

September 25, 2015

SENT VIA ELECTRONIC MAIL

Commonwealth of Puerto Rico
Puerto Rico Energy Commission
comentarios@energia.pr.gov

RE: COMMENTS ON REGULATION 8618 AND REQUEST FOR EXTENSION

Dear Commissioners,

Vivint Solar, Inc. ("*Vivint Solar*") hereby respectfully submits these initial comments and requests an extension of twenty (20) days in which to file additional comments on Regulation 8618.

Vivint Solar is the second largest installer of residential solar energy systems in the United States with over 42,000 residential customers, 274 megawatts of solar systems installed, 4,200 employees and 53 sales offices across ten U.S. states and Washington, D.C. Vivint Solar offers solar energy to qualified residential customers primarily through long-term customer contracts in the form of Power Purchase Agreements ("*PPAs*"), under which a customer agrees to purchase all of the power generated by a solar energy system installed on the customer's rooftop, as well as Solar Leases, under which a customer leases the solar energy system that is installed on the customer's real property. Under either arrangement, Vivint Solar installs, operates, and maintains the solar energy system throughout the term of the agreement. The solar energy systems installed under our PPAs and Solar Leases are owned by Vivint Solar's affiliates and financing parties.

Most homeowners are unable or unwilling to pay the upfront costs of a rooftop solar system, which often ranges from \$20,000 to \$50,000. PPAs and Solar Leases enable significantly more consumers to access the benefits of solar-generated electricity. These agreements empower homeowners to become energy independent at little-to-no upfront cost and with payments during the term of the agreement that are below their current and projected future utility rates. By leveraging tax and other incentives and enabling customers to net meter, homeowners can save money immediately on their electric utility bill while third parties such as Vivint Solar remain responsible for financing, permitting, installing, operating, and maintaining the related solar energy systems. PPAs and Solar Leases thereby help to fulfil clean energy policy goals.

Vivint Solar respectfully requests this extension because it seeks to provide the Commission and other interested parties with its perspective on the impact of Regulation 8618. Vivint Solar recently learned of Regulation 8618, and is very concerned that this Regulation might prevent companies like it from being able to serve residential customers in Puerto Rico with rooftop

solar. Based on our initial understanding of this regulation, Vivint Solar is concerned that it might subject companies like it to burdensome requirements that would typically apply to traditional public utilities. This level of regulation is unnecessary and excessive as applied to companies that provide PPAs or Solar Leases on customers' private property, behind their utility electrical meters.

In light of the foregoing, we respectfully request an additional period of twenty (20) days in order to analyze Regulation 8618 and provide the Commission with our further comments. Vivint Solar seeks to help Puerto Rico homeowners reduce their electricity bills and fulfill Puerto Rico's renewable energy policy goals, and we sincerely appreciate the Commission's consideration of this request.

Best Regards,

A handwritten signature in black ink, appearing to read "C. Dan Black". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

C. Dan Black
Associate General Counsel and Assistant Secretary
Vivint Solar, Inc.