

McElroy & Donaldson

Michael R. McElroy
Leah J. Donaldson

Attorneys at Law

Michael@McElroyLawOffice.com
Leah@McElroyLawOffice.com

Members of the Rhode Island
and Massachusetts Bars

Office: 21 Dryden Lane
Providence, RI 02904
Mail: 3 Cedar Meadows Drive
Smithfield, RI 02917

(401) 351-4100
fax (401) 421-5696

November 2, 2022

Luly Massaro
Clerk
Public Utilities Commission
89 Jefferson Boulevard
Warwick, RI 02888

Re: Docket No. 5192 – Block Island Utility District Tariff Advice Filing re Net Metering Tariff

Dear Luly:

As you know, our office represents Block Island Utility District (“BIUD”).

Enclosed for filing in this matter please find BIUD’s responses to the Commission’s fourth set of data requests. An original and five (5) copies are enclosed.

If you need any further information, please do not hesitate to contact me.

Very truly yours,



Leah J. Donaldson

Encl.

Cc: Service List

**STATE OF RHODE ISLAND
PUBLIC UTILITIES COMMISSION**

IN RE: BLOCK ISLAND UTILITY DISTRICT :
TARIFF ADVICE FILING TO AMEND LEGACY : **DOCKET NO. 5192**
NET METERING TARIFF :

**BLOCK ISLAND UTILITY DISTRICT’S RESPONSES TO
PUBLIC UTILITIES COMMISSION’S FOURTH SET OF
DATA REQUESTS DIRECTED TO BIUD**
(Issued October 5, 2022)

4-1. After it expires on July 1, 2042, what will happen to the systems enrolled under the legacy tariff?

Response: Any systems enrolled under the old tariff that remains after July 1, 2042, will either need to be rewired to meet the requirements of the new tariff or removed.

Prepared by: Jeffery M. Wright

**STATE OF RHODE ISLAND
PUBLIC UTILITIES COMMISSION**

IN RE: BLOCK ISLAND UTILITY DISTRICT :
TARIFF ADVICE FILING TO AMEND LEGACY : **DOCKET NO. 5192**
NET METERING TARIFF :

**BLOCK ISLAND UTILITY DISTRICT’S RESPONSES TO
PUBLIC UTILITIES COMMISSION’S FOURTH SET OF
DATA REQUESTS DIRECTED TO BIUD**
(Issued October 5, 2022)

- 4-2. For each of the existing systems that would be enrolled under the legacy tariff, please provide a table showing the following information:
- a. Date of interconnection/operation
 - b. Age of system on the proposed expiration date for the legacy tariff (June 30, 2042).
 - c. Provide the justification for allowing some projects a longer crediting period than others. For example, why was the decision made not to apply the credit for 22.5 years after date of operation?

Response:

- a) Attachment JMW-1 is the master list of legacy projects that was included with Jeffery Wright’s testimony (filed on December 10, 2021). It includes all in-service and connected projects under the legacy tariff. This master list was created by the old BIPCo and some in-service dates are missing. However, the ‘installation dates’ range from 2011 to 2020.
- b) We have attached an amended master list as Attachment JMW-1A. We have added a column for the age of each project as of June 30, 2042. As you can see in the attachment, the age of the existing projects will range from 22 years to 31 years in 2042.
- c) The BIUD Board chose to keep the expiration date consistent for simplicity. Also, we lack confidence in the in-service dates that were inherited from the old BIPCo.

Prepared by: Jeffery M. Wright

IN SERVICE NET METERING							
NET METERING (INSTALLED NAMEPLATE CAPACITY)							
EXISTING OLD TARIFF - SINGLE METER SYSTEM							
	Customer Name	Location	Rate	Type	Kilowatts	Date of Installation	Age of project on June 30, 2042
1			RES	Solar	6.840	9/16/2015	27
2			RES	Solar	2.160	10/25/2013	29
3			RES	Solar	3.040	3/21/2013	29
4			RES	Solar	1.020	4/2/2013	29
5			RES	Solar	1.530	2/2/2015	27
6			RES	Solar	3.120	3/1/2013	29
7			RES	Solar	2.100	10/26/2011	31
8			RES	Solar	3.420	3/11/2016	26
9			RES	Solar	2.850	12/28/2016	26
10			RES	Solar	4.200	12/21/2000	26
11			RES	Solar	6.700	1/20/2015	27
12			RES	Solar	2.500	4/2/2013	29
13			RES	Solar	2.520	4/2/2013	29
14			RES	Solar	2.565	7/15/2016	26
15			RES	Solar	2.300	5/1/2013	29
16			RES	Solar	0.510	4/2/2013	29
17			RES	Solar	2.500	4/2/2013	29
18			RES	Solar	4.800	8/25/2014	28
19			RES	Solar	1.020	6/22/2013	29
20			RES	Solar	2.500	6/1/2013	29
21			RES	Solar	5.250	6/1/2013	29
22			RES	Solar	3.120	9/16/2015	27
23			RES	Solar	2.500	1/1/2013	29
24			RES	Solar	1.336	1/1/2012	30
25			RES	Solar	1.440	7/31/2016	26
26			RES	Solar	1.900	4/2/2013	29
27			RES	Solar	0.950	5/29/2013	29
28			RES	Solar	1.000		
29			RES	Solar	3.000		
30			RES	Solar	1.000		
31			RES	Solar	0.900	8/11/2013	29
32			RES	Solar	2.070		
33			RES	Solar	4.830		
34			RES	Solar	3.480		
35			RES	Solar	3.480		
36			RES	Solar	4.000		
37			RES	Solar	3.480		
38			RES	Solar	5.120	5/1/2020	22
39			RES	Solar	2.300	6/23/2020	22

40			RES	Solar	2.300	6/23/2020	22
41			RES	Solar	2.300	6/23/2020	22
42			RES	Solar	2.600	8/1/2020	22
43			RES	Solar	3.060	8/1/2020	22
44			RES	Solar	2.600	10/23/2020	22
45			RES	Solar	2.54	10/23/2020	22
46			RES	Solar	5.2	10/23/2020	22
47			RES	Solar	5.2	10/23/2020	22
48			RES	Solar	2.5	10/23/2020	22
49			RES	Solar	2.5	10/23/2020	22
50			RES	Solar	2.6	10/23/2020	22
51			RES	Solar	2.6	10/23/2020	22
52			RES	Solar	2.6	10/23/2020	22
Total Residential Net Metering					147.951		
IN SERVICE OTHER							
NET METERING (INSTALLED NAMEPLATE CAPACITY)							
	Customer Name	Location	Rate	Type	Kilowatts	Date of Installation	
1			COM	Solar	3.220	12/11/2012	30
2			COM	Solar	1.200		
3			COM	Solar	1.170		
4			COM	Solar	0.000		
5			COM	Solar	12.000		
6			COM	Solar	30.000		
7			COM	Solar	8.200		
8			COM	Solar	4.360		
Total NON-Residential (Public Sector) Net Metering					56.930		

**STATE OF RHODE ISLAND
PUBLIC UTILITIES COMMISSION**

IN RE: BLOCK ISLAND UTILITY DISTRICT	:	
TARIFF ADVICE FILING TO AMEND LEGACY	:	DOCKET NO. 5192
NET METERING TARIFF	:	

**BLOCK ISLAND UTILITY DISTRICT’S RESPONSES TO
PUBLIC UTILITIES COMMISSION’S FOURTH SET OF
DATA REQUESTS DIRECTED TO BIUD
(Issued October 5, 2022)**

4-3. On page 7 of his pre-filed testimony, Mr. Wright writes “BIUD has no record of applying a zero-credit value to a member’s net metering credits that exceeded 125% under the existing net metering policy.” Please clarify whether BIUD has no record of a net metering facility generating more than 125% of usage, or whether BIUD simply has no record of crediting generation above 125% of usage at the zero-credit value.

Response:

BIUD has no record of crediting generation above 125% of usage at the zero-credit value because we do not have a 125% cap programmed into our billing system to cap this.

Prepared by: Jeffery M. Wright

**STATE OF RHODE ISLAND
PUBLIC UTILITIES COMMISSION**

IN RE: BLOCK ISLAND UTILITY DISTRICT :
TARIFF ADVICE FILING TO AMEND LEGACY : **DOCKET NO. 5192**
NET METERING TARIFF :

**BLOCK ISLAND UTILITY DISTRICT’S RESPONSES TO
PUBLIC UTILITIES COMMISSION’S FOURTH SET OF
DATA REQUESTS DIRECTED TO BIUD**
(Issued October 5, 2022)

- 4-4. Regarding General Provision #4 of the proposed tariff, please explain the following:
- a. How does BIUD define “maintenance”?
 - b. Given your response to part a, how will BIUD treat incremental capacity that does not meet the “maintenance” definitions? In other words, if a customer adds new solar panels to their system for a non-maintenance reason, will that incremental capacity be subject to the proposed 15% limitation?
 - c. In his pre-filed testimony, Mr. Wright recognizes that BIUD is “mostly unaware of these types of maintenance activities.” Given this, please explain how BIUD proposes to monitor and enforce General Provision #4.
 - d. On page 3 of his pre-filed testimony, Mr. Wright writes “we do not have the ability to shut off the systems installed under the legacy program. However, we know that we can manage the output of the legacy systems while on generators under all conditions.” Does BIUD know if it can reliably operate its system even if each of the legacy systems increases their nameplate capacity by 15%, as contemplated by General Provision #4? If yes, please explain how BIUD knows this, and provide a copy of all supporting analysis. (Please specifically address BIUD’s Response to PUC 1-2 (submitted January 13, 2022)).

Response:

- a) BIUD considers maintenance to be activities such as replacing broken or failed panels and failed inverters.
- b) BIUD would consider any activity, including the addition of panels to compensate for aging or underperforming panels, to be maintenance related if the DC output rating does not exceed 15% of the original permitted rating.
- c) Enforcement is and will continue to be difficult. Cooperation amongst its members and solar installers/maintainers is the only way to encourage compliance.
- d) Yes, BIUD can reliably operate its system if each legacy system increased their nameplate capacity by 15%. This is because BIUD can take its rooftop solar array offline whenever necessary.

There are currently 204.881 kW of legacy solar in service which BIUD is not able to remotely disconnect. If every legacy system increased its output by 15%, the total kW installed would potentially increase by a total of 30.73 kW. This difference is less than the 92.4 kW of BIUD’s rooftop solar array. Unlike the legacy systems that BIUD

**STATE OF RHODE ISLAND
PUBLIC UTILITIES COMMISSION**

IN RE: BLOCK ISLAND UTILITY DISTRICT	:	
TARIFF ADVICE FILING TO AMEND LEGACY	:	DOCKET NO. 5192
NET METERING TARIFF	:	

**BLOCK ISLAND UTILITY DISTRICT'S RESPONSES TO
PUBLIC UTILITIES COMMISSION'S FOURTH SET OF
DATA REQUESTS DIRECTED TO BIUD**
(Issued October 5, 2022)

cannot take offline, if BIUD ever needs to reduce the level of solar while on generators, we could take all or a portion of our rooftop array offline.

As noted in our response to PUC 1-2, there is no method to calculate the precise level at which BIUD would encounter system instability. Our generator manufacturer (Milton Cat) and our protection and controls engineer have recommended shutting off the rooftop array when powering the island with diesel generators on partly sunny days. We have not had to do that yet.

When we eventually reach the point of needing to shut off solar to maintain generator stability, it would be a real-time operational decision made by the generator operator. There is no way to analyze or predict the exact point at which this will happen. It will be through operational experience that we would know when to disconnect it. BIUD's generator operators know through experience that variable generation while on generators can create instability and can eventually trip off generators. They understand this due to their experience with an on-site wind turbine.

Prepared by: Jeffery M. Wright

**STATE OF RHODE ISLAND
PUBLIC UTILITIES COMMISSION**

IN RE: BLOCK ISLAND UTILITY DISTRICT :
TARIFF ADVICE FILING TO AMEND LEGACY : **DOCKET NO. 5192**
NET METERING TARIFF :

**BLOCK ISLAND UTILITY DISTRICT’S RESPONSES TO
PUBLIC UTILITIES COMMISSION’S FOURTH SET OF
DATA REQUESTS DIRECTED TO BIUD**
(Issued October 5, 2022)

- 4-5. BIUD’s net metering tariff that became effective on April 1, 2022 (i.e. the new tariff) includes General Provision #1, which reads “this tariff applies to net metering systems installed after December 31, 2020 and to net metering systems installed on or before December 31, 2020 when the consumer/member replaces, or upgrades which increases the rated nameplate DC output of the Net Metering System.” Given this tariff language, please explain the following:
- a. What will happen to a net metering customer who installed their system before December 31, 2020, and who increases the capacity of their system by an amount less than 15%?
 - b. Why does General Provision #4 of the proposed legacy tariff contemplate capacity increases in terms of both AC and DC capacity, while General Provision #1 of the new tariff only contemplates DC capacity increases?

Response:

- a) They would remain connected under the terms of the legacy tariff.
- b) The BIUD Board wanted to be sure that we addressed increases in panel capacity (DC nameplate rating) and increases in inverter output (AC nameplate rating).

Prepared by: Jeffery M. Wright