

Amendment to SB 161

1 Amend the bill by replacing all after the enacting clause with the following:

2
3 1 Department of Energy; Community Solar Projects. Amend RSA 362-A:9, XIV(e) and (f) to read
4 as follows:

5 (e) ~~[Within 90 days of the effective date of this subparagraph,]~~ The department of
6 energy, **by rule or order**, shall develop a process by which community solar developers can apply for
7 designation as a community solar project. Such projects designate their production for the benefit of
8 households on the list required in subparagraph (d). Such projects will qualify for the low-moderate
9 income solar addition as established in subparagraph (c) and shall specify the amount of on-bill
10 credit they can offer to low-moderate income homeowners. Annually, the number of projects
11 designated as low-moderate income community solar shall not exceed a total nameplate capacity
12 rating of 6 megawatts in the aggregate. If more than 6 megawatts of projects apply for designation,
13 the department of energy shall select the projects that offer the largest on-bill credit.

14 (f) Each year, the department of energy, in consultation with the electric distribution
15 utilities, shall, **by rule or order**, select a means by which to enroll households as off-takers for these
16 low-moderate income community solar projects. Customers shall be enrolled on an opt-out basis,
17 notified by mail of their enrollment, and informed of the details of the project from which they are
18 receiving credit. Once enrolled, such customers shall receive on-bill credits until such time as they
19 no longer qualify for the Electric Assistance Program, or until they opt out from receiving credits.

20 2 Electric Renewable Portfolio Standard; Definition; Low-moderate Income Community Solar
21 Project. Amend RSA 362-F:2, X-a to read as follows:

22 X-a. "Low-moderate income community solar project" means ground-mounted or rooftop
23 solar arrays that directly benefit a group of at least 5 residential end-user customers, where at least
24 a majority of the residential end-user customers are at or below 300 percent of the federal poverty
25 guidelines, **or directly benefit the residents of a public housing authority created pursuant**
26 **to RSA 203 or a housing project as described in RSA 78-B:2 XXIII, where the electric bills**
27 **are either paid directly by the residents or by the public housing authority or housing**
28 **project, provided that at least a majority of the residents receiving the direct benefit are at**
29 **or below 80 percent of the Area Median Income (AMI) calculated by the Department of**
30 **Housing and Urban Development.** No more than 15 percent of the projected load for such project
31 shall be attributable to non-residential end-user customers.

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1 3 Renewable Energy Fund; Public Housing Authority Projects. Amend RSA 362-F:10, X to read
2 as follows:

3 X. Consistent with RSA 362-F:10, VI, the department of energy shall, over each 2-year
4 period commencing July 1, 2010, reasonably balance overall amounts expended, allocated, or
5 obligated from the fund, net of administrative expenditures, between residential and nonresidential
6 sectors. Funds from the renewable energy fund awarded to renewable projects in the residential
7 sector shall be in approximate proportion to the amount of electricity sold at retail to that sector in
8 New Hampshire, and the remaining funds from the renewable energy fund shall be awarded to
9 projects in the nonresidential sector which include commercial and industrial sited renewable energy
10 projects, existing generators, and developers of new commercial-scale renewable generation in New
11 Hampshire, provided no less than 15 percent of the funds shall annually benefit:

12 (a) Low-moderate income residential customers, including, but not limited to, the
13 financing or leveraging of financing for low-moderate income community solar projects in
14 manufactured housing communities or in multi-family rental housing.

15 (b) *Residents of a public housing authority created pursuant to RSA 203, or a*
16 *housing project as described in RSA 78-B:2 XXIII, where the electric bills are either paid*
17 *directly by the residents or by the public housing authority or housing project, provided*
18 *that at least a majority of the residents benefiting are at or below 80 percent of the Area*
19 *Median Income (AMI) calculated by the Department of Housing and Urban Development.*

20 4 Effective Date.

21 I. Sections 2 and 3 of this act shall take effect 60 days after its passage.

22 II. The remainder of this act shall take effect upon its passage.