

## **Diverxia Infrastructure – Public Comments on the Draft SMART 3.0 Program Year 2026 Annual Report**

*Submitted October 2025*

### **1. Annual Capacity Increase**

For Program Year 2025, the total program capacity was increased to 900 MW to accommodate federal regulatory uncertainty. Given that PY2025 will only be open for a limited three-month application window (October–December 2025), is the DOER considering increasing the Program Year 2026 capacity from 450 MW to 900 MW as well? Expanding PY2026 capacity could help ensure continuity in project development and support projects affected by the shortened 2025 window.

### **2. Stacking of Rate Adders**

On page 12, the report states:

“Projects may only qualify for one location-based adder, and one off-taker-based adder at a time. The one exception is for Brownfield projects, which may qualify for one additional location-based adder.”

Can DOER clarify whether this restriction applies to “Other” adders as well? Specifically, may a project qualify for both a tracking adder and a pollinator adder simultaneously?

### **3. Mitigation Fee Update Timeline**

When does DOER anticipate publishing the updated Mitigation Fee schedule for the locational compensation rate adders? A clear timeline would assist developers in accurately modeling project costs and siting decisions for PY2026 applications.

### **4. Mitigation Fee Calculation Tools**

Is DOER considering developing a standardized model or online calculator. Similar to New York’s Value of Distributed Energy Resources (VDER) framework, to help developers estimate applicable Mitigation Fees? Such a resource would improve transparency and reduce administrative burden for both applicants and DOER staff.

Diverxia appreciates DOER’s ongoing engagement with stakeholders and the clarity provided through the Annual Program Year Reports. We look forward to contributing to the continued success and growth of the SMART 3.0 Program.

Respectfully submitted,

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