August 26, 2015

TO:
Honorable Kathleen H. Burgess
Secretary to the Commission
New York State Public Service Commission
Empire State Plaza, Agency Building 3
Albany, New York 12223-1350
secretary@dps.ny.gov

FROM:
Katie Bolcar Rever
Director, State Affairs
Solar Energy Industries Association
Phone: 202-841-7599
Email: krever@seia.org

RE: Case 15-E-0082 – Proceeding on Motion of the Commission as to the Policies, Requirements and Conditions for Implementing a Community Net Metering Program

Dear Secretary Burgess,

Please find the Solar Energy Industries Association's comments opposing the Joint Utilities' Request for Extension of Time in Case 15-E-0082.

Sincerely,
/s/ Katie Bolcar Rever
Katie Bolcar Rever
Director, State Affairs
Solar Energy Industries Association
Phone: 202-841-7599
Email: krever@seia.org

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

RE: **CASE 15-E-0082**

Dear Secretary Burgess,

The Solar Energy Industries Association (SEIA) respectfully submits these comments in regards to the Joint Utilities' (JU) Request for Extension of Time in Case 15-E-0082 related to the Community Net Metering Program (also referred to as the Community Distributed Generation (CDG) Program).[1]

Established in 1974, SEIA is the national trade association of the United States solar energy industry and is a broad-based voice of the solar industry in New York. Through advocacy and education, SEIA and its 1,000 member companies are building a strong solar industry to power America. There are 70 SEIA member companies in operation in New York working in all market segments – residential, commercial, and utility-scale. SEIA member companies provide solar panels and equipment, financing, and other services to a large portion of New York solar projects. In addition, SEIA is a party in the above referenced proceedings.

1. SEIA Opposes the JU Request for Extension of Time

The JU request that their tariff filing deadline for the CDG Program be extended from September 15, 2015 to 30 days from the date of the resolution of their Petition.[2] The JU reason that their Petition, as well as the postponement of amendments to remote net metering tariffs until September 21, 2015, require an extension of the filing deadline for the tariff amendments needed to launch the CDG Program.

SEIA sees no reason why the tariff amendments needed to launch the CDG Program should be delayed. The JU suggest that their proposed revisions to the CDG Program require a delay in

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[1] The comments herein represent the views of SEIA and not any individual member company.
[2] JU Request for Extension, August 17, 2015 (Case 15-E-0082)

the tariff filings required to launch the Program. However, the comment period for the Program design has expired and the Commission has issued its final order.[3] In its July 17 Order establishing the CDG Program, the Commission made it abundantly clear that the CDG Program launch should not be delayed because certain details of the CDG Program remain to be developed, or because other REV proceedings are ongoing.[4] The JU should not be permitted to delay Program implementation by questioning the CDG Order on which they have already had an opportunity to comment. Therefore, the Program should not be delayed as a result of the JU's attempts to retroactively affect the Order.

The JU also argue that the Program should not be launched until resolution of pending remote net metering tariffs. The JU provide no rationale for why the CDG Program should not precede the effective date of the pending remote net metering tariffs, and SEIA sees no rationale either. The remote net metering tariffs have been delayed several months and may yet be delayed again. Therefore, aligning the CDG Program tariff deadline with the remote net metering tariff filings will create significant uncertainty and only increase program delay, without any sound public policy reason for doing so.

Finally, even if the Commission accepts the recommendations in the JU Petition, the JU state that the recommended changes are designed to efficiently and effectively implement the CDG Program in a manner consistent with the phased in approach set forth in the Commission's Order.[5] Thus, extending the JU's tariff amendment deadline is inconsistent with the very rationale upon which the Petition is based.

Therefore, the Commission should reject the JU Request for Extension. An extension of the tariff amendment filing deadline will result in up to several months delay in the launch of the CDG Program, which will in turn delay program participation. This result runs counter to the Commission's Order and risks significant expense and uncertainty for developers planning to invest in the CDG Program.

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[3] Order Establishing a Community Distributed Generation Program and Making Other Findings, July 17, 2015 (Case 15-E-0082

[4] Id.

[5] JU Petition for Reconsideration at 4

Therefore, SEIA respectfully requests that the Commission reject the JU Request for Extension.

Respectfully submitted,

/s/ Katie Bolcar Rever
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