

Stakeholder Comments: SMART 3.0 Program Emergency Regulation

Submitted: 7/25/2025

Submitted by: SunConnect Corporation

The emergency regulation filing for SMART 3.0 (225 CMR 28.00) will significantly impact the future of our solar project development. Most concerning is the absence of provisions to grandfather stalled projects under previous rules—projects that have already committed substantial time, funding, and planning based on the expectations set by earlier versions of the program. These changes impact the financial viability of projects in an economically unstable time where solar is under attack from the expedited phaseout of the Federal Investment Tax Credit.

We fully support the broader goals of SMART 3.0: enhancing incentive structures and expanding access to Community Solar. However, the proposed land use changes will have severe consequences for projects long underway. Developers like ourselves, who have made good-faith investments in land acquisition, engineering, and permitting years before these updates, now face major regulatory obstacles.

We have four projects with investment activity dating back to 2017, and we've spent millions in development dollars waiting for regulatory resolution. These projects have been stalled for over seven years—first awaiting the Department of Public Utilities' (DPU) approval of the Freetown CIP, and now further impacted by the cancellation of that docket in favor of the DPU's Long-Term System Planning efforts. These projects have been in the interconnection queue since at least 2019, are fully permitted, and millions of dollars in capital have been invested. We know there are a substantial number of other projects in the queue facing our same predicament. The new regulations must take these facts into account and grandfather their eligibility under original guidelines, especially regarding BioMap2 and land categorization. We suggest using the same Interconnection Application Date as was done in the 400MW Emergency Regulation as the threshold for exemption from the BioMap2 rules in SMART 3.0.

After the federal attack on solar incentives through the expedited sunset of the Investment Tax Credit, developers can't afford to have another rug pulled out from under them. Particularly small businesses that don't have the resources or revenue to write off such large investments. Massachusetts has always managed to balance their programs to create smooth transitions. We urge the DOER to consider the developer's perspective (as well as the landowners that are counting on these projects to provide a source of economic freedom). These projects were

launched under a regulatory framework that has now shifted. We respectfully submit these comments not as opposition to progress, but as a request of consideration for our years of time, effort, and private investment. Please preserve the viability of projects that began under the SMART program's earlier promises.

Thank you for your time and consideration.