



## ***MSEIA SOLAR REPORT FOR DELAWARE APRIL 2016 SUMMARY***

### **Strategic Highlights**

**New Jersey Senate bill introduced to ensure customers are not restricted from solar installations.** Senate Bill [S2029](#) was introduced on April 18 as a companion bill to previously filed Assembly Bill [A210](#). The bills would ensure that potential customers are not restricted from solar panel installation by homeowners' associations. The bills make clear that homeowners' associations in common interest communities cannot prohibit the installation of solar collectors on the roof of any single family home or any townhouse located within such a community. Senate Bill S2029 awaits a committee hearing...

**New Jersey Senate schedules hearing on financing mechanism for clean energy projects.** Senate Bill [S684](#) which would establish the Clean Energy Technology Center and Alternative and Clean Energy Investment Trust Fund to issue loans and loan guarantees to companies, universities, and nonprofits to encourage the creation of clean technology ventures, including solar development, is scheduled for a Senate Environment and Energy Committee hearing on May 2...

**Pennsylvania Senate bill would grant General Assembly additional time to review Federal Clean Power Plan.** Senate Bill [S1195](#), introduced on April 8, would extend the amount of time the General Assembly would have to review Pennsylvania's compliance plan for the Federal Clean Power Plan. Review and approval of the plan would be extended from 100 to 180 days before submission to the Environmental Protection Agency (EPA), which is slated for September 2016. The bill was reported favorably by the Senate Environmental Resources and Energy Committee and is scheduled for a Senate floor vote...

**Navy plans ambitious 227-acre solar facility at the New Jersey Naval Weapons Station Earle.** The U.S. Navy intends to build a 32.8-MW solar facility at Naval Weapons Station Earle spanning 227 acres. The Navy plans to lease the properties to a utility company or a private developer that would construct and operate the facility, according to a [fact sheet](#) posted on the weapon station's website. See the fact sheet for more information...

**SolarCity launches solar service in Western Pennsylvania.** SolarCity [announced](#) on April 11 that it will begin operations in Western Pennsylvania with a residential solar project with no upfront cost. Solar City's product will cost \$30 per month, with design, installation, financing, insurance, monitoring and a performance guarantee included in the offers...

GENERAL POLICY				
Reference No.	Description	Why It Matters	Most Recent Action	Next Action

DEPSC PROCEEDINGS				
Reference No.	Description	Why It Matters	Most Recent Action	Next Action
<a href="#">Delaware Renewable Energy Task Force</a>	Working group for discussing renewable energy issues.	Could provide interesting intelligence and insight into the Delaware solar industry.	<p>The group held a meeting to discuss the results of 2015 SREC Procurement Auction and ideas on how SRECs can be accounted for in the PJM GATS tracking system (<a href="#">6/4/15</a>).</p> <p>Renewable Energy Taskforce meeting held to discuss the next SREC auction and the Green Energy Fund (<a href="#">7/30/15</a>).</p> <p>RET Task Force meeting held (<a href="#">8/27/15</a>).</p>	Awaiting next action.



DEPSC PROCEEDINGS				
Reference No.	Description	Why It Matters	Most Recent Action	Next Action
DEPSC Docket No. 16-0105  <i>Opened on 1/15/16.</i>	Complaint filed by LCP Development against Delmarva Power alleging a deceptive rate design. In effect, LCP objects to Delmarva charging for the relatively small amount of station power consumed when the solar panels are not engaged (including standby demand charges) rather than just purchasing the electricity directly (not metering) as is done by utilities in other states that LCP owns solar stations in.	Rate treatment of utility-scale solar vs. net metered distributed generation.	Formal complaint filed ( <a href="#">1/15/16</a> ).  Delmarva filed a motion to dismiss for failure to state a claim on which relief may be granted ( <a href="#">2/12/16</a> ).  DEPSC Staff filed request for hearing examiner to stay this proceeding for 45 days while settlement negotiations are ongoing ( <a href="#">4/8/16</a> ).  Pre-hearing conference held ( <a href="#">4/13/16</a> ).	Proceeding is stayed until <a href="#">6/2/16</a> .  Pre-hearing motions are due by <a href="#">5/9/16</a> . ( <i>This date will be rescheduled, if necessary</i> ).  Hearing scheduled for 10:00 a.m. ET on <a href="#">5/25/16</a> . ( <i>This date will be rescheduled, if necessary</i> ).  Briefs due <a href="#">7/27/16</a> ( <i>this date will be rescheduled, if necessary</i> ).
DEPSC Docket No. 15-1472  <i>Opened on 10/8/15.</i>	Application by Delmarva Power & Light (Delmarva) for approval of its 2016 procurement of solar renewable energy credits (SRECs).	Opportunity for customer-generators and larger solar facilities to sell credits to Delmarva.	Delmarva filed a request to re-start its SREC application ( <a href="#">3/9/16</a> ).  DEPSC issued order directing an evidentiary hearing to be held on <a href="#">5/3/16</a> ( <a href="#">4/20/16</a> ).	Evidentiary hearing scheduled for 1:00 p.m. ET on <a href="#">5/3/16</a> .



DEPSC PROCEEDINGS				
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DEPSC Docket No. 15-1462  <i>Opened on 10/7/15.</i>  DE Superior Court Civil Action No. NI5A-12-002 FSS  <i>Opened on 12/8/15.</i>	<p>The Division of Public Advocate (DPA) petitioned the DEPSC to issue regulations governing when a freeze of the minimum percentages of eligible energy resources and solar PV may be declared</p> <p><i>In a previous and related proceeding (Docket No. 15-1462), now closed, DEPSC issued an <a href="#">order</a> on 12/4/15 denying the Public Advocate’s request that the DEPSC, rather than the Delaware Department of Natural Resources (DNREC), issue regulations governing when a freeze of the minimum percentages of eligible energy resources and solar photovoltaics may be declared.</i></p>	<p>Could have a significant impact on supplier RPS compliance costs.</p>	<p>DPA filed petition (<a href="#">10/2/15</a>), arguing that DNREC does not have the authority to issue regulations on an RPS freeze but rather that that authority is held by the DEPSC.</p> <p>DEPSC issued order (<a href="#">12/4/15</a>) denying the Public Advocate’s petition.</p> <p>DEPSC was served with notice of appeal by Public Advocate to DE Superior Court (<a href="#">12/21/15</a>).</p>	<p>Awaiting court decision.</p>



LEGISLATION				
Reference No.	Description	Why It Matters	Most Recent Action	Next Action
Senate Bill <a href="#">SB136</a> (Simpson)  <i>Introduced on 6/11/15.</i>	<p>The 3% Cost Cap for the Renewable Compliance Charge to electric customers established in the Renewable Energy Portfolio Standards Act is being exceeded by the cost of contracts for energy credits that cannot be re-negotiated, or canceled.</p> <p>This bill provides a mechanism for electric customers to be reimbursed for that portion of their Renewable Compliance Charge that exceeds 3%, up to the total amount of the Utility Tax.</p>	Provides financial reimbursement for customers' charges exceeding the 3% cost cap for the Renewable Energy Compliance charge.	Introduced and referred to the Senate Energy & Transit Committee (6/11/15).	Awaiting scheduling of a committee meeting.



LEGISLATION Reference No.	Description	Why It Matters	Most Recent Action	Next Action
<p>House Resolution <a href="#">HR47</a> (Rep. Kowalko) (Sen. Lavelle &amp; Sen. Sokola)</p> <p><i>Introduced on 6/24/15.</i></p>	<p>This resolution provides that the Delaware Public Service Commission (DEPSC) should consider only approving electricity generating projects being developed to assist the state in meeting its Renewable Energy Portfolio Standards that utilize eligible energy resources, and to consider certifying new renewable installations that are generated from projects developed after the enactment of this legislation that utilize only eligible energy resources.</p> <p><i>As this is a resolution and not a bill, this would simply have the legislature recognize this issue. No legal obligation would be put in place.</i></p>	<p>Places greater authority of qualifying renewable energy for the RPS in the hands of the DEPSC.</p>	<p>Introduced and assigned to the House Energy Committee (6/24/15).</p> <p><b>Reported out of the House Energy Committee (4/20/16).</b></p>	<p><b>Awaiting scheduling of a House floor vote.</b></p>



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