



Massachusetts Department of Energy Resources
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May 22nd, 2020

**Green Justice Coalition Comments Regarding the Solar Massachusetts
Renewable Target (SMART) 400MW Review**

The Green Justice Coalition (GJC) unites grassroots organizations, environmental groups, and labor unions to advance Massachusetts towards a sustainable, equitable, and clean energy economy. We were founded out of a recognition that the current energy economy is unsustainable and overburdens working class communities and people of color.

The Green Justice Coalition commends efforts by the Department to grow solar energy development and include as many types of projects as possible. The changes to 225 CMR 20.00 were partially responsive to low-income solar access issues but do not fully address the needs of diverse and underinvested-in communities. We note that many of our past comments regarding the SMART program were unaddressed by DOER and structural changes are needed to maximize public benefits.

We recognize positive changes that are meant to increase low income (LI) project participation including:

- Qualifying customers who live in environmental justice (EJ) communities through the income criteria which will help community organizations and developers find offtakers more easily if there are clear guidelines
- The set aside for 5% of capacity will make the LI solar market more attractive to solar developers
- Consumer protection (“net savings”) principles in the LI program help to make sure that contracts benefit low income customers and ensuring that incentives

do not exist for taking advantage of vulnerable populations such as the elderly or non-English speaking households.

The changes help with some marginal issues that have been obstacles to increasing low income solar but do not address the core reasons that it has been so difficult to reach environmental justice neighborhoods. Decades of intentional government disinvestment, discrimination, and disenfranchisement in Massachusetts have created multifaceted and intersectional injustices that uniquely apply to environmental justice communities. Neither monetary incentives nor consumer protections are commensurate to overcome these challenges without rethinking the relationship between developers, government decision makers, and low-income oftakers.

The following aspects need to be addressed as soon as possible:

- **Solar developers are still not encouraged to directly credit oftakers or deliver benefits without a complex contract.** One policy solution that the Green Justice Coalition has embraced is allowing credits to appear directly on utility bills without energy billing, thus removing the need for the department to audit or investigate complicated contract terms to punish solar companies that take advantage of the low-income adder without benefitting the oftakers.
- **Developers will continue to find the projects with the least overhead to be the most attractive.** Requiring contracts for each oftaker, keeping the existing bill crediting system, and not having a program that works directly with EJ communities inhibits low-income solar growth and encourages developers to give economic benefits to higher income households or to forgo the community shared solar model altogether.
- **Allowing electric distribution company (EDC) solar projects to participate in the SMART program could lead to less access for less affluent households and biased decision-making.** We have concerns that if EDCs are allowed to run low-income solar programs then there will be self-dealing, a lack of oversight, and a lack of community control and participation as we have seen with other programs run by distribution companies and approved by the Department of Public Utilities.

We would like to see additional consideration for pilot community microgrid projects in the SMART program. GJC is working with environmental justice communities, MassCEC, and additional technical experts in exploring models for microgrids that can facilitate climate and energy resiliency as well as energy savings.

Another consideration is that it is currently unknown how greenfield and storage policies will affect the viability of community shared solar projects which are very important tools to reach low income customers who do not own their property. Many low income people rent and cannot participate as homeowners in solar projects. For these customers, community shared solar is the only option, which is why we support allowing credits to flow across utility territories to benefit low income urban residents throughout the state.

The use of the low income environmental justice community criteria being added to the program while minority and language isolation are ignored is what we consider “race-blind policy”. The Commonwealth’s EJ policies were designed to address long standing inequities that exist not only on an income or wealth basis but also on racial, social, and immigration status lines, and by only including part of the policy, it does not account for environmental, economic, and health disparities that exist between racial groups even after accounting for income. Statistical analysis around the nation shows disproportionate participation between races after controlling for income¹ and we welcome the department to collect and publicize information for the Commonwealth’s solar sector including disparities in the workforce, low income solar programs, and rooftop solar installations.

The proposed changes to the SMART program can have real benefits for our communities, but do not address core challenges in creating more low-income solar nor do they address the inequities in how solar programs in Massachusetts have historically, overwhelmingly served the financial interests of large solar companies and high income households that have the capital resources to take advantage of state subsidies. The Green Justice Coalition appreciates the efforts to include low income solar at a higher level and protect consumers, and would love to participate in programs that specifically reach our communities.

Sincerely,
Green Justice Coalition

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Green Justice Coalition Members:

Alternatives for Community & Environment (ACE)
Boston Climate Action Network
Chinese Progressive Association
Clean Water Action
Coalition for Social Justice

¹ <https://progressive.org/dispatches/solar-energys-race-problem-goffman-190619/>

Community Labor United

GreenRoots

Neighbor to Neighbor

Youth on Board/Boston Student Advisory Council