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Pennsylvania Public Utility Commission,  
Attn: Secretary,  
P.O. Box 3265,  
Harrisburg, PA 17105-3265

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PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

To whom it may concern, regarding (*Doc. No. L-2014-2404361*)

Paradise Energy Solutions is a residential and commercial solar installer located in Gap, PA. We were founded in PA in 2009, and we also have offices in other states. In the past 12 months on record (ending March 31st, 2014), based on data from PJM GATS, our company has installed around 24% of the commercial solar PV (system sized between 15 kW and 1 MW) in PA during this time period. We are representing many of our clients, homeowners and business owners in PA, with these comments. Please consider our comments, as specified below:

1. We believe the proposed new definition for "utility" §75.1 is overly broad and threatens the third-party ownership model for solar and other distributed generation which the Commission has approved in prior dockets. As an example: Company A invests in solar arrays, and sells power to "host" customers, who qualify as customer generators for net metering purposes. Company A seems to fall under the definition of a Utility. **Under the proposed rulemaking, it seems that Company A is not eligible for net metering, if a solar array is installed on a building that Company A owns and has the utility account for.** This also threatens the traditional net metering model. **For instance, if a business installs electric car chargers on their property, and sells electricity to their employees, are they then defined as a utility, and therefore are not able to net meter?** Under the proposed rulemaking, it seems that this could be the case. We feel that the definition of utility needs to be amended to protect Third Party Owned Companies, as well as customer generators who may be selling some power to employees, other tenants, etc....

2. We oppose the changes in §75.13(k) that would give the Commission authority to allow utilities to charge a new special monthly fee to customers with solar. This should be clarified to specifically reference the potential Virtual Meter Aggregation fees, rather than also allowing fees to be assessed "by order of the Commission".

3. We support the Commission's effort to clarify the confusion around "Year and Yearly." We support revising the definition of Year and Yearly as proposed in §75.12.

4. We feel that there is a lack of clarification in regards to the proposed "110% rule" in §75.13(a)(3), and several things must be clarified. We are requesting that the follow clarifications be considered:

A. Add clarifying language to protect existing systems and "grandfather" them in, leaving no option for utilities to remove the net metering agreement that is currently executed with these clients.

B. There needs to be clarification regarding systems that produce more than expected, or a building improves efficiency, etc, causing the distributed generation to produce more than 110% of the annual load in a given year. There should be no option for a utility to remove a customer generator from net metering, given this scenario. While this seems to be the intent, the proposed rulemaking is not clear on this. There should be a simple "once net metered, always net metered" clarity for any new distributed generation.

Our company has experience with a utility (outside the Commonwealth) that has abused a similar rulemaking by threatening to remove clients from net metering if their production exceeds their load in any 12 month window. We know that this has been a problem in another state with similar design requirements.

C. There should be clarity regarding what is acceptable as documentation for expected additional electrical load for a building, as in the case of new construction, or a building expansion. There seems to be little clarity regarding what is acceptable, and there seems to be room for the utility to take advantage of this lack of clarity.

We thank the Commission for consideration of these views as they relate to the proposed changes to net metering.

Tim Beiler  
CEO  
Paradise Energy Solutions  
875 Brackbill Road,  
Gap, PA 17527  
717-407-5152  
[tim@paradisenergysolutions.com](mailto:tim@paradisenergysolutions.com)

*Tim Beiler July 31, 2014*

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