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3061

House of Representatives
Commonwealth of Pennsylvania
Harrisburg

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May 18, 2016

George D. Bedwick, Chairman
Independent Regulatory Review Commission
333 Market Street, 14th Floor
Harrisburg, PA 17101

Dear Chairman Bedwick:

On February 11, 2016 the Public Utility Commission voted 3-2 to adopt the Final Rulemaking Order to revise regulations of the Alternative Energy Portfolio Standards Act of 2004. The rulemaking addresses issues related to net metering of electricity, interconnection and portfolio standard compliance issues. Regulation #57-304: Implementation of the Alternative Energy Portfolio Standards Act of 2004 is scheduled for consideration by the Independent Regulatory Review Commission at the May 19, 2016 public meeting.

I often applaud the Commission in their efforts to ensure their regulations and the laws passed by the General Assembly are consistent with the legislative intent and in the public interest. However, I do not believe the Commission has the authority to alter the net metering provisions of the Alternative Energy Portfolio Standards Act of 2004. As outlined in the dissenting statements of Chairman Brown and Vice Chairman Place of the Pennsylvania Public Utility Commission, placing a limit of 200% on the customer generator's annual electric consumption at the interconnection meter is outside of the Commission's purview. Additionally, this Final Rulemaking is in conflict with statute. The size parameters of a net metered system are clearly outlined by §73 P.S. 1648.2. Finally, this Final Form Regulation may hinder growth of the alternative energy market in the Commonwealth.

It is with this in mind, and more, that I respectfully express my opposition to Regulation #57-304. Thank you for the opportunity to provide comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter J. Daley".

PETER J. DALEY
Democratic Chairman
House Consumer Affairs Committee

Cc: Governor Tom Wolf