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BEFORE THE NORTH CAROLINA UTILITIES COMMISSION
DOCKET NO. E-100, SUB 113

FILED

JUN 30 2014

Clerk's Office
N.C. Utilities Commission

In the Matter of:)
Rulemaking Proceeding to Implement) COMMENTS
Session Law 2007-397)

NCSEA'S COMMENTS

In the *Order Requesting Comments* issued by the North Carolina Utilities Commission ("Commission") on 3 June 2014 in this docket, the Commission appears to indicate that the problem it is seeking to address is that it "cannot easily discern how many [non-utility generating] facilities are actually being built."

Given the aggregate nameplate capacity of solar PV systems that have, to date, "registered" with the Commission and recent statements by electric utilities that ~3 GW of solar PV is in their interconnection queues, it is understandable that the Commission would want to better understand how much of the proposed solar PV is actually being built. To this end, the Commission has indicated that it is considering amendments to Commission Rules R8-64 and R8-65 and also to the electric utilities' annual reports filed in Commission Docket Nos. E-100, Sub 41B, Sub 83 & Sub 101A.

In response to the Commission's 3 June 2014 Order, the North Carolina Sustainable Energy Association ("NCSEA") submits the following comments:

RECENT CHANGES TO NC-RETS

At the end of 2012, NCSEA and its members realized that they could not easily discern how many non-utility generating facilities were actually being built. The North Carolina Renewable Energy Tracking System ("NC-RETS") website contains a spreadsheet of registered projects; this downloadable spreadsheet includes a "Commenced Operation Date" column. As of late last year, however, the spreadsheet did

not include a "NC Docket #" column, and so it was nearly impossible to reconcile NC-RETS projects that had commenced operation with projects that had earlier filed registrations, applications for certificates of public convenience and necessity ("CPCNs"), or notices of proposed construction ("ROPCs") with the Commission.

NCSEA worked with the NC-RETS stakeholder group and the NC-RETS administrator, APX, to add a "NC Docket #" column to the NC-RETS project spreadsheet.¹ The revised downloadable NC-RETS project spreadsheet is available at <https://portal2.ncrets.org/myModule/rpt/myrpt.asp?r=111>. See Exhibit B (snapshot of downloadable spreadsheet). As of 5 June 2014, the downloadable spreadsheet contained 319 solar PV projects located in the State of North Carolina that had "commenced operation," totaling 393.28 MW in the aggregate. As of 5 June 2014, the most recently registered solar PV project had commenced operation on 18 April 2014, indicating that the spreadsheet was basically current as far as updates go. Each project's docket number in the downloadable spreadsheet can be used to find and review the specific docket filings on the Commission's website.

NCSEA understands that the NC-RETS downloadable spreadsheet may not contain all of the non-utility generating facilities that have commenced operation in the State of North Carolina, but this spreadsheet does provide significant insight about "how many facilities are actually being built" vis-à-vis how many planned projects are being filed for at the Commission or placed in the electric utilities' interconnection queues.

¹ NCSEA paid for the change to be made. See Exhibit A (APX invoice to NCSEA for the change order).

AMENDING COMMISSION RULE R8-64

Commission Rule R8-64(e) currently provides “[a]ll applicants [for CPCNs] must submit annual progress reports until construction is complete.” The Commission’s 3 June 2014 Order contemplates “whether to continue the annual construction progress reporting requirement for all qualifying facilities[and] whether Rue R8-64 should be modified to require a notice of completion of construction [. . ..]”

If the Commission is considering revising Rule R8-64 only to secure greater discernment of how many projects are actually being built,² NCSEA questions whether requiring a notice of completion of construction will yield significantly more/different information than can be obtained from NC-RETS with regard to certificated projects. NCSEA’s uncertainty, coupled with the additional administrative work that the filing of such a notice will create for project developers and the Commission Clerk, among others, means NCSEA is not in a position to endorse the creation of such a requirement at this time.

NCSEA is agnostic with regard to revising the rule to remove the annual progress reporting requirement.

AMENDING COMMISSION RULE R8-65

Commission Rule R8-65, pertaining to persons and systems exempt from the CPCN process, does not currently contain a reporting provision similar to the

² If the Commission is considering revision of the rule to serve other purposes – for example, to address to some extent congestion in the interconnection queue – then additional discussion is merited. NCSEA will note for the Commission that a number of stakeholders are discussing queue congestion, among other issues, in connection with a currently pending NCSEA petition in Commission Docket No. E-100, Sub 101. The Commission may want to align this docket’s inquiry with the stakeholder discussion currently taking place in that docket.

requirement in Commission Rule R8-64. In its 3 June 2014 Order, the Commission contemplates whether it should introduce a reporting requirement into Rule R8-65.

At first blush, it might appear as though the insertion of a reporting requirement for smaller systems would yield significantly more/different information than can be obtained from NC-RETS, and therefore might have merit. After all, the electric utilities indicate that there are ~1,700 smaller-scale solar PV systems in North Carolina and yet NC-RETS showed only 319 projects all together that had commenced operation as of 5 June 2014.

Though there is a clear disparity, NCSEA is unconvinced that a reporting requirement imposed on system owners/operators is the most efficient means of securing greater discernment of how many of the smaller-scale systems are actually being built. NCSEA suggests below what it believes is a more efficient means of bringing this information to the Commission's attention. For the foregoing reason, NCSEA is not in a position to endorse at this time the creation of a Rule R8-64-type reporting requirement in Rule R8-65.

**BACKGROUND ON ELECTRIC UTILITY REPORTING
REQUIREMENTS ESTABLISHED IN COMMISSION
DOCKET NOS. E-100, SUB 41 & SUB 101**

On 6 June 1989, the Commission issued an *Order Regarding Cogeneration and Small Power Production Status Reports ("Order 1")* in Commission Docket Nos. E-100, Sub 41 & Sub 57. *Order 1* directed as follows in pertinent part:

The utilities shall discontinue filing semi-annual update reports in Docket No. E-100, Sub 41. [Instead, c]omplete current status reports shall be filed . . . [by the electric utilities] on an annual basis. . . . [S]tatus reports shall be filed on September 1 of each succeeding year. All status reports shall be filed in Docket No. E-100, Sub 41. . . . Each status report shall provide information in three categories: (1) cogenerators and small power

producers which have contacted the utility but not yet executed a contract; (2) cogenerators and small power producers which have executed a contract with the utility, but not yet begun producing power; and (3) cogenerators and small power producers which have executed a contract and begun producing power. As to category (1) the reports shall provide the name and address of the cogenerator or small power producer, the project's projected capacity, the project's fuel and technology; and the status of negotiations. As to categories (2) and (3), the report shall provide the name and address of the cogenerator or small power producer, the project's capacity, the project's fuel and technology, the contract term and rates, and the actual or anticipated date of initial power production. The status reports may include such additional information as the utilities choose to provide in order to present a complete and current report on their cogeneration and small power production activities.

The three investor-owned electric utilities have made filings pursuant to *Order 1's* directives. *See, generally*, Commission Docket No. E-100, Sub 41B.

Similarly, with regard to interconnection, on 27 December 2005, the Commission issued an *Order Approving Tariffs, Riders, and Regulations Implementing Net Metering and Consolidating Reporting Requirements* ("*Order 2*") in Commission Docket No. E-100, Sub 101. In *Order 2's* Ordering Paragraph No. 4, the Commission ordered in pertinent part that

Progress, Duke, and Dominion file a consolidated annual report in Docket No. E-100, Sub 101A by March 31 of each year, beginning March 31, 2006, which incorporates the reporting requirements of Ordering Paragraph Four of the March 22, 2005, Order in Docket No. E-100, Sub 101

Order 2 at p. 3. The referred to reporting requirements are, in pertinent part,

[t]hat each utility shall file a report by October 1, 2005, and *every six months* thereafter, providing detailed information regarding . . . any interconnection requests, including the type and size of the generator, the impact on the distribution circuit, whether the proposed generator passed the Impact Screens, and the status of the interconnection request[.]³

³ The reporting requirement appears to trace back, at least in part, to a Public Staff recommendation: "The Public Staff recommends that the Commission . . . require the utilities to file semiannual reports detailing how many interconnection requests have been

Order Approving, In Part, Proposed Interconnection Standard, p. 19, Commission Docket No. E-100, Sub 101 (22 March 2005) (emphasis added).

The three investor-owned electric utilities have made filings pursuant to *Order 2*'s Ordering Paragraph No. 4. *See, generally*, Commission Docket No. E-100, Sub 101A.

**AMENDING THE ELECTRIC UTILITY REPORTS
FILED IN COMMISSION DOCKET
NOS. E-100, SUB 41B & SUB 101A**

Much has changed since the Commission issued *Order 1* and *Order 2*. The Renewable Energy and Energy Efficiency Portfolio Standard (“REPS Law”) has contributed to an increase in the number of proposed qualified facilities and net-metered systems, as well as an increase in the number of interconnection requests and queued projects.

NCSEA and other stakeholders have the ability to track the nameplate capacity of facilities that have filed for and obtained a CPCN, facilities that have registered with NC-RETS, and facilities for which a ROPC has been filed. The capacity of these “registered” facilities does not, however, reflect *installed* capacity because, obviously, some of these “registered” facilities do not ever get built.

To the extent the information accessible via the NC-RETS website needs supplementation to provide a more comprehensive picture of installed capacity, NCSEA recommends that the electric utilities’ two separate reports that are currently being filed in Commission Docket Nos. E-100, Sub 41B & Sub 101A be revised and combined into

denied for exceeding the limits, how many requests have been reconsidered pursuant to section 8.3, and any other information regarding this issue.” *Comments of the Public Staff*, p. 4, Commission Docket No. E-100, Sub 101 (25 October 2004).

one standardized report that continues to be filed with the Commission in the two dockets in March and September of each year.⁴

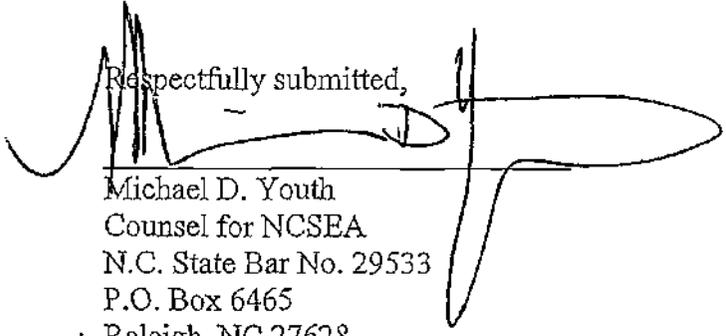
In addition to the information required to be included by *Orders 1 & 2*, the revised and combined standardized reports should:

- be complete reports (as opposed to mere updates)
- cover all interconnections/interconnection requests for the reporting electric utility's grid (not just interconnections/interconnection requests for projects that are 100 kW or less); and
- include a column that identifies the Commission docket(s) in which the identified facility filed a ROPC, or a registration, or obtained a CPCN.⁵

NCSEA also recommends that the electric utilities be required to make the filed reports available to parties to the dockets in electronic spreadsheet form so that these reports can more easily be reconciled with the "registrations" spreadsheet available on the Commission's website.

⁴ The Commission's 3 June 2014 Order in this docket contemplates revising or inserting a reporting requirement in Commission Docket No. E-100, Sub 83 – the net-metering docket. NCSEA does not endorse a reporting requirement specific to the net-metering docket because a significant number of the smaller solar PV systems being installed are buy-all, sell-all, meaning a requirement specific to net-metered systems will not be as comprehensive as the method NCSEA recommends in its comments.

⁵ To the extent, the Commission is interested in revising the reports to achieve more than greater visibility as to what has been built, NCSEA recommends that the electric utilities be required to include columns in their reports that identify the substation to which the identified facility is interconnected (or is proposing to interconnect). By way of comparison and example, PJM makes the substation information of those facilities in its interconnection queue publically available. See, <http://www.pjm.com/planning/generation-interconnection/generation-queue-active.aspx> (viewed on 14 June 2014).



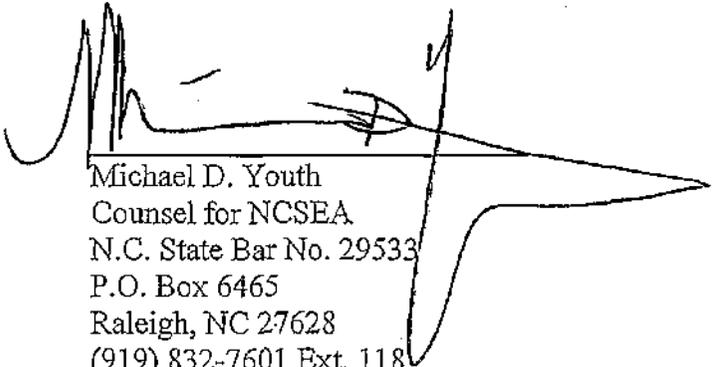
Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that all persons on the docket service list have been served true and accurate copies of the foregoing Comments, together with attachments, by hand delivery, first class mail deposited in the U.S. mail, postage pre-paid, or by email transmission with the party's consent.

This the 30th day of June, 2014.



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Youth, Michael <michael@energync.org>

RE: Sp change order

1 message

Bryan Gower <bgower@apx.com>
To: Michael Youth <michael@energync.org>

Wed, Oct 16, 2013 at 3:09 PM

Good Afternoon Michael

We implemented the change you asked the NCUC to have us develop. You can now access all Docket Numbers via the public report: <https://portal2.ncrets.org/myModule/rpt/myrpt.asp?r=111>. Please let me know if you have any questions.

As we discussed, I have attached invoice for this modification to this email.

Please let me know if I can be of any further assistance.

Thank you



Bryan Gower,
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INVOICE

APX Environmental Markets
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Invoice ID 0000919247
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Account Id 155

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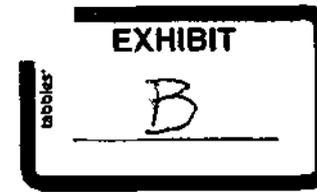
North Carolina Sustainable Energy Association
Attn: Michael Youth
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Raleigh, NC 27628 United States

Bill To:

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Description	Item Total
CR0013- Add NC Docket to NCRETS Project Reports	\$500.00
Total ==>	\$500.00

Payment due within 30 days of receipt. Late payments are subject to interest per the terms of customer agreement



NC-RETS PROJECTS

Print Date: 30 of June 2014 11:23:32 GMT

Account Holder Company	NC-RETS ID	State	Project	Multi-Fuel Indicator	Fuel/Project Type	NC Docket #	Commenced Operation Date	Nameplate Capacity	NC	886 Classification	Green-Energy Eligible	LHI Certified
1529 Properties, LLC	GEN129	NC	1529 Solar Roof - 1529 Solar Roof	No	Solar - Photovoltaic	SP-331, Sub 1	6/11/2009	0.05	Yes	No	No	No
ABCZ Solar, LLC	GEN169	NC	OPM - OPM	No	Solar - Photovoltaic	SP-716, Sub 0	8/12/2010	0.5	Yes	No	No	No
Active Concepts, LLC	GEN673	NC	Active Concepts, LLC - Active Concepts, LLC	No	Solar - Photovoltaic	SP-1447, Sub 0	12/16/2011	0.069	Yes	No	No	No
Advantage Investment Group LLC	GEN143	NC	Spencer Mountain Hydro - Spencer Mountain Hydro	No	Hydropower - Non-SEPA	SP-143, Sub 1	12/31/2007	0.56	Yes	No	No	No
AgPower, LLC	GEN751	NC	AgPower - Vestal	No	Biomass - Animal Waste - Swine Waste, Solid or Gas	SP-1240, Sub 0	12/31/2011	0.1	Yes	No	Yes	No
AIWIN, LLC	GEN810	NC	Fagan Solar Project - Fagan	No	Solar - Photovoltaic	SP-2252, Sub 0	12/31/2012	0.2	Yes	No	No	No
Albert Adcock	GEN578	NC	Solar - Albert C. Adcock, Sole Proprietor	No	Solar - Photovoltaic	SP-1277, Sub 0	11/30/2011	0.03	Yes	No	No	No
Appalachian State University	GEN617	NC	Broyhill Wind Turbine - Broyhill Wind Turbine	No	Wind	SP-283, Sub 1	7/1/2009	0.1	Yes	No	No	No
Appalachian State University	GEN618	NC	ASU Raley PV - ASU Raley PV	No	Solar - Photovoltaic	SP-283, Sub 2	7/3/2008	0.004	Yes	No	No	No
Appalachian State University	GEN619	NC	Biodiesel Collaborative Photovoltaic - Biodiesel Collaborative Photovoltaic	No	Solar - Photovoltaic	SP-283, Sub 3	4/1/2007	0.002	Yes	No	No	No
Apple Inc.	GEN801	NC	10MW fuel cell electric generating facility - 10MW fuel cell electric generating facility	Yes	Biomass - Landfill Methane	SP-1642, Sub 1	9/28/2012	10	Yes	No	No	No
Apple Inc.	GEN801	NC	10MW fuel cell electric generating facility - 10MW fuel cell electric generating facility	Yes	Natural Gas	SP-1642, Sub 1	9/28/2012	10	No	No	No	No
Apple Inc.	GEN877	NC	Malden PV1 - 4MW Photovoltaic Facility - 1	No	Solar - Photovoltaic	SP-1642, Sub 0	12/14/2012	4	Yes	No	No	No
Apple Inc.	GEN878	NC	Malden PV1 - 3MW Photovoltaic Facility - 2	No	Solar - Photovoltaic	SP-1642, Sub 0	12/14/2012	3	Yes	No	No	No
Apple Inc.	GEN879	NC	Malden PV1 - 4MW Photovoltaic Facility - 3	No	Solar - Photovoltaic	SP-1642, Sub 0	12/14/2012	4	Yes	No	No	No
Apple Inc.	GEN880	NC	Malden PV1 - 3MW Photovoltaic Facility - 4	No	Solar - Photovoltaic	SP-1642, Sub 0	12/14/2012	3	Yes	No	No	No
Apple Inc.	GEN881	NC	Malden PV1 - 3MW Photovoltaic Facility - 5	No	Solar - Photovoltaic	SP-1642, Sub 0	12/14/2012	3	Yes	No	No	No
Apple Inc.	GEN882	NC	Malden PV1 - 3MW Photovoltaic Facility - 6	No	Solar - Photovoltaic	SP-1642, Sub 0	12/14/2012	3	Yes	No	No	No
Arden Solar, LLC	GEN437	NC	Arden Solar, LLC - Arden Solar, LLC	No	Solar - Photovoltaic	SP-520, Sub 1	11/30/2009	0.224	Yes	No	No	No
ARGAND ENERGY						SP-1058,						