



September 4, 2020

Patrick Woodcock, Commissioner  
Department of Energy Resources  
100 Cambridge Street, Suite 1020  
Boston MA, 02114

**Re: Comments on Clean Peak Demand Response Resource Guideline**

Dear Commissioner Woodcock,

Enel X<sup>1</sup> appreciates the opportunity to provide feedback to the Department of Energy Resources (“DOER”) on the Clean Peak Standard (“CPS”) *Clean Peak Demand Response Resource Guideline*. The added clarity provided by the CPS Guidelines will benefit all stakeholders by providing greater certainty and confidence in resources’ participation in the CPS. Our comments will:

- 1) Encourage DOER to clarify that Demand Response (“DR”) Resources such as energy storage and Electric Vehicle Supply Equipment (EVSE) installed after January 2019 can qualify as new Clean Peak DR Resources regardless of the customer’s participation in DR programs prior to 2019 that utilized different methods for DR
- 2) Express our support for the establishment of a DR working group with a significant focus on creating a framework for EVSE participation
- 3) Suggest that the guidelines match the regulation regarding interval meter and reporting requirements

**1) The Guideline should clarify that energy storage and EVSE installed after January 1, 2019 will not be categorized as “Existing” resources**

Enel X strongly supports the comments made by the Northeast Clean Energy Council on this topic. The *Clean Peak Demand Response Guideline* should clarify that energy storage and/or EVSE that

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<sup>1</sup> **Enel X** is Enel's global business line dedicated to the development of innovative products and digital solutions in sectors where energy is showing the greatest potential for transformation: cities, homes, industries and electric mobility. The company is a global leader in the advanced energy solution sector, managing services such as demand response for over 6 GW of total capacity at global level and 110 MW of storage capacity installed worldwide, as well as a leading player in the electric mobility sector, with approximately 130,000 public and private EV charging points made available around the globe.

Enel X in North America has approximately 4,500 business customers, spanning more than 35,000 sites, representing approximately \$10.5B in energy spend under management, approximately 4.7 GW of demand response capacity and over 70 battery storage projects that are operational and under contract.

is installed behind-the-meter at a customer facility after January 1, 2019 and that participates as part of a Clean Peak DR Resource should not be considered as an “Existing” resource as defined in DOER’s Clean Peak Regulation (225 CMR 21.00), regardless of any other previous types of DR participation at the same customer location leading up to 2019. While we do not believe it to be DOER’s intent, without further clarity in the Guideline, the definition of Commercial Operation Date for a DR Resource could be interpreted to apply broadly to an entire retail end-use customer location and thus all new and existing forms of DR behind their retail meter(s).

As an example, a grocery store that participated in the ISO-NE DR program prior to 2019 using lighting controls would be discouraged from developing and operating a new behind-the-meter energy storage DR Resource if that entire customer facility was deemed an “existing resource.” Such an overly broad interpretation of Commercial Operation Date would be counter to the CPS’s objective to increase clean, resilient energy during the periods when net demand of electricity is the highest by de-rating the energy storage Clean Peak Energy Certificate Multiplier to 0.1. In fact, if the customer had to choose between deploying energy storage behind-the-meter and receiving the existing multiplier of .1, and deploying energy storage in front-of-the-meter as standalone and receive no de-rating multiplier, the customer would choose to do front-of-the-meter. This directly contradicts DOER’s recent efforts as part of the SMART 400 MW Review to stimulate more behind-the-meter investments.

Therefore, Enel X strongly recommends that the Guideline clarify the phrasing from the definition of “Commercial Operation Date” in the Regulation that states “In the case of a Demand Response Resource, the date on which the resource first changes electric usage.” There are multiple ways to resolve this issue, and Enel X welcomes the opportunity to collaborate with DOER on a solution that meets their objectives while not discouraging investments in new storage and EVSE. One option is to apply the “Commercial Operation Date” to the equipment that enables the DR. Therefore, if energy storage or EVSE is installed at the customer site after January 1, 2019, the DR that would be enabled by that equipment for Clean Peak purposes would not be considered as “existing.”

This certainty for energy storage and EVSE that has not participated in any DR program prior to January 1, 2019 is fully consistent with the intent of the CPS and will help to ensure a robust development of these resources in the years to come.

## **2) DOER should establish a DR working group with a significant focus on EVSE**

We applaud the DOER for including EVSE as an eligible DR Resource and are appreciative that the Guideline provides frameworks for inclusion; however, we recommend that DOER form a DR Working Group in the near-term focused on creating frameworks for EVSE to participate, centered on the five principles suggested below. The Guidelines as currently structured will likely result in minimal EVSE participation in the Clean Peak program.

1. Encourage EV charging participation in Clean Peak with opportunity for simple reporting process at scale
2. Create frameworks that support the full spectrum of charging use cases (residential & non-residential), as well as V1G & V2G
3. Minimize the exchange of personally-identifiable and detailed charging information at the customer level
4. Provide DOER with broad audit rights of underlying data as well as CPC invalidation rights
5. Encourage beneficial, residential EV charging behaviors without unnecessarily incurring costs that could exceed Clean Peak financial benefits

While the current framework for EVSE participation does not align with these principles, we recognize the considerable effort that was required by DOER to simply launch the Clean Peak program, and that DOER is in the early stages of creating a framework for EVSE participation. Enel X would gladly contribute to a Working Group focused on creating a participation model for EVSEs.

**3) The Guidelines should match the regulation regarding interval meter and reporting requirements.**

Lastly, the *Clean Peak Demand Response Guideline* states “CMR 21.05 (2) requires the following: Metering. A Clean Peak Resource shall meter and report hourly interval performance in compliance with standards and protocols as established by a third-party Program Administrator designated by the Department”, whereas the *Clean Peak Resource Eligibility Guideline* indicated *15 minutes* for the same CMR 21.05(2) reference. The Regulation stipulates 15-minute interval performance requirements. We suggest either the DOER clarify the Demand Response guideline is intended to allow hourly interval metering, or to conform that guideline to match CMR 21.05(2).

**Conclusion**

Enel X appreciates the DOER’s development of the Clean Peak Standard and we hope these comments are useful in finalizing the Guidelines. Please do not hesitate to contact us with any questions.

Sincerely,

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