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March 25, 2013

Michael Judge  
Dept of Energy Resources  
100 Cambridge Street  
Suite 1020  
Boston, MA 02114

**RE: Comments on Proposed Regulatory Changes to 225 CMR 14 RPS Class 1**

Dear Mr. Judge,

Thank you for the opportunity to comment on the proposed changes to 225 CMR 14.00, and for holding the stakeholder meetings last week at the state house. I thought stakeholder participation was robust, and full of thoughtful testimony.

I have one comment in regard to the requirements for Assurance of Qualification to all Solar Carve-Out Renewable Generation Units as we approach the 400MW cap. The change drafted in the Special Provisions for a Solar Carve-Out Generation Unit under Section (4)(m) reads as follows:

*“(m) The Department shall grant an Assurance of Qualification or queuing position to all Solar Carve-Out Renewable Generation Units, as provided in 225 CMR 14.04(4)l, that provide evidence of the following in lieu of having been granted the approval to interconnect to the grid by their local distribution company:*

- 1. an executed Interconnection Service Agreement, as tendered by the distribution company;*
- 2. adequate site control (a sufficient interest in real estate or other contractual right to construct the Unit at the location specified in the Interconnection Service Agreement); and*
- 3. all necessary governmental permits and approvals to construct the Unit with the exception of ministerial permits, such as a building permit, and notwithstanding any pending legal challenge(s) to one or more permits or approvals.”*

The utility companies have limited staff for the review of Grid Interconnection Applications, and as result, application review times can lag for months. For example, we submitted a GIA to a utility company in early December of last year, and we are still waiting for the Interconnection Service Agreement to be created for the 28kW project. This is likely to be exacerbated with a flood of applications as we approach the 400MW cap, and many Interconnection Service Agreements will not be fully executed in time for the June 20<sup>th</sup> deadline, despite the fact that the GIA may have been submitted months previously. I am writing to suggest changing the first requirement from an executed ISA, to proof of submission of an application. This will prevent project owners and developers from being effectively penalized with a shorter Clearinghouse Participation term, due to utility company staffing issues.

Respectfully Submitted,

Rob Meyers  
Energy Services, GM