

June 22, 2020

Via Email

Hon. Michelle L. Phillips, Secretary  
New York State Public Service Commission  
Empire State Plaza, Agency Building 3  
Albany, NY 12223-1350

Re: CASE 20-E-0155 – In the Matter of Interconnection Deadline Modifications

Dear Secretary Phillips:

The Coalition for Community Solar Access (“CCSA”), New York Solar Energy Industries Association (“NYSEIA”) and Solar Energy Industries Association (“SEIA”) welcome the opportunity to provide comments on an emergency/proposed rulemaking noticed in the April 22, 2020, *New York State Register* on the Suspension of Deadline in Standard Interconnection Requirements. Our brief comments relate to a narrow issue in the Public Service Commission’s (“the Commission”) April 6, 2020, Order Suspending Certain Interconnection Payment Deadlines in the above referenced case – namely, the minimum period of time that cancelled Community Credit capacity may be reallocated.

Our organizations strongly support the reallocation of cancelled Community Credit capacity, and appreciate the Commission’s approval of NYSERDA’s request to authorize such reallocation in its March 19, 2020, Order Regarding Community Credit and Community Adder Allocations<sup>1</sup>. The Order noted that capacity should be reallocated “until the later of November 1, 2020, or the first month in which the Community Credit Tranche 2 is full and there are no project cancellations.”

To accommodate disruptions to the industry caused by COVID-19, the Commission subsequently issued its April 6, 2020, Order, which suspended the 75% interconnection milestone payment. In that Order, the Commission acknowledged that, because of the deadline suspension, “projects that otherwise would have been cancelled by November 1, 2020 may remain in the queue until a later date.” It said that “[a]s part of considering adopting the rules established in this Order on a permanent basis, the Commission will consider whether the November 1, 2020 Community Credit Tranche reallocation end date should be modified to account for this.”

Given the impacts of COVID-19 on wholesale energy prices, project completion timelines, financing costs, workforce disruptions and industry consolidation, as well as the suspension of interconnection timelines, our organizations recommend the Commission abandon setting what amounts to an arbitrary

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<sup>1</sup> See Case 15-E-0751, In the Matter of the Value of Distributed Energy Resources, March 19, 2020.

end date for the recycling of Community Credit. The credits obtained by projects that are then relinquished because of project cancellations should be recycled until the overall capacity allocated for the credit has been fully exhausted. Generally, this approach ensures that construction-ready projects will be authorized to move ahead with the appropriate level of credit after more speculative projects have fallen out of the queue.

If the Commission prefers to continue with the current structure, our organizations recommend extending the November 1, 2020, Community Credit Tranche reallocation minimum end date by 12 months, to November 1, 2021. While the full effects of COVID are still being felt and evaluated, the interconnection queue will almost certainly experience project attrition well beyond November 1, 2020, and it is critical that capacity and funds from these cancelled projects are reallocated to the maximum extent practicable.

We also recommend that the Commission revise the provision stating that, if there are no capacity cancellations for one calendar month, then reallocation shall end in that utility territory. Given the well-known lumpiness of solar project development, it is likely that there could be several months where no projects cancel followed by a month in which many projects do, meaning that the existing attrition provision does not track with the realities of project development. Therefore, we request that the Commission allow reallocation beyond the minimum end date, until there are no capacity cancellations in a utility territory for six calendar months.

Thank you in advance for your consideration of these comments. Please contact Erika Niedowski with any questions.

Respectfully submitted,

/s/

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