



Massachusetts Department of Energy Resources
100 Cambridge Street, Suite 1020
Boston, MA 02114

September 27th, 2019

**Comments Regarding the Solar Massachusetts Renewable Target (SMART)
400MW Review**

The Green Justice Coalition (GJC) unites grassroots organizations, environmental groups, and labor unions to advance Massachusetts towards a sustainable, equitable, and clean energy economy. We were founded out of a recognition that the current energy economy is unsustainable and overburdens working class communities and people of color. These communities have been excluded from the benefits of the renewable energy economy because public policy decisions have insufficiently prioritized making renewable energy programs accessible to all people.

Solar energy programs are no exception. Despite long-standing requests and conversations with advocates and the environmental community, Massachusetts solar policy has not sufficiently encouraged solar access for low-income communities or communities of color. Net metering programs, the Solar Renewable Energy Credit, and the successor program outlined in the 2016 Solar Act all had some form of incentive for solar developers to take on low-income projects, but none have succeeded in creating substantial progress in low-income communities. Municipalities and nonprofit organizations including faith-based groups have tried using community solar projects to serve vulnerable populations, however there are significant challenges in participating in state programs.

The Green Justice Coalition commends efforts by the Department to grow solar energy and include as many types of projects as possible. Nonetheless, the proposed changes to 225 CMR 20.00 do not address the core issues with reaching low income residents and we must implore the department to consider the suggestions of low income solar developers and community groups in making solar accessible to all.

We recognize positive changes that are meant to increase low income project participation including:

- Allowing customers who live in neighborhoods that qualify as environmental justice communities through the income criteria which will help community organizations and developers attract offtakers more easily
- Adding a community aggregation provision for community shared solar which can create local economic development opportunities that are currently underutilized
- Consumer protection in the program helps to make sure that contracts benefit low income customers and ensuring that incentives do not exist for taking advantage of vulnerable populations such as the elderly or non-English speaking households.

Unfortunately, these changes in and of themselves do not constitute a commensurate response to the challenges facing low-income communities in benefiting from the state-run solar programs. There are a few notable reasons why these policies are not enough to make a lasting change for working class communities and people of color:

- **Solar developers are still not allowed to directly credit offtakers or deliver benefits without a contract.** One policy solution that the Green Justice Coalition has embraced is allowing credits to appear directly on utility bills, thus removing the need for the department to audit or investigate complicated contract terms to punish solar companies that take advantage of the low-income adder without benefitting the offtakers. This can also serve to rebuild public trust in utility companies and the energy system.
- **Developers will continue to find the projects with the least overhead to be the most attractive.** Requiring contracts for each offtaker, keeping the existing bill crediting system, and not increasing the low-income adder inhibits low-income solar growth and encourages developers to give economic benefits to higher income households or to forgo the community shared solar model altogether. Reserving a required minimum percentage of the program capacity for low-income projects could serve to solve this problem.
- **Allowing electric distribution company (EDC) solar projects to participate in the SMART program could lead to less access for less affluent households and biased decision-making.** We have concerns that if EDCs

are allowed to run low-income solar programs then there will be self-dealing, a lack of oversight, and a lack of community control and participation as we have seen with other programs run by distribution companies and approved by the Department of Public Utilities.

We are glad to see the prioritization of the 'solar plus storage' model and would like to see additional consideration for pilot community microgrid projects in the SMART program. GJC is working with environmental justice communities, MassCEC, and additional technical experts in exploring models for microgrids that can facilitate climate and energy resiliency as well as energy savings.

It is hard to assess the impact of the proposed changes and create recommendations for a number of reasons including a short comment period of only 3 weeks and the fact that draft regulations were not made public. For community groups such as those in the Green Justice Coalition who want to participate in solar programs and help deliver benefits to our communities, 3 weeks is too short a time to communicate with members and assess what further community needs will be. It is also difficult to understand what the proposal is from the department when draft regulations are not communicated. One example of this is the use of the low income environmental justice (EJ) community criteria being added to the program while minority and language criteria are not. The Commonwealth's EJ policies were designed to address longstanding inequities that exist not only on an income or wealth basis but also on racial, social, and immigration status lines, and by only including part of the policy, it does not account for environmental, economic, and health disparities that exist between racial groups even after accounting for income.

We welcome the opportunity to work further with the department and other agencies to increase solar access for low-income and environmental justice communities across the state. The proposed changes to the SMART program can have real benefits for our communities, but do not address core challenges in creating more low-income solar nor do they address the inequities in how solar programs in Massachusetts have historically, overwhelmingly served the financial interests of large solar companies and high income households that have the capital resources to take advantage of state subsidies.

Sincerely,
Green Justice Coalition

Green Justice Coalition Members:

Alternatives for Community & Environment (ACE)
Boston Climate Action Network
Boston Student Advisory Committee/Youth on Board
Chinese Progressive Association
Clean Water Action
Coalition for Social Justice
Community Labor United
GreenRoots
Neighbor to Neighbor

Supporting Organizations:

350 Mass
Berkshire Environmental Action Team
Canton Residents For a Sustainable, Equitable Future
Climate Action Now, Western Mass
No Fracked Gas in Mass
Resist the Pipeline
Sierra Club Massachusetts
South Coast Neighbors United
Toxics Action Center
Unitarian Universalist Mass Action