



# **Community Solar Senate Memorial 63 Working Group**

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**Water and Natural Resource Committee  
November 9, 2020**

**Senator Liz Stefanics  
Representative Patricia Roybal Caballero**

# Senate Memorial 63

**Sponsors: Senator Stefanics & Representative Roybal Caballero**

- Creates a **process for a working group** of stakeholders on community solar
- **Composition:** representatives from EMNRD, PRC, State Land Office; utility companies; rural electric cooperatives; renewable energy industry representatives; environmental organizations; Native American nations, tribes and pueblos; low-income service providers; local governments, cities, counties; and interested community members from throughout the state.
- **Inclusive** and open to those who wish to participate
- NM Legislative Council arranged for a **third-party facilitator** to convene Working Group, to review statewide community solar initiatives, and to develop recommendations for the implementation of those initiatives.
  - **Paul Biderman** was confirmed as the third-party facilitator.
- The working group will **report** its findings and recommendations to the appropriate interim legislative committees in Fall.

# Agenda

- Overview of Senate Memorial 63
  - Working Group Goals & Objectives
  - Stakeholder categories
- SM63 Working Group Process
  - Underlying motivations & values in SM63 Working Group discussions
  - Overview of topics addressed
- What/why of community solar?
  - Statewide community solar programs
  - Survey of opinions from Working Group
- Tribal Community Solar Task Force
  - Goals and objectives
  - Key focus and issues

# Presenters

**Paul Biderman** – Facilitator of SM63 Working Group

**Beth Beloff** – Executive Director; Coalition of Sustainable Communities New Mexico (CSCNM)

**Mayane Barudin** – Interior West Manger & Tribal Liaison; Vote Solar

**Pilar Thomas** – Partner; Quarles & Brady LLP

# SM63

## Working Group Goals & Objectives

To bring representatives from stakeholder groups together to resolve issues around community solar in advance of the development of a 2021 community solar bill.

- To find areas of common ground
- To identify the areas of disagreement in order to craft a bill
- Identify and try to minimize areas of concern

# SM 63 Working group process

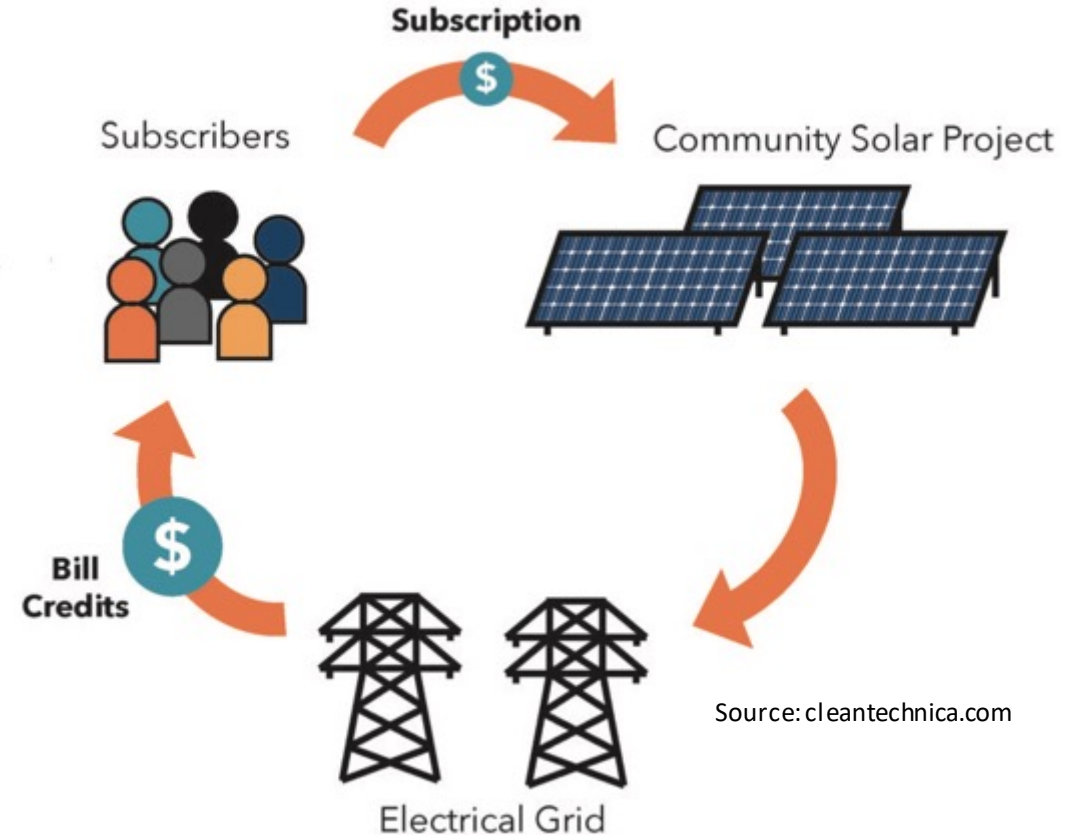
- SM 63 called for broad-based working group of stakeholders to review community solar initiatives and develop recommendations to implement them.
- Convened around 90 participants
- Zoomed every other week from July 16 – November 5, usually 50
- Had presentations from experts ranging from NREL to Xcel Energy
- Broke into discussion groups on various issues surrounding community solar
- Conducted two surveys of participants
- Coordinators prepared list of responses to surveys and observations
- Final report to Legislative Council will present observations from surveys and breakouts as well as best practices from presentations
- This will inform the development of a bill by sponsors

# Working Group Stakeholder Categories

- Citizens
- Consultant/Technical experts
- Investor-Owned Utilities
- Rural Electric Cooperatives
- **Government**
  - Legislators/Candidates, EMNRD, SLO, Governor's Office, Political Parties
  - Tribal Governance
- **Renewable Industry**
  - Coalition for Community Solar Access (CCSA), Renewable Energy Industry Association (REIA), Industry Members
- **Low-to-Moderate Income (LMI) Housing**
  - Housing Authorities
- **LMI and Immigrant NGOs**
  - Prosperity Works
- **Green NGOs**
  - 350.org, Conservation Voters New Mexico (CVNM), Sierra Club, Natural Resource Defense Council (NRDC), Western Resource Advocates (WRA), New Energy Economy (NEE), Environment NM, SF Green Chamber, Renewable Taos, etc.
- **Tribal NGOs**
  - Western Leaders, Native American Voters Alliance (NAVA), Five Pueblos Coalition, etc.
- **Other NGOs**
  - Coalition of Sustainable Communities (CSCNM), Vote Solar, Earthcare

# What is Community Solar?

Community solar refers to local solar arrays shared by individual community members who receive credits on their electricity bills for their portion of the power produced. The power is connected to the electrical grid.

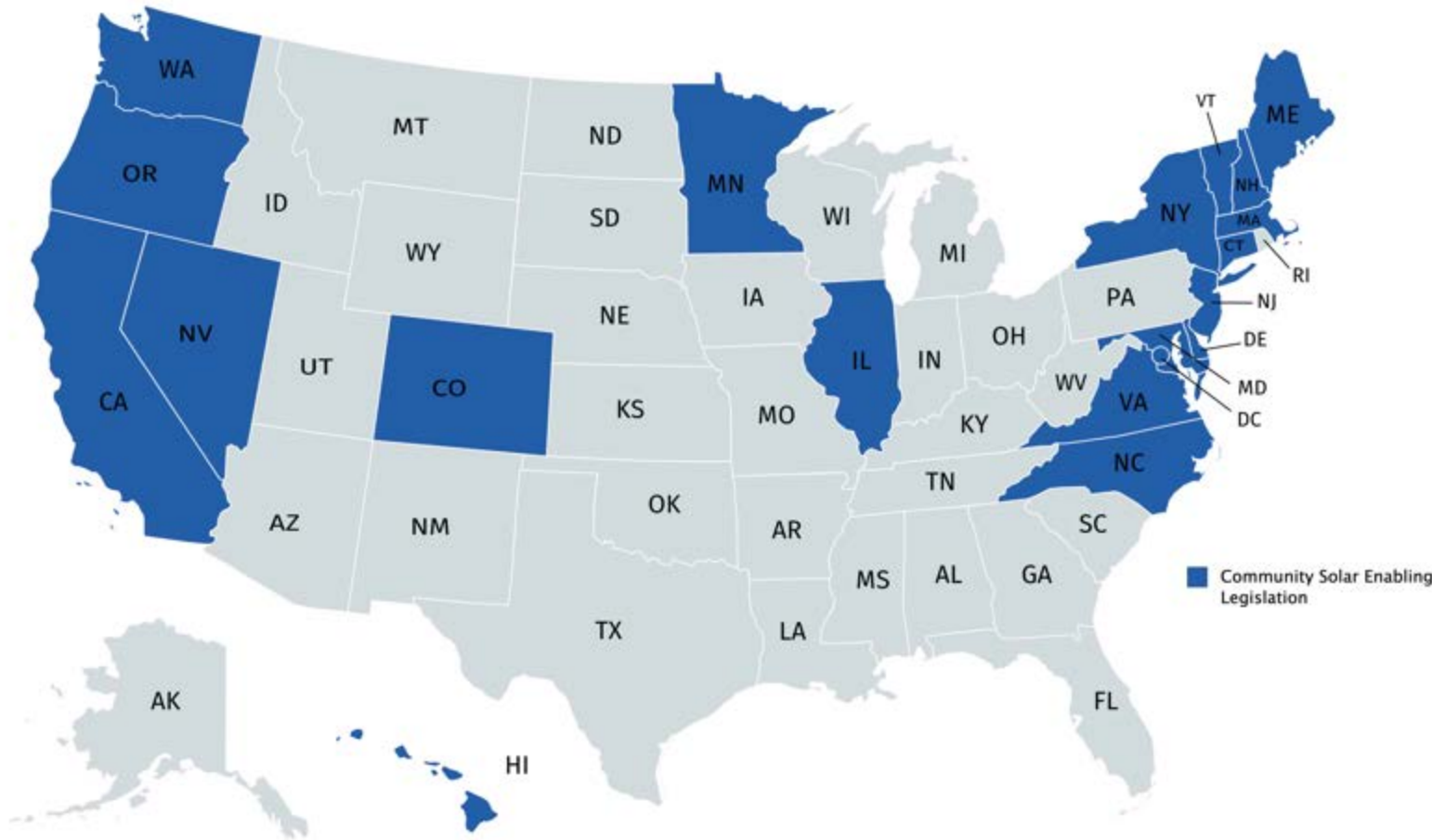




# Why Community Solar?

- **Multiple participants share** the cost-saving benefits of a single large-scale solar array.
- Offers **equal access to the solar market for anyone with an electric bill**, including low-income residents, renters, residents in multi-unit buildings, municipalities, non-profits and businesses that don't own their roof.
- Individuals and businesses can **purchase subscriptions** for solar energy with energy produced **credited** to their utility bill.
- Can **stimulate the solar market** for smaller, in-state solar developers, in comparison to utility-scale projects, and therefore has the potential to create thousands of **clean energy jobs**.
- Provides **economic stimulus** for tribal nations, farmers/landowners, rural communities, small towns.
- Allows private sector **competition to stimulate innovation** in the solar market.
- Provides **customers choice** in their source of renewable energy.
- Small, local, distributed energy sources can create a **more resilient electric grid**.

# Statewide Community Solar Programs



20 states and Washington D.C. have passed some form of legislation enabling community solar, either through statewide programs or the authorization of a limited number of pilot projects.

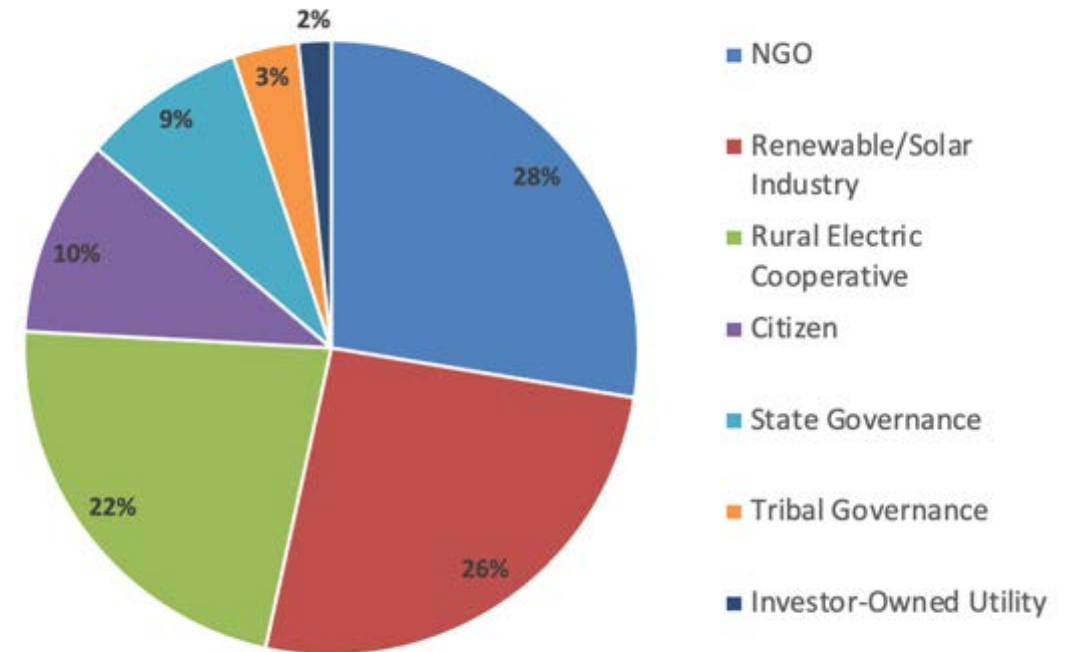
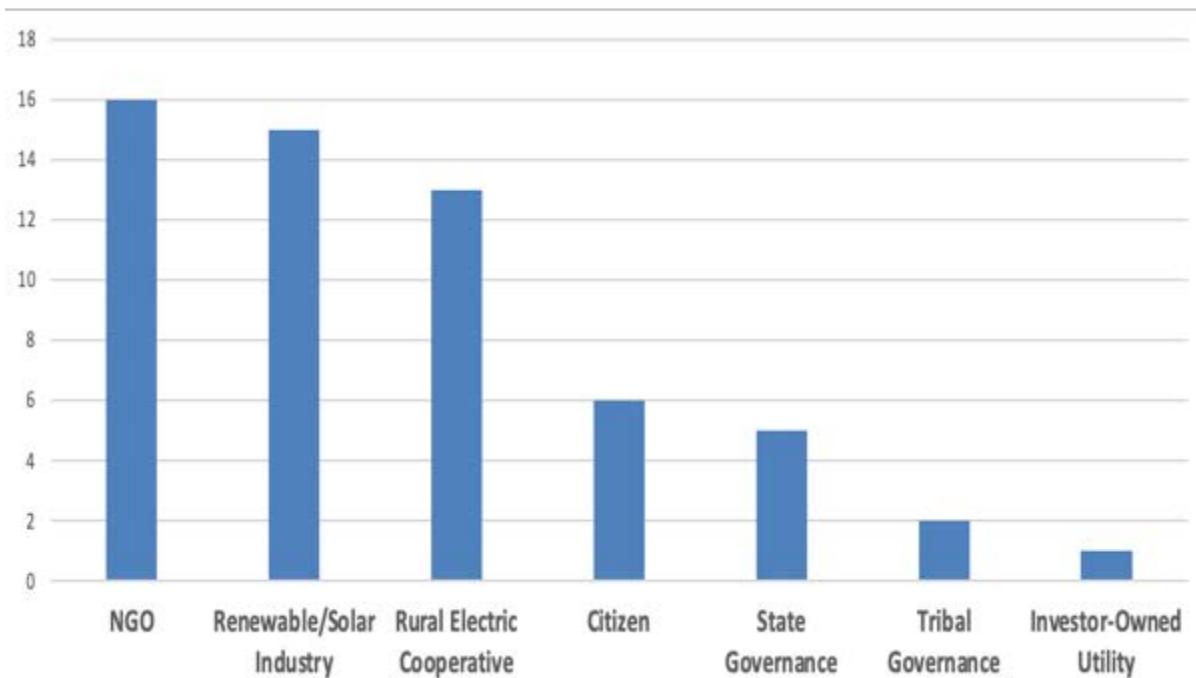
These programs vary in scope, but they generally all allow for some form of virtual net metering so that subscribers can benefit from their community solar subscriptions.

# Topics Covered by the Working Group

- Annual/system-wide capacity cap
- Project size
- Facility siting and co-location with storage
- REC ownership
- Utility participation
- Anchor tenants
- Bill credit mechanism and avoiding cross-subsidization
- Low-income participation
- Rural electric coop participation
- Tribal participation
- Project capacity allocation process
- Program Evaluation

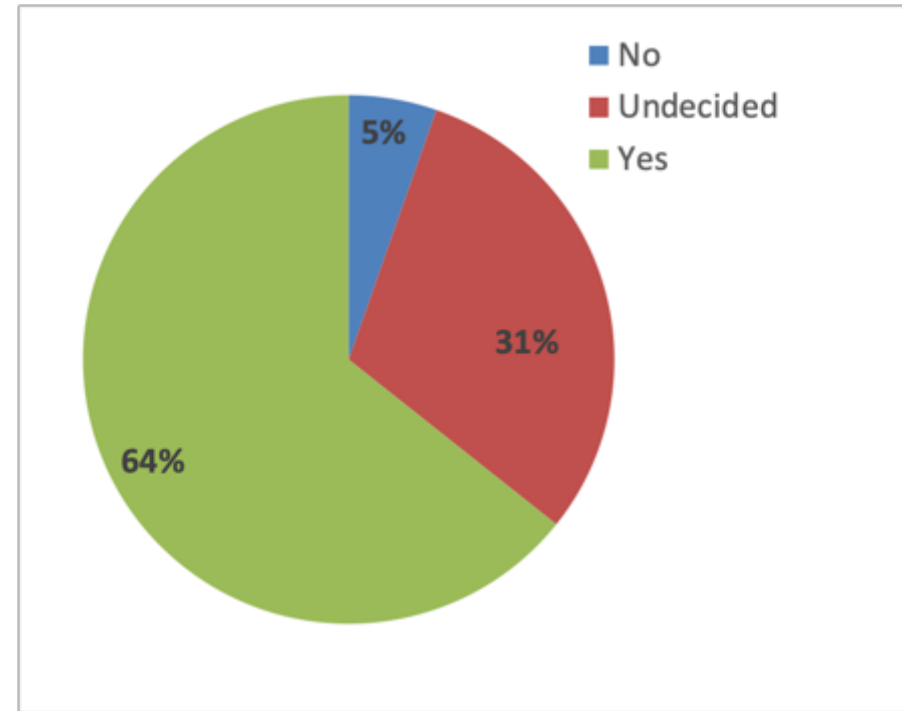
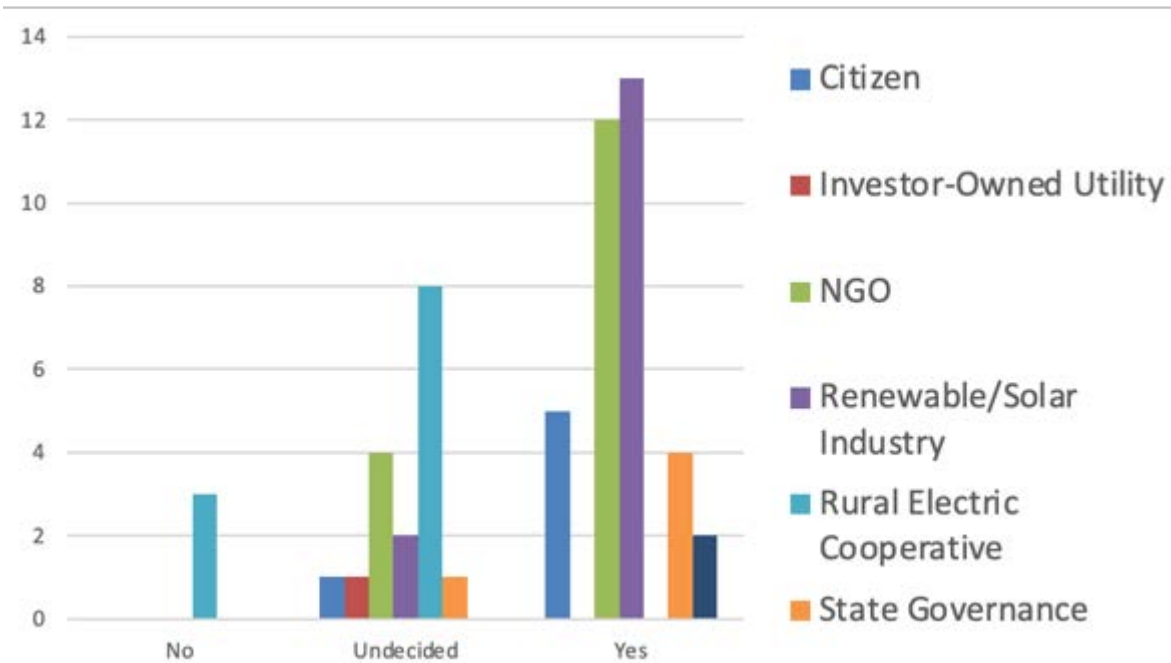
# Community Solar Working Group Survey

- 58 respondents. Largest groups: Renewable/Solar Industry (26%), Coops (23%), NGOs (26%)



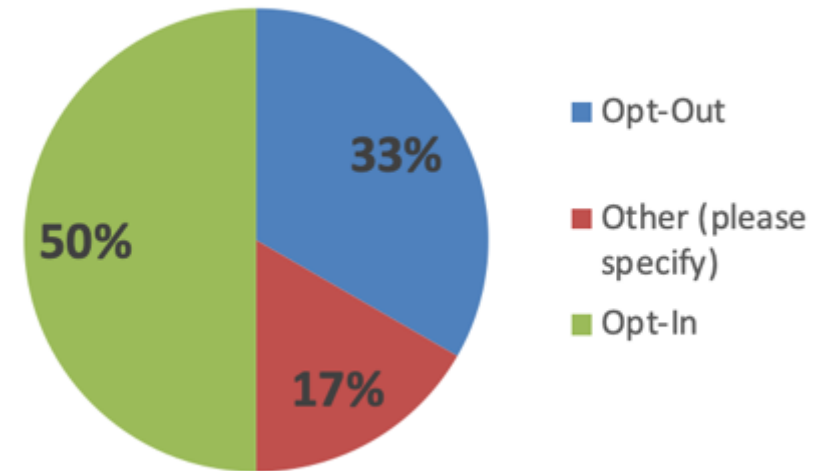
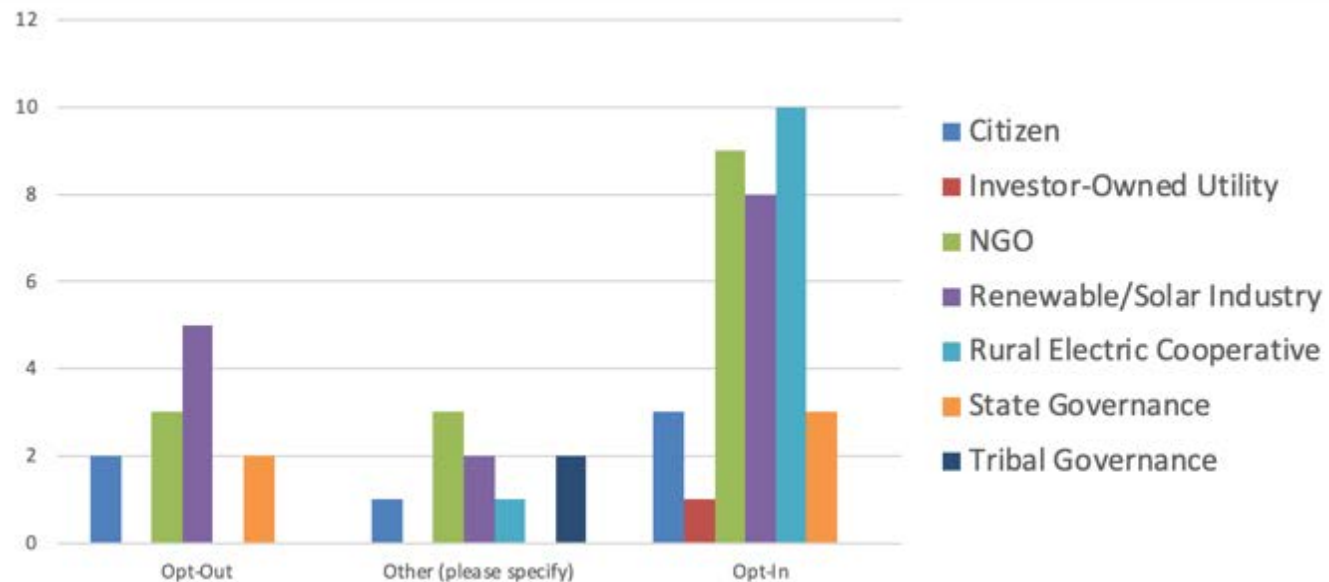
# Community Solar Working Group Survey

- Do you plan to support community solar legislation?



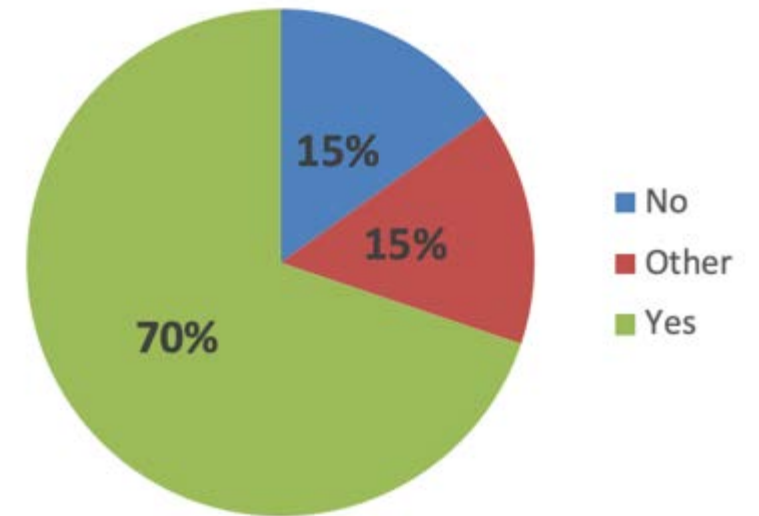
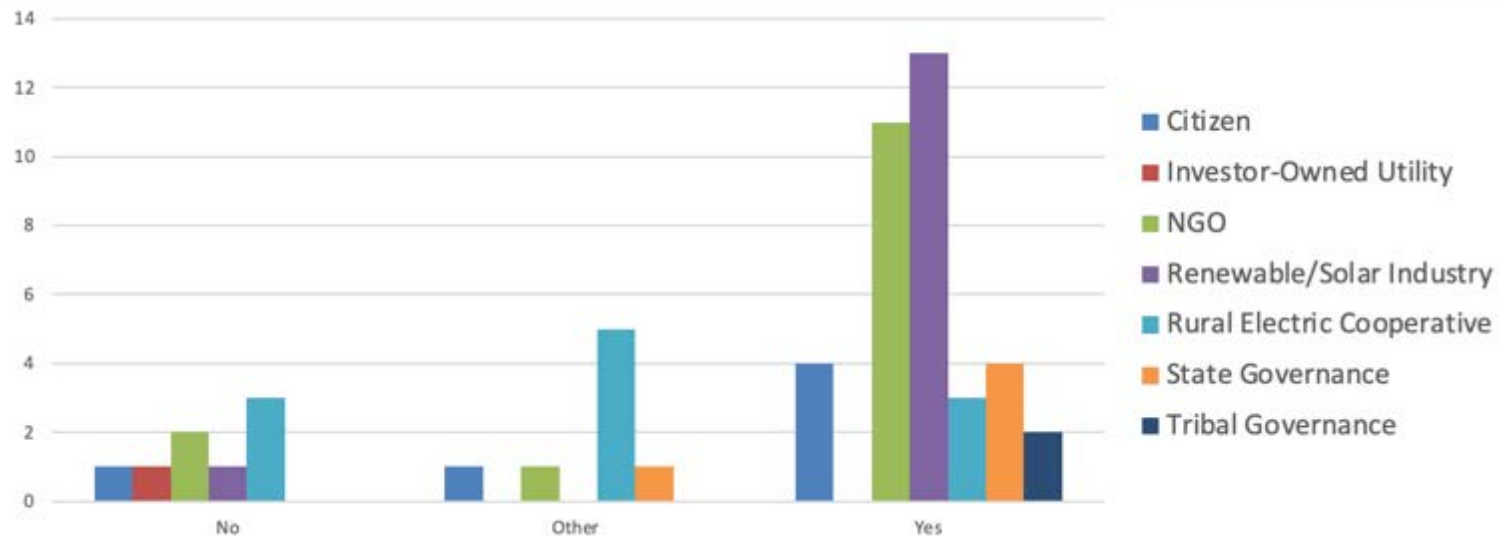
# Community Solar Working Group Survey

- How should bill language address participation in the community solar program for rural electric cooperatives?



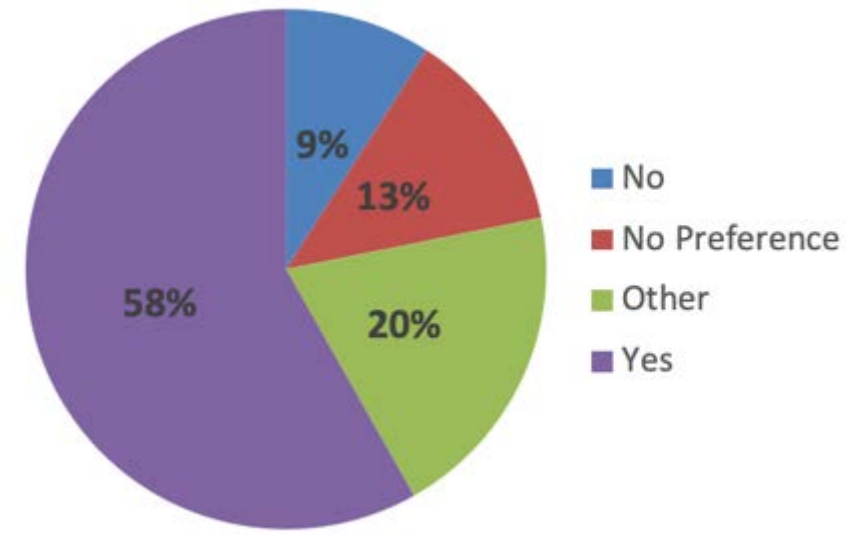
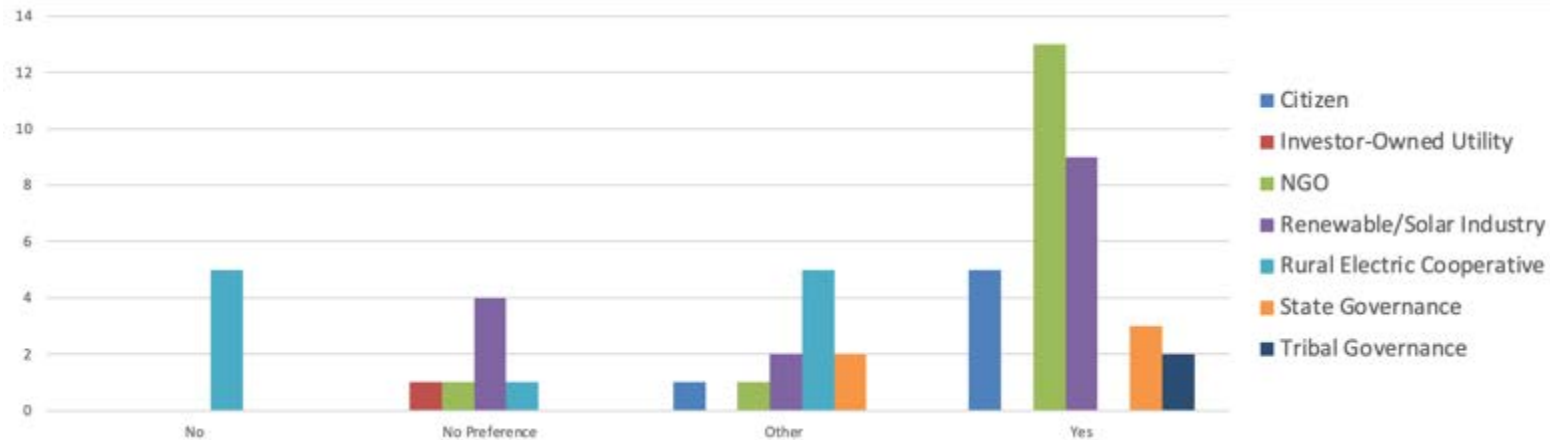
# Community Solar Working Group Survey

- Should the program have a carve-out requiring a certain percentage of total program capacity to serve qualifying low-income customers?



# Community Solar Working Group Survey

- Should tribal entities served by rural cooperatives be able to develop individual community solar projects on the cooperative distribution grid, even if served by a cooperative that has not opted-in to the program?





# Tribal Community Solar Task Force

- **Goals & Objectives:**
  - Serves as a subgroup of the state facilitated working group of SM 63
  - Develops **tribal consultation** and outreach processes to develop firm **policy recommendations** for the SM 63 Working Group and interim legislative committees
  - Continually prepares for and debriefs from larger SM 63 Working Group Meetings
- **Composed of designated Tribal representatives and Tribal members across New Mexico who have capacity to take responsibility of the education and policy details of community solar.**

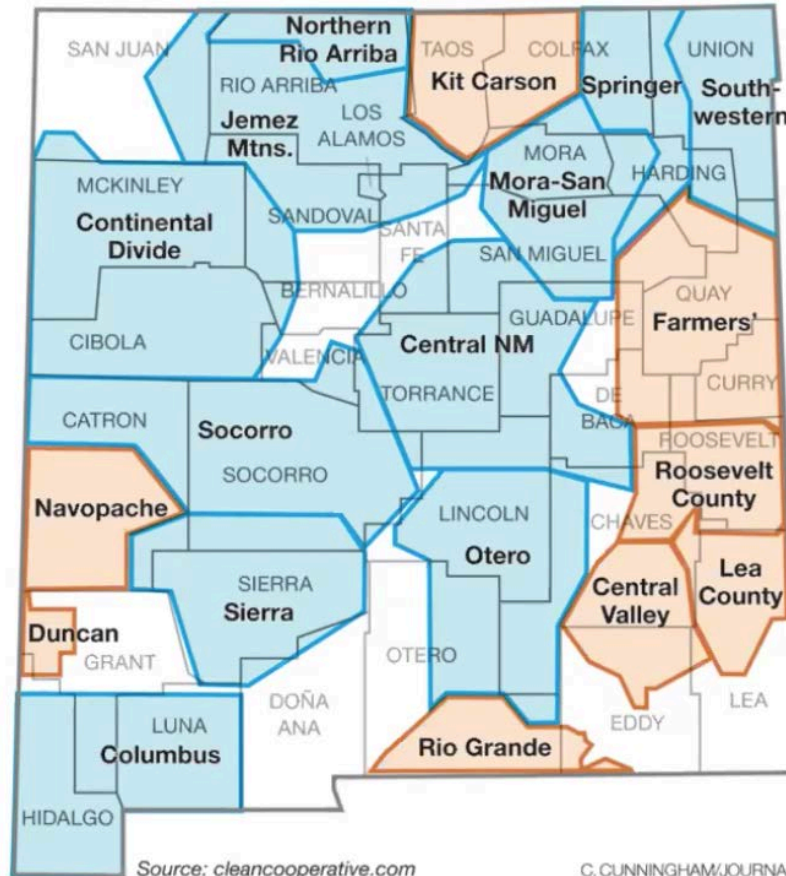
# Tribal & Other Government Models

- **Tribal-Owned Community-Scale Solar / Microgrids**
  - Pueblo of Picuris – 1 MW community-scale solar – net metering offset
  - Soboba Band / Rincon Band / Ramona Band – 1 MW community-scale solar – net metering offset
  - Blue Lake Rancheria – 2 microgrids – energy resiliency, net metering offset
- **Virtual / Aggregate Net Metering**
  - Virtual Net Metering – a tariff arrangement that allows for off-site renewable energy systems energy credits/production to be shared across, or allocated to, one or more meters
  - Aggregate Net Metering – a tariff arrangement that allows one or more ratepayers multiple meters to be aggregated then energy offset with an on or off-site renewable energy system

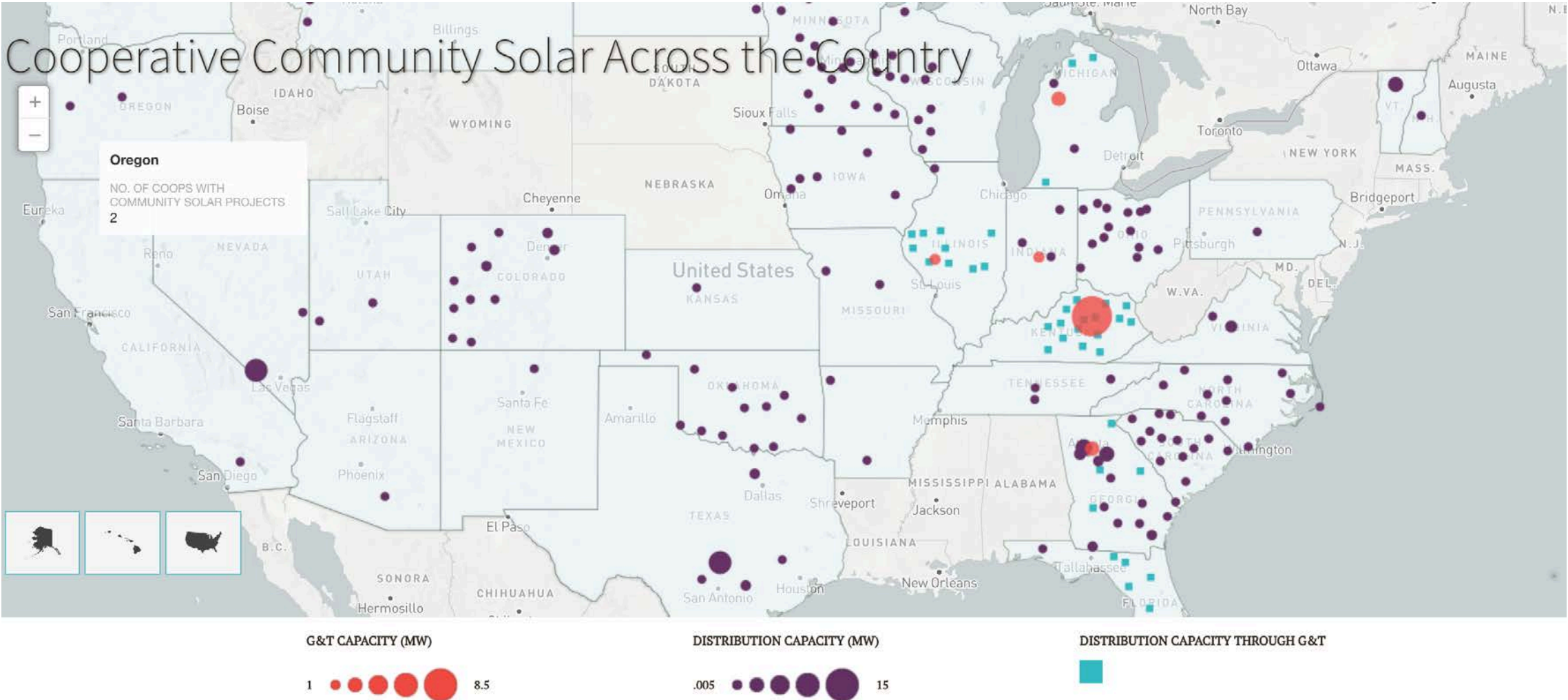
# New Mexico's Coops

**RURAL  
ELECTRIC  
COOPERATIVES  
IN NM**

- Tri-state members
- Get electricity elsewhere



# Coops with Community Solar Projects



# Legal/Regulatory Considerations

- **Federal Jurisdiction** – PURPA jurisdiction
  - Jurisdictional utilities required to interconnect and buy power from qualified facilities
    - < 80 MW alternative energy
- **Tribal Jurisdiction** – control over own development, use
  - Self-determination development authorities – HEARTH Act, TERAs
  - Unresolved authorities – state vs. tribal regulation of state regulated utilities
- **State jurisdiction** – regulated retail environments
  - Rate-setting, tariffs
    - Net metering – behind the meter; virtual/aggregate net metering
    - PURPA rules "avoided cost" tariffs
  - Community solar
  - Interconnection standards
  - Siting, off-reservation zoning

# Thank You

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