

SMART Public Comment

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I have just read through comments submitted by Michael Pill in which he indicates his belief that use of Bio Map in determining the eligibility for SMART subsidies is invalid. I assume that the new regulations were not developed in a vacuum and that you can support them from legal challenges.

I find his arguments unsound in that they hinge on the use of Biomap 2 as being unreasonable.

If one accepts that the most fundamental purpose of SMART is to help protect the environment and one were looking for a way to rule out sites whose development for solar power was more likely to harm the environment then use of Biomap 2 to identify those sites is reasonable. It is not perfect but it is reasonable.

Use of Biomap 2 as a tool to determine the potential for a project to harm key species is well established.

SMART regulations probably should not be called regulations. This is a program to take taxpayer and ratepayer monies and reward people for doing something beneficial to the environment. They are neither confiscatory, nor restrictive. They are a prescription for what actions one should take to be rewarded. There must be an alternative legal word or phrase to describe them.

However, if Mr. Pill's contentions hold up, rather than jettison the siting restriction, just jettison the large category 2 and 3 projects.

Why use public funds to reward profit motivated entrepreneurs, largely from out of state, to build projects where they harm our environment, overburden our utilities, and add to our generating costs. Use of these funds for localized projects at and near major loads and behind the meter projects will yield greater benefits and keep more money local. The basis for doing away with category 2 and 3 projects is contained right in the purpose statement of SMART:

"The purpose of 225 CMR 20.00 is to establish a statewide solar incentive program to encourage the **continued use and development of generating units that use solar photovoltaic technology by residential, commercial, governmental and industrial electricity customers throughout the Commonwealth**. The continued use and development of these generating units has the potential to reduce peak demand, system losses, the need for investment in new infrastructure, and distribution congestion; increase grid reliability; improve public health and safety; and diversify the Commonwealth's energy supply. "

The highlighted phrase indicates the program was to encourage development of solar power generation **by the users of the power,** not by separate entities whose principle business is to exploit government programs to maximize their profits.

Solar power units constructed by users of the power **at or near their loads** do have the potential to reduce peak demand, reduce the need for new transmission and distribution lines and equipment, reduce congestion, and increase grid reliability. **New category 2 and 3 generation located at rural sites far from major loads, will have exactly the opposite effects.**

If SMART cannot incorporate effective means to protect the environment it is time to reconsider the entire program.

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