



June 29, 2020

The Hon. Kathleen Theoharides (Kathleen.Theoharides@state.ma.us)
Executive Office of Energy & Environmental Affairs
100 Cambridge Street, Suite 900 Boston, MA 02114

The Hon. Patrick Woodcock (Patrick.Woodcock@state.ma.us)
Massachusetts Department of Energy Resources
100 Cambridge Street, Suite 1020 Boston, MA 02114

SMART Review Public Comments

DOER.SMART@mass.gov

Cc: Kaitlin Kelly, Manager of Solar Programs, DOER (Kaitlin.Kelly@state.ma.us)

Dear Secretary Theoharides and Commissioner Woodcock:

More than ever the COVID-19 pandemic shows that the Commonwealth must take effective action to address the inequalities experienced by low income residents and residents of color. Toward this end, having clear and effective guidelines for low income community shared solar is critical. The guidelines should create a fair and equitable development environment and require transparent operation to ensure that the benefits are being delivered to low income residents and BIPOC residents.

The Massachusetts Sierra Club welcomes the opportunity to offer comments on the proposed *"Guideline Regarding Alternative Programs for Community Shared Solar Tariff Generation Units and Low Income Community Shared Solar Tariff Generation Units"* and hopes that DOER will actively solicit further input as the solar program moves forward.

The *Guideline* has a parallel structure with two parts: one relating to a program established by a municipality, and one relating to a program established by a distribution company. Our comments refer to the section relating to a distribution company. (Both sections are labeled Section 2 in the Guideline. The distribution company section should be labeled Section 3.)

1. In the section pertaining to a Distribution Company, under clause (b) "Enrollment Process", item (iii) says *"...not use solar power as a result of its participation in the program to include an explanatory statement of the CSS or LICSS transaction and the settling of renewable energy credits ("RECs")."* The meaning and intent of this statement is not clear. Please revise.
2. In the section pertaining to a Distribution Company, under clause (c), the paragraph beginning, "Off-taker lists ..." is not identical to the (nearly) equivalent paragraph in Section 2 clause (c). The two paragraphs should be identical, and seemingly the paragraph in Section 2(c) is appropriate in both places.



3. In the section pertaining to a Distribution Company, clause (d) "Eligibility", states only that the documentation could include, but is not limited to "an award for an EDC's run RFP". This provides no information or guidance, nor does it provide any constraints or limits. This is unlike the related discussion in Section 2, clause (d) where items (i) and (ii) indeed provide guidance to an STGU and its related municipality or aggregator. ***A similar detailed guidance needs to be provided in the case of a Distribution Company.***
4. The guidelines are missing assurances as to data transparency and oversight. The organizations carrying out the programs, especially EDCs, should not be allowed to run them without oversight. With equity a central tenet of this program, the DPU can not regulate or oversee it effectively without public input and process.
5. The program must make customer data reporting available at least annually in order to assess its effectiveness. Without transparency and accountability, the program could run for several years without any knowledge as to whether low income residents, BIPoC residents, and/or energy burdened residents are effectively receiving funds.
6. The DOER should convene a stakeholder process to create equitable requirements and standards for Programs for LICSS.
7. EDCs should not be allowed to develop Alternative Programs without requiring a level playing field for all parties.

Thank you for the opportunity to provide stakeholder input, and please contact me with any questions.

Sincerely,

A handwritten signature in blue ink that reads "Deb Pasternak".

Deb Pasternak
Director
Sierra Club Massachusetts Chapter