

UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

THE HEARTLAND INSTITUTE

Docket No. EL20-42-000

MOTION TO INTERVENE

(June 12, 2020)

Take notice that on June 12, 2020, pursuant to Rule 207 of the Federal Energy Regulatory Commission's (Commission) Rules of Practice and Procedure, 18 CFR 385.207, The Heartland Institute (Petitioner), hereby files this motion to intervene in the Petition for a Declaratory Order of the New England Ratepayers Association, Docket No. EL20-42-000 requesting that the Commission (1) declare that there is exclusive federal jurisdiction over wholesale energy sales from generation sources located on the customer side of the retail meter, and (2) order that the rates for such sales be priced in accordance with the Public Utility Regulatory Policies Act of 1978 or the Federal Power Act, as more fully explained in the petition.

Like the New England Ratepayers Association (NERA), The Heartland Institute supports the fair and nondiscriminatory administration of electricity rates, and fully supports NERA's motion for its proposed Declaratory Order. Rates paid to customer-generators should not be set so that lower-income ratepayers effectively subsidize higher-income ratepayers who produce rooftop solar energy. We do not believe that rooftop solar energy is the most efficient or least expensive means of producing electricity. As NERA does, we believe that rates priced in accordance with the Public Utility Regulatory Policies Act of 1978 or the Federal Power Act would be the fairest and most nondiscriminatory.

It is important for The Heartland Institute to intervene and participate as a Party to this proceeding. For the past 36 years, The Heartland Institute has worked closely with federal and state policymakers and regulators to promote affordable, abundant electricity. At the behest of our citizen donors and members, we regularly provide specific information and pay special attention to the upfront and hidden costs of various electricity policies and programs, which directly affect our citizen donors and members. Heartland Institute experts frequently testify on net metering and other electricity issues throughout the 50 states.

Also, to the extent proponents of customer-generator electricity allege concomitant "benefits," such as reduced carbon dioxide emissions, The Heartland Institute is widely recognized as the world's leading public policy organization promoting climate realism and countering climate myths.

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Heartland fully supports NERA's Motion for a Declaratory Order and looks forward to participating as a Party to this proceeding.

A handwritten signature in cursive script that reads "Peter Ferrara".

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Peter Ferrara  
On behalf of The Heartland Institute

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Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed on or before the comment date. Anyone filing a motion to intervene or protest must serve a copy of that document on the Petitioner.

The Commission strongly encourages electronic filings of comments, protests and interventions in lieu of paper using the "eFiling" link at <http://www.ferc.gov>. Persons unable to file electronically may mail similar pleadings to the Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426. Hand delivered submissions in docketed proceedings should be delivered to Health and Human Services, 12225 Wilkins Avenue, Rockville, Maryland 20852.

In addition to publishing the full text of this document in the Federal Register, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the internet through the Commission's Home Page (<http://ferc.gov>) using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the document. At this time, the Commission has suspended access to the Commission's Public Reference Room, due to the proclamation declaring a National Emergency concerning the Novel Coronavirus Disease (COVID-19), issued by the President on March 13, 2020. For assistance, contact FERC at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), or call toll-free, (886) 208-3676 or TYY, (202) 502-8659.

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Comment Date: 5:00 pm Eastern time on June 12, 2020.

Kimberly D. Bose,  
Secretary.

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