



June 6, 2016

The Honorable Edith Ramirez  
Chairwoman  
U.S. Federal Trade Commission  
600 Pennsylvania Avenue, NW  
Washington, DC 20580

The Honorable Maureen K. Ohlhausen  
Commissioner  
U.S. Federal Trade Commission  
600 Pennsylvania Avenue, NW  
Washington, DC 20580

The Honorable **Terrell McSweeney**  
Commissioner  
U.S. Federal Trade Commission  
600 Pennsylvania Avenue, NW  
Washington, DC 20580

**Re: Solar Electricity Project No. P161200**

Dear Chairwoman and Commissioners:

As the nation's largest membership association of African-American state legislators, it is our purpose to advance policies on a national scale that positively impact communities around the nation, including low-income and the underserved. The National Black Caucus of State Legislators (NBCSL) has been a staunch advocate for equitable and fair policies in all areas including the energy industry. Our membership has been very vocal regarding these issues, passing the "[Urging Equitable Distribution of Electricity Grid Systems Costs](#)" resolution; in addition to publishing the "[The Need to Develop and Implement Equitable Energy Policies](#)" White Paper in 2014.

We understand the Federal Trade Commission (FTC) will be hosting a one-day workshop to explore competition and consumer protection issues that may arise when consumers generate their own electric power by installing solar photovoltaic panels. A variety of issues will be discussed including the current state of the solar power industry, regulatory approaches to compensating consumers, competition, and consumer protection issues. We applaud the FTC for taking these issues into consideration and encourage the Commission to recognize the impact of consumer protection issues that arise with solar panels in all communities, particularly low-income and minority communities.

Within low-income and minority communities, affordability is a major factor since many consumers are on a fixed income and may not be able to enjoy the benefits of rooftop solar and other renewable energy technologies. These consumers are also vulnerable to uncertain market shifts and deceptive marketing tactics. NBCSL encourages the FTC to consider the following five principles regarding net metering:

1. Ensure that utility policies reflect core notions of equity and social justice.
2. Avoid regressive cost allocation in distributed generation programs.
3. New regulatory frameworks should strive to distribute the benefits and costs of innovative new services more evenly.
4. Study net metering in more detail.
5. Assure robust consumer protections.

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**Roslyn Smith**  
*Executive Director*



For those consumers who are able to install solar PV panels, it is important they obtain the right information to make informed decisions including regulated retail electricity rates, possible changes to net metering rates, reform compensation rates, power purchase agreements and full disclosures.

We thank you for the opportunity to provide comments to issues that affect our communities. Should you have any questions, feel free to contact our Executive Director Roslyn Smith at [roslyn@nbcsl.org](mailto:roslyn@nbcsl.org) or (202) 624-5457.

Sincerely,

Sen. Catherine E. Pugh (MD), President  
National Black Caucus of State Legislators (NBCSL)