



March 5, 2021

VIA EMAIL - DOER.SMART@mass.gov

The Honorable Patrick C. Woodcock
Commissioner
Department of Energy Resources
100 Cambridge Street, Suite 1020
Boston, MA 02114

Re: MassAmerican Energy LLC Comments Concerning February 2021 Modifications to Solar Massachusetts Renewable Target (SMART) Program Guidelines

Dear Commissioner Woodcock:

MassAmerican Energy LLC (“MAE” or the “Company”) submits these Comments in response to the DRAFT SMART Guidelines issued by the Department of Energy Resources (the “Department”) on February 12, 2021. Although the Department characterizes the proposed modifications to the Guideline Regarding Alternative Programs for Community Shared Solar Tariff Generation Units and Low-Income Community Shared Solar Tariff Generation Units (“Guideline”) as a “clarification” to what it adopted in October 2020, the proposed changes will cause significant financial harm to my company and several of its photovoltaic electric generation systems that are online and operating and awaiting confirmation of their final claim with the Commonwealth’s SMART program, or else have changed their offtaker adder in reliance on the prior Guideline and the immediate availability of LICSS via the Alternative Programs authorized by the final regulations and the guidelines.

Without recourse to the Alternative Programs authorized by the Guidelines, MAE will have no choice but to fall back on the traditional manner of servicing a community of low-income ratepayers (with its higher costs and greater risks and consequently less benefits for the ultimate low-income offtaker) or else revert to straight community shared solar. Given our detrimental reliance on the prior Guidelines, we hereby urge you to immediately clarify that any and all SMART applications that previously had an awarded preliminary statement of clarification with an offtaker adder other than LICSS, that subsequently changed into the LICSS program after this Alternative Program was opened, should be entitled to exercise the option to switch back into the original program together with the offtaker adder block and remuneration originally awarded.

Accordingly, for the reasons outlined herein, MassAmerican Energy LLC respectfully requests that the Department either promptly reject the proposed changes to the existing Guidelines and approve the LICSS projects currently under review, or else make it possible for adversely impacted projects to return to the status quo ante.

Respectfully submitted,

MASSAMERICAN ENERGY LLC

By its attorney,

A handwritten signature in cursive script, reading "Anthony Quincy Vale". The signature is written in black ink and is positioned above the printed name of the attorney.

A. Quincy Vale, Esq.

Vale Law PLLC

BBO # 637002