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Kaitlin Kelly  
Manager, Solar Programs  
Department of Energy Resources  
100 Cambridge Street, Suite 1020  
Boston, MA 02114

Dear Kaitlin,

Ameresco, a leading energy efficiency and renewable energy company, is pleased to provide these comments on the Department of Energy Resources (DOER) proposal for the 400 MW Review. With over 95 MW of solar projects completed and in construction in Massachusetts, Ameresco is committed to the Massachusetts solar market. We greatly appreciate the DOER Staff's efforts to put this proposal together to address concerns around the SMART program implementation. Ameresco is particularly concerned with one of the aspects of the 400 MW Review proposal.

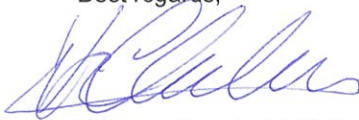
Ameresco recognizes DOER's effort to strengthen consumer protection standards. We support the efforts to increase transparency and audit forms in order to better protect customers. However, Ameresco encourages MA DOER to closely consider the language used to establish stronger consumer protection standards, specifically, the "three strikes" rule.

Community solar projects are most often administered directly by a third-party Community Solar (CS) servicer, rather than the Project Applicant. CS servicers are specialized service providers which, in part, have been established to address specific consumer protection requirements and concerns which exist in the community solar development, but not in solar project development as a whole. These concerns include the maintenance and protection of confidential business information provided by a community solar subscriber as a part of joining a community solar program. Part of the structure which exists between Project Applicants, or owners, and CS services, is a firewall which provides an added level of protection to the community solar subscriber, but also limits the ability of the Applicant to fully review and independently verify all information which is provided between the subscriber and the servicer.

Ameresco works closely with its CS servicers to review and approve customer contracts and outline appropriate terms to protect subscribers to our community solar projects. We request that when a "strike" is recorded, it is directed towards the CS servicer principally. Secondly, we request that the "three strikes" rule results in a financial penalty rather than a year-long barring from the Program. Lastly, we recommend that all Applicants working with that CS servicer should be made aware of the concern, even if it is with respect to an unaffiliated project.

We appreciate DOER's efforts to incorporate these comments into the 400 MW Review. Please don't hesitate to contact us with any questions regarding these recommendations.

Best regards,



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