

Kish View Farm
4733 Main Street
Belleville, PA 17004

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SECRETARY'S BUREAU

May 21, 2015

Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
PO Box 3265
Harrisburg, PA 17105-3265

ATTN: Secretary

RE: Docket L-2014-2404361
Proposed Net Metering Changes

The anaerobic digester (AD) system my family built in 2011 to treat manure at our dairy is essential to handle the manure from 500 cows plus a future expansion of our herd. We took the considerable risk of AD because our farm edges a residential community and our need to manage waste to comply with our Nutrient Management Plan (NMP) is great, and to reduce odor complaints from our non-farm neighbors.

We were very concerned when the PUC Ruling came out last year that would likely make our financial investment in the digester infeasible. But the newly released AEPS gives us hope that we will be able to continue to operate our digester that was installed primarily for conservation and community relation reasons, because there is now a clear attempt to recognize on-farm digesters as a means to address our excess waste issue rather than a viable energy business.

My only concern with the proposed language is that it is not really definite and could leave it up to DEP employees to make personal decisions on which 'may' or may not qualify for exemption. As a farm we are heavily regulated on how much manure we can generate and how much food waste we can feed the digester. Even if we took in the maximum amount of food waste as allowed by permitting with the DEP so there are already many plans and permits required of us by DEP. It seems that rather than leave the certification as a subjective decision for DEP employees, a problem we face daily and know from experience how costly that is, some minor modifications of the language would streamline and clarify the process for everyone involved. If the DEP can simply confirm that the digester is part of our nutrient management plan, rather than making it dependent on an ambiguous word like a subjective word like 'integral', it will expedite the process and ensure that it is fact based.

This could be done easily by making changes in 75.13 (a) (3) (IV) so it is clearer for the permitting agency and those of us getting permitted:

(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.**

Our anaerobic digester has had a huge impact on odor control, making it much easier to operate a dairy of our size so close to urban/suburban sprawl. In fact, there is a retirement home directly across the street from our dairy and they don't even realize we are still operating because the manure smell has been eliminated. It has helped our farm to become "neighbor friendly". This is essential since we can't just move our family farm further away from the sprawl that is encroaching our property that has been in our family for three generations.

The cost of environmental compliance has driven many out of the business but anaerobic digesters are a solution that at least, if we are able to maintain our ability to sell back to the grid, enables us to get a return on our investment and cover the costs of operating it. My family sincerely appreciates the efforts of the PUC to recognize this and its efforts to exempt the digesters from the 200% cap.

We believe that with a few minor changes in the key paragraph, and throughout the document to ensure it is all consistent in the exemption for on-farm digesters, not only will my family be able to keep ours in operation, but that others will choose to invest money on new digester systems in the future.

Sincerely,



Keith Spicher

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