

Comments: mass.gov/eea/docs/doer/rps-aps/225-cmr-14-00-draft-regulation

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All parties in the solar community seem to recognize the difficulty in balancing the political and economic interests in creating a successful solar power industry in Massachusetts that can meet its ambitious goals in the time specified. Like so many others, I want to thank the Governor and the leaders in DOER for this effort. Please consider the following comments. Thank you.

1. Clarifications: SREC Factors, 14.05 (9)(l)3.a.,b.,c..
 - A. Each of these categories – a., b., and c. - contains a list. Each of the lists has at least one item with at least one modifier. This fact means that each of these is a complicated list. Therefore, semi-colons will be useful in separating the items and clearly restricting the modifier to its intended item. So, I suggest placing semi-colons as follows:
 - a. Market Sector A: any Generation Unit with a capacity equal to or less than 25 kW; Solar Parking Canopy Generation Unit; Emergency Power Generation Unit; or Community Shared Solar Generation Unit. For the purposes of Market Sector A, a Unit's capacity shall be measured as the total nameplate capacity of the qualified Solar Carve-Out II Renewable Generation Units on a single parcel of land or on a roof of a single building, whichever is less.
 - b. Market Sector B: any Building Mounted Generation Unit; or ground mounted Generation Unit with a capacity of greater than 25 kW for which 67% or more of its annual electric output is used on-site as prescribed in 225 CMR 14.05(9)(a).
 - c. Market Sector C: any Generation Unit with 50% or more of the equipment used for generating power installed at an Eligible Landfill or Brownfield; or a Generation Unit with a nameplate capacity of less than or equal to 500 kW for which less than 67% of its annual electrical output is used on-site as prescribed in 225 CMR 14.05(9)(a). For the purposes of Market Sector C, a Unit's capacity shall be measured as the total capacity of qualified Solar Carve-Out II Renewable Generation Units on a single parcel of land or on a roof of a single building, whichever is less.
 - B. Market Sectors C references “ ... Units ... on a roof of a single building”. Because Market Sector B references “any Building Mounted Generation Unit”, the roof reference in C appears to be misplaced. If B includes all Building Mounted Units (except those smaller than 25kW, which are included in A), shouldn't the roof reference in Market Sector C be

removed? If the roof reference is removed the phrase at the end of that sentence – “whichever is less” – should also be removed.

- C. Market Sectors A & C juxtapose Units on land and roofs and restrict qualification to “whichever is less”. This is not clear. Say a homeowner installs 10kW on their roof and 14kW in their backyard. Does this mean that only 10kW qualifies as an SREC II Unit? There seems to be no benefit to any party if that is the case. I ask that DOER examine that phrase and provide written clarification within the Regs. (This comment will be moot for Sector C if the roof reference is removed as above in my Comment 1.B.)

2. Comments on Managed Growth Sector.

- A. The SREC II Factor of 0.7 discourages larger scale solar on land (500 kW – 6 MW). The question is what are the consequences of this constraint? Who benefits and who suffers? It is clear that land owners will suffer. While one can see political benefits, it is not clear who economically benefits from this restriction. 1) Developers will demonstrate to land owners that their land is worth less in a lease or sale. Since the cost of the system remains the same, but the significant income from SREC II will be diminished, the land value will plummet not just to 70%, but more like 50% or even less. 2) Many farmers would like to use a small portion of their land for solar as a steady, predictable income stream as that will provide support for their larger and less predictable agricultural operations. The 0.7 Factor significantly restricts their value while creating a negligible impact on individual ratepayers. 3) Like many land uses before it, solar power is a temporary use of land. In 20 to 30 years these systems will likely be obsolete and replaced with another more economically beneficial use.

The cost to both land owners and Massachusetts solar power goals seems to far outweigh any economic benefits. I ask DOER to reconsider the severity of this factor (and the others), and propose a 5% variation in all the factors rather than the 10% proposed now.

- B. Supportive of others comments at the public hearing on 1/24/14, if DOER does not adjust the scale of the Factors as suggested immediately above, I ask that DOER recognize the balance of the Factors not eligible for full SREC II value as standard Class 1 RECs.
- C. Supportive of others comments at the public hearing on 1/24/14, I agree that if Massachusetts is to reach its revised goals, it will benefit by increasing the annual capacity of this Sector before the Federal Tax Benefits expire in 2017. I ask DOER to examine this in its final review of the SREC II Regs. After 2017 that economics of solar will change dramatically as there is little confidence that the divided federal government will extend said benefits. (I am aware that there may be SREC oversupplies in the near term, but it is plausible that solar will grind to a halt after 2017.)