



November 18, 2024

Via electronic filing: doer.cps@mass.gov

RE: FOLLOW-ON EMERGENCY RULEMAKING COMMENTS

November 18, 2024

Ms. Samantha Meserve
Director of the Renewable and Alternative Energy Division
Massachusetts Department of Energy Resources
100 Cambridge Street, 9th Floor
Boston, MA, 02114

Dear Ms. Meserve,

Nexamp appreciates the opportunity to comment on the Clean Peak Standard (CPS) follow on emergency rulemaking issued October 11, 2024.

As the largest developer, owner, and operator of community solar assets in the U.S., Nexamp has been at the forefront of efforts to make clean energy affordable and accessible for all Americans. Many of our community solar projects include energy storage. We are also developing a significant standalone energy storage pipeline across various jurisdictions. Nexamp has 35 MW of operational storage in Massachusetts and much more in its project pipeline. By managing all aspects of a project's lifecycle in-house—from development, engineering, and construction through operations and customer management—Nexamp brings rapid renewable energy deployment and high-quality jobs to the communities we serve. In 2015, Nexamp launched the first open-to-all community solar program that eliminates credit checks, up-front fees, and long-term commitments to help customers save up to 20% on annual electricity costs.

The October 11th rulemaking made four immediate changes to the CPS program. Nexamp offers its comments on each change below.

1. The rulemaking made immediate changes to the ACP rate and declining structure, keeping the ACP rate now at \$45 through 2025, before raising it to \$65 through 2032.

Nexamp Comment: Revising the current declining ACP structure to remain constant through 2025 and then increase to \$65 again remaining constant through 2032 provides projects with increased revenue certainty and is an important and positive change in the CPS program. This should improve bankability of projects and hopefully combined with long term contracting will help to balance any uncertainty the removal of the ratchet mechanisms that provided programmatic stability.

2. The 30% procurement target and market supply mechanism were removed.

Nexamp Comment: The removal of the 30% procurement target opens the program up to more long-term contracting. Consistent with our feedback in previous CPS comment opportunities, we stress the necessity of long-term contracting in the CPS program. Long term contracting would

permit the amortization of costs over a longer term and create a lower annual cost for consumers as well as improve revenue certainty. Nexamp supports ACT's comments requesting the consideration of separate transmission and distribution level procurements, and an annual distribution procurement.

3. CPEC Banked Compliance changed from 3yrs to 2yrs.

Nexamp Comment: We have no comments on this change and understand the need to align this rule among various programs.

4. Summer peak period was changed from 3pm-7pm to 4pm-8pm.

Nexamp Comment: We recommend vintaging peak load windows for operational projects allowing them to keep the current peak load windows. We also request clarity from DOER on how the need to shift the peak period was determined. Transparency around the methodology used to determine the new peak window will allow developers to better understand load shape, predict future windows, and better optimize storage assets. Information surrounding DOER's thought process regarding peak window timing, the probability of future winter peaks, and the shape of the peak are all important to project modeling.

Additionally, Nexamp supports the comments filed by ACT and SEIA.

Please do not hesitate to reach out if there are any questions.

Thank you,

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