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December 12, 2016

Stephen Halleran  
Town Administrator  
Meriden Town Hall  
110 Main Street  
Plainfield, NH 03781

Re: Solar Installation.  
Plainfield Elementary School

Dear Mr. Halleran,

As I have previously written, my partner and I are in discussions with PES to install a 134 kW field array of solar equipment which will partially power the school's electricity needs under the NH Net Metering Program. One of the legislative incentives enacted to support these installations is the PILOT program whereby Towns have the option of agreeing to a five year taxing plan that, simply put, is a revenue sharing approach versus the traditional asset valuation normally associated with real estate appraisal.

PILOT is an essential element in determining the financial viability of Net Metering because the revenue streams associated with solar electricity are meager and constrained. Accordingly I have enclosed the following:

1. A proposal for the Select Board to consider and hopefully endorse.
2. A copy of Title V – Taxation Chapter 72 Section 74 of the New Hampshire statutes that addresses the option.

Based upon our current forecast of revenues under the terms of the Net metering Agreement with PES our proposal should provide between \$1,300 and \$1,400 (depending on how Eversource meters production) in local taxes. I will greatly appreciate your facilitating this issue.

Very truly yours,

*David Russell*

David Russell  
Managing Member

**Proposal**  
**By**  
**Barrington Power LLC**  
**On Behalf Of The**  
**Plainfield Elementary School Solar Project**

Title V – Taxation Chapter 72 Section 74 of the New Hampshire Statutes allows owners of renewable energy projects to petition the Town in order to enter into an agreement to make a payment in lieu of taxes (PILOT). Barrington Power, LLC (BP) through its wholly owned subsidiary BP Plainfield School, LLC is prepared to enter into a long term agreement to provide a portion of the electricity used by the Plainfield Elementary School (PE). In order to do so BP respectfully requests that such status be granted.

The specifics of the proposal are as follow:

1. BP would pay the Town Property tax a portion of the revenues generated from the revenues received from PES.
2. The portion will amount to 5% of such revenues.
3. Payment will be made to the Town annually upon BP's receipt of its Tax Returns for the prior year.
4. Each payment will be made accompanied by a copy of the Tax Return and subject to verification with BP's certified public accounting firm.
5. This arrangement will be valid for the statutory limit of five years.

# TITLE V TAXATION

## CHAPTER 72 PERSONS AND PROPERTY LIABLE TO TAXATION

### Payment in Lieu of Taxes for Renewable Generation Facilities

#### Section 72:74

##### **72:74 Payment in Lieu of Taxes. –**

I. The owner of a renewable generation facility and the governing body of the municipality in which the facility is located may, after a duly noticed public hearing, enter into a voluntary agreement to make a payment in lieu of taxes. A lessee of a renewable generation facility which is responsible for the payment of taxes on the facility may also enter into a voluntary agreement with the municipality in which the facility is located to make a payment in lieu of taxes, provided the lessee shall send by certified mail to the lessor written notice which shall state that the property of the lessor may be subject to RSA 80 should the lessee fail to make the payments required by the agreement. A copy of such notice shall be provided to the municipality in which the facility is located.

II. A renewable generation facility subject to a voluntary agreement to make a payment in lieu of taxes under this section shall be subject to the laws governing the utility property tax under RSA 83-F. Payments made pursuant to such agreement shall satisfy any tax liability relative to the renewable generation facility that otherwise exists under RSA 72. The payment in lieu of taxes shall be equalized under RSA 21-J:3, XIII in the same manner as other payments in lieu of taxes. In the absence of a payment in lieu of taxes agreement, the renewable generation facility shall be subject to taxation under RSA 72.

III. If a municipality that contains more than one school district receives a payment in lieu of taxes under this section, the proceeds shall be prorated to the districts in the same manner as local taxes are prorated to the districts, or in the case of a cooperative school district between the city or town and pre-existing school district.

IV. The collection procedures in RSA 80 shall be used to enforce a voluntary agreement to make a payment in lieu of taxes authorized by this section.

V. If a municipality enters into a voluntary payment in lieu of taxes agreement with an owner, or a lessee responsible for payment of taxes, of a renewable generation facility, the municipality, upon the request of the owner, or a lessee responsible for payment of taxes, of any other renewable generation facility located within the municipality, shall offer a comparable agreement to the owner or lessee of such facility.

VI. Except as provided in paragraph VII, no voluntary agreement entered into under this section shall be valid for more than 5 years; however, any such agreement may be renewed or amended and restated for any number of consecutive periods of 5 years or less.

VII. The owner of a renewable generation facility and the governing body of the municipality in which the facility is located may agree to a term exceeding 5 years if such term is necessary for the financing of the project or is otherwise advantageous to both parties and both parties agree to such term.

**Source.** 2006, 294:6. 2007, 113:1, eff. Aug. 10, 2007. 2014, 277:2, eff. July 28, 2014.