

To Mr. Judge,

My comments to the SREC II proposed regulations are going to be focused on the managed growth sector and the landfill/brownfield category:

1. **Managed Growth:** With respect to the managed growth category, it is essential that the DOER give priority to the projects that have all local approvals and a signed ISA in setting the first-come/first-serve list both 2014 and 2015. The 2015 list should be set as early as possible and really start with the list of those projects that did not get into 2014. These are projects that already have incurred a significant amount of expenses and are, in many cases, shovel-ready. Some of these projects (along with their landlords and municipal PPA-off-takers) have been waiting over 8 months for these new regs to pass and to be able to build in 2014, and worst case in 2015. Based on my experience, the most important permits are the local permits (and the date they were originally granted – to further help set a priority list), and then the executed ISAs. Some developers with shovel-ready projects are holding off on signing ISAs until these new regs are finalized due to the significant cost obligation execution brings in 120 days.
2. **Brownfields/Landfills:** It needs to be clarified that the brownfills/landfill referenced throughout the regulations refer to the legal parcel that the brownfield or landfill sits on (or under). It would be overly complicated and expensive to have a developer have to further examine a property to discover potential new contamination that was not present when the closure was completed. The entire legal parcel should constitute the 50% referenced in this section.

We look forward to a prompt release of the final regulations. Thank you very much for your time on this.

Sincerely,

Steven Depina
President, Megawatt Energy Solutions

Best Regard,

Steven Depina

President

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