



Pennsylvania Public Utility Commission
400 North Street
Commonwealth Keystone Building, 2nd Floor
Harrisburg, Pennsylvania 17120

April 9, 2014

To the Pennsylvania Public Utility Commission:

This letter is in response to your proposed rulemaking regarding the AEPS Act (Docket # L-2014-2404361). It is a brief commentary on the Commission's proposed changes. There will be more comments in the coming weeks that address specific sections of the proposed rulemaking.

After reading the document multiple times, it seems clear that it is nothing more than an attempt to circumvent the PA General Assembly, and to amend the AEPS Act without actually going through the formality of the legislative process. The Commission is seeking wholesale changes that are not "clarifications" as they are described in the proposed rulemaking. Instead, they alter the clear intent of the statute, and strip away provisions that protect the renewable energy industry in Pennsylvania.

Pennsylvania renewable energy advocates have many questions, but so far very few answers. For example, what prompted this flurry of changes? It has been ten years since the AEPS Act was signed. Many of the proposed changes relate to statutory language that has been in place for a decade. **What prompted the changes after all this time?**

The Commission's proposal reads like a page from the electric utility industry's playbook. Are they pressing for change? One would hope not, since the AEPS Act was written specifically to protect the renewable energy industry from the unfair practices of the electric utility industry. PA legislators knew that without clear statutory protections under the law, renewable energy would never flourish. The electric utility industry has opposed the AEPS Act since it was created. Who else but the electric utility companies would want to change the rules? The question is on everyone's mind. **Who is asking for these changes?**

And finally, there is the Commission's notion that ratepayers are being harmed. This reason is given often as the impetus for the proposed changes. Sunrise Energy has done quite a lot of analysis, and has yet to find the harm that the Commission refers to. We have shared our information with PUC staff, but so far no reply. Given the very real, immediate and quantifiable harm that will occur if the Commission succeeds with its plans, we insist that proof be produced (facts and figures). **Where is the ratepayer harm?**

Please give these questions some thought. They are on the minds of most renewable energy advocates these days. The questions will not go away, and we insist that you answer them.

Regards,

David N. Hommrich
President
Sunrise Energy, LLC