

June 24, 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,

Upon review of the Massachusetts Department of Energy Resources' (DOER's) proposed amendments to 225 CMR 14.00, Phoenix Finance LLC respectfully asks DOER to reconsider its proposal to remove the capacity commitment and delivery documentation requirements applicable to certain RPS Class I generators.

Phoenix Finance owns Massachusetts RPS Class I qualified generating capacity at the Phoenix Park business center in Shirley, Massachusetts. We are concerned that the proposed removal of the capacity commitment and delivery documentation requirements could expand the supply of Massachusetts Class I Renewable Energy Certificates (RECs) in ways contrary to what we understand to be the intent of Massachusetts's RPS legislation.

The RPS Class I regulation's capacity commitment obligation requirements at 225 CMR 14.05(1)(e), and delivery documentation requirements at 225 CMR 14.05(5)(a) for generators in adjacent grid systems, appear to reflect RPS eligibility provisions 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 generate Massachusetts RPS Class I RECs, in conflict with what appears to be clear legislative intent. The proposed changes could also work against the Massachusetts legislature's actions last year to help restore balance to the Class I market by accelerating the RPS's annual increase, from 1 percent to 2 percent per year for the years 2020 through 2029, potentially further conflicting with apparent legislative intent.

We respectfully ask DOER to reconsider the removal of capacity commitment obligation and delivery documentation requirements from the RPS Class I regulation.

Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric D. Shapiro", with a stylized flourish at the end.

Eric D. Shapiro  
Manager