

DAN B. FRANKEL, MEMBER  
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STATE EMPLOYEES' RETIREMENT SYSTEM  
BOARD MEMBER

HOUSE OF REPRESENTATIVES  
COMMONWEALTH OF PENNSYLVANIA  
HARRISBURG

**Docket No. M-2017-2631527**  
**Implementation of Act 40 of 2017**

January 30, 2018

Pennsylvania Public Utility Commission  
Ms. Rosemary Chiavetta, Secretary  
Commonwealth Keystone Building  
2<sup>nd</sup> Floor – Room N201

Dear Secretary Chiavetta:

I am writing to urge all PUC commissioners to support the supplemental interpretation of Act 40 of 2017, put forth by Chairman Gladys M. Brown and Vice Chairman Andrew G. Place. This interpretation is in line with not only the intent of the General Assembly, but also with the wishes of the public.

The General Assembly included in its FY 2017 Administrative Code a measure to “close the borders” on purchases of solar renewable energy credits (SRECs) in Pennsylvania. Prior to the passage of Act 40, SRECs could be bought from, but not sold to, out-of-state sources. This created a glut of solar energy within our Commonwealth. Prices for SRECs fell below \$10 per megawatt hour. Constituents have contacted my office to express their concerns regarding the state of solar as well as support for closing the borders.

I am concerned that the Tentative Implementation Order (TIO) first put forth by the PUC would substantially limit the impact of Act 40 on Pennsylvania solar markets by confining its applicability to new contracts. The Brown/Place supplemental interpretation would ensure that only in-state Alternative Energy Portfolio Standards (AEPS) certifications are grandfathered in, and that out-of-state facilities can maintain AEPS certification only until their current contract expires. This interpretation encourages the development of solar installations within Pennsylvania.

For these reasons, it is my sincere hope that all commissioners will support the Brown/Place supplemental interpretation of Act 40, thus supporting Pennsylvania solar and the economic benefits it brings.

Very Truly Yours,

A handwritten signature in black ink, appearing to read "Dan Frankel".

Dan Frankel  
State Representative  
23<sup>rd</sup> Legislative District

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# House of Representatives

COMMONWEALTH OF PENNSYLVANIA  
HARRISBURG

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417 MAIN CAPITOL BUILDING  
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Pennsylvania Public Utility Commission  
Ms. Rosemary Chiavetta, Secretary  
Commonwealth Keystone Building  
2<sup>nd</sup> Floor – Room N201

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