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Commissioner Judith Judson
Department of Energy Resources
Suite 1020
100 Cambridge Street
Boston, MA 02114



September 25, 2019

RE: 400 MW Review Public Comments

Dear Commissioner Judson:

Thank you for the extensive work your department has devoted to the 400 MW review of the Solar Massachusetts Renewable Target (SMART) program. This review is an important opportunity to reflect on the significant progress we have made in promoting solar energy in the Commonwealth and is a chance to identify where we can secure renewable, clean solar technology in the future. There were many positive steps taken by DOER in the 400 MW review, including a modest program expansion, a new requirement for all solar tariff generation units larger than 500kW to be paired with energy storage, and broadening the definition of low income customer to include residents that meet the low income environmental justice criteria.

However, there is more work to be done, and we must ensure that the Commonwealth's solar incentive program continues to promote significant levels of solar resources and improves access to hard-to-reach populations while balancing the concerns of many stakeholders, including the State Legislature. I hope DOER will also consider the following recommendations for the 400 MW Review so that we can ensure a vibrant solar program for years to come:

- In order to continue to make progress toward the Commonwealth's clean energy and climate goals set by the Global Warming Solutions Act (GWSA), Massachusetts must rapidly expand its renewable energy capacity if we are to meet the carbon reduction goals. Recent analysis shows that Massachusetts needs at least 3,500 MW more solar energy by 2030 to stay on track to meet its 35% RPS target, and as much as 14 GW to stay on track with the state's decarbonization targets of 80% GHG Reduction by 2050, even with significant sources of other renewable energy coming online. Instead of expanding the program by 800 MW, DOER should expand the program to 3200 MW to keep us on track to meet our GWSA goal while making strides toward 100% renewable energy and achieving a 25% solar target.

- To achieve the Commonwealth's climate goals while also bringing significant, new solar capacity online, DOER should not penalize the ground-mounted solar developments on undeveloped land to the extent contemplated in the current proposal, which includes increasing the greenfield subtractor by 5x, subjecting projects developed in communities with approved local solar bylaws to the subtractor and placing new limits on dual-use agriculture projects. These changes will have the unintended consequence of scaling back community shared solar, which is a proven, cost-effective mechanism for providing equal access to the economic and environmental benefits of solar for homeowners, renters, and businesses who otherwise cannot host or afford rooftop solar, including traditionally underserved low-income households. Such projects rely on large-scale cost efficiencies which, if properly sited, should be encouraged, not limited.
- To balance the need for more solar with land use priorities, local zoning authority and a lack of siting/planning resources in some communities DOER should provide more support to cities and towns specifically for the purpose of renewable energy siting, particularly in communities with limited or no siting resources. To do so, DOER can empower its Green Communities Division to provide planning assistance grants to cities and towns that demonstrate the need to hire siting consultants or use their regional planning agency to evaluate and provide recommendations on solar opportunities. DOER can also update its existing guidance on how solar projects are permitted and sited and provide educational workshops in conjunction with regional planning agencies, the DOER/DEP Clean Energy Results program, solar industry representatives and land use experts, including convening a working group with these stakeholders to develop a toolkit on how to develop bylaws and permit projects for local consumption. Finally, DOER should double the number of regional coordinators (currently at 4) within the Green Communities Division to assist with these matters.
- To ensure a fair and reasonable transition to the expanded program, DOER should enable community solar projects that are moving forward under SMART and which comply with local zoning and siting requirements to receive the opportunity to move forward without being subject to these new penalties. Under DOER's current recommendations, projects that have not received their statement of qualifications (SOQ) or has the full documentation for a SOQ at the time the emergency regulations are filed will be subject to the new program rules. Developers with projects in active development have invested significant dollars in order to comply with existing rules in preparation for acquiring a SOQ and subjecting these projects to significant additional costs or prohibitions/limitations will result in major financial implications.
- SMART has not yet been effective enough in reaching low income communities. Broadening the definition of low-income customer to include residents that meet the low-income environmental justice criteria is a step in the right direction. However, to truly unlock low-income access DOER should explore new community solar crediting models, such as those that enable the allocation of financial benefits directly to qualifying subscribers without the need for subscribers to make payments for these benefits.
- DOER should also take steps to promote rooftop solar and appropriately incentivize projects in the built environment. I am urging DOER to support legislation, adopt regulations and offer financial incentives to make it easier to put solar on buildings, both commercial and apartment buildings, and single-family homes, whether stand-alone or behind the meter. Specifically, I strongly support increasing the retail net-metering rate for solar on homes beyond the current 10 kW limit, to at least 25 kW. This would encourage home and building owners to add more solar on their properties, because the financial incentive to build more solar than 10 kW would be more attractive. By

encouraging more “behind the meter” solar, the Commonwealth and the regions of the state can increase the amount of local power supply and reduce power having to be delivered from out of state and from long distances from within Massachusetts. Ultimately, I believe that we need to eliminate the net metering cap, and I have filed legislation to accomplish that.

- Given the very frustrating delays and additional costs charged to solar owners by many utilities on interconnection, I urge the DOER to take strong actions in encouraging utilities to more quickly connect solar projects to the grid, and to prevent utilities from charging solar owners to purchase or upgrade transformers before a solar project can be completed.
- Finally, DOER must support all changes with data and evidence. The SMART program can be strengthened by establishing and tracking metrics to understand precisely how many customers are participating, including the total number of low and moderate-income customers served, and DOER should improve its monitoring of ongoing development using the best possible data and document any changes with observable evidence and economic analysis.

Thank you for your consideration and I look forward to working together to meet our climate change goals and promote access to solar energy across Massachusetts in the 400 MW review and beyond.

Sincerely,



James B. Eldridge
State Senator
Middlesex and Worcester

CC: DOER.SMART@mass.gov