

Solar Energy Business Association Of New England

October 26, 2011

Luly E. Massaro, Clerk
Rhode Island Public Utilities Commission
89 Jefferson Boulevard
Warwick, RI 02888

Re: Rhode Island Public Utilities Commission Docket No. 4288

Dear Ms. Massaro:

I am writing to offer comments on the proposed Distributed Generation Standard Contract on behalf of the Solar Energy Business Association ("SEBANE"), a business association of solar energy companies based or doing business in New England.

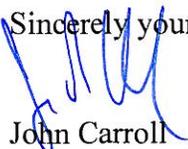
SEBANE appreciates the efforts of the Office of Energy Resources ("OER") and its working group in developing the proposed contract. Unfortunately, however, the contract does not satisfy the requirements of the Distributed Generation Standard Contract Act ("DG-SCA" or the "Act"), section 39-26.2-7, because it is ill-suited to small solar and wind projects. Accordingly, the Commission should modify the contract as recommended by solar developers and require the Distributed Generation Contract Board to solicit industry input and submit new contracts within twelve months.

The proposed contract does not meet the requirements of the DG-SCA. The Act requires "standard contracts that would be applicable for various technologies for both small and large distributed projects." DG-SCA, section 39-26.2-7. It speaks of "contracts" (plural), "various technologies" (not just one), and projects "small and large" (not just one size). However, the proposed contract is based on the contract for a 3.2 MW biogas plant. While the contract may be suitable for projects of that size and using that technology, is it not suitable for smaller projects or projects using wind and solar. For example, Section 3.1 (d) (ii) regarding termination in the event of the failure to meet the Capacity Demonstration Test is inappropriate for intermittent resources such as wind and solar and would be an extreme barrier to obtaining financing for such projects.

In order to support all renewable technologies, as required by the DG-SGA, SEBANE urges the Commission to modify the proposed contract as recommended by Nexamp and other solar developers. In addition, we request that the Commission direct the Distributed Generation Contract Board to review the contract, obtain input from the solar industry, and submit revised contracts within twelve months.

Thank you for your consideration.

Sincerely yours,



John Carroll
Vice - President