

October 19th, 2015

Judith Judson, Commissioner
Massachusetts Department of Energy Resources (DOER)
100 Cambridge Street, Suite 1020
Boston, MA 02114

Dear Commissioner Judson,

The Nature Conservancy in Massachusetts appreciates the opportunity to comment on the regulatory review under Executive Order 562 by the Department of Energy Resources and submits these comments as part of the October 2015 listening sessions.

The Nature Conservancy is an international nonprofit conservation organization with over 26,000 members in Massachusetts. The mission of The Nature Conservancy is to conserve the lands and waters on which all life depends. Key to this mission is the imperative of preventing and preparing for climate change, in part by reducing our dependence on fossil fuel energy and increasing our use of renewable energy sources.

The Department of Energy Resources regulations associated with the Renewable Portfolio Standard (RPS) and Alternative Portfolio Standard (APS) are particularly important in safeguarding environmental resources and controlling air pollution (carbon and otherwise). The RPS and APS have been successful and cost-effective in increasing the amount of renewable/alternative energy used within the Commonwealth each year. We strongly support DOER's Renewable Portfolio Standard and Alternative Portfolio Standard regulations.

In order to ensure that renewable and alternative credits continue to be awarded to energy sources that will provide truly renewable sources of energy along with important economic and environmental co-benefits, we respectfully request that DOER keep in place the following three sets of regulations:

1. In the RPS, class I, the eligibility requirements for biomass fuel. These regulations are in 225 CMR 14.05: Eligibility Criteria for RPS Class I, Solar Carve-out Renewable Generation Units, and Solar Carveout II Renewable Generation Units and an accompanying spreadsheet and guidance referenced in 225 CMR 14.05(1)(a)7. This requires operators of biomass electricity plants to demonstrate that their facilities are efficient and sustainably fueled in order to be eligible for Renewable Energy Credits.
2. In the RPS, class I, the eligibility requirements for 225 CMR 14.05(6). This requires operators of hydropower facilities to be certified by the Low Impact Hydropower Institute to ensure that they have reduced the impact on water quality and fish and other aquatic organisms.
3. In the APS, we respectfully request that DOER continue to draft and eventually promulgate eligibility requirements that will ensure the sustainability of wood fuel used

to generate heat. On January 1st, the APS was amended to add renewable heating and cooling technologies, including wood heat, to the APS, but this amendment depends on the release of eligibility regulations. Completing the rule-making process will allow the wood heat industry to continue to expand in Massachusetts and will correct an inconsistency in current policy. Wood heat is more efficient and often more sustainably fueled than woody biomass electricity, but until the completion of the APS regulations only woody biomass electricity is eligible for credits.

Thank you again for the opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Long". The signature is fluid and cursive, with the first name "Steve" being more prominent than the last name "Long".

Steve Long
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The Nature Conservancy in Massachusetts
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cc: Rob Rizzo