**Environmental Justice Caucus**

**PRC Community Solar Rules Summary by Robert L. Scott**

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[DISCLAIMER: The following is just a summary of the PRC rules. This summary should not be used as a substitute for the actual rules. If you plan on doing anything in connection with the rules, you must read them.]

This summary is meant to give an overview of the PRC’s initial rules for Community Solar. It is possible there may be changes to the rules in the future. If that happens, this summary will be updated.

1. The Application: The process starts with an application that is filed with the PRC. The PRC will choose a Third Party Administrator who will administer the process to choose the successful applicants.
2. Minimum Requirements for Applicants:
	1. Legally binding site control;
	2. Commitment to meet the required subscriber minimums and maximums;
	3. Completion of utility pre-application report, OR completion of system impact study pursuant to the Commission’s interconnection rules;
	4. Proof of “access” to collateral for the project’s deposit;
	5. $1,000.00 non-refundable application fee.
3. Application’s Points Process: The Third Party Administrator will evaluate each application using points awarded according to certain categories.
4. Points Categories
	1. Permits
		1. “Fully permitted”: 15 pts.
		2. “One permit granted, remaining pending”: 10 pts.
		3. “Permits known” but not all applied for: 5 pts.
		4. “No permitting activity”: 0 pts.
	2. Bidder’s Experience (Can include one or more up to a total of 10 pts.)
		1. Subscriber recruiting and management: 3 pts.
		2. Building and operating facilities: 3 pts.
		3. Working “directly” with low income communities: 4 pts.
	3. Financing Status
		1. Financing secured or confirmed: 10 pts.
		2. No financing but detailed & feasible financing plan prepared: 4 pts.
		3. No financing and no plan: 0 pts.
	4. Interconnection Viability (one or both)
		1. Less than 1 mile to 3 phase line: 2 pts.
		2. Connection to 12 kV line: 3 pts.
	5. Low Income Commitments
		1. Exceed 30 % minimum: 2 pts. per 5% up to 8 pts. for 50% share
		2. “Direct bill”: 4 pts. for 10%; 2 pts. + for each addl. 10% up to 8 pts.
		3. No fees or royalties: 2 pts.
		4. Supplement the community solar bill credits for low income subscribers:
			1. 20% 4 pts.
			2. 22% 5 pts.
			3. 25% 6 pts.
			4. 27% 7 pts.
	6. Community Impact
		1. Workforce training & education: 6 pts.
		2. Minority, women, veteran, Native American owned business: 6 pts.
		3. Community ownership: 2 pts.
		4. Partnership with tribe, pueblo, local community or non-profit community organization: 6 pts.
	7. Project Site Attributes (additive up to 5 pts.)
		1. Brownfield, built environment or rooftop: 2 pts.
		2. Municipal, county or state land: 1 pt.
		3. Favorable analysis from Dept. of Cultural Affairs: 2 pts.
	8. Discretionary points by Administrator: The Administrator may award an additional 5 pts. for “innovative commitment or provision beneficial” to community, subscribers, or the program overall.
	9. Selection process: Administrator selects projects based on “these qualifications and selection criteria within each qualifying utility’s territory until allocated capacity cap for each utility has been reached”
	10. 2d Application Fee: Each bid selected pays $2500 for “each megawatt of nameplate capacity” expected.
	11. Wait Lists: There will be a wait list to replace any projects that are withdrawn. The 2d application fee must be paid within 30 days.
	12. Interconnection Cost Sharing: Commission may allow cost sharing for “cost of distribution system and upgrades.” Commission will use the same analysis it uses for cost sharing or rate basing grid modernization. There is a list of considerations.
	13. Registration of Subscriber Organizations: The Commission will issue a registration form.
		1. Ongoing requirement for 30% low income subscription.
		2. Monthly then quarterly reporting.
		3. One year to get to the 30% requirement. Penalties can apply after that.
	14. Special Subscriber Provisions to Pre-qualify: A list of low income categories that can be used to pre-qualify low income subscribers. (E.g.: Medicaid, SNAP, etc.).
	15. Subscriber Protections: Commission adopted a uniform disclosure form for disclosures to subscribers and protections of subscribers. (E.g. liability insurance.)
	16. Subscriber Agreements: Each subscriber organization must have a subscriber agreement.
	17. Co-location of Community Solar Facilities: When facilities can be co-located.
	18. Production data: requirement to measure what is produced.
	19. Community Solar Bill Credits Rate: How these are calculated.
	20. Unsubscribed Energy: How this is handled.
	21. Subscriber Information Form: A form is included in the rules.

Community Solar Facility Requirements

* + - 1. 5 Megawatt maximum capacity, except for Native communities.
			2. Facility must be in the territory of the “qualifying utility”.
			3. There must be 10 or more subscribers.
			4. An individual subscriber cannot use more than 40% of the capacity for that facility.
			5. Subscribe apportionment: at least 40% must be available in subscriptions of 25 kW or less.
			6. At least 30% of the capacity must be reserved for low income “customers” and low income service organizations.
			7. Utilities or affiliated bids are limited to 20% of statewide capacity allocated to the utility.