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May 11, 2015

PA Public Utility Commission  
Attn: Secretary,  
P.O. Box 3265  
Harrisburg, PA 17105-3265

RE: Comments and Questions regarding PUC Docket No. L-2014-2404361 "Implementation of the Alternative Energy Portfolio Standards Act of 2004"

Below are three concerns, along with suggestions for improving the wording of the proposed rule change on net-metering:

1. **Concern:** Definition of utility in 75.1 Definitions: This states that Customer-Generators that are designed to produce no more than 200% of Customer-Generator's annual electric consumption shall be exempt from the description of a utility. It seems vague and I'm not clear whether this statement is subject to 75.13 (a) (3) (IV) conditions for having the 200% consumption limit waived.

**Suggested Change: *Utility*—A person or entity that provides electric generation, transmission or distribution services, at wholesale or retail, to other persons or entities. AN OWNER OR OPERATOR OF AN ALTERNATIVE ENERGY SYSTEM THAT IS DESIGNED TO PRODUCE NO MORE THAN 200% OF A CUSTOMER-GENERATOR'S ANNUAL ELECTRIC CONSUMPTION SHALL BE EXEMPT FROM THE DEFINITION OF A UTILITY IN THIS CHAPTER *subject to 75.13 (a) (3) (IV).***

2. **Concern:** 75.13 (a) (3) (IV): While this is an improvement from the earlier proposed rule change, this important section can be improved by having further clarity. The language in the proposed change will be challenging for DEP to interpret. What does "integral" mean? Changing "MAY" to "SHALL" improves clarity. I suggest that this section be changed to the following:

**Suggested Change: (IV) THE 200% OF THE CUSTOMER-GENERATOR'S ANNUAL ELECTRIC CONSUMPTION LIMITATION ~~MAY~~ shall NOT APPLY TO ALTERNATIVE ENERGY SYSTEMS WHEN THE DEPARTMENT PROVIDES CONFIRMATION TO THE COMMISSION THAT A CUSTOMER-GENERATOR'S ALTERNATIVE ENERGY SYSTEM ~~IS USED TO~~ *complies* WITH THE DEPARTMENT'S PENNSYLVANIA CHESAPEAKE WATERSHED IMPLEMENTATION PLAN IN COMPLIANCE WITH SECTION 303 OF THE FEDERAL CLEAN WATER ACT AT 33 USC § 1313 OR IS AN INTEGRAL ELEMENT *of a farm's approved Nutrient Management Plan in compliance* FOR COMPLIANCE WITH THE NUTRIENT MANAGEMENT ACT AT 3 PA. C.S. §§ 501, *ET SEQ.***



3. Concern: 75.13 (a) (4): This sentence refers to limiting nameplate capacity for residential service locations. Many dairy farms in Pennsylvania have their electricity as a residential service. These dairy farms with residential service accounts will be excluded from the benefits of net-metering.

Suggested Change: **(4) The alternative energy system must have a nameplate capacity of not greater than 50 kW if installed at a residential service location** *unless the service is for a "normal agricultural operation," as defined in the Pennsylvania Right to Farm Act.*

Thank you for the opportunity to provide comments to this rule change.

Sincerely,  
  
John Williamson

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