



Luly E. Massaro,
Commission Clerk
Rhode Island Public Utilities Commission
89 Jefferson Boulevard
Warwick, RI 02888

Re: Rhode Island Public Utilities Commission Docket No. 4288

Dear Commissioners,

Thank you for your consideration and leadership in this manner.

Nexamp is a leading New England solar company. We develop, build, own, and operate solar projects and are proud to have recently opened an office in Providence.

We want to acknowledge and thank Ken Payne, Administrator of the State of Rhode Island Office of Energy Resources (OER) and the Working Group for their dedicated efforts to move this process forward.

The proposed contract is a good start. However, we believe that the one-size-fits-all contract, as proposed, may not be entirely consistent with the intent of the “The Distributed Generation Standard Contracts Act” (DG-SCA) which specifies the development of “...standard contracts that would be applicable for various technologies for both small and large distributed generation projects.” We hope that the Commission will contemplate our recommended improvements to the contract, which we believe will help to facilitate the cost effective and broad adoption of wind and solar projects.

Nexamp encourages the Commission to consider the following improvements:

- Delete Section 3.1 (d) (ii). Termination in the event of the failure to meet the Capacity Demonstration Test, which has not been fully defined for intermittent resources, is extreme and a significant barrier to financing. Forfeiture of the guarantee payment should be deemed adequate for solar and wind projects.
- Modify Section 3.3 and 3.4 to accommodate the requirements of small and moderate sized distributed generation as to whether or not participation and/or registration with ISO-NE and NERC are applicable.
- Modify Sections 4.2, 4.3, and 4.4 to accommodate the actual requirements for small and moderate sized distributed generation.
- Delete or Modify Section 4.6(a), as requiring annual testing of the meter is burdensome on smaller projects, especially given the buyer’s rights around meter testing.
- Modify Section 11.1 to provide seller with more affirmative rights of assignment for project finance that are common to solar power purchase agreements and help facilitate clean financings without undue burden to seller and risk to buyer.
- Review and Modify Section 13.2 to check for applicability to small and moderate sized distributed generation.

Nexamp respectfully requests that the Commission adopt as many appropriate recommended revisions as possible in the near-term for upcoming utility procurements. In addition, we recommend that the Commission should instruct the new Distributed Generation Contract Board (DGC Board) to carefully review and evaluate the contract and market feedback and, as applicable, improve the contract(s) within a twelve month period consistent with furthering the goals of the DG-SCA.

Nexamp appreciates your consideration of these comments and requests be added to the service list for notifications relative to this docket and for other matters related to renewable energy.

Best regards,

A handwritten signature in black ink that reads "Jonathan Abe". The signature is written in a cursive, flowing style.

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