

SENATE NO. 1984

AN ACT RELATIVE TO ENERGY CONSERVATION MEASURES

*Be it enacted by the Senate and House of Representatives in General Court assembled,
And by the authority of the same, as follows:*

1 SECTION 1. Section 19 of Chapter 25 of the General Laws is hereby amended in the second
2 paragraph by inserting, after the sixth sentence, the following sentences —
3 Energy efficiency activities eligible for funding under this section shall include geothermal
4 heating and cooling systems with a minimum of 100 tons of heating-cooling capacity. A
5 distribution company shall conduct good faith negotiations with the consumer to determine
6 energy savings of said systems. In the event that an agreement cannot be effected through such
7 good faith negotiations, the parties shall submit to arbitration and such arbitration shall be
8 performed by the department of telecommunications and energy or by a state-certified
9 professional arbitrator or arbitration firm appointed by said department and operating in
10 accordance with any applicable rules and regulations.

11 SECTION 2. Section 3 of Chapter 25A of the General Laws is hereby amended by inserting
12 after the definition of ““Energy management services”, the following definition —
13 “Energy savings”, a measured reduction in fuel, energy, operating or maintenance costs
14 resulting from the implementation of one or more energy conservation measures or projects,
15 provided that any payback analysis to evaluate the energy savings of a geothermal energy
16 system to provide heating, cooling or water heating over its expected life-span shall include gas

17 and electric consumption savings, maintenance savings and shall use an average escalation rate
18 based on information compiled by the US Department of Energy's Energy Information
19 Administration for gas and electric rates.