



MSEIA SOLAR REPORT FOR DELAWARE MAY 2016 SUMMARY

Strategic Highlights

New Jersey bill would establish community solar throughout the state. New Jersey bill Senate Bill [S2275](#), introduced on May 23, would effectively allow community solar projects to be developed. Consumers that seek to invest in a solar project would be compensated by a bill credit (kWh), provided that the credit could not exceed 100% of the customer's previous year annual usage...

PSE&G files for extension to Solar 4 All Program. New Jersey utility PSE&G filed a [request](#) with the New Jersey BPU on May 10 to extend its successful [Solar 4 All program](#). If approved, the extension will allow PSE&G to invest approximately \$275 million to design and construct an additional 100 megawatts-dc (MW-dc) of grid-connected solar capacity on landfills and brownfields in its New Jersey electric service territory by the end of 2021...

New Jersey bill seeks to create “New Jersey Solar Energy Study Commission.” Senate Bill [S2276](#), introduced on May 23, would create the New Jersey Solar Energy Study Commission, which would study all aspects of New Jersey’s solar energy generation industry, and make findings and recommendations to the governor and legislature on how the use of solar energy could be expanded. In addition, S2276 would move up a requirement that more than 4 percent of the state’s electricity comes from solar systems in 2021, instead of 2028 as is expected according to existing law...

Pennsylvania bill to stabilize the SREC market for project developers. Introduced on May 23, House Bill [HB240](#) would require “electric distributors,” that is, any retailer with Alternative Energy Portfolio Standard obligations, to purchase and retire solar renewable energy credits (SRECs) which were created within Pennsylvania. As there has been an oversupply of SRECs which has resulted in lower investment return for solar project developers, this bill would help provide some relief by attempting to better balance the demand and supply of the SREC market...

Pennsylvania bill to provide incentives for purchase of domestically made solar panels. Pennsylvania House Bill [HB2066](#), introduced on May 11, would require all recipients of grant money for solar panels to purchase panels manufactured domestically....



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
Delaware Renewable Energy Task Force	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 (6/4/15).</p> <p>Renewable Energy Taskforce meeting held to discuss the next SREC auction and the Green Energy Fund (7/30/15).</p> <p>RET Task Force meeting held (8/27/15).</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 (1/15/16). Delmarva filed a motion to dismiss for failure to state a claim on which relief may be granted (2/12/16). DEPSC Staff filed request for hearing examiner to stay this proceeding for 45 days while settlement negotiations are ongoing (4/8/16). Pre-hearing conference held (4/13/16).	Proceeding is stayed until 6/2/16. Pre-hearing motions are due by 5/9/16 . (<i>This date will be rescheduled, if necessary</i>). Hearing scheduled for 10:00 a.m. ET on 5/25/16 . (<i>This date will be rescheduled, if necessary</i>). Briefs due 7/27/16 (<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 (3/9/16). DEPSC issued order directing an evidentiary hearing to be held on 5/3/16 (4/20/16). DPESC issued an order (5/3/16). DEPSC granted Delmarva's application.	The DEPSC will issue a final order that will provide the reasoning for their decision, at a later date.



DEPSC PROCEEDINGS				
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DEPSC Docket No. 15-1462 <i>Opened on 10/7/15.</i>	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	Could have a significant impact on supplier RPS compliance costs.	DPA filed petition (10/2/15), 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.	Answering briefs are due in the court by 5/31/16; reply briefs are due by 6/14/16.
DE Superior Court Civil Action No. N15A-12-002 FSS <i>Opened on 12/8/15.</i>	<i>In a previous and related proceeding (Docket No. 15-1462), now closed, DEPSC issued an order 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>		DEPSC issued order (12/4/15) denying the Public Advocate's petition. DEPSC was served with notice of appeal by Public Advocate to DE Superior Court (12/21/15). Opening brief filed by the Delaware Public Advocate in the court (5/10/16). Document not publically available.	



LEGISLATION				
Reference No.	Description	Why It Matters	Most Recent Action	Next Action
Senate Bill SB136 (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
House Resolution HR47 (Rep. Kowalko) (Sen. Lavelle & Sen. Sokola) <i>Introduced on 6/24/15.</i>	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. <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>	Places greater authority of qualifying renewable energy for the RPS in the hands of the DEPSC.	Introduced and assigned to the House Energy Committee (6/24/15). Reported out of the House Energy Committee (4/20/16).	Awaiting scheduling of a House floor vote.



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