



**NC SUSTAINABLE
ENERGY ASSOCIATION**

June 2, 2015

OFFICIAL COPY

E-100, Sub 113

FILED

JUN 02 2015

Clerk's Office
N.C. Utilities Commission

Chief Clerk
North Carolina Utilities Commission
Dobbs Building
430 North Salisbury Street
4325 Mail Service Center
Raleigh, NC 27699-4325

Re: NC Sustainable Energy Association's Requests for Declaratory Ruling on Meaning of N.C.G.S. § 62-133.9 and NCUC Rule R8-67 and, If Necessary and Appropriate, a Rulemaking to Clarify NCUC Rule R8-67 (Docket No. E-100, Sub 113)

Dear Honorable Chief Clerk and Commissioners:

On 1 June 2015, NCSEA filed a Request for Declaratory Ruling in this proceeding.

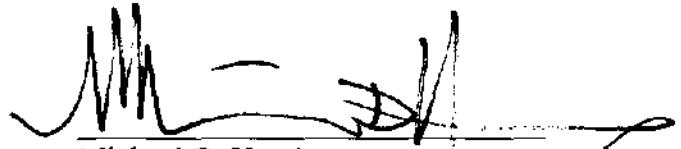
NCSEA's request is representative of a diverse spectrum of stakeholders' positions, as evidenced by the attached letters from business and academic interests.¹ The table below lists the letters' authors and the organizations they represent.

| Organization | Author |
|---|--|
| Broad U.S.A, Inc. | Doug Davis, Director Broad USA |
| Kestava Energy Management, LLC | Keith McAllister, President |
| MAE Energy Solutions at NC State University | Dr. Stephen Terry, Research Assistant Professor and Director |
| Nixon Energy Solutions | Justin Sharp, Business Development Manager |
| North Carolina Clean Energy Technology Center (NCCETC) at NC State University | Stephen S. Kalland, Executive Director |
| Wilson Engineering Services, PC | Dan Wilson, Vice President |

If you have any questions, please do not hesitate to contact me.

¹ Some or all of these letters may have been filed independently by their authors. NCSEA compiles and submits these letters under this cover letter for ease of access and reference.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Michael D. Youth', with a long horizontal flourish extending to the right.

Michael D. Youth
Counsel for NCSEA
N.C. State Bar No. 29533
4800 Six Forks Rd., Suite 300
Raleigh, NC 27609
(919) 832-7601 Ext. 118
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BROAD U.S.A., INC.

401 Hackensack Avenue, Suite 503, Hackensack, NJ 07601 Phone: (201) 678-3010 Fax: (201) 678-3011 WWW.BROADUSA.COM

May 26, 2015

Chief Clerk
North Carolina Utilities Commission
Dobbs Building
430 North Salisbury Street
4325 Mail Service Center
Raleigh, NC 27699-4325

Re: NC Sustainable Energy Association's Request for Declaratory Ruling on Meaning of
N.C.G.S. § 62-133.9 and NCUC Rule R8-67 and, If Necessary and Appropriate, a
Rulemaking to Clarify NCUC Rule R8-67 (NCUC Docket No. E-100, Sub 113).

Honorable Chairman and Commissioners,

I am Doug Davis, director at Broad USA located in New Jersey is a manufacturer of CHP equipment.

I understand that the NC Sustainable Energy Association is requesting the Commission clarify that new topping cycle combined heat and power (CHP) systems qualify as energy efficiency measures under North Carolina law.

I believe it is important for the Commission to address this question. Having participated in formal and informal CHP working group discussions, I believe NC Sustainable Energy Association's position that new topping cycle CHP systems can qualify as an energy efficiency measure is reasonable and common-sensical. I also believe that, if the Commission clarifies that topping cycle CHP systems can qualify, it would be appropriate to establish some clear eligibility guidelines to ensure there is no "gaming" of the process.

If you have any questions, please do not hesitate to contact me.

Thank you,

Doug Davis
Director Broad USA



Kestava Energy Management, LLC

May 28th, 2015

Chief Clerk
North Carolina Utilities Commission
Dobbs Building
430 North Salisbury Street
4325 Mail Service Center
Raleigh, NC 27699-4325

Re: NC Sustainable Energy Association's Request for Declaratory Ruling on Meaning of N.C.G.S. § 62-133.9 and NCUC Rule R8-67 and, If Necessary and Appropriate, a Rulemaking to Clarify NCUC Rule R8-67 (NCUC Docket No. E-100, Sub 113).

Honorable Chairman and Commissioners,


I am Keith McAllister, President of Kestava Energy Management, LLC located in Cary, NC. Kestava Energy Management is a consulting firm that helps companies meet their energy needs.

I understand that the NC Sustainable Energy Association is requesting the Commission clarify that new topping cycle combined heat and power (CHP) systems qualify as energy efficiency measures under North Carolina law.

I believe it is important for the Commission to address this question. Having participated in formal and informal CHP working group discussions, I believe NC Sustainable Energy Association's position that new topping cycle CHP systems can qualify as an energy efficiency measure is reasonable and common-sensical. I also believe that, if the Commission clarifies that topping cycle CHP systems can qualify, it would be appropriate to establish some clear eligibility guidelines to ensure there is no "gaming" of the process.

If you have any questions, please do not hesitate to contact me.

Thank you,



Keith McAllister

President

NC STATE UNIVERSITY

College of Engineering
Campus Box 7910 / 3002 EBH
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919.515.2365
919.515.7968 (Fax)

May 26, 2015

Chief Clerk
North Carolina Utilities Commission
Dobbs Building, 430 North Salisbury Street
4325 Mail Service Center
Raleigh, NC 27699-4325

Re: NC Sustainable Energy Association's Request for Declaratory Ruling on Meaning of N.C.G.S. § 62-133.9 and NCUC Rule R8-67 and, If Necessary and Appropriate, a Rulemaking to Clarify NCUC Rule R8-67 (NCUC Docket No. E-100, Sub 113).

Honorable Chairman and Commissioners,

I am Dr. Stephen Terry, Research Assistant Professor and Director of MAE Energy Solutions, a part of North Carolina State University's Mechanical & Aerospace Engineering Department. Energy Solutions provides unbiased energy technical assistance to North Carolina manufacturers and institutions. We have been in operation for over 20 years and have assessed over 1,000 facilities.

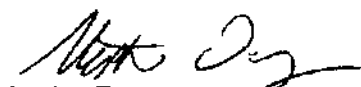
I understand that the NC Sustainable Energy Association is requesting the Commission clarify that new topping cycle combined heat and power (CHP) systems qualify as energy efficiency measure under North Carolina law. Our group cannot directly support legislation or lobby for a particular point of view. However, we can support the science behind the intent.

It is entirely reasonable for topping cycle CHP systems to qualify as an energy efficiency measure. The process of using fuel to generate electricity, then using the considerable quantity of remaining heat for useful purposes is a more efficient process than wasting it, as large utilities must do now. This reduces the overall need to burn fossil fuels and increases the overall fuel energy utilization percentage from in the range of 35% to 60% or more.

One of the goals of the REPS law is to increase energy efficiency, by supporting measures such as improved lighting, higher efficiency HVAC units, and improved process equipment. Topping cycles reduce fuel energy use, thereby reducing harmful emissions and CO₂ production.

If you have any questions, please do not hesitate to contact me.

Thank you,



Stephen Terry, PhD, PE
Research Assistant Professor

May 23, 2015



Distributor
GE Jenbacher gas engines

Chief Clerk
North Carolina Utilities Commission
Dobbs Building
430 North Salisbury Street
4325 Mail Service Center
Raleigh, NC 27699-4325

Re: NC Sustainable Energy Association's Request for Declaratory Ruling on Meaning of N.C.G.S. § 62-133.9 and NCUC Rule R8-67 and, If Necessary and Appropriate, a Rulemaking to Clarify NCUC Rule R8-67 (NCUC Docket No. E-100, Sub 113).

Honorable Chairman and Commissioners,

I am Justin Sharp, Business Development Manager at Nixon Energy Solutions located in Charlotte. Nixon is a distributor of Kohler and GE gas engines for electricity generation.

I understand that the NC Sustainable Energy Association is requesting the Commission clarify that new topping cycle combined heat and power (CHP) systems qualify as energy efficiency measures under North Carolina law.

I believe it is important for the Commission to address this question. Having participated in formal and informal CHP working group discussions, I believe NC Sustainable Energy Association's position that new topping cycle CHP systems can qualify as an energy efficiency measure is reasonable and practical. I also believe that, if the Commission clarifies that topping cycle CHP systems can qualify, it would be appropriate to establish some clear eligibility guidelines to ensure there is no "gaming" of the process.

If you have any questions, please do not hesitate to contact me.

Thank you,

A handwritten signature in black ink that reads "Justin Sharp". The signature is written in a cursive, flowing style.

Justin Sharp

June 1, 2015

Chief Clerk
North Carolina Utilities Commission
Dobbs Building
430 North Salisbury Street
4325 Mail Service Center
Raleigh, NC 27699-4325

Re: NC Sustainable Energy Association's Request for Declaratory Ruling on Meaning of N.C.G.S. § 62-133.9 and NCUC Rule R8-67 and, If Necessary and Appropriate, a Rulemaking to Clarify NCUC Rule R8-67 (NCUC Docket No. E-100, Sub 113).

Honorable Chairman and Commissioners,

I am Stephen Kalland, Executive Director of the North Carolina Clean Energy Technology Center (NCCETC) located at NC State University. NCCETC is a UNC System-chartered Public Service Center administered by the College of Engineering at North Carolina State University. Its mission is to advance a sustainable energy economy by educating, demonstrating and providing support for clean energy technologies, practices, and policies.

Amongst the programs of NCCETC is the U.S. DOE Southeast CHP Technical Assistance Partnership (CHP TAP). The Southeast CHP TAP promotes and assists in transforming the market for combined heat and power, including waste heat to power and district energy, throughout the U.S. The Southeast CHP TAP works in ten states: Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina and Tennessee.

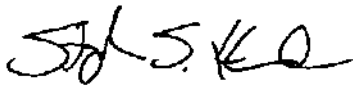
Highlighting the benefits of CHP as an energy resource, Presidential Executive Order 13624 established a national goal of 40 gigawatts of new CHP capacity by 2020. The Southeast CHP TAP is helping to reach this goal by identifying, facilitating, and supporting clean, efficient, and cost-effective CHP projects in industrial, commercial, and institutional sectors.

I understand that the NC Sustainable Energy Association is requesting the Commission clarify that new topping cycle combined heat and power (CHP) systems qualify as energy efficiency measures under North Carolina law.

I believe it is important for the Commission to address this question. Since NCCETC has participated in formal and informal CHP working group discussions, I believe NC Sustainable Energy Association's position that new topping cycle CHP systems can qualify as an energy efficiency measure is reasonable and common-sense. I also believe that, if the Commission clarifies that topping cycle CHP systems can qualify, it would be appropriate to establish some clear eligibility guidelines to ensure there is no "gaming" of the process.

If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "S.S. Kalland". The signature is fluid and cursive, with the first and last names being more prominent than the middle initial.

Stephen S. Kalland
Executive Director

Wilson Engineering Services, PC
902 Market Street
Meadville, PA 16335
Office: (814) 337-8223



May 22, 2015

Chief Clerk
North Carolina Utilities Commission
Dobbs Building
430 North Salisbury Street
4325 Mail Service Center
Raleigh, NC 27699-4325

Re: NC Sustainable Energy Association's Request for Declaratory Ruling on Meaning of N.C.G.S. § 62-133.9 and NCUC Rule R8-67 and, If Necessary and Appropriate, a Rulemaking to Clarify NCUC Rule R8-67 (NCUC Docket No. E-100, Sub 113).

Honorable Chairman and Commissioners,

I am Dan Wilson, Vice President at Wilson Engineering Services, PC located in Charlotte, NC. WES is an engineering design and consulting firm specializing in energy efficiency / combined heat and power, renewable energy, and conventional energy project development.

I understand that the NC Sustainable Energy Association is requesting the Commission clarify that new topping cycle combined heat and power (CHP) systems qualify as energy efficiency measures under North Carolina law.

I believe it is important for the Commission to address this question. Having participated in formal and informal CHP working group discussions, I believe NC Sustainable Energy Association's position that new topping cycle CHP systems can qualify as an energy efficiency measure is more than reasonable. In fact, having read in detail the language in question, it appears to unambiguously intend inclusion of topping cycle CHP systems as an energy efficiency measure. I also believe that, if the Commission clarifies that topping cycle CHP systems can qualify, it would be appropriate to establish some clear eligibility guidelines to ensure there is no "gaming" of the process.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Wilson Engineering Services, PC

A handwritten signature in black ink, appearing to read "DAN", with a stylized flourish at the end.

Daniel A. Wilson, P.E.
Vice President