



8 March 2021

Secretary Brinda Westbrook-Sedgwick
Commission Secretary
Public Service Commission of the District of Columbia
1325 G Street, N.W., Suite 800
Washington D.C., 20005

Re: Case No. RM29-2020-02

Ms. Westbrook-Sedgwick:

SunPower Corporation (“SunPower”) appreciates the opportunity to offer its comments in response to the Public Service Commission of the District of Columbia (“Commission”) Notice of Third Proposed Rulemaking dated February 5, 2021 (“Third NOPR”) in the RM29-2020-02, In The Matter of 15 DCMR Chapter 29 – Renewable Energy Portfolio Standard (“RPS”) proceeding.

Introduction

SunPower is a U.S.-based solar and energy storage developer. SunPower has over 1,200 employees across the country and an extensive national dealer network consisting of locally-owned small businesses. SunPower directly develops commercial solar projects for Fortune 100 and Fortune 500 companies, the federal government, as well as state and local government entities. Our major District projects have included systems at Joint Base Anacostia-Bolling and a community solar project in Anacostia for the Washington Metropolitan Area Transit Authority (WMATA). In addition to our direct projects, SunPower has three District-located businesses in our national dealer network.

SunPower supports the comments of the Chesapeake Solar and Energy Storage Association (“CHESSA”). SunPower also agrees with the language articulated in the Third NOPR, with slight modifications. SunPower submits these comments to highlight the specific issues described below.

Effect on the Community Solar Program

SunPower urges the Commission to clarify Subsection 2902.1(b)(2) of the Commission’s RPS rules as shown in the below markup. This is necessary in order for geographic location to be the only criterion to determine DC SREC eligibility. As requested by CHESSA, Subsection 2902.1(b)(2) should be clarified as follows:

- (2) A Solar Energy System which is not currently connected to the Electric Company’s distribution system and is not located in the District may be eligible for certification to meet the solar portion of the Tier One requirement of the RPS, if the appropriate connection point as determined by the Electric Company is on a distribution feeder serving the District. The Electric Company shall not reconfigure its distribution

system, ~~including in the form of~~ extensions of the system ~~or new service connections~~, solely to allow a solar energy system to become eligible for certification to meet the solar portion of the Tier One requirement of the RPS;

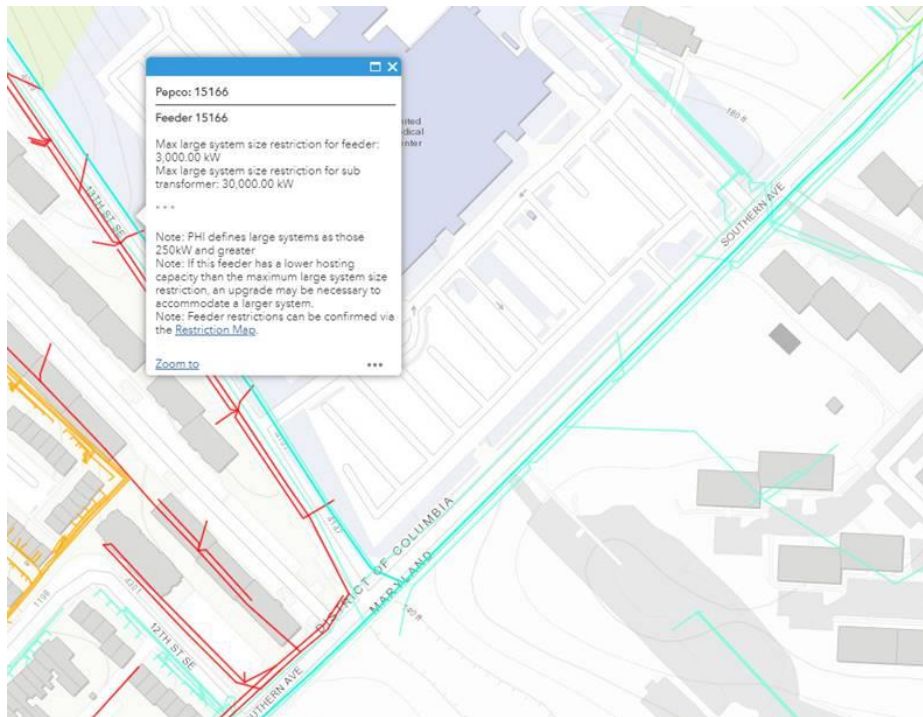
This clarification would ensure that community solar systems and other front-of-the-meter projects that otherwise meet the requisite geographic criteria described in the Third NOPR would not be inadvertently disallowed. Solar projects located outside of the District should qualify based on their geographic eligibility, not on whether the system is located behind the customer's meter or is participating in a community solar program.

Cross Border Feeder Map

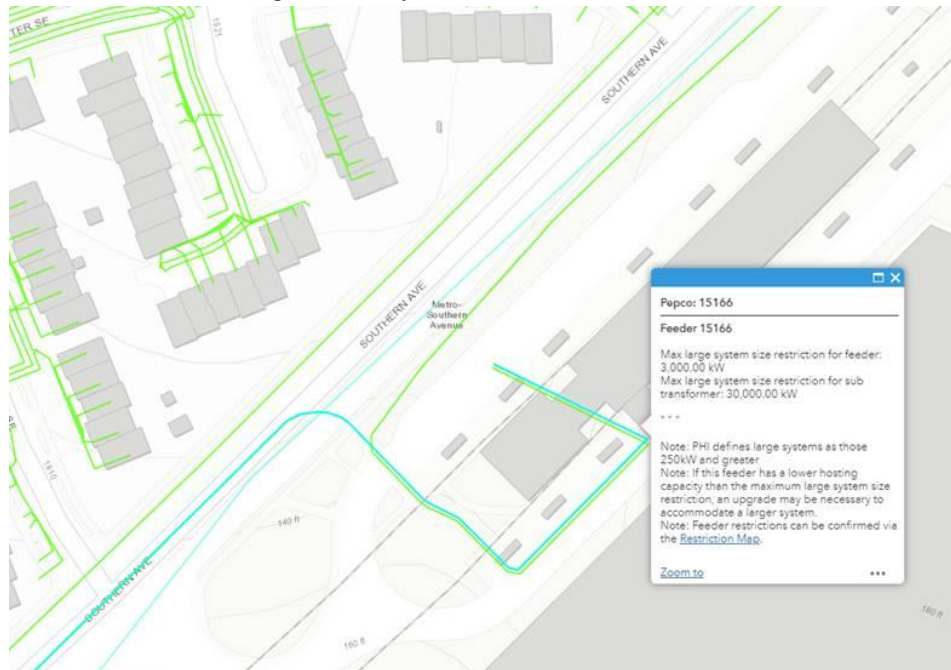
SunPower also supports the use of the Cross Border Feeder Map in determining project eligibility. However, the map should not be the only determining factor. The Commission should have a process in place for a developer to prove that a project meets the geographic eligibility because the feeder map may not accurately illustrate every eligible distribution feeder line in Maryland that also serves the District.

SunPower has a specific and current example of this scenario. We are developing community solar projects for WMATA on three Maryland transit sites that are in areas served by a distribution feeder serving the District. We have received interconnection approvals from Pepco-Maryland that identifies feeders that fit the criteria outlined in this Third NOPR. For the Southern Ave Metro Station, Feeder 15166 is a distribution feeder serving the District that crosses the border (Southern Avenue) to only serve the Metro station. The below images from PEPCO's Solar PV – Distribution Feeder Hosting Capacity Map illustrate the situation:

Feeder 15166 shown in DC



Feeder 15166 crossing into Maryland



The Cross Border Feeder Map does not currently identify this distribution feeder, although it is clear that the system and feeder meet the eligibility stated in the Third NOPR. The Metro station is located just over the border from the District. The distribution feeder serving the Metro station crosses the border from the District in order to serve the Metro station. However, this feeder is not included in the map illustration. Accordingly, SunPower respectfully requests that the Commission ensure that the Cross Border Feeder Map is updated to include this Feeder 15166.

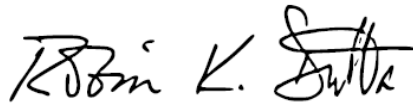
For this reason, and scenarios like it that that could exist, the Cross Border Feeder Map should not be the single and final determinant. Eligibility should be based on the map, but the Commission should not assume the map to be infallible. The overriding criteria utilized by the Commission should be that, in order for a Maryland-located solar system to be eligible for DC SRECs, a system must be located in a geographic area served by a distribution feeder that also serves the District.

SunPower also recommends to the Commission that there be more active oversight on the publication of the Cross Border Feeder Map. The map should be updated, published, and approved by the Commission at least on an annual basis as part of a proceeding that allows for public comment. Additionally, if there is cause to update the map outside of an annual proceeding, such as when a developer's proposed project area is erroneously left out of the map, the Commission should allow such updating as well in order to maintain the map's accuracy and to avoid excluding eligible projects. This would ensure that the Cross Border Feeder Map identifies distribution feeders in a way that reflects the spirit and intent of the Distributed Generation Amendment Act of 2011 and subsequent regulations.

Conclusion

In conclusion, SunPower appreciates the opportunity to comment on the RM29-2020-02 proceeding. We support the Third NOPR language, in line with the comments of CHESSA. We believe their suggested redline of 2902.1(b)(2) is critical to clarifying community solar system eligibility for DC SRECs when those systems meet the geographic eligibility requirements. We also strongly recommend that the Commission create specific oversight guidelines around the publication and application of the Cross Border Feeder Map.

Sincerely,

A handwritten signature in black ink, appearing to read "Robin K. Dutta". The signature is stylized with a large, looped 'R' and a distinct 'D'.

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