



MSEIA SOLAR REPORT FOR DELAWARE JUNE 2016 SUMMARY

Strategic Highlights

Pennsylvania net metering rules remains to be decided on after receiving second disapproval by IRRC. On June 30, the Independent Regulatory Review Commission (IRRC) issued its second [disapproval](#) of the Pennsylvania Public Utilities Commission's (PAPUC) second [revised order](#), regarding rules on net metering, interconnection, and more. Of primary concern to the IRRC was PAPUC's proposed removal of a cap on the size of alternative energy systems that qualify for the reimbursements, and second, the vagueness in the PAPUC's definition of "utility." Critics of PAPUC's definition of "utility" found it to be so broad it potentially includes anyone who generates surplus electricity. The IRRC disapproval does not block the PAPUC's order, however. The legislature now must consider whether to pass a disapproval resolution, effectively blocking the PAPUC regulation, or taking no action and allowing the regulation to take effect despite the IRRC disapproval...

New Jersey solar bill passes Senate, companion bill introduced. On June 27, Senate Bill [S2276](#) passed the full Senate. The bill enables the creation of a New Jersey Solar Energy Study Commission and to 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. Senate Bill S2276 now enters the Assembly and awaits an Assembly Committee hearing. In addition, and as a companion bill to S2276, Assembly Bill [A3918](#), supported by four co-sponsors represented across both sides of the aisle, was introduced into the Assembly on June 20....

New Jersey proposes FY2017 draft budgets, filings & protocols, party comments filed. On May 31, the New Jersey Clean Energy Program issued its Comprehensive Energy Efficiency and Renewable Energy Resource Analysis for Fiscal Year 2017 (FY17) and related programs and budgets for FY17. Staff recommends the funding level for FY17 to be \$344.645 million, the same level as FY2016. Proposed programs, and among others, include: distributed energy resources (including CHP/fuel cells, biomass, and microgrid), and the SREC registration program. Parties filed comment on the proposals on June 17. For more information, NJ subscribers can see the entry here...

Retail energy supplier Direct Energy made "official" Delaware competitive supplier. On June 22, Direct Energy [was named](#) as the state's designated supplier in the new opt-in affinity program. Direct Energy will be able to state it is the "Electric Retail Supplier Exclusively Contracted by the State of Delaware" and is offering customers multi-year fixed price offers with value-added benefits (such as Nest thermostats) as part of the program...



Delaware - Renewable Energy

Reference No.	Description	Why It Matters	Most Recent Action	Next Action
DEPSC Docket No. 15-1462 <i>Opened on 10/17/2015</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>Also tracked under DE Superior Court Civil Action No. N15A-12-002 (opened 12/8/15).</i></p>	<p>Places greater authority of qualifying renewable energy for the RPS in the hands of the DEPSC.</p> <p>Could have a significant impact on supplier RPS compliance costs.</p>	<p>Answering brief filed by the DEPSC (5/31/16).</p> <p>Reply brief filed by the Public Advocate (6/14/16).</p>	<p>Awaiting next action.</p>



Delaware - Renewable Energy

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Delaware Renewable Energy Task Force <i>Opened on 08/14/2014</i>	Working group for discussing renewable energy issues.	Could provide interesting intelligence and insight into the Delaware solar industry.	According to DNREC Staff, the Renewable Energy Taskforce is still active (7/5/16).	DNREC Staff expects the next meeting to be within the next 30 to 45 days. The Renewable Energy Task Force meets on an as needed basis which at a minimum equates to meeting annually.



Delaware - Renewable Energy

Reference No.	Description	Why It Matters	Most Recent Action	Next Action
House Bill HB414 (Smyk) <i>Opened on 06/09/2016</i>	<p>Would clarify certain issues related to Renewable Energy Portfolio Standards Act (“REPSA”). Would make clear the intent of the Delaware General Assembly that purchases be frozen if the statutory thresholds are reached, and that any such freeze will be lifted if the cost of the compliance with the REPSA can reasonably be expected to be under the statutory thresholds. Also clarifies the items that the DEPSC is to consider in calculating the cost of complying with the REPSA and the total retail cost of electricity for purposes of determining whether a freeze is required.</p>	<p>Would impact current proceedings and court cases related to RPS freeze issues.</p>	<p>Introduced and referred to the House Energy Committee (6/9/16).</p>	<p>Awaiting House committee action.</p>



Delaware - Renewable Energy

Reference No.	Description	Why It Matters	Most Recent Action	Next Action
DEPSC Docket No. 16-0105 <i>Opened on 01/15/2016</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.	All actions in this matter are stayed until 8/5/16 .	This proceeding is stayed until 8/5/16 to provide LCP Development, Delmarva, and Tangent Energy more time in order to propose a joint settlement agreement. <i>All due dates on the procedural schedule are temporarily stayed.</i>



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