

Energy and Technology Committee JOINT FAVORABLE REPORT

Bill No.: SB-176

Title: AN ACT CONCERNING SHARED CLEAN ENERGY FACILITIES.

Vote Date: 3/22/2022

Vote Action: Joint Favorable Substitute

PH Date: 3/3/2022

File No.:

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SPONSORS OF BILL:

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[Rep. Travis Simms, 140th Dist.](#)

[Rep. John K. Hampton, 16th Dist.](#)

REASONS FOR BILL:

This bill raises the total megawatt cap on the shared clean energy program and expands the portion of the program set aside for low-income customers and low-income service organizations. It also would allow distribution companies to own solar power facilities within the shared clean energy facility program. The bill would also require that forty percent of the shared clean energy facilities be located within environmental justice communities.

RESPONSE FROM ADMINISTRATION/AGENCY:

[Luke A. Bronin, Mayor, Hartford, CT](#)-Supports the bill because it raises the total megawatt cap on the shared clean energy program, and also expands the portion of the program set aside for low-income customers and low-income service organizations. Additionally, the bill requires that forty percent of the shared clean energy facilities be located within environmental justice communities, such as distressed municipalities. Both of these measures will meaningfully expand access and equity in the renewable energy market.

Commissioner Katie S. Dykes, Connecticut Department of Energy and Environmental Protection-Support/Oppose:

- Supports Section 1 as long as projects remain sized based on the customer's load at the project site, with the exception of rooftop projects
- Recommends focusing efforts to broaden the benefits of the SCEF program towards ensuring subscriptions go to low income customers or those who reside in environmental justice communities

Marissa P. Gillett, Chairman, Public Utilities Regulatory Authority-Support w/changes:

- PURA respectfully requests the addition of the following bolded, underlined language to align the changes to the project caps across all three programs:
 - **Lines 25 – 32 of S.B. 176:** (C) customers that own or develop new generation projects that are a shared clean energy facility [, as defined in section 16-244x, and subscriptions, as defined in such section, associated with such facility,] consistent with the program requirements developed pursuant to subparagraph (C) of subdivision (1) of this subsection. **For the purposes of this section, “shared clean energy facility” means a Class I renewable energy source, as defined in section 16-1, that (i) is served by an electric distribution company, as defined in section 16-1, (ii) has a nameplate capacity rating of five megawatts or less, and (iii) has at least two financial beneficiaries.** Any project that is eligible pursuant to subparagraph (C) of this subdivision shall not be eligible pursuant to subparagraph (A) or (B) of this subdivision.

NATURE AND SOURCES OF SUPPORT:

Mrs Jane Allen-Support w/changes:

- Double the annual cap for the SCEF program from 25 MW to 50 MW annually
- Eliminate the six-year sunset provision on the SCEF program
- Eliminate the provision allowing the electric utility companies to own SCEF generation projects

Henry E. Auer-Support w/amendments:

- Newly added subparagraph (G) in Sec. 2 of the bill would appear to face difficulty in its implementation
- It is recommended to amend subparagraph (G) to allow SCEFs to be developed at locations remote from EJCs as well as within them
- SB-0176 as drafted has omitted a highly significant aspect of implementing renewable energy, namely, storage. For completeness SB-0176 should include provisions to install storage capability both for customers who own the property on which renewable energy will be installed, as well as for larger SCEFs

Pippa Bell Ader, Westport, CT-Support w/changes: Lift the caps on commercial and community solar

Janet Bellamy, Ashford Clean Energy Task Force-Supports the bill because it will:

- Modify existing energy caps involving shared clean energy facilities
- Permit electric distribution companies to own solar power generation facilities within the Shared Clean Energy Facility program

- Allow commercial and industrial customers in the nonresidential renewable energy tariff program to use their entire roof space for generation

Erica & David Berthiaume-Support w/changes: Increase the SCEF cap to 50 MW of new solar per year

David Bingham, MD-Support w/changes: Raise or better still eliminate the caps limits proposed in SB 176

CT League of Conservation Voters-Support w/changes: amend SB 176 to remove outdated barriers to solar power by increasing the Commercial Solar caps to 100MW, and increasing the Community Solar caps to 50MW

Daniel Canavan, Vice President of Regulatory Affairs for UIL Holdings Corporation-Support w/changes

Connecticut Conference of Municipalities-Support w/changes: we propose that each of the program caps be doubled by this bill – SCEP to 50 MW and NRES to 100MW

Claire E. Coleman, Interim Consumer Counsel, State of Connecticut, Office of Consumer Council-Support

Meagan Cowell VP of Business Development and Government Relations, Greenskies Clean Focus-Support w/changes:

- Doubling or lifting the annual cap of the SCEF program
- Oppose EDC ownership of SCEF systems if the intent is to allow them to bid into the program
- Propose an amendment regarding property taxes on larger renewable energy installations, we urge the Energy and Technology Committee to include last year's SB 993 in this bill.

Aziz Dehkan, Executive Director, Connecticut Roundtable on Climate and Jobs-Support w/changes:

- Oppose allowing electric distribution companies (EDCs) to own generation facilities under the SCEF program without a stakeholder engagement process.
- Encourage the committee to increase the SCEF cap to 50 MW rather than to 35 MW, and to double the cap of the NRES program to 100 MW

Kate Donnelly, chair of Hampton's Green Energy Committee-Support w/changes:

- Increase caps on commercial solar from 50 to 100 megawatts and the cap on Shared Clean Energy Facilities from 25 to 50 MW

Liam Enea, Brookfield, CT-Support w/changes: The cap on commercial solar development should be doubled from 50 MW annually to 100 MW and the SCEF cap should be doubled from 25 MW annually to 50 MW.

Nathan Frohling, Director of External Affairs, The Nature Conservancy-Conditional Support

- Double the SCEF Cap Increase
- Double the Non-residential Renewable Energy Tariff Program

- Against EDC Ownership of SCEF Solar Generation Facilities

Patrice Gillespie, Wilton Go Green LLC Board Member & co-founder-Support

- Raise the cap on commercial solar installations from 50 MW to 100MW
- Raise the current cap on Shared Solar Energy Facilities from 25MW to 50 MW

David Giordano, Government Relations & Business Development HyAxiom, Inc-Supports the recommended changes such as increasing the project cap from 4 MW to 5 MW; increasing the overall program cap from 25 MW to 35 MW, along with allowing any unused capacity to be rolled over to the next year; as well as requiring a certain percentage of projects to be located in environmental justice communities

Kimberly Glassman, Director of the Foundation for Fair Contracting-Support section 1(2) of the legislation, which increases the size of SCEF projects that PURA approves from two megawatts to five megawatts. We also support Section 3(c)(1), which increases the aggregate total megawatts from twenty-five to thirty-five megawatts per year

Aaron Goode, New Haven CT-Support w/changes:

- increase the cap on commercial solar from 50 to 100 megawatts (MW) and the cap on Shared Clean Energy Facilities (SCEF) from 25 to 50 MW

John C. Hall, Executive Director-Support w/changes:

- Doubling of the SCEF cap to 50 MW per year, along with an increase in the Non-Residential Solar program from 50 MW to 100 MW

Diane Keefe, Norwalk, CT-Support w/changes

- Increase the cap on commercial solar from 50 to 100 megawatts (MW) and the cap on Shared Clean Energy Facilities (SCEF) from 25 to 50 MW

Jeremy McDiarmid, VP, Policy & Government Affairs, Northeast Clean Energy Council-Support w/changes:

- Further Expand the SCEF Program
- Remove Utility Ownership of Solar
- Support Low-Income and Environmental Justice Provisions
- Resilience Bid Preference

Chris Phelps, State Director, Environment Connecticut-Support w/changes:

- Increase the SCEF program cap to at least 50MW annually
- Recommend that the Non-Residential Renewable Energy Tariff cap be increased to at least 100MW annually

Tom Swan Executive Director, Connecticut Citizen Action group-Support w/changes:

- We oppose allowing the EDCs to own SCEF facilities but are open to a review by PURA.

Mark Scully, Coalition for Sensible Solar Regulation-Support w/changes:

- Increase in the commercial solar cap from 50 to 100 megawatts per year

Derek Phelps, Director of Government Relations at FuelCell Energy, Inc-Support w/changes:

- Increase the project size cap to 10,000 kW (AC) (i.e., 10 MW)

Vincent P. Pace, Assistant General Counsel for Eversource-Support w/changes:

- modifying existing energy caps involving Shared Clean Energy facilities
- Permitting EDCs to own solar power generation facilities within the Shared Clean Energy Facility program
- Allowing commercial and industrial customers in the nonresidential renewable energy tariff program to use their entire roof space for generation

NATURE AND SOURCES OF OPPOSITION:

Kenny Foscoe-Oppose:

- Amend S.B. 176 to increase the cap on commercial solar from 50 to 100 megawatts and the cap on Shared Clean Energy Facilities from 25 to 50 MW

David Godbout-Oppose

Reported by: Jason Snukis

Date: March 30, 2022