

Hi Mike,

Please take these as our official comments regarding the new SREC 2 regs. Instead of commenting on the regs as a whole, which we are generally supportive of, we make a few specific comments:

1. As you know, given that rather hurried end to the SREC 1 program, many projects that would now fall into the managed growth category of SREC 2 were never able to meet some of the last minute requirements of SREC 1. These projects developers have spent hundreds of thousands of dollars, in some instances, to get their projects permitted or partially permitted and partway through the interconnection process only to fall short in SREC 1. Many of these projects have been moving forward for the past 7 months waiting to resubmit in the SREC 2 program. Now that the cap is so small in 2014 it is unlikely that many of these projects will be able to move forward (again) in the new program and maybe even in 2015 – if some parameters are not built in. I would recommend that some sort of system be set up where projects that are farthest along in either the interconnection - or even more logical – the local permitting process – be given a higher priority in the SREC II program so that they stand a better chance of being able to build in 2014 or 2015. Successful conclusion of local permitting is perhaps the best indicator of a project's likelihood of successful commercial operation.
2. There is no certainty that the net metering caps are going to be increased. Currently the utilities are lobbying against an increase. Therefore these regs have to be drafted in such a way that “off-takers” are not part of any definition.
3. The landfill/brownfield definitions/categories are a bit unclear. Can you please make it clear that a brownfield or a landfill includes all of the legal parcel that such landfill or brownfield sits upon (or under) and not the actual capped area or area of soil that has been tested, etc.
4. Generally, - and I understand that this would be a major change to these regs at this point in time - there should be more incentives for solar to be placed on sandpits, gravel pits, abandoned industrial/commercial properties and other properties of this nature. These are ideal spots for solar with little or no surrounding residences, little or no environmental value and very limited re-use possibilities. If one of the goals of SREC 2 is to incentivize developers to move away from forestland and farmland and into more used areas, then the regs as currently drafted really fall short.

Thank you to you and the DOER and the DEP, etc. for working on this next round of regulations.

Sincerely,
Kirt Mayland