



I N T E R N A T I O N A L

May 26, 2015

Pennsylvania Public Utilities Commission
Commonwealth Keystone Building
400 North Street
PO Box 3265
Harrisburg, PA 17105-3265
Attention: Secretary

Re: Docket L-2014-2404361 "Implementation of the Alternative Energy Portfolio Standards Act of 2004"

Dear Commissioners:

RCM appreciates the Commission's efforts on behalf of Pennsylvania Agriculture. A number of our Pennsylvania farm clients have installed anaerobic digester systems and are participants in the Commonwealth's net metering program.

However, we feel that if the following wording changes were made to the new net-metering rules, they would be more acceptable for perpetuating a sustainable, digester friendly Pennsylvania where farm digester projects continue to be financially viable.

1) Change Section 75.1 Definitions

The current definition of a *Utility* may conflict with the 200% limitation waiver for certain Alternative Energy Systems described in General Provisions Section 75.13 (a) (3) (IV)

Existing Wording:

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"

Proposed Change:

We request that the definition of a *Utility* be subject to section 75.13 (a) (3) (IV).

RECEIVED

MAY 27 2015

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU



I N T E R N A T I O N A L

2) Change Section 75.13 General Provisions 75.13 (a) (3) (IV).

Existing Wording:

The use of the word "MAY" in Section 75.13 (a) (3) (IV) leaves room for doubt; we request that the word "May" be replaced with "SHALL" in order to improve clarity.

Proposed 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) Change Section 75.13 General Provisions 75.13 (a) (4)

Existing Wording:

This Section 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.

Proposed 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.

We believe these minor changes will solidify the future of farm digesters in Pennsylvania.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Moser', written over a white background.

Mark Moser
RCM International LLC PO Box 4716 Berkeley, CA 94704
mmoser@rcmdigesters.com
510-834-4568

RECEIVED

MAY 27 2015

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

From (510) 834-4588
Mak Moser
RCM International LLC
PO Box 4718
Berkeley, CA 94704

Origin ID: JEMA



Ship Date 27MAY15
ActWgt: 0.5 LB
CAD: 1077042/NET3910

Delivery Address Bar Code



SHIP TO: (717) 425-7511

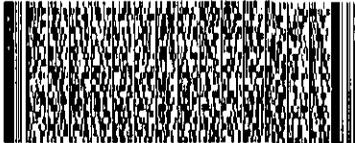
BILL SENDER

Secretary
PA Public Utilities Commission
400 North Street
PO Box 3265
HARRISBURG, PA 17105

Ref # net metering letter
Invoice #
PO #
Dept #

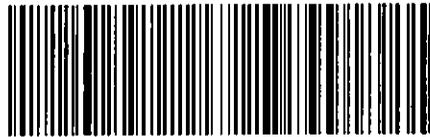
FRI - 29 MAY 10:30A
MORNING 2DAY

TRK# 7736 9598 3767
0201



SK MDTA

17105
PA-US
MDT



5271251100113

After printing this label:

1. Use the 'Print' button on this page to print your label to your laser or inkjet printer.
2. Fold the printed page along the horizontal line.
3. Place label in shipping pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.

Warning: Use only the printed original label for shipping. Using a photocopy of this label for shipping purposes is fraudulent and could result in additional billing charges, along with the cancellation of your FedEx account number.

Use of this system constitutes your agreement to the service conditions in the current FedEx Service Guide, available on fedex.com. FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$1,000, e.g., jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see current FedEx Service Guide.