



May 25, 2016

Federal Trade Commission
Office of the Secretary
600 Pennsylvania Avenue N.W.
Suite CC-5610 (Annex B)
Washington, DC 20580

RE: Solar Electricity Project No. P161200

Dear Secretary Clark,

On behalf of the National Association of State Utility Consumer Advocates (NASUCA), I am writing today to offer brief comments in response to the Federal Trade Commission's (FTC's) request for comments regarding the FTC workshop entitled "Something New Under The Sun: Competition and Consumer Protection Issues in Solar Power."

NASUCA's members represent utility customers before state regulatory authorities and the courts in over 40 states and in the District of Columbia. Many of those states are currently engaged in proceedings to evaluate the costs and benefits of having distributed generation (DG) incorporated within a utility system.

NASUCA members represent both customers that own DG and customers that do not own DG. As such, NASUCA members have a keen interest in making sure that the costs and benefits of DG are fairly apportioned among utility customers. No customer should be unfairly burdened by having to pay additional costs to support another customer's DG facility. Likewise, no customer that owns DG should be unfairly denied the appropriate benefit of that facility.

The FTC supplemental information notes that "It is critical to ensure that customers have accurate information about the costs, benefits, and uncertainties associated with installing solar PV panels on their properties." NASUCA agrees. NASUCA members are engaged in a continuing series of conversations with the solar industry, regulatory agencies and electric utilities about these issues. Moreover, NASUCA has passed a policy resolution on consumer protection for DG customers. (<http://nasuca.org/protections-for-distributed-generation-customers-2014-05/>)

The FTC supplementary information notes that “net metering is a complex issue.” NASUCA agrees. How to value DG resources on a utility system and whether to advance policies supportive of DG resources through the retail ratemaking process, including net metering, is clearly and historically within the purview of state law and state regulatory authority. Ultimately, NASUCA believes that state authorities are in the best position to understand the nuances of each local utility’s system, in the best position to gather the appropriate evidence relevant to those issues, in the best position to hear and understand all stakeholders’ concerns and in the best position to make the most appropriate decisions for all utility customers in the most cost-effective manner possible.

In light of these considerations, NASUCA will not attempt to provide answers to the many questions posed in the FTC request for comment. First, NASUCA cannot speak for each of the many NASUCA members that are currently engaged in diverse state level proceedings seeking answers to these same questions. And second, there is no one objectively correct answer to any of the questions posed. For these reasons, NASUCA urges the FTC to let states, and the many parties involved in the state level proceedings, determine the best answers to these questions for each individual state.

Thank you for your time and consideration. Please do not hesitate to contact me or David Springe, NASUCA’s Executive Director at 785-550-7606 or david.springe@nasuca.org should you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Robert A. Nelson".

Robert A. Nelson
NASUCA President
Montana Consumer Counsel
(406) 444-2771