

December 11, 2017

**BY HAND DELIVERY AND ELECTRONIC MAIL**

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

**RE: Docket 4743 - In Re: Petition of Tesla, Inc. and Sunrun, Inc.  
For Declaratory Judgment or an Advisory Ruling on R.I. Gen. Laws § 39-26.4  
National Grid Reply to Tesla Inc.'s Motion to Reopen Docket 4743**

Dear Ms. Massaro:

I have enclosed ten (10) copies of National Grid's<sup>1</sup> reply to Tesla Inc.'s (Tesla) November 30, 2017 Motion to Re-open the above-referenced docket (Motion). At an Open Meeting on November 28, 2017, the Rhode Island Public Utilities Commission (PUC) voted unanimously to grant Tesla and Sunrun Inc.'s (Sunrun) Petition for Declaratory Judgment or an Advisory Ruling regarding the net metering eligibility of small-scale solar power generation systems paired with battery storage (Small-Scale Solar Storage Systems) (Petition). Specifically, the PUC voted that Small-Scale Solar Storage Systems were eligible to net meter provided that the (i) facility is less than or equal to 25 kW (AC); (ii) battery component charges only from the net metering eligible solar generating facility; (iii) customer does not take under a time of use (TOU) rate; and (iv) battery component itself does not export to the Company's electric power system. The first three eligibility conditions were specifically stated in the Petition; however, the last eligibility condition, namely the prohibition on export, was noted in the PUC's Open Meeting Notice which stated that Tesla agreed to such condition in its Reply Comments. *See* Docket 4673 Open Meeting Notice dated November 22, 2017. Tesla contends that it did not intend for its statement in the Reply Comments to be construed to invite an express limitation on discharge. *See* Motion at 2. Tesla, therefore, notes that it wishes to reopen the docket for the limited purpose of allowing Tesla to further explain its position on discharge. *See* Motion at p.2. Specifically, Tesla requests that the PUC not impose a requirement on Small-Scale Solar Storage Systems that limits exports to be eligible for net metering. *See* Motion at p. 3.

National Grid has no objection to Tesla's Motion to Re-open the docket for the limited purpose of considering whether it is appropriate to remove the no export condition on the net metering eligibility of Small-Scale Solar Storage Systems. However, as discussed below, National Grid respectfully requests that, if the PUC re-opens this docket, the PUC (i) consider the process to certify, ensure, and enforce customers' compliance with all interconnection,

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<sup>1</sup> The Narragansett Electric Company d/b/a National Grid (National Grid or Company).

operating, and net metering eligibility restrictions; and (ii) limit its review to evidence already in the record and not permit any new evidence to be introduced.

**A. National Grid Does Not Object to the Small-Scale Solar Storage Systems Discharging to the Grid Subject to Certain Limitations.**

National Grid does not object to allowing Small-Scale Solar Storage Systems that are eligible for net metering to discharge to the grid subject to certain strict limitations. Specifically, the system must be 25kW or less, charged from a renewable facility only, and the customer-host must not take electric supply service under a time-varying or time-of-use rate. In addition, as National Grid has previously stated in comments in this docket, there should be a process to certify, ensure, and enforce customers’ compliance with all interconnection, operating, and net metering eligibility restrictions. As the Company explained in its November 14, 2017 Reply Comments in this docket:

At a minimum this process should include the following: (1) the customer’s initial interconnection application must explain in sufficient and clear detail how the customer will technically configure the storage system to only be able to charge from the solar facility and must include documentation demonstrating the same, including, without limitation, an affidavit (signed by the interconnecting customer, retail customer, and installer) that the battery will charge only from the solar facility and is unable to charge from National Grid’s electric power grid; (2) the customer’s initial application, interconnection service agreement (ISA), the retail customer agreement (Exhibit I to the ISA), and Schedule B (under the net metering tariff) should include an acknowledgement that each party understands and agrees to the net metering eligibility requirements; (3) National Grid should have the right, but not the obligation, to inspect the facility at any time (including after the interconnection) to verify compliance, and to require the interconnecting and/or retail customer to provide any documentation demonstrating continued compliance with the interconnection, operating, and net metering eligibility requirements; and (4) if a noncompliance exists, and if the customer does not resolve the noncompliance quickly to National Grid’s satisfaction (or if there are multiple instances where a customer is noncomplying), National Grid could terminate the customer’s Interconnection Service Agreement and/or suspend net metering service. Any cost related to maintaining, verifying, and enforcing compliance with the interconnection, operating, and/or net metering eligibility requirements, including, without limitation, post interconnection inspections, will be borne solely by the customer. Similarly, any costs National Grid incurs to implement new requirements, such as, without limitation, additional resources to perform inspections or verifications, system changes for verification and/or inspection protocol, should be fully recoverable by National Grid.

*See National Grid Reply Comments Dated November 14, 2017 at p. 3.* The process to ensure customer compliance is critical if export is permitted. As such, if the Motion is granted, National Grid respectfully requests that the PUC consider this issue.

Luly E. Massaro, Commission Clerk  
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**B. Tesla’s Should Not Be Permitted to Present Additional Arguments in this Docket.**

In its Motion, Tesla notes that it wishes to re-open the proceeding to allow Tesla to further explain its position on discharge for the PUC. *See* Motion at p. 2. National Grid requests that the PUC limit its consideration of the issue to the evidence already established in the record in this docket. Tesla should not be permitted to present additional arguments to the PUC, including, without limitation, arguments regarding the benefits of discharging to the grid since Tesla and Sunrun have already presented their position to the PUC in their Petition and Reply Comments. Moreover, Tesla will have the opportunity to present its position, including the benefits of discharging to the grid, in a broader proceeding that the PUC plans to open regarding storage and net metering.

Thank you for your attention to this matter. If you have any questions, please contact me at 781-907-2121.

Sincerely,

A handwritten signature in blue ink, appearing to read "Raquel Webster", with a stylized flourish at the end.

Raquel J. Webster

cc: Docket 4743 Service List  
Jon Hagopian, Esq.  
Steve Scialabba, Division

Certificate of Service

I hereby certify that a copy of the cover letter and any materials accompanying this certificate was electronically transmitted to the individuals listed below.

The paper copies of this filing are being hand delivered to the Rhode Island Public Utilities Commission and to the Rhode Island Division of Public Utilities and Carriers.



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Joanne M. Scanlon

December 11, 2017  
Date

**Tesla, Inc. & Sunrun, Inc – Petition for Declaratory Judgment –  
Docket No. 4743**

**List updated 10/7/17**

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