for applicants to calculate total monthly monetary credit and is in no way a guarantee of actual energy value or compensation.
15.	Within Section II.D.3.h.i.2: What is NH DOE’s basis/rationale for the \$0.15/kWh assumed rate?	See response above to question 14.
16.	Within Section II.D.3.h.i.2: Does the \$0.15/kWh assumed rate include the \$0.025 adder for excess net-metered generation?	See response above to question 14.
17.	Within Section II.D.3.h.i.3: SB270 requires the solar array owner to “ specify the amount of on-bill credit they can offer to low-moderate income homeowners ” but does not establish a minimum. Can DOE help to explain the 25% minimum LMI allocation requirement in the RFP?	<p>Per Application Instructions, Section I. Overview, Subsection C. Basic Project Eligibility Requirements, Item 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.”</p> <p>Please also note that low-moderate income participants need not be homeowners as stated in your question.</p> <p>See NHDOE response to question 18 regarding the development of a minimum excess generation credit LMI allocation requirement.</p>
18.	Within Section II.D.3.h.i.3: If there is going to be a required minimum threshold, we are also curious why the floor isn’t aligned with the existing 12% floor for the LMI adder used under SB165?	<p>Following passage of SB 270 (2022), the Department facilitated a public process regarding implementation, including a series of stakeholder sessions and multiple opportunities for written comment. Please see NH Senate Bill 270 Low to Moderate Income Community Solar Program NH Department of Energy for more information on the public stakeholder process.</p> <p>Following this process, the Department approved, a 25%</p>

		minimum requirement. Opportunity for input from stakeholders will continue to occur on an annual basis.
19.	With the 25% LMI benefit requirement, our read of the RFP suggests that the program may not be financially viable for solar array hosts unless net metering rates are lower than \$0.10/kWh over the lifetime of a project. Using the \$0.15/kWh assumed net metering rate provided in the RFP, the \$0.025 LMI adder would be more than offset by the required 25% on-bill credit LMI member allocation requirements. Would the department consider adjusting the 25% minimum benefit requirement?	Please see response above to question 18. Please also see the Department's Order dated December 22, 2023 order-low-moderate-income-comm-solar-eap-program.pdf (nh.gov) which states that the Department will manage the application process with opportunity for input from stakeholders on an annual basis.
20.	Would the department consider allowing projects >1MW which would otherwise be eligible for net metering? Larger projects may offer economies of scale that could allow for a higher % of benefits to flow to LMI members.	Please see RSA 362-A:1-a for definitions of eligible customer-generators and the definition of municipal host, which allows projects greater than one megawatt and less than 5 megawatts to net meter providing the group member(s) consist exclusively of one or more customers who are political subdivisions. Section 362-A:1-a Definitions. (state.nh.us)
21.	I am trying to clarify the subscriber requirements for the 6 MW LMI community program. It is our understanding that a minimum of 25% of the bill credits must go to qualified LMI subscribers. The question is - what options are there for the other 75%? Can they be either residential and/or commercial subscribers?	Projects that receive designation as an LMI Community Solar Project under this program, must designate their production for the benefit of low-moderate income residential customers who have enrolled in, or are on the waitlist for, the Electric Assistance Program (EAP). No other member types are allowed for this program. A minimum of 25% of the project's total monetary credit from net excess electric generation must be allocated to EAP LMI members. Remaining credit may be allocated to the group host.
22.	I have a proposal that was prepared for a different program that was similar to the requirements for this application. Can I forward the proposal for this application? Or does it have to be done under an application	Any applications for the EAP LMI Community Solar Program must be organized as outlined in the application process instruction document here: lmi-community-solar-eap-application 12.22.23.pdf (nh.gov) . Applications in formats other than those outlined in the instruction document will not be accepted.

	format for the State of New Hampshire?	
23.	Is a 400+ kW AC solar array that is near completion and located in a regulated utility's territory eligible to participate in this program?	Applications that meet the eligibility criteria outlined in the application instructions here: lmi-community-solar-eap-application_12.22.23.pdf (nh.gov) may be eligible to receive designation. Please see Section I. Overview, Section C. Basic Project Eligibility Requirements, 1. "Projects must consist of <i>new</i> ground--mounted, carport, or rooftop, group net metered community solar PV projects." [emphasis added]. Projects that begin operation prior to the end of the application open period are not eligible for designation. For the purpose of this process, the Department considers operational date as the date the project receives permission to operate from the interconnecting utility.