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DPU. The Massachusetts Department of Public Utilities established by M.G.L. c. 25, § 1.

Eligible Landfill. A landfill that has received an approval from MassDEP for the use of a solar photovoltaic Generation Unit at the landfill as a post-closure use pursuant to 310 CMR 19.143: *Post-closure Use of Landfills*.

End-use Customer. A person or entity in Massachusetts that purchases electrical energy from a Distribution Company.

Energy Storage System. A commercially available technology that is capable of absorbing energy, storing it for a period of time and thereafter dispatching the energy.

Environmental Attribute. All GIS Certificates and any other environmental benefits associated with the energy generation of a Solar Tariff Generation Unit.

Federal Low Income Requirements. For metropolitan areas, individuals and households with incomes at or below the greater of:

- (a) 80% area median income; and
- (b) 200% of the federal poverty level.
- (c) For non-metropolitan areas, individuals and households with incomes at or below the greater of:
  - 1. 80% area median income;
  - 2. 80% Statewide non-metropolitan area median income; and
  - 3. 200% of the federal poverty level. Such designations may be identified using the U.S. Department of the Treasury's Community Development Financial Institutions Fund's Investment Area Eligibility dataset.

Federally Designated Environmental Justice Area. Communities defined as disadvantaged by the U.S. Environmental Protection Agency's Greenhouse Gas Reduction Fund and Solar for All program, including:

- (a) census tracts identified as "disadvantaged" by the White House's Climate and Economic Justice Screening Tool;
- (b) census block groups that are at or above the 90<sup>th</sup> percentile for any of the U.S. Environmental Protection Agency's EJScreen tool's supplemental indexes when compared to the nation or state; or
- (c) geographic areas identified in the U.S. Environmental Protection Agency's EJScreen tool as within Tribal land.

Final Statement of Qualification. A document issued by the Department that qualifies a STGU under 225 CMR 20.00 and authorizes the start of the STGU's tariff term and issuance of incentive payments.

Floating Solar Tariff Generating Unit. A Solar Tariff Generation Unit located on a body of water that is currently, or was formerly, used for water treatment, agricultural or industrial activities, and that allows for the continued use of the water body for its intended purpose.

Generation Attribute. A Generation Attribute, as defined in 225 CMR 14.02: *Definitions*.

Generation Unit. A Generation Unit, as defined in 225 CMR 14.02: *Definitions*.

GIS Certificate. An electronic record produced by the NEPOOL GIS that identifies Generation Attributes of each MWh accounted for in the NEPOOL GIS.

Greenfield Subtractor. A subtractor to a Solar Tariff Generation Unit's Base Compensation Rate, established pursuant to 225 CMR 20.07(4)(g).

Guideline. A set of clarifications, interpretations, and procedures, including forms, developed by the Department to assist in compliance with the requirements of 225 CMR 20.00. The Department may issue new or revised Guidelines. Each Guideline shall be effective on its date of issuance or on such date as is specified therein, except as otherwise provided in 225 CMR 20.00.

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Important Agricultural Farmlands. Means those soils found to be Important Farmlands pursuant to 7 CFR § 657.5, that includes prime farmlands, unique farmlands, and additional land of statewide importance.

Incentive Payment Effective Date. As defined in the SMART Tariff, means the earliest date on or after the Commercial Operation Date on which electrical energy output of a Solar Tariff Generation Unit can result in the creation of RPS Class I Renewable Generation Attributes and is also eligible to begin receiving incentive payments.

Independent Verifier. An entity approved by the Department to perform the function of a third party meter reader as defined in Rule 2.5(j) of the *NEPOOL GIS Operating Rules*, or any successor rule.

Interconnection Service Agreement. The agreement for interconnection service entered into between the interconnecting customer and a Distribution Company, as defined and provided in each Distribution Company's standards for interconnection of distributed generation.

ISO-NE. ISO New England Inc., the independent system operator for New England, the regional transmission organization for most of New England, which is authorized by the Federal Energy Regulatory Commission to exercise for the New England Control Area the functions required pursuant to the Federal Energy Regulatory Commission's Order No. 2000 and corresponding regulations.

Kilowatt (kW). A unit of power equal to 1,000 watts, as measured in alternating current (AC).

Kilowatt-hour (kWh). A unit of electrical energy or work equivalent to 1,000 watts of power operating for one hour.

Land in Agricultural Use. All land as defined under M.G.L. c. 61A, §§ 1 and 2, and land that had been enrolled in a program established pursuant to M.G.L. c. 61A within the past five years.

Low Income Community Shared Solar Tariff Generation Unit. A Community Shared Solar Tariff Generation Unit with at least 50% of its energy output allocated to Low Income Customers in the form of electricity or bill credits.

Low Income Customer. An End-use Customer that:

- (a) is on a low income discounted rate of a Distribution Company;
- (b) is a resident in a Low Income Eligible Area;
- (c) provides documentation of participation in other needs-based programs, namely those that qualify customers for participation in a low income discounted rate including, but not limited to, the Low Income Home Energy Assistance Program (LIHEAP), Supplemental Nutrition Assistance Program (SNAP), and Medicaid;
- (d) is a qualified participant in the Department's Solar for All Program; or
- (e) self-attests to meeting the Federal Low Income Requirements or the definition of Low Income Customer through a form developed by the Department.

Low Income Eligible Area. A neighborhood, as identified through American Community Survey data, that has household income equal to or less than 65% of the statewide median income for Massachusetts or a Federally Designated Environmental Justice Area.

Low Income Property Solar Tariff Generation Unit. A Solar Tariff Generation Unit with a rated capacity greater than 25 kW that provides all of its generation output in the form of electricity or bill credits to low or moderate income housing, as defined under M.G.L. c. 40B.

Low Income Solar Tariff Generation Unit. A Solar Tariff Generation Unit with an AC rated capacity of less than or equal to 25 kW that serves Low Income Customers.

MassDEP. The Massachusetts Department of Environmental Protection established by M.G.L. c. 21A, § 7.

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MDAR. The Massachusetts Department of Agricultural Resources established by M.G.L. c. 20, § 1.

Megawatt (MW). A unit of power equal to one million watts, as measured in alternating current (AC).

Megawatt-hour (MWh). A unit of electrical energy or work equivalent to one million watts of power operating for one hour.

Municipality. A city or town in the Commonwealth of Massachusetts that has been issued a public identification number by the DPU pursuant to 220 CMR 18.00: *Net Metering*.

NEPOOL GIS. The New England Power Pool Generation Information System, which includes a generation information database and certificate system, operated by the New England Power Pool, its designee or successor entity, that accounts for Generation Attributes of electrical energy consumed and generated within, imported into, or exported from the ISO-NE Control Area.

Net Metered Generation Unit. A Solar Tariff Generation Unit that is also enrolled and compensated as Class I Net Metering Facility, Class II Net Metering Facility, or Class III Net Metering Facility, as defined under 220 CMR 18.02: *Definitions*.

Non-net Metered Generation Unit. A Solar Tariff Generation Unit that is also enrolled and compensated as a State Qualifying Facility under 220 CMR 8.00: *Sales of Electricity by Qualifying Facilities and On-site Generating Facilities to Distribution Companies, and Sales of Electricity by Distribution Companies to Qualifying Facilities and On-site Generating Facilities*.

On-site Load. Any new or existing electric load located at the site of a Solar Tariff Generation Unit, including any parasitic load that may result from the installation of the Solar Tariff Generation Unit, and that is wired to receive a portion of the electrical energy output from the Solar Tariff Generation Unit before the balance of such output passes through the Solar Tariff Generation Unit's metered interconnection onto the electric grid.

Other Governmental Entity. A Department or agency of the Commonwealth, and any other entity that has been issued a public identification number by the DPU pursuant to 220 CMR 18.00: *Net Metering*.

Owner. Any person or entity that, alone or in conjunction with others, has legal ownership of a Solar Tariff Generation Unit.

Preliminary Statement of Qualification. A document issued by the Department that qualifies a STGU under 225 CMR 20.00. Such qualification is contingent upon the STGU reaching mechanical completion within its Reservation Period and receiving a Final Statement of Qualification.

Primary Installer. The primary entity responsible for a Solar Tariff Generation Unit's installation. The Primary Installer must be a professional contractor licensed to conduct business in Massachusetts. Any electrical work performed on the installation must be conducted by an electrician holding a valid and current license in Massachusetts. The Primary Installer is directly responsible for turnkey project management and installation work, although the installation work may be sub-contracted. Homeowners or other individuals are not eligible to be a Primary Installer unless they are a Massachusetts licensed electrician completing an installation on their own property.

Priority Habitat. Means Priority Habitat as defined in 321 CMR 10.02: *Definitions*.

Public Entity Solar Tariff Generation Unit. A Solar Tariff Generation Unit that is:

- (a) Sited on property owned by a Municipality or Other Governmental Entity and is either:
  - 1. owned or operated by a Municipality or Other Governmental Entity; or

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2. the Owner has assigned 100% of its output to Municipalities or Other Governmental Entities; or
- (b) Sited on privately owned property and is either:
  1. Owned or operated by the Municipality in which the Solar Tariff Generation Unit is sited; or
  2. the Owner has assigned 100% of its output to the Municipality or Other Governmental Entities in the Municipality in which the Solar Tariff Generation Unit is sited.

Publication Date. The date established by Department promulgation of revisions to the SMART Program pursuant to 225 CMR 20.07(5), specifically, April 15, 2020.

Public Entity Solar Tariff Generation Unit. A Solar Tariff Generation Unit sited on property owned by a Municipality or Other Governmental Entity that is either:

- (a) owned or operated by a Municipality or Other Governmental Entity; or
- (b) the owner has assigned 100% of its output to Municipalities or Other Governmental Entities.

Renewable Generation. Means Renewable Generation, as defined in 225 CMR 14.02: *Definitions*.

Renewable Generation Attribute. Means a Renewable Generation Attribute, as defined in 225 CMR 14.02: *Definitions*.

Reservation Period. The period of time during which a Solar Tariff Generation Unit is entitled to a Statement of Qualification and Capacity Block reservation prior to the Solar Tariff Generation Unit's receipt of notice of authorization to interconnect from the Distribution Company.

RPS Class I Renewable Generation. Means RPS Class I Renewable Generation, as defined in 225 CMR 14.02: *Definitions*.

RPS Class I Renewable Generation Attribute. Means a RPS Class I Renewable Generation Attribute, as defined in 225 CMR 14.02: *Definitions*.

RPS Class I Renewable Generation Unit. Means a RPS Class I Renewable Generation Unit, as defined in 225 CMR 14.02: *Definitions*.

SMART Tariff. The SMART Provision tariff for each individual Distribution Company as reviewed and approved by the DPU, as may be amended from time to time.

Solar Massachusetts Renewable Target (SMART) Program. The solar incentive program established pursuant to 225 CMR 20.00.

Solar Program Administrator. The program administrator for 225 CMR 20.00 that is selected pursuant to the process set forth in 225 CMR 20.09.

Solar Tariff Generation Unit. A Generation Unit that generates electricity using solar photovoltaic technology and meets all of the eligibility criteria set forth in 225 CMR 20.05 and 20.06.

Standalone Solar Tariff Generation Unit (STGU). A Solar Tariff Generation Unit that serves no associated On-site Load other than parasitic or station load utilized to operate the Generation Unit or coupled Energy Storage System.

State Qualifying Facility. Means a Qualifying Facility, as defined by the DPU in 220 CMR 8.02: *Definitions*.

Statement of Qualification. A document issued by the Department that qualifies a Solar Tariff Generation Unit under 225 CMR 20.00.

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Statement of Qualification Application. An application to qualify a STGU submitted pursuant to 225 CMR 20.06.

Third-party Owner. An entity that has a turnkey contract involving a power purchase agreement, lease, or other arrangements with a Customer of Record, but is the Owner of the Solar Tariff Generation Unit. The Third-party Owner may have a separate contract with another entity for the actual installation work.

20.03: Administration

225 CMR 20.00 shall be administered by the Department.

20.04: Applicability

225 CMR 20.00 applies to Distribution Companies and to the Owners of Solar Tariff Generation Units.

20.05: Tariff Based Incentive Program for Solar Photovoltaic Generation Units

(1) Size of Program. The SMART Program shall support 1,600 MW and an additional capacity of 1,600 MW post Publication Date, for a total of 3,200 MW of new solar generating capacity.

(2) SMART Program Effective Date(s). Solar Tariff Generation Units that receive a Statement of Qualification under the SMART Program will be eligible to begin receiving incentive payments upon the effective date of the SMART Tariffs, as approved by the DPU. Revisions to the SMART Program pursuant to 225 CMR 20.07(5) that require amendments to the SMART Tariffs shall take effect upon review and approval of revised SMART Tariffs by the DPU.

(3) Block Allocation. The amount of capacity available in each Distribution Company's service territory will be proportional to the total electric load served to Massachusetts End-use Customers by the Distribution Company in calendar year 2016. The Department may update the amount of capacity available in proportion to total electric load served to End-use Customers by each Distribution Company based on updated electric load served data, as available. Each Distribution Company shall divide the capacity available in its service territory into 16 equally sized Capacity Blocks, provided, however, that if a Distribution Company served less than 5% of the total electric load collectively served to all Massachusetts End-use Customers by the Distribution Companies in calendar year 2016, it may elect to have less than 16 equally sized Capacity Blocks.

(a) Set-aside for Solar Tariff Generation Units Less than or Equal to 25 kW. Each Capacity Block shall have a minimum of 20% and maximum of 35% of its total available capacity reserved for Solar Tariff Generation Units with nameplate capacities less than or equal to 25 kW.

(b) Special Provisions for Block 1. Other than Solar Tariff Generation Units selected under the one-time competitive procurement described in 225 CMR 20.07(3), no Solar Tariff Generation Unit shall be eligible to qualify in a Distribution Company's first Capacity Block unless it has a capacity equal to or less than 1,000 kW or is eligible to receive a Compensation Rate Adder.

(c) Set-aside for Solar Tariff Generation Units Greater than 25 kW and Less than or Equal to 500 kW. Each Capacity Block, starting with the first full capacity block after the Publication Date, shall have a minimum of 20% of its total available capacity reserved for Solar Tariff Generation Units with nameplate capacities greater than 25 kW and less than or equal to 500 kW.

(d) Set-aside for Low Income Community Shared and Low Income Property Solar Tariff Generation Units. Each Capacity Block, starting with the first full capacity block after the Publication Date, shall have a minimum of 5% of its total available capacity reserved for Low Income Community Shared and Low Income Property Solar Tariff Generation Units.

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(e) Special Provision for Eversource Energy Capacity Blocks. Beginning with the ninth Capacity Block, the service territories formerly designated as NSTAR Electric Company and Western Massachusetts Electric Company, shall be combined into a single service territory with a total available capacity equal to that amount previously available for the two separate Distribution Companies. The total combined capacity available in this single service territory shall be divided into eight equally sized Capacity Blocks. The Base Compensation Rates established for the service territories formerly designated as NSTAR Electric Company and Western Massachusetts Electric Company shall remain separate and will continue to apply.

(4) Transition between Capacity Blocks. If there is not enough capacity remaining in a Capacity Block for a Solar Tariff Generation Unit to fit entirely within the Capacity Block, that Solar Tariff Generation Unit shall receive a blended total compensation rate, which shall be prorated according to the amount of the Solar Tariff Generation Unit's capacity that is assigned to each Capacity Block.

(5) General Eligibility Criteria for Solar Tariff Generation Units.

(a) General Eligibility Requirements. The Solar Tariff Generation Unit must use solar photovoltaic technology and be interconnected with the electric grid in the Commonwealth of Massachusetts. The aggregate maximum capacity of Solar Tariff Generation Units located on a single parcel of land shall be five MW and shall not be inclusive of any solar photovoltaic generating capacity that is not qualified under 225 CMR 20.00. For any parcel of land for which a Solar Tariff Generation Unit has submitted a Statement of Qualification Application, if its current boundaries are the result of a subdivision recorded after January 1, 2010, the Owner shall demonstrate to the Department that the subdivision was not for the purpose of obtaining eligibility as a Solar Tariff Generation Unit. If the Owner fails to make such a showing to the Department, the five MW limit shall apply to the metes and bounds of the parcel as recorded prior to the subdivision.

(b) Program Close Date. The Department shall stop accepting Statement of Qualification Applications under 225 CMR 20.00 on December 31, 2026. Solar photovoltaic Generation Units wishing to qualify after that date must apply to be qualified under 225 CMR 28.00: *Solar Massachusetts Renewable Target (Smart) Program 3.0*.

(c) Construction Date Requirement. To submit a Statement of Qualification Application under 225 CMR 20.06, a solar photovoltaic Generation Unit must not have an active Statement of Qualification as defined under 225 CMR 28.00: *Solar Massachusetts Renewable Target (Smart) Program 3.0* or 225 CMR 14.00: *Renewable Energy Portfolio Standard – Class I* and must demonstrate to the Department's satisfaction that on-site physical work of a significant nature has begun on the solar photovoltaic Generation Unit prior to December 31, 2025. On-site physical work of a significant nature shall include, but not be limited to, the continuous installation of racks or other structures to affix photovoltaic panels, collectors, or solar cells to a site. Solar photovoltaic Generation Units where on-site physical work of a significant nature occurred on or after December 31, 2025 must apply to be qualified under 225 CMR 28.00.

Exception to Construction Date Requirement. A solar photovoltaic Generation Unit that has not begun on-site physical work of a significant nature prior to December 31, 2025 may submit a Statement of Qualification Application under 225 CMR 20.06 if it can demonstrate to the Department's satisfaction that the Owner, Authorized Agent, or Primary Installer has made significant investment in the development process prior to December 31, 2025 and the solar photovoltaic Generation Unit would not meet the eligibility criteria of 225 CMR 28.00: *Solar Massachusetts Renewable Target (Smart) Program 3.0*. The Owner, Authorized Agent, or Primary Installer may demonstrate significant investment through documentation including, but not limited to, Interconnection Service Agreement payments, interconnection study payments, or equipment procurement. The Department shall review and approve documentation for satisfying 225 CMR 20.05(5)(c) on a case-by-case basis.

(d) Public Utility Regulatory Policies Act of 1978 Requirements. A Solar Tariff Generation Unit with a maximum net power production capacity of greater than one MW shall obtain federal qualifying facility status from the Federal Energy Regulatory Commission pursuant to 18 CFR § 292.207(a) and (b). A Solar Tariff Generation Unit with a maximum net power production capacity of less than or equal to one MW shall attest to its status as a federal qualifying facility in the Statement of Qualification application.

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(e) RPS Class I Eligibility. For each MWh of electricity generation produced by a Solar Tariff Generation Unit, it will be eligible to generate GIS Certificates encoded as RPS Class I Renewable Generation Attributes. These GIS Certificates and any other GIS Certificates associated with Environmental Attributes other than RPS Class I Renewable Generation Attributes, shall be transferred directly to an account owned by the Distribution Company in whose service territory the Solar Tariff Generation Unit is located upon issuance by NEPOOL GIS.

(f) Land Use and Siting Criteria. A Solar Tariff Generation Unit must meet the following performance standards, and will be placed into one of three categories with respect to the land or property on which it is sited. For the purposes of 225 CMR 20.05(5)(e), previously developed shall mean having preexisting paving, construction, or altered landscapes, and does not include altered landscapes resulting from current agricultural use, forestry, or use as preserved natural area.

1. Applicability of Land Use and Siting Criteria. Date of application for participation in the SMART Program and project status as of the Publication Date will determine which Land Use and Siting Criteria apply to a Solar Tariff Generation Unit.

a. Solar Tariff Generation Units that have received a Statement of Qualification as of the Publication Date shall be subject to the Land Use and Siting Criteria as outlined in 225 CMR 20.05(5)(e)2. through 6.

b. Effective after Publication Date all other Solar Tariff Generation Units must meet the Land Use and Siting Criteria established by 225 CMR 20.05(5)(e)7.

c. Exception to 225 CMR 20.05(5)(e)1.b. after the Publication Date, a Solar Tariff Generation Unit may be subject to the Land Use and Siting Criteria as outlined in 225 CMR 20.05(5)(e)2. through 6., if it can demonstrate to the Department's satisfaction that the Solar Tariff Generation Unit meets the requirements of 225 CMR 20.06(1)(c)2. as of the Publication Date, and either submits an executed Interconnection Service Agreement as detailed in 225 CMR 20.06(1)(c)1. within six months of the Publication Date, or provides documentation that a complete Interconnection Service Agreement application was submitted not less than 135 Business Days prior to the Publication Date.

2. Category 1 Land Use. Solar Tariff Generation Units that meet one or more of the following criteria will be designated as either Category 1 Agricultural or Category 1 Non-agricultural:

a. Category 1 Agricultural. Solar Tariff Generation Units located on Land in Agricultural Use or Important Agricultural Farmland that meet one or more of the following criteria will be designated as Category 1:

- i. Agricultural Solar Tariff Generation Units;
- ii. Building Mounted Solar Tariff Generation Units;
- iii. Floating Solar Tariff Generation Units;
- iv. Canopy Solar Tariff Generation Units; and
- v. Solar Tariff Generation Units sized to meet no greater than 200% of annual operation load of an agricultural facility.

b. Category 1 Non-agricultural. Solar Tariff Generation Units not located on Land in Agricultural Use or Important Agricultural Farmland that meet one or more of the following criteria will be designated as Category 1:

- i. Ground-mounted Solar Tariff Generation Units with a capacity less than or equal to 500 kW;
- ii. Building Mounted Solar Tariff Generation Units;
- iii. Solar Tariff Generation Units sited on Brownfields;
- iv. Solar Tariff Generation Units sited on Eligible Landfills;
- iv. Solar Tariff Generation Units sited on Eligible Landfills;
- v. Floating Solar Tariff Generation Units;
- vi. Canopy Solar Tariff Generation Units;
- vii. Solar Tariff Generation Units that are ground-mounted with a capacity greater than 500 kW and less than or equal to 5,000 kW that are on land that has been previously developed; and
- viii. Solar Tariff Generation Units that are ground-mounted with a capacity greater than 500 kW and less than or equal to 5,000 kW that are sited within a solar overlay district or that comply with established local zoning that explicitly addresses solar or power generation.

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3. Category 2 Land Use. Solar Tariff Generation Units not otherwise designated Category 1 that are ground-mounted with a capacity greater than 500 kW and less than or equal to 5,000 kW and that are sited on land that:
  - a. has not been previously developed; and
  - b. is zoned for commercial or industrial use, shall be designated as Category 2 Land Use.
4. Category 3 Land Use. Solar Tariff Generation Units not otherwise designated Category 1 or Category 2 that are ground-mounted shall be designated as Category 3 Land Use.
5. Ineligible Land Use. Solar photovoltaic Generation Units that meet one or more of following criteria shall not be eligible to qualify as Solar Tariff Generation Units under 225 CMR 20.00:
  - a. Solar photovoltaic Generation Units on protected open space, as established under Article XCVII of the Amendments to the Constitution, that do not meet the criteria of Category 1 Land Use;
  - b. Solar photovoltaic Generation Units sited in a wetland Resource Area, as defined in 310 CMR 10.04: *Definitions*, not including Buffer Zones, as defined in 310 CMR 10.04: *Definitions*, except as authorized by all necessary regulatory bodies; and
  - c. Solar photovoltaic Generation Units sited on properties included in the *State Register*, as defined in 950 CMR 71.03: *Definitions*, except as authorized by regulatory bodies.
6. Performance Standards. All ground-mounted Solar Tariff Generation Units with a capacity greater than 500 kW must provide a certification from a professional engineer that the construction of the Solar Tariff Generation Unit complied with the following standards when installed on Land in Agricultural Use, Important Agricultural Farmland, or other pervious open space:
  - a. no removal of all field soils;
  - b. existing leveled field areas left as is without disturbance;
  - c. where soils need to be leveled and smoothed, such as filling potholes or leveling, this shall be done with minimal overall impact with all displaced soils returned to the areas affected;
  - d. ballasts, screw-type, or post driven pilings and other acceptable minimal soil impact methods that do not require footings or other permanent penetration of soils for mounting are required, unless the need for such can be demonstrated;
  - e. any soil penetrations that may be required for providing system foundations necessary for additional structural loading or for providing system trenching necessary for electrical routing shall be done with minimal soils disturbance, with any displaced soils to be temporary and recovered and returned after penetration and trenching work is completed;
  - f. no concrete or asphalt in the mounting area other than ballasts or other code required surfaces, such as transformer or electric gear pads;
  - g. address existing soil and water resource concerns that may be impacted to ensure the installation does not disturb an existing soil and water conservation plan or to avoid creating a negative impact to soil and water conservation best management practices, such as stimulating erosion or water run-off conditions;
  - h. limited use of geotextile fabrics; and
  - i. maintain vegetative cover to prevent soil erosion.
7. Land Use and Siting Criteria Effective after the Publication Date. A Solar Tariff Generation Unit must meet the performance standards and will be placed into one of three categories with respect to the land or property on which it is sited as enumerated in 225 CMR 20.05(5)(e)1. through 6., except as noted 225 CMR 20.05(5)(a)7.
  - a. Category 1 Non-Agricultural. Solar Tariff Generation Units not located on Land in Agricultural Use or Important Agricultural Farmland that are a Public Entity Solar Tariff Generation Unit will be designated as Category 1 Non-agricultural as in 20.05(5)(e)2b.
  - b. Category 2 Land Use. Solar Tariff Generation Units not otherwise designated Category 1 that are ground-mounted with a capacity greater than 500 kW and less than or equal to 5,000 kW that are sited within a solar overlay district or that comply with established local zoning that explicitly addresses solar or power generation, shall be designated as Category 2 Land Use as in 225 CMR 20.05(5)(e)3.



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c. Ineligible Land Use. Solar photovoltaic Generation Units that meet one or more of the following criteria shall not be eligible to qualify as Solar Tariff Generation Units under 225 CMR 20.00:

- i. One or more of the criteria established in 225 CMR 20.05(5)(e)5.;
- ii. Solar photovoltaic Generation Units sited on land designated as Priority Habitat or Core Habitat, that do not meet the criteria of Category 1 Land Use; or
- iii. Solar photovoltaic Generation Units sited on a parcel with 50% or more of its area designated as Priority Habitat and/or Core Habitat, that do not meet the criteria of Category 1 Land Use.

d. Ineligible Land Use for Additional Capacity. Solar photovoltaic Generation Units seeking to obtain a Statement of Qualification for the 1,600 MW of additional capacity available following the Publication Date pursuant to 225 CMR 20.05(1) and that meet one or more of the following criteria shall not be eligible to qualify as Solar Tariff Generation Units under 225 CMR 20.00:

- i. One or more of the criteria established in 225 CMR 20.05(5)(e)7.c.;
- ii. Solar photovoltaic Generation Units sited on land designated as Critical Natural Landscape that do not meet the criteria of Category 1 Land Use; or
- iii. Solar photovoltaic Generation Units sited on a parcel with 50% or more of its area designated as Priority Habitat, Core Habitat, and/or Critical Natural Landscape, that do not meet the criteria of Category 1 Land Use.

(g) Project Segmentation. No more than one Solar Tariff Generation Unit on a single building, or one ground-mounted Solar Tariff Generation Unit on a single parcel or contiguous parcels of land, shall be eligible to receive a Statement of Qualification as a Solar Tariff Generation Unit. The Solar Program Administrator or the Department may require Solar Tariff Generation Unit Owner or Authorized Agent to include a deed in the case of recorded land, or a numbered certificate in the case of registered land, from the registry of deeds with their Statement of Qualification Application in order to verify that the Solar Tariff Generation Unit meets this requirement.

(h) Exceptions to Project Segmentation. Notwithstanding 225 CMR 20.05(5)(f), the following types of Solar Tariff Generation Units may be eligible to receive a Statement of Qualification, subject to demonstration to the Department's satisfaction that one of the following exceptions should apply:

1. a Solar Tariff Generation Unit with an AC rated capacity of 25 kW or less that is located on a parcel of land contiguous with another parcel or parcels of land containing a Solar Tariff Generation Unit, provided the parcels of land were not the result of a subdivision performed for the purpose of qualifying under 225 CMR 20.05(5)(g)1.;
2. a Solar Tariff Generation Unit with an AC rated capacity of 25 kW or less, a Canopy Solar Tariff Generation Unit, or a Building Mounted Solar Tariff Generation Unit, which is located on the same parcel of land as another Solar Tariff Generation Unit, provided that the Solar Tariff Generation Unit is separately metered from the original Solar Tariff Generation Unit and, in the case of a Solar Tariff Generation Unit with an AC rated capacity of 25 kW or less or a Building Mounted Solar Tariff Generation Unit, is located on a separate building from the original Solar Tariff Generation Unit;
3. a Solar Tariff Generation Unit with an AC rated capacity of 25 kW or less, or a Building Mounted Solar Tariff Generation Unit, which is located on the same building as another Solar Tariff Generation Unit, provided that the Solar Tariff Generation Unit is separately metered from the original Solar Tariff Generation Unit and is connected to a meter of a separate End-use Customer as the original Solar Tariff Generation Unit;
4. a Solar Tariff Generation Unit located on the same parcel or contiguous parcel of land to another Solar Tariff Generation Unit that submits a Statement of Qualification Application at least twelve months after the Commercial Operation Date of the original Solar Tariff Generation Unit and is separately metered or that can demonstrate to the Department's satisfaction that the Owners of the Solar Tariff Generation Units are unaffiliated parties;
5. a Solar Tariff Generation Unit that is physically located across multiple parcels of land, provided that it is located behind a single interconnection point and single production meter, and that its AC rated capacity is 5 MW or less;
6. a Solar Tariff Generation Unit that can demonstrate to the Department's satisfaction that documentation required to meet the criteria set forth in 225 CMR 20.06(1)(c) was obtained prior to June 5, 2017;

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7. a Solar Tariff Generation Unit that is physically located on a parcel or parcels of land owned or controlled by the Massachusetts Department of Transportation as established by M.G.L. c. 6C, and can demonstrate to the Department's satisfaction that it should be granted an exception to the provisions of 225 CMR 20.05(5)(f); and
  8. a Solar Tariff Generation Unit that can demonstrate to the Department's satisfaction that it should be granted an exception to the provisions of 225 CMR 20.05(5)(f) for good cause.
- (i) Capacity Expansions. Both direct current (DC) and alternating current (AC) capacity expansions to the capacity listed in a Solar Tariff Generation Unit's Statement of Qualification are not permitted except under the following circumstances:
1. a direct current capacity expansion to a Solar Tariff Generation Unit's rated capacity is permitted if the expansion occurs within a Solar Tariff Generation Unit's Reservation Period; and
  2. direct current and alternating current capacity expansions following a Solar Tariff Generation's Commercial Operation Date may be allowed if the Solar Tariff Generation Unit can demonstrate to the Department's satisfaction that the expansion is *de minimis* and is required for equipment replacement or reconfiguration necessary to ensure the continued operation of the Solar Tariff Generation Unit.
- (j) Special Provisions for Relocated and Replacement Generation Units. The Department may provide a Statement of Qualification to a solar photovoltaic Generation Unit that meets one of the following categories and criteria, as well as all other relevant provisions of 225 CMR 20.00:
1. Relocated Solar Tariff Generation Unit. A solar photovoltaic Generation Unit whose equipment was used before January 1, 2018, to generate electrical energy outside of the Commonwealth of Massachusetts, and that is interconnected with the electric grid in the service territory of a Distribution Company on or after January 1, 2018, provided that no components of the Power Conversion Technology were used in a Generation Unit located in the Commonwealth prior to January 1, 2018. No components from a Generation Unit previously qualified as an RPS Class I Renewable Generation Unit, Solar Carve-out Renewable Generation Unit, or Solar Carve-out II Renewable Generation Unit shall be eligible to qualify as part of a Solar Tariff Generation Unit.
  2. Replacement Solar Tariff Generation Unit. A solar photovoltaic Generation Unit that replaces an inactive or decommissioned solar photovoltaic Generation Unit that had operated on the same site before January 1, 2018, may submit a Statement of Qualification Application for the portion of the total kW capacity that represents a net increase over the total installed kW capacity of the previously installed solar photovoltaic Generation Unit.
- (k) Special Provisions for Distribution Company Owned Solar Photovoltaic Generation Units. Any solar photovoltaic Generation Unit that is owned by a Distribution Company and was approved to be constructed by the DPU, pursuant to M.G.L. c. 164, § 1A, shall not be eligible to qualify as a Solar Tariff Generation Unit under 225 CMR 20.00.
- (l) Energy Storage Requirement. Solar Tariff Generation Units greater than 500 kW applying for a Statement of Qualification for any available capacity in any capacity block available after April 14, 2020 must be co-located with an Energy Storage System that meets the eligibility requirements for an Energy Storage Adder pursuant to 225 CMR 20.06(1)(e).
- Exceptions to Energy Storage Requirement. A Solar Tariff Generation Unit shall be exempt from the requirement to be co-located with an Energy Storage System, as prescribed in 225 CMR 20.05(5)(k), if it can demonstrate to the Department's satisfaction that:
1. documentation required to meet the criteria set forth in 225 CMR 20.06(1)(c) was obtained on or before the Publication Date; or
  2. it should be granted an exception to the provisions of 225 CMR 20.05(5)(k) for good cause.
- (6) Reporting Requirements.
- (a) Generator Account Registration. An asset must be established for individual Solar Tariff Generation Units within a generator account at NEPOOL GIS. For Non-NEPOOL Generators, as that term is defined under Rule 2.1(a)(vi) of the *NEPOOL GIS Operating Rules*, multiple Solar Tariff Generation Units may be registered under a single asset.

20.05: continued

- (b) Settlement Market System Assets. The electrical energy output from a Solar Tariff Generation Unit registered as a NEPOOL Generator, as that term is defined under Rule 2.1(a)(i) of the *NEPOOL GIS Operating Rules*, shall be verified by the ISO-NE.
- (c) Non-NEPOOL Market Assets. The electrical energy output from a Solar Tariff Generation Unit registered as a Non-NEPOOL Generator, as that term is defined under Rule 2.1(a)(ii) of the *NEPOOL GIS Operating Rules*, shall be reported to the Independent Verifier, as approved by the Department, for all such assets.
- (d) Duration of Distribution Company Asset Ownership. A Distribution Company shall retain the asset ownership and rights to all RPS Class I Renewable Generation Attributes associated with a Solar Tariff Generation Unit registered in a Distribution Company's NEPOOL GIS generator account for as long as the Solar Tariff Generation Unit is eligible to receive payment for such RPS Class I Renewable Generation Attributes and any Environmental Attributes as prescribed in 225 CMR 20.07(1). Following this period, ownership rights to assets and the RPS Class I Renewable Generation Attributes, and any other Environmental Attributes that a Solar Tariff Generation Unit generates, will be owned by the Solar Tariff Generation Unit Owner.

20.06: Qualification and Block Reservation Process for Solar Tariff Generation Units

- (1) Statement of Qualification Application. A Statement of Qualification Application shall be submitted to the Solar Program Administrator by the Owner of the prospective Solar Tariff Generation Unit or by the Authorized Agent of the Owner. The applicant must use the most current forms and associated instructions provided by the Department, and must include all information, documentation, and assurances required by such forms and instructions.
  - (a) Authorization to Interconnect. In order to retain a Statement of Qualification issued prior to a project's Commercial Operation Date, all Solar Tariff Generation Units must provide the Solar Program Administrator with a copy of the authorization to interconnect issued by the applicable Distribution Company.
  - (b) Required Documentation for Solar Tariff Generation Units with Rated Capacities of 25 kW or Less. A prospective Solar Tariff Generation Unit with a capacity of 25 kW or less must submit the following documentation as part of its Statement of Qualification Application in order to obtain a Statement of Qualification:
    - 1. Executed Contract. The Owner or their Authorized Agent must submit a copy of an executed contract between the Primary Installer and the Customer of Record. For a Solar Tariff Generation Unit for which the Owner is a Third-party Owner and the Primary Installer is a subcontractor to the Owner, an executed contract between the Owner and the Primary Installer will satisfy this requirement. The contract must identify a project manager, and must include Statement of Qualification Application preparation, equipment procurement and installation, site preparation, permitting and interconnection support, Statement of Qualification Application completion paperwork, training, operations and maintenance, and compliance with all applicable state and local laws. The contract shall include a budget that identifies key project components and a timeline and corresponding payment schedule for installation of the project. Contract service must include responsibility for the Statement of Qualification Application process, including submittal of authorization to interconnect, securing required permits and engineering approvals, installation of the project, scheduling and participation in all required inspections, and providing warranty services, as required.
    - 2. Special Provisions for Third-party Ownership. If the Owner of a Solar Tariff Generation Unit is a Third-party Owner, the Owner or his or her Authorized Agent must also submit a copy of an executed contract power purchase agreement or lease with the Customer of Record.
    - 3. Special Provisions for Low Income Generation Units. Prospective Solar Tariff Generation Units with capacities less than or equal to 25 kW that are seeking Statements of Qualification as Low Income Generation Units must provide evidence that the Customer of Record is classified as a Low Income Customer.
    - 4. Customer Disclosure Form. Prospective Solar Tariff Generation Units with a capacity of 25 kW or less must submit a copy of a customer disclosure form signed by the Owner as part of its Statement of Qualification Application.