



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

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January 28, 2016

SENT VIA FIRST CLASS MAIL AND ELECTRONIC MAIL:

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

RE: 2016 Ceiling Prices for the Renewable Energy Growth Program
(Docket No. 4589-B)

Dear Ms. Massaro:

Enclosed for filing on behalf of the Rhode Island Distributed Generation Board ("Board") is an original and ten (10) copies of the Commission's Post-Hearing Data Requests Directed to the Board (January 20, 2016) regarding the 2016 renewable energy growth program classes, ceiling prices and targets.

If there are any questions, please feel free to contact me.

Sincerely,

Daniel W. Majcher, Esq.

DWM/njr

Enclosure

c. Kenneth Payne
Christopher Kearns
Docket List: 4589-B

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
PUBLIC UTILITIES COMMISSION

IN RE: REPORT AND RECOMMENDATION
OF R.I. DISTRIBUTED GENERATION BOARD
ON 2016 RENEWABLE ENERGY GROWTH
CEILING PRICES, CLASSES AND TARGETS

DOCKET NO. 4589-B

COMMISSION'S POST-HEARING DATA REQUESTS

DIRECTED TO BOARD

(January 20, 2016)

Reply by January 29, 2016

In order to supplement the record, and to assist the Commission in its review of the proposed 2016 ceiling prices, classes and targets, please provide the following:

- 1. Explain how the proposed Pilot classes, enrollment targets and ceiling prices comply with the provisions and policies of the RE Growth Act, including without limitation §39-26.6-12(h) and §39-26.6-5(d).**

The Renewable Energy ["RE Growth"] Act extended the distributed generation program to a wider range of project sizes, especially at the smaller scale of project sizes; the RE Growth did not provide for or specifically authorize exclusion of any class of parties from participation in the Program; thus the Distributed Generation Board ["DG"] felt compelled to develop ceiling prices for classes of parties that might have found ceiling price structures prior to 2016 difficult to use under their circumstance. In doing this, the DG Board was attempting to avoid *de facto* exclusion; no class of parties should be denied "system benefits," and "cost effectiveness", is necessarily variable by the type and size of renewable energy system and by the structure of financing and the availability of incentives by class of party: this addresses key issues in R.I. Gen. Laws § 39-26.6-5(d). Because the pilot is small, it does not have a significant impact on the application of the provisions of §. 39-26.6-12 (h).

- 2. Explain how the Pilot furthers the legislative goal declared in §39-26.6-2 to finance the development, construction, and operation of renewable energy distribution generation projects... through a performance based incentive system that is designed to achieve specified megawatt targets at reasonable cost through competitive processes.**

If reasonable cost was defined as lowest possible cost that would be one thing, and the RE Growth program accordingly would be confined to larger scale solar projects. But under the RE Growth law, limiting the program to bottom-line lowest cost is not what is required. Thus, "reasonable cost" merits being understood as a reasonable cost to make the system benefits of the program available in all communities of the State without discriminating against any class of parties. The RE Growth law, R.I. Gen. Laws § 39-26.6-4, continues the distributed generation standard contract board, established in § 39-26.2-11, which specifically includes appointment of persons with knowledge of "(4) Residential users; (5) Low income users." The RE Growth program is required to take into account the interests of all stakeholders affected by the program. The expectations set forth above apply to and give guidance to carrying the legislative goal of R.I. Gen. Laws § 39-26.6-2.