



NAACP
San Diego Branch

1919
2020

**Civil Rights Sentry
for a Century**

To: The Federal Energy Regulatory Commission
888 First St NE
Washington, DC 20426

Date: June 13, 2020

Re: FERC Must Reject Petition Endangering Net Metering and Urgently-Needed Just Transition to a Clean and Resilient Energy Future (Docket EL20-42 - Petition for Declaratory Order)

Dear Chairman Chatterjee and Commissioners Glick, McNamee, and Danly:

The NAACP San Diego Branch strongly urges the Federal Energy Regulatory Commission (“FERC”) to reject the New England Ratepayers Association’s (“NERA”) April 14, 2020 Petition seeking federal jurisdiction over state net metering programs (“Petition”). **The Petition threatens crucial state net metering policies and obstructs the urgently-needed clean and just energy transition to address historical environmental injustices and the climate emergency.**

The Petition threatens to dismantle net metering policies across the country—endangering the existence and growth of solar development nationwide. Net metering programs have been the cornerstone drivers for community, household, and business investments in distributed solar energy for many years. Net metering policies fairly credit solar customers for the electricity their panels generate. Granting the Petition would jeopardize long-standing state and local policies that support the existing solar systems serving nearly 2.2 million households and 100,000 businesses across 49 states and five territories. Such an outcome is especially egregious in the wake of the COVID-19 emergency, where families cannot afford energy bill hikes amidst mass unemployment and competing costs to survive. Further, dismantling state net metering policies obstructs future growth of distributed solar systems nationwide—and the immense job generation, energy justice, climate benefits, health benefits, and other economic benefits associated with distributed solar systems. Particularly in the wake of the current public health and climate emergencies, stifling these economic and climate resilience-building systems is unacceptable.

State net metering policies and distributed solar systems are foundational to achieving the nation’s urgently-needed clean and just energy transition—to address historical environmental injustices, fight the climate emergency, and ensure long-term resilience. Families classified as low-wealth and Black, Brown, Indigenous and other communities of color are disproportionately impacted by the pollution from centralized dirty fossil power and the ravages of climate disasters.¹ As we tackle the climate emergency and make the urgently-needed energy system reforms, it is critical that the new energy paradigm not only be powered by clean and renewable energy, but also pioneer electricity structures that build community resilience and distribute wealth, power, and decision-making about energy choices equitably.² Solar is vital to that future, delivering benefits of equitable community development, local job generation, customer choice, and the energy security and resilience of communities in the long-term. As millions across the country face the threat of electricity shut-offs due to coronavirus-precipitated job losses, it is more apparent than ever that decentralized solar systems can help families generate their own power and decrease dependence on dirty centralized generation to weather such crises, only sure to rise in the face of growing wealth inequality and increasing climate impacts.³

Critically, NERA raises several false claims in the Petition regarding the relationship between net metering and families classified as low-wealth as well as communities of color. Claims that costs of solar energy are shifted to “those who cannot afford large houses or businesses” are spurious and misleading, as the majority of studies have found that the benefits of solar net metering outweigh costs for all ratepayers.⁴ Further, net metering is a critical component of rooftop solar and community solar, tools that increase clean energy access for low-wealth communities, communities of color, and renters.⁵

¹ NAACP, Environmental and Climate Justice Program, *In the Eye of the Storm* (2018), https://live-naacp-site.pantheonsite.io/wp-content/uploads/2018/09/NAACP_InTheEyeOfTheStorm.pdf; Environmental Protection Agency, *Public Health Benefits per kWh of Energy Efficiency and Renewable Energy in the United States: A Technical Report* (2019).

² See, e.g., Al Weinrub and Denise Fairchild, *Energy Democracy: Advancing Equity in Clean Energy Solutions*, (2018) available at https://islandpress.org/sites/default/files/9781610918510_excerpt.pdf.

³ See National Renewable Energy Laboratory, *Distributed Energy Planning for Climate Resilience* (2018), <https://www.nrel.gov/docs/fy18osti/71310.pdf>; see also See J.Farrell, *Community Solar Power: Obstacles and Opportunities*, The New Rules Project (2010), <https://ilsr.org/wp-content/uploads/files/communitysolarpower2.pdf>.

⁴ Brookings Institute, *Rooftop solar: Net metering is a net benefit*, May 2016, <https://www.brookings.edu/research/rooftop-solar-net-metering-is-a-net-benefit/>.

⁵ See GRID Alternatives and Vote Solar, *Low-income Solar Policy Guide: Net Metering/Virtual Net Metering*, 2016, <https://www.lowincomesolar.org/toolbox/net-metering/>; See also Clean Energy States Alliance, *Bringing the Benefits of Solar Energy to Low-Income Consumers: A Guide for States &*

In addition, the Petition demands that FERC itself dictate net metering policy, rather than allowing these important decisions be made by states and localities, who are in the best position to address their communities' unique needs.

As our nation continues to suffer from the novel coronavirus pandemic and we increasingly experience harms of the climate crisis, FERC must support solutions to promote recovery and advance clean and just energy rather than preempting local decision making. We urge the Commission to reject the Petition and enact policies that accelerate the rapid transition to our clean and equitable energy future. Please contact me if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Francine Maxwell". The signature is written in a cursive, flowing style.

Francine Maxwell, President
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