

BPVS

Berkshire PhotoVoltaic Services

46 Howland Avenue, Adams, MA 01220

Tel: 413-743-0152 Fax: 413-743-4827

www.bpvs.com

Michael Pleasant

Department of Energy Resources

100 Cambridge Street, Suite 1020

Boston, MA 02114

November 5, 2009

RE: BPVS Comments on the DOER Price Support Mechanism for the Solar RPS Carve -Out

Dear Mr. Pleasant:

BPVS is grateful for the opportunity to make these comments on the proposed price support mechanism for the Solar RPS Carve –Out. In summary our comments reflect the views of small capacity PV owners (< 25 kW) and prospects in this class served by our design installation firm but also apply to customers whose PV generation resource is or may be of greater capacity .

The fundamental purpose of SRECS and the RPS Carve –Out , to expand the installed base of solar electric systems in the Commonwealth is praiseworthy. For large installations which can directly register their generation attributes on the NE-GIS or for those to whom aggregators are interested, the SRECS incentive *may* along with FCM registry and payments and federal tax credits make the investment in solar PV viable and in fact very attractive. Other commentators will certainly address the worthiness of the SRECS price support mechanism as an incentive and the details of its longevity.

For small capacity installations however the transaction of responding to or selecting, of contracting and reporting, to an SRECS aggregator presents layers of complexity which require legal counsel. That cost is much easier for large capacity hosts/owners to digest. The contract law and consumer protections established in Massachusetts for long term agreements do not address these very unique vehicles for energy and its' attributes. Whether the aggregator is the leasing developer or initiating owner of small capacity systems on the front end or collects the SRECS of individually owned small systems after installation, without governmental oversight either very little benefit or some degree of harm will devolve to the small PV system or host. Initiating the SRECS incentive solely or as a component with a Commonwealth Solar II rebate without clear, objective guidance to the consumer is irresponsible. Such guidance will have to be easily available and updated frequently.

The SRECS incentive as with RPS 1 RECS assumes all potential owners of PV accept the separation of attributes from energy. There are individuals and institutions whose carbon footprint reduction strategy, whose conscience, precludes the selling of RECS. One can argue that their virtue is its own reward except as ratepayers they have no choice but to support the system. Functionally by retiring their RECS they increase the rarity and thus value of those sold. Their contribution to the reduction of emissions is easily proved greater. It is the role of government to encourage such behavior given the

BPVS Comments on the DOER Price Support Mechanism for the Solar RPS Carve-Out

accelerating consequences of global climate change. Instead this countervailing tendency in our society is ignored by policy and never commended. The news stories of PV installations ought to include this distinction. The choice of photo 'ops' by government leaders ought to select for them. The construction of incentive programs should have a place in their budget for the SREC retirement option

Capacity owners of all classes who have installed PV systems through previous MRET programs and choose to sell their RECS will not be eligible for participation in the SRECS program guarantees. Many of these consumers, PV early adopters, worked to support the Green Communities Act in the expectation that they would be eligible. It has been indicated that Commonwealth Solar II participants will be able to participate in the SRECS program. At the SRECS program unveiling on Oct 23rd DOER staff indicated that MA utilities with large scale PV Capacity ownership plans will be eligible for the SRECS price guarantee.

There is a serious disconnect here and no explanation to offer existing PV customers who will as ratepayers continue to pay the system benefit charge to MRET and an addtl. charge to their utility for utility owned PV capacity as allowed under the Green Communities Act. Thus as these programs are prepared DOER should address the concerns of early adopters of PV on the Departments' rationale for excluding them from the SREC incentive.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Kilfoyle", written in a cursive style.

Christopher Derby Kilfoyle