

STATE OF CONNECTICUT

PUBLIC UTILITIES REGULATORY AUTHORITY

REVIEW OF STATEWIDE SHARED : DOCKET NO. 19-07-01  
CLEAN ENERGY FACILITY :  
PROGRAM REQUIREMENTS :  
:  
:  
: JANUARY 8, 2021

**MOTION FOR REVIEW AND APPROVAL OF YEAR 1 SELECTIONS**

The Connecticut Light and Power Company d/b/a Eversource Energy (“Eversource” or “Company”) hereby submits this request for approval of the Company’s Year 1 Subscriber Organization Bid selections, pursuant to the Public Utilities Regulatory Authority’s (“Authority” or “PURA”) ruling on March 31, 2020 (Motion No. 8) and the November 24, 2020 ruling on Motion No. 53 in the above referenced docket. The final Subscriber Organization Bid selections identified in this filing are based on the lowest priced bids remaining after the disqualification of bids in accordance with PURA’s current rulings and DEEP’s determinations in this docket.

Specifically, the aforementioned rulings provide:

*“No later than two weeks following completion of each annual procurement process, UI and CL&P each shall submit to DEEP for approval the EDCs’ final Subscriber Organization Bid selections. No later than two weeks following DEEP’s approval of the EDCs’ final Subscriber Organization Bid Selections, UI and CL&P each shall file for the Authority’s approval, public copies of the Company’s selected SCEF Subscriber Organization Tariffs with banking information redacted, along with a public summary sheet. The public summary shall be sorted by evaluated Bid price(s), and shall include for each Bid: the Bid/Project ID, address, Subscriber Organization name, Bid status (disqualified, selected, withdrawn, etc.), as-Bid project size in MW, expected annual production in kWh, Y/N for each Bid Preference considered during the solicitation(s), Bid price(s), evaluated Bid price(s) if Bid preferences are applied, projected annual amount to be paid to Subscriber Organization, and the projected annual amount to be paid to Subscribers.” (Motion No. 8 Ruling)*

*“The Authority further clarifies that after the Shared Clean Energy Facility (SCEF) Program Year 1 bids have been re-examined and selected by Eversource, the Company shall file public copies of Eversource’s selected SCEF Subscriber Organization Tariffs with banking information redacted, along with a public summary sheet, as a Motion for the Authority’s approval instead of as a compliance filing.” (Motion No. 53).*

## **I. BACKGROUND**

The Company issued the Year 1 Request for Proposals for the Shared Clean Energy Facility Program (“RFP”) on April 30, 2020. The RFP deadline was extended from July 13, 2020 to July 27, 2020.

On November 5, 2020, Eversource filed the results of the first round of selections in compliance with Order No. 8 in this proceeding. Several motions were filed by bidders who participated in the RFP.<sup>1</sup>

On November 16, 2020, the Authority issued a Revised Ruling on Motion Nos. 30, 31, 32, 33, 34, 36, and 38 (“Revised Ruling”) ordering: “*Eversource to re-evaluate the Year 1 bids applying the guidance and clarifications set forth above.*” On November 20, 2020, Eversource filed a Motion for Clarification (Motion No. 53) of the Authority’s Revised Ruling requesting “*...clarification that the Compliance filing is superseded and terminated by the Revised Ruling.*” On November 24, 2020, PURA issued its ruling on Motion No. 53 stating:

*“The Authority confirms that in accordance with the Revised Ruling, Eversource’s November 5, 2020 compliance filing is terminated. The Authority further clarifies that after the Shared Clean Energy Facility (SCEF) Program Year 1 bids have been re-examined and selected by Eversource, the Company shall file public copies of Eversource’s selected SCEF Subscriber Organization Tariffs with banking information redacted, along with a public summary sheet, as a Motion for the Authority’s approval instead of as a compliance filing.”*

On December 21, 2020 Eversource submitted the final Subscriber Organization Bid re-selections to the Department of Energy and Environmental Protection - Bureau of Energy, Technology & Policy (“DEEP”). DEEP approved Eversource’s final Year 1 Subscriber Organization Bid re-selections on December 29, 2020.

As a result, Eversource hereby submits the following attachments for the Authority’s review and approval, in compliance with the requirements of the Authority’s Final Decision dated December 18, 2019 and the aforementioned rulings.

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<sup>1</sup> See Motion Nos. 47, 48, 49, 50, 51, 53, 56, 57, 58 and 59.

## **II. BID SELECTIONS AND ACCOMPANYING ATTACHMENTS**

### **A. ATTACHMENT A**

Attachment A is comprised of public copies of Eversource's selected SCEF Subscriber Organization Tariff Terms Agreements with banking information redacted and sorted from lowest to highest Project ID. Eversource has included copies of the SCEF Subscriber Organization Tariff Terms Agreements, as opposed to the Subscriber Organization Tariffs, as the specific naming conventions of these documents was not yet determined at the time the Decision was issued by the Authority on December 19, 2019. Since the Tariff Terms Agreement contains the data inclusive of project-specific information, the Company anticipated this documentation would be submitted for the Authority's review and approval. The Company has redacted banking information, tax identification numbers and customer billing account numbers contained in the public version of the attachment/s maintain customer confidentiality.

### **B. ATTACHMENT B**

Attachment B is the public summary sheet of bids, sorted by evaluated Bid price(s). The public summary includes the following information for each Bid (not necessarily in this order):

#### **a. The Bid/Project ID**

- i. Eversource has provided both the Project ID and the Project Name.
- ii. Project ID "SCEF1-N/A" was not submitted via the Bid portal, therefore it was not assigned an official Bid ID number. The Bid ID number is generated by the online Bidding system, and ultimately becomes the Project ID in the following format: SCEF [RFP Year #]-[Bid ID].

#### **b. Project site address**

#### **c. Subscriber Organization name**

#### **d. Bid status (disqualified, selected, submitted, withdrawn, etc.)**

- i. In the course of evaluating bids, Eversource initially identified certain deficiencies in the bids submitted in response to the RFP. The identified deficiencies related to bidders' documentation of site control required to be submitted as an attachment to Page 5 of the SCEF Bid Certification Form at the time of Bid submission to Eversource, as also articulated in Section 2.4.1 of the RFP.<sup>2</sup>

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<sup>2</sup> Section 2.4.1 states, in relevant part, "*The Bid Certification Form is an integral part of the Bid, and Bids that do not include a complete and executed Bid Certification Form, including all required signatures, the appropriate notary, and the appropriate proof of site control, will not be considered.*"

Background & Timeline Addressing Bid Eligibility in Year 1 RFP

1. The following Project ID's were disqualified since requests for an extension to the Bid submission deadline were denied in the Authority's July 24, 2020 ruling on Motion No. 14:
  - a. SCEF1-6949
  - b. SCEF1-7225
  - c. SCEF1-N/A – This bid was not submitted via the Eversource online Bid portal and therefore would not have been considered eligible.
2. The following Project ID's were disqualified by DEEP as a result of its review of Appendix B documentation:
  - a. SCEF1-7107
  - b. SCEF1-7114
  - c. SCEF1-7115
3. On September 2, 2020, Eversource and The United Illuminating Company ("UI") (collectively, the "Companies") submitted a joint request for an expedited ruling from the Authority on the threshold certification and eligibility requirements related to these observed deficiencies. *See* Motion No. 23.
4. Specifically, the Companies asked for the Authority's direction and ruling on the following issues: (1) whether a bid submitted without a fully completed and notarized Bid Certification Form inclusive of all required attachments, as provided in the RFP, should be considered complete and eligible for consideration by the respective Companies' bid evaluation team; (2) whether a "letter of intent" is acceptable proof of Project Site Control, as required by Section 4.5 of the Authority's Modified Program Requirements and page 5 of the Bid Certification Form; and (3) whether the Companies should provide an opportunity to cure deficiencies in bid submissions, based on the Authority's response and direction pertaining to those two issues. Motion No. 23 at pg. 2.
5. On September 3, 2020 PURA issued correspondence and on September 4, 2020, PURA issued interrogatories to the Companies. As a result, the Companies submitted additional information to the Authority, including a list of the bids that were purportedly deficient.
6. On September 18, 2020, PURA issued its ruling on Motion No. 23 determining that:
  - (1) "bids devoid of fully executed Bid Certification Forms shall not be considered eligible, at this time, for the Year 1 SCEF RFP";
  - (2) all other forms of proof of project site control not specified in Section 4.5 of the Modified SCEF Program Requirements and Section 2.4.1 of the Year 1 RFP "shall not be considered, at this time, for the Year 1 SCER RFP"; and,
  - (3) "the Companies shall not provide an opportunity to cure deficiencies in bid submissions at this time." Authority Ruling on Motion No. 23 at pg. 3.
7. In accordance with PURA's Ruling on Motion No. 23, Eversource initially disqualified the following Project IDs for not providing any documentation proving site control:
  - a. SCEF1-6954
  - b. SCEF1-6972
  - c. SCEF1-6973
  - d. SCEF1-6974
  - e. SCEF1-7009
  - f. SCEF1-7103
  - g. SCEF1-7107
  - h. SCEF1-7114

- i. SCEF1-7115
  - j. SCEF1-7117
  - k. SCEF1-7119
  - l. SCEF1-7122
  - m. SCEF1-7197
  - n. SCEF1-7225
8. In accordance with PURA's Ruling on Motion No. 23, Eversource initially disqualified the following projects for providing insufficient documentation proving site control as an attachment to Page 5 of the SCEF Bid Certification Form<sup>3</sup> at the time of Bid submission to Eversource:
- a. SCEF1-6853
  - b. SCEF1-6912
  - c. SCEF1-6967
  - d. SCEF1-7171
  - e. SCEF1-7229
- ii. As a result of PURA's September 18, 2020 ruling and the resulting disqualifications of Bids, numerous Motions to Reverse Disqualifications were submitted (*See* Motion Nos. 30, 31, 32, 33, 34, 36, 38).
  - iii. On October 9, 2020, the Authority issued a Ruling on Motion Nos. 30, 31, 32, 33, 34, 36 & 38 denying the relief sought in the subject motions.
  - iv. Motions for Reconsideration of the Authority's October 9, 2020 denial were filed by numerous parties (*See* Motion Nos. 40, 42, 43, 44 & 47).
  - v. On November 5, 2020, Eversource filed the results of the first round of selections in accordance with the above rulings as Compliance with Order No. 8 in this docket.
  - vi. On November 16, 2020, the Authority issued a Revised Ruling on Motion Nos. 30, 31, 32, 33, 34, 36, and 38, ordering "Eversource to re-evaluate the Year 1 bids applying the guidance and clarifications set forth above."
    1. In accordance with PURA's November 16, 2020 Revised Ruling and the referenced "guidance and clarifications" within, Eversource relied upon DEEP to determine which parties met the site control requirements as outlined in Appendix B and the deadline for submission of July 27, 2020. The following Project ID's were disqualified by DEEP via a letter dated December 4, 2020 for failure to meet site control requirements and the deadline for submission of July 27, 2020:
      - a. SCEF1-6954
      - b. SCEF1-6967
    2. The following Project ID's remained disqualified by DEEP as a result of its review of Appendix B:
      - a. SCEF1-7107
      - b. SCEF1-7114

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<sup>3</sup> Eversource provided a list of specific deficiencies in its response to the September 4, 2020 interrogatories. *See* Interrogatory Responses Q-CAE-001 through Q-CAE-003 dated 9/9/2020 (*confidential*).

c. SCEF1-7115

3. The following Project ID's remained disqualified as the Authority denied their requests for an extension to the Bid deadline as stated in PURA's July 24, 2020 response to Motion No. 14:

a. SCEF1-6949

b. SCEF1-7225

c. SCEF1-N/A – Notably, this Bid was not submitted via the online Bid portal and therefore would not have been considered eligible.

vii. On November 20, 2020, Eversource filed Motion No. 53, a Motion for Clarification of PURA's November 16, 2020 Revised Ruling requesting "...clarification that the Compliance filing is superseded and terminated by the Revised Ruling."

viii. On November 24, 2020, PURA issued its ruling on Motion No. 53 stating, "The Authority confirms that in accordance with the Revised Ruling, Eversource's November 5, 2020 compliance filing is terminated."

**e. Expected annual production in kWh.**

**f. Y/N for each Bid Preference considered during the solicitation(s), as determined by DEEP.**

**g. Bid price(s)**

i. Eversource has included the average as-Bid Average Bid Prices in MWh. Consistent with Section 7.3 of the Modified Program Requirements, Eversource selected eligible Bids from lowest to highest evaluated average Bid price in MWh, and Bid preferences were applied to the average Bid price in MWh if applicable.

ii. Annual Bid prices have been displayed in kWh consistent with Section 3.6 of the Modified Program Requirements.

**h. Evaluated Bid price(s) if Bid preferences are applied**

**i. Projected annual amount to be paid to Subscriber Organization.**

**j. Projected annual amount to be paid to Subscribers.**

**k. Additional Information**

While preparing this filing, Eversource determined that the following key details for each Bid should also be included in this submission, to provide the Authority with further context. These additional details are included herein and will be included in future filings, unless the Authority directs Eversource otherwise.

i. Project name

ii. Awarded project size. In accordance with Section 3.1.2 of the Year 1 Request for Proposals for the Shared Clean Energy Facility Program ("RFP"), the remaining 1MW was offered to the Bidder for Project ID SCEF1-7119, and the Bidder accepted such offer. Therefore, because the awarded project size for the last project selected in the queue may differ from the As-Bid project size, this information is imperative to the understanding and evaluation of the selected SCEF

Bids. Importantly, the data in Attachment B: the average annual production, projected annual payments to Subscriber Organization and projected annual payments to Subscribers, all pertain to the awarded project size.

- iii. Project technology
- iv. Solar technology sub-type where applicable
- v. Total 20-Year projected payments to Subscriber Organizations
- vi. Total 20-Year projected payments to Subscribers

### **III. CONCLUSION**

The Company worked diligently and responsibly as the SCEF administrator to ensure that the administration of the SCEF Program was consistent with the RFP, the PURA Modified Program Requirements and the SCEF program objectives. The Authority's subsequent rulings provided direction and clarification, as needed. While the Company is committed to continuing to diligently administer the SCEF Program equitably and with transparency, this inaugural year of the SCEF program identified "lessons learned" for future solicitations. The Company looks forward to further feedback, and implementing appropriate lessons learned, in order to ensure the state policy objectives of SCEF Program are achieved. Based on the foregoing, the Company respectfully requests the Authority's review and approval of the Year 1 Subscriber Organization Bid selections presented herewith.

Respectfully submitted,

EVERSOURCE ENERGY

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 8th day of January, 2021, a copy of the foregoing was sent to the service list in compliance with Regs. Conn. State Agencies Section 16-1-15.

By: *Joaquina Borges King*  
Commissioner of the Superior Court