

DEPARTMENT OF ENERGY  
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November 18, 2024

**Proceeding Relative to Distributed Energy Interconnection (IC) and En 900 Rules****RUL 2024-005****Summary and Request for Comments Following October 29, 2024, Stakeholder Session**

On September 24, 2024, the Department of Energy (“Department”) issued an Order of Notice initiating a proceeding to examine and assess draft rules to be adopted for the purposes of setting uniform procedures for distributed energy resources (“DER”) that are proposed for a customer generator’s interconnection to the electrical infrastructure of New Hampshire’s investor-owned utilities. The proceeding will also explore development of rules pursuant to RSA 12-P:5, IV relative to the Department’s authority over net metering under RSA 374.

An initial virtual stakeholder session was held on October 29, 2024. During the session, stakeholders raised several concerns, questions, and suggestions regarding this proceeding. At the end of the session, the Department said that it would send a summary of the session as well as a list of those subjects raised during the session where the Department would find initial stakeholder comments helpful.

A summary of the session is below, followed by a list of those topics identified by the Department where stakeholder comments would be helpful. Any comments on the attached, as well as any other feedback regarding the investigation, should be submitted to the Department by emailing them to [Proceedings@energy.nh.gov](mailto:Proceedings@energy.nh.gov).

*Please note that further communications from the Department regarding this proceeding will be distributed **only** to the service list for this proceeding. Participants wishing to be on the service list should provide an email address to [Proceedings@energy.nh.gov](mailto:Proceedings@energy.nh.gov). Please include the above referenced docket number in the subject line of any email.*

## **Summary of October 29, 2024, Stakeholder Session**

The session was held via Teams and lasted from 1-2:30 pm. Representatives from the three investor-owned utilities, as well as NHEC, and multiple other stakeholders were in attendance. The Department reviewed the background and intent of the proceeding, which was prompted by the passage of SB 391 (2024) requiring the Department to examine and assess draft rules related to interconnection; as well as the need for the Department to develop and adopt rules related to net metering; to be titled the En 900 rules. This proceeding is designed to solicit stakeholder input as part of the development of draft En 900 rules before initiating a formal rulemaking proceeding.

The Department reviewed the proposed timeline of the proceeding, which includes a goal of early June 2025 to have a draft final rule set for the Department to adopt as an initial proposal for filing with the Office of Legislative Services (OLS) by October 2025. The filing of an initial proposal with OLS starts the formal rulemaking process that should result in the approval of a final rule proposal in early April 2026.

The Department explained the two parallel tracks proposed for this proceeding – one related to developing interconnection rules and one related to developing En 900 rules not related to interconnection. Although the Department proposed this format with the expectation that some stakeholders may be mainly interested in interconnection while some may be interested primarily in net metering, all stakeholders are welcome to participate in any and all sessions.

Several stakeholders expressed concern about limiting the interconnection portion of the proceeding to interconnection requirements only for net metering as the Department had proposed. There appeared to be a consensus among the stakeholders who spoke at the session that the interconnection rules should address all distributed energy resource (DER) interconnection, including facilities greater than 5 MW and regardless of whether the facility is net metered. The Department noted its proposal to limit the proceeding to net-metered interconnection rules was simply driven by the tight timeline to develop and formalize a rule proposal and its interpretation of SB 391 as referring to only net-metered interconnection by use of the word “customer-generator”, a statutorily defined term that refers solely to net metering. See RSA 362-A:1-a, II-b. However, the Department expressed openness to considering all DER interconnection in this proceeding and stated that it would discuss the issue internally.

There was a brief discussion regarding when FERC rules and jurisdiction are in effect. The issue of the applicability of ISO-NE jurisdiction and requirements was also brought up. Due to the overlapping jurisdictional issues, this topic is included in the list of topics below for stakeholder comment.

Several stakeholders suggested providing detailed agendas in advance of stakeholder sessions and working group meetings, including identifying topics in advance for each general (non-interconnection related) En 900 session. The Department agreed and will provide agendas in advance of each session.

There was a suggestion that co-chairs outside of the Department could help lead this proceeding. The Department stated that it would discuss this internally and let stakeholders know. The Department has discussed internally and, while appreciative of the offers to assist the Department, decided that it is more appropriate for the Department to lead this proceeding.

Regarding written stakeholder comments, the Department emphasized that anyone may submit written comments on any issue related to the proceeding at any time. In the Order of Notice for the proceeding, the Department included a list of Set 1 questions regarding interconnection for stakeholders to respond to by December 17, 2024. The Department clarified that this request is for a one-to-two page list of prioritized issues for IREC rules that are reasonable and acceptable, and those rules that may be problematic. However, detailed comments on any topic are welcome.

*It was also noted during the session that some stakeholders were having difficulty accessing the session via Teams. For any stakeholders who experienced this issue, and for any who experience technological difficulties accessing sessions in the future, please reach out to the Department at [proceedings@energy.nh.gov](mailto:proceedings@energy.nh.gov) and we will work with the New Hampshire Department of Information Technology to resolve. Additionally, a call-in number was inadvertently excluded for this session. The Department will attempt to ensure that call-in numbers are provided for all future sessions.*

### **List of Topics for Stakeholder Comment**

Below please find a list of topics for stakeholder comment, as discussed at the October 29, 2024, stakeholder session. Responses to any and all topics are welcome. Responses should be submitted to the Department by emailing them to [proceedings@energy.nh.gov](mailto:proceedings@energy.nh.gov). Comments should be submitted at least fourteen (14) days prior to each stakeholder session.<sup>1</sup>

1. Please explain whether there should be any limits on DER (type, size, etc.) considered in this proceeding and subject to the Department's interconnection rules.
  - a. As part of this explanation, please provide comments regarding jurisdictional issues including MW thresholds for the Department, the utilities, ISO-NE, FERC, and any other entity as it applies to DER (for example, up to 1 MW, over 1 MW, over 5 MW, general interconnection jurisdiction, etc.)
2. Please list specific topics regarding the En 900 rules that you would like discussed in non-interconnection stakeholder sessions. A non-exhaustive list of proposed topics from the Department, as shared at the stakeholder session, is attached. Any proposed additions or comment on the proposed topics is welcome.
3. Any additional comments are welcome.

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<sup>1</sup> This does not apply to the November 13, 2024, non-interconnection session or the November 18, 2024, interconnection session, as there are fewer than 14 days between the date of this letter and the scheduled sessions.

## **Topic areas to be addressed in Non-Interconnection En 900 Rules**

1. Municipal group net metering host
  - a. Will have muni-specific GNM application form
  - b. Group changes requiring verification of member eligibility
  - c. Political subdivision eligibility
  - d. Interconnection/metering review (all existing facilities moving to NEM-mostly Muni)
  - e. Utility involvement / responsibilities
  
2. Electric Assistance Program LMI community solar projects
  - a. Will be developed working from the:
    - i. application information and
    - ii. group administration guidelines documents
    - iii. Both available on the Department website  
<https://www.energy.nh.gov/nh-senate-bill-270-implementation>
  - b. Will have EAP/LMI-specific GNM application form
  - c. Utility involvement / responsibilities
  
3. 2023 SB 40- enabling certain hydro electric generators to be considered customer generators
  
4. 2023 SB 161 – enabling certain housing projects to be considered eligible as LMI members for LMI community solar projects.
  
5. Changes to group administration
  - a. [RSA 362A-9:XIV\(c\)2](#), annual load-generation review and payment adjustment
    - i. Revisit annual host reports
    - ii. Host access to data
    - iii. Verification of host data
    - iv. Utility involvement / responsibilities
  
6. Potential changes related to Puc Order regarding DE 22-060 net metering tariff (to be addressed if/when such changes become applicable)
  
7. Possible changes to address battery storage and net metering
  - a. Ex. Liberty battery storage pilot
  
8. All forms need to be incorporated into rules