



The Commonwealth of Massachusetts

DEPARTMENT OF PUBLIC UTILITIES

MEMORANDUM

TO: Administrator, Massachusetts System of Assurance
of Net Metering Eligibility

FROM: Kate Tohme, DG and Clean Energy Ombudsperson

RE: COVID-19 and Net Metering
Force Majeure Event and Health Emergency Guidance

DATE: April 22, 2020

CC: Mark Marini, Secretary

I. INTRODUCTION

On March 10, 2020, Governor Baker declared a state of emergency due to the outbreak of Coronavirus (COVID-19). On March 26, 2020, the Department of Public Utilities ("Department") held a teleconference to provide stakeholders with information and procedural guidance related to distributed generation ("DG") and Distributed Generation Interconnection, D.P.U. 19-55 during the COVID-19 situation. During the teleconference, the electric distribution companies ("EDCs") made a statement declaring a Force Majeure Event, pursuant to the Standards for Interconnection of Distributed Generation Tariff, § 3.7 and Sch, IC, ¶ 16. In anticipation of possible delays to timelines for applications for cap allocations ("ACA") due to the Force Majeure Event and the COVID-19 health emergency, the Department, at the direction of its Commission, provides the following guidance to the Administrator of the Massachusetts System of Assurance of Net Metering Eligibility ("Administrator") and individuals and entities pursuing an ACA.

II. FORCE MAJEURE EVENT AND HEALTH EMERGENCY GUIDANCE

- If the Administrator is contacted by a host customer with a pending ACA (“Applicant”) that is unable to meet timelines due to the Force Majeure Event or the COVID-19 health emergency, the Administrator shall employ the following guidance:
 1. An Applicant must exhaust current remedies available under Inquiry into Net Metering and Interconnection of Distributed Generation, D.P.U. 11-11-A, App. A (2012) (“Rules of the System of Assurance”) before becoming eligible for potential additional remedies, including applying for an Extended Reservation Period for a Fee, Extended Reservation Period for Legal Challenges, or Extended Reservation Period Pending Authorization to Interconnect. Rules of the System of Assurance, §§ (7)(A)(iii) and (7)(B);
 2. For the duration of the Force Majeure Event and Massachusetts state of emergency, the Administrator may provide extensions within 30 calendar days of the end of the initial Reservation Period for Applicants that indicate a need due to the Force Majeure Event or COVID-19 health emergency – otherwise not provided by the Rules of the System of Assurance, § 7(B)(iii);
 3. If the first two steps are exhausted and the Applicant is still unable to meet timelines due to the Force Majeure Event or COVID-19 health emergency, the Administrator may grant an additional one-time Force Majeure/COVID-19 Health Emergency Extension of up to 60 business days.
- If an Applicant receives notification from its EDC of expected delays in its interconnection process that could adversely affect its ACA, the Applicant should notify the Administrator as soon as possible of potential delays and discuss the Applicant’s options. In an abundance of caution, we encourage any Applicant that expects to face delays due to the Force Majeure Event or the COVID-19 health emergency to apply for the Extended Reservation Period for a Fee, while eligible. Rules of the System of Assurance, § (7)(A)(iii). An Applicant may contact the Administrator with questions by phone at: 877-357-9030 or by email at: help@massaca.org.
- An Applicant can find additional information related to the Force Majeure Event on the Department’s website at: <https://www.mass.gov/info-details/force-majeure>.
- Inquiries and concerns for the Department related to DG during the Force Majeure Event or COVID-19 health emergency should be submitted through the Department’s online inquiry form: <https://www.mass.gov/forms/submit-a-renewable-energy-complaint-or->

[question-to-the-dpus-distributed-generation-group](#).

- Contact information for the EDCs and other relevant resources can be found on the Department's website: <https://www.mass.gov/info-details/who-to-contact-about-my-renewable-energy-question-or-concern>.

For further information regarding this memorandum, please contact me, at Kate.Tohme@mass.gov.