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[Submitted Electronically]

Massachusetts Department of Energy Resources
c/o John Wassam
100 Cambridge St. Suite 1020
Boston, MA 02114
DOER.RPS@mass.gov

Re: 225 CMR 14.00: Renewable Energy Portfolio Standard – Class I ("RPS Class I)
Amended Draft Regulation

Dear Mr. Wassam,

Upon review of the Massachusetts Department of Energy Resources' (DOER) proposed amendments to 225 CMR 14.00, NuGen Capital Management, LLC (NuGen) respectfully requests reconsideration of your proposal related to RPS Class I Solar Carve-out ("SREC I") Renewable Generation Units.

NuGen owns, operates and develops renewable energy systems with a focus on grid connected and behind the meter solar projects greater than 1MW. Founded in 2009 and based in Rhode Island, NuGen has a strong, stable and successful track record. Specifically, NuGen owns over 50MWs of operating solar farms, has over 40 power purchase agreements with public and private off-takers, owns over 500 acres of land, conducts its own asset management and performance optimization and has reroofed over 3 million square feet for operating solar rooftops. As the owner of six SREC I projects that generate 17.093 MWs of solar in Massachusetts, we are particularly concerned with the following addition that was included in DOER's amended draft regulations:

14.06 Qualification Process for RPS Class I, Solar Carve-out Renewable Generation Units and Solar Carve-out II Renewable Generation Units
(3) Issuance or Non-issuance of a Statement of Qualification.
(f) Starting in the calendar quarter after the end of a Solar Carve-out Renewable Generation Unit's Opt-in Term, it shall no longer be eligible to generate Solar Carve-out Renewable Generation Attributes, but will remain qualified to generate RPS Class I Renewable Generation Attributes.

While we appreciate your overarching goal of achieving ratepayer savings, this proposal will lead to ramifications on small businesses, homeowners and municipalities, as well as a chilling effect in the long-term on future investment and financing of projects in the Commonwealth.

Since its inception, SREC I customers were assured by the Commonwealth that their facilities would be eligible for SRECs until the program concludes. These assurances from DOER and Administration officials guided decisions that led to the development of a robust solar market in the Commonwealth. Policy stability is necessary to ensure this market continues to thrive.

While we agree that several amendments to the regulations can be characterized as clarifications, this policy reversal will show the market an uncertain future and subsequently affect other segments of the Commonwealth's clean energy market, such as energy storage. That uncertainty will increase costs across the market as a whole and run counter to the Administration's goal of realizing savings for ratepayers.

For these reasons, we ask that DOER remain committed to the Commonwealth's established policy of allowing SREC I facilities to continue generating SRECs until the end of the program and not proceed with its proposed amendments to 225 CMR 14.00.

Thank you in advance for your consideration on these comments. Please do not hesitate to reach out if you have any questions.

Sincerely,

David Milner
Chief Executive Officer