



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

July 21, 2014

To the Pennsylvania PUC:

Virtual Meter Aggregation (VMA) is a variant of net metering that has been part of the AEPS Act since it's signing in 2004. With VMA, renewable energy production is possible even if a home/business is not in an ideal location. VMA allows system installations within 2 miles of a customer's site, and the energy is credited to the customer's bill. This effectively bridges the gap between the "haves and the have-nots" when it comes to real estate. For example, a ratepayer who lives deep in the woods can use a field 2 miles away to generate solar power for their home. The PUC is attempting to severely constrain this useful aspect of the AEPS Act, and the premise for the proposed change is fundamentally flawed.

The PUC claims that VMA was never intended for anything but farm applications, and for a limited number of those. This despite the fact that no such language exists in the act, nor is there any constraint regarding allowable applications of VMA. The Commission is overstepping their role in the regulatory process. What is perhaps most troubling is their justification for the proposed change (see below).

*Since the Commission's regulations became effective, various parties have presented scenarios to the Commission for virtual metering **that do not comport with our intent to permit a limited amount of virtual meter aggregation.** (Proposed Rulemaking, L-2014-2404361, **emphasis added**)*

The casual manner in which the Commission is attempting to enforce their intent is indicative of a serious problem. The PUC appears to have forgotten their role in the promulgation process. Only duly-elected legislators are entitled to enforce their intent, which they do via the language of the statutes that they create. When legislative intent is unclear, then the PUC may attempt to clarify. Such is not the case here. The language is clear and unambiguous. More importantly (and by their own words), the PUC aims to enforce their intent; not the will of the PA legislature. Fortunately we have controls to prevent this.

**1 Pa. Cons. Stat. § 1921. Legislative intent controls.**

*(a) Object and scope of construction of statutes.—The object of all interpretation and construction of statutes is to ascertain and effectuate the intention of the General Assembly. Every statute shall be construed, if possible, **to give effect to all its provisions.** (**emphasis added**)*

The Commission may not create regulatory language that strips away rights that are granted by a statute. To do so is to undermine the foundation of our democratic process. Simply put, Pennsylvania voters do not elect the PUC, nor do we grant them the right to circumvent the PA General Assembly.

Regards,

David N. Hommrich  
President  
Sunrise Energy, LLC



**Statutory Text - 73 P.S. § 1648.2 - Definitions**

"NET METERING." The means of measuring the difference between the electricity supplied by an electric utility and the electricity generated by a customer-generator when any portion of the electricity generated by the alternative energy generating system is used to offset part or all of the customer-generator's requirements for electricity. Virtual meter aggregation on properties owned or leased and operated by a customer-generator and located within two miles of the boundaries of the customer-generator's property and within a single electric distribution company's service territory shall be eligible for net metering.

**Current Regulatory Text - 52 Pa. Code § 75.12. Definitions.**

Meter aggregation—The combination of readings from and billing for all meters regardless of rate class on properties owned or leased and operated by a customer-generator for properties located within the service territory of a single EDC. Meter aggregation may be completed through physical or virtual meter aggregation.

Net metering—The means of measuring the difference between the electricity supplied by an electric utility or EGS and the electricity generated by a customer-generator when any portion of the electricity generated by the alternative energy generating system is used to offset part or all of the customer-generator's requirements for electricity.

Virtual meter aggregation—The combination of readings and billing for all meters regardless of rate class on properties owned or leased and operated by a customer-generator by means of the EDC's billing process, rather than through physical rewiring of the customer-generator's property for a physical, single point of contact. Virtual meter aggregation on properties owned or leased and operated by a customer-generator and located within 2 miles of the boundaries of the customer-generator's property and within a single electric distribution company's service territory shall be eligible for net metering.