



June 7, 2019

Massachusetts Department of Energy Resources
c/o John Wassam
100 Cambridge St. Suite 1020
Boston, MA 02114
Via Email to: DOER.SREC@state.ma.us

Re: Comments - 225 CMR 14.00 RPS Class I Amended Draft Regulation

Dear Mr. Wassam,

While the Massachusetts Department of Energy Resources (DOER) has and continues to create programs and policies that have inspired and are critical to the growth of clean energy in Massachusetts, including the new Clean Peak Standard, upon review of DOER's proposed amendments to 225 CMR 14.00, Clean Asset Partners Corporation respectfully asks DOER to reconsideration its proposals limiting RPS Class I Solar Carve-out (SREC I) eligibility to 40 calendar quarters and eliminating capacity commitment and delivery documentation requirements applicable to certain types of RPS Class I generators.

Clean Asset Partners, a nine-year old Massachusetts-based SREC and REC aggregator, represents residential, commercial, non-profit, and municipal owners of renewable energy systems, including a number of RPS Class I and SREC I generators, in Massachusetts's renewable energy certificate programs and markets. We are concerned about the draft regulation's proposed RPS Class I and SREC I eligibility changes, and appreciate the opportunity to comment.

First, we ask DOER to reconsider limiting SREC I eligibility to each qualified generator's first 40 calendar quarters of SREC I participation. While we understand DOER's goal of achieving ratepayer savings, this proposal would be a policy reversal and would lead to negative ramifications for thousands of early adopter solar homeowners as well as numerous cities and towns, private businesses, and non-profit organizations willing to take a financial risk in a new and untested DOER program. It could also have a substantial chilling effect in the long-term on future sustainable energy investments and project financing in the Commonwealth.

Since the SREC I program's inception, SREC I generators were assured by the Commonwealth that their facilities would be eligible to create SREC I's until the program concludes. These assurances from DOER guided decisions that led to the development of a robust solar market in the Commonwealth. Policy stability is critical to ensure the Commonwealth's sustainable energy market continues to thrive.

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 that would change that.

We also ask DOER to reconsider the proposal to remove from the RPS Class I regulation the capacity commitment obligation requirements at 225 CMR 14.05(1)(e), and the delivery documentation requirements at 225 CMR 14.05(5)(a) that apply to generators in adjacent grid systems. These regulatory provisions appear to reflect provisions for RPS eligibility that are explicitly stated in the Green Communities Act at Sections 105(b) and 105(c). Removing these requirements would potentially allow projects from outside the ISO-NE control area that have not committed capacity or delivered electricity into the ISO-NE control area to qualify and generate Massachusetts RPS Class I RECs. Beyond the legal inconsistency, these changes will also likely substantially impact the Massachusetts Class I REC market, potentially flooding the market with new supply from sources that, according to what appears to be clear legislative intent, should not be eligible. This could drastically decrease Massachusetts Class I REC prices and undermine current and future Massachusetts renewable energy projects and ACP funding of DOER and other initiatives.

We respectfully ask DOER to look closely at the proposed removal of capacity commitment obligation requirements, and delivery documentation requirements for generators outside ISO-NE, from the RPS Class I regulation, and to not move ahead with these proposed changes without further and detailed assessment. We understand that DOER has also proposed the removal of capacity commitment obligation and delivery documentation requirements in the draft amended RPS Class II regulation, which raises the same concerns.

Thank you for the opportunity to comment and for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Steven Kaufman".

Steven Kaufman
Managing Director

A handwritten signature in cursive script that reads "Douglas Denny-Brown".

Douglas Denny-Brown, Esq.
Director