



COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF  
ENERGY AND ENVIRONMENTAL AFFAIRS  
**DEPARTMENT OF ENERGY RESOURCES**  
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**Kimberley Driscoll**  
Lt. Governor

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Secretary

**Elizabeth Mahony**  
Commissioner

May 29, 2025

**Via Electronic Mail**

Jesse Robertson-DuBois  
BlueWave Energy  
116 Huntington Ave, Suite 601  
Boston, MA 02116  
Email: [jrobertsondubois@bluewave.energy](mailto:jrobertsondubois@bluewave.energy)

Dear Jesse Robertson-DuBois,

The purpose of this letter is to respond to a request (Request) submitted by BlueWave Energy (Applicant) via electronic mail on November 27, 2024. The Request seeks a Waiver for Decreased Yield for an Agricultural Solar Tariff Generation Unit (ASTGU), identified by application number SMANG\_49462, located at 1050 Hilldale Ave in Haverhill, MA. The Department of Energy Resources (Department) has reviewed the Request, as supplemented by additional information.

Pursuant to Section 6)i. of the *Guideline Regarding the Definition of Agricultural Solar Tariff Generation Units* (Guideline):

Due to unforeseen circumstances, such as but not limited to weather events, pests, or change in crops, the projected agricultural yield for any given year may be lower than stated in the agricultural plan or previous year's annual report. In these instances, an applicant can request a waiver to the Department for the decreased yields. The applicant must demonstrate to the satisfaction of the Department, and in consultation with MDAR, that a waiver is warranted for good cause.

The Request stated that "[i]nadequate irrigation water supply . . . prevented initiation of agricultural activity in the east array," and that the "[a]gricultural agreement was

renegotiated to allow additional budget for irrigation and equipment modifications.”<sup>1</sup> The Request also stated that the “anticipated grazing operation for the west array . . . has exited agriculture,” and that BlueWave “began discussions with other farmers about farming in the array, including direct outreach and posting the opportunity on the NewEnglandFarmlandFinder.org website.”<sup>2</sup>

On February 6, 2025, in response to a request for information from the Department, the Applicant provided additional narrative and documentation regarding the delays the project has experienced. The Applicant provided a communication from May 23, 2023, from the original farmer, who stated that, “I am in the process of dispersing my flock of sheep” and “won’t have any sheep left by the time this project is likely to be ready for grazing.”<sup>3</sup> The Applicant’s narrative stated that BlueWave reached out to another farmer to offer the array for their use, but the farmer “understandably wanted to see the completed site before committing.”<sup>4</sup> The narrative also stated that, “construction delays and drought conditions in late summer and fall 2024 caused slow vegetation establishment” and that “[w]e now anticipate . . . completing arrangements in spring of 2025, with grazing to begin in the summer.”<sup>5</sup>

The Applicant’s narrative also stated that the parties “redesigned the production system and renegotiated BlueWave’s agreed equipment contribution,” which resulted in an agreement for “non-irrigated vegetable production.”<sup>6</sup> On March 11, 2025, the Applicant provided the updated Statement of Work for the site detailing the vegetation maintenance plans, dated October 11, 2024.<sup>7</sup>

On March 12, 2025, the Applicant provided documentation of communications with the Haverhill Tax Assessor regarding the status of the site’s agricultural activities.<sup>8</sup> On March 11, 2025, the Applicant stated that “[i]f there had not been a significant late summer and fall drought, grazing likely would have been able to begin last fall, but it was deferred until 2025 to protect the young plants.”<sup>9</sup> On March 12, 2025, the Haverhill Tax Assessor stated, “I accept this explanation and understand that there will be a period of time for planting and growth of this land before there will be any money earned from it.”<sup>10</sup>

Upon review of the Request and additional information, and pursuant to Section 6)i. of the Guideline, the Department hereby grants the ASTGU a Waiver for Decreased Yield

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<sup>1</sup> ASTGU Annual Report and Waiver Request at 3 (Nov. 27, 2024).

<sup>2</sup> *Id.*

<sup>3</sup> Email from Jacob Quiring (May 23, 2023).

<sup>4</sup> Supplemental narrative at 2 (Feb. 6, 2025).

<sup>5</sup> *Id.*

<sup>6</sup> *Id.*

<sup>7</sup> Haverhill Bonnano Statement of Work (Oct. 11, 2024).

<sup>8</sup> Emails with Haverhill Tax Assessor (Feb. 14, 2025 – Mar. 12, 2025).

<sup>9</sup> *Id.*

<sup>10</sup> *Id.*

based on delays in vegetation establishment caused by drought, unforeseen irrigation challenges, and the exit of the original grazing operation from agriculture. The Department requests that the Applicant provide an update on the establishment of agricultural activities for 2025 by no later than July 15, 2025, and informs the Department of any ongoing challenges or delays to agricultural production.

The Department notes that to retain future eligibility as an ASTGU, the Applicant must demonstrate ongoing compliance with the Special Provisions for Agricultural Solar Tariff Generation Units per 225 CMR 20.06(1)(d).

If you have any questions regarding this determination, please contact Grace Fletcher at [grace.fletcher@mass.gov](mailto:grace.fletcher@mass.gov).

Sincerely,

A handwritten signature in blue ink that reads "Samantha Meserve". The signature is written in a cursive, flowing style.

Samantha Meserve  
Director, Renewable and Alternative Energy Division