

July 25, 2025

RE: Public Comments on Emergency Draft Regulations for the SMART 3.0 Program

Please accept the following comments from Vote Solar, MassSolar, Solar Design Associates, Ceres, Solar Simplified, and Greenfield Solar in response to The Massachusetts Department of Energy Resources's filing of the Solar Massachusetts Renewable Target (SMART) program emergency draft regulations on June 2, 2025. These comments aim to address several critical provisions in the draft SMART Program regulations that require modification to ensure effective program implementation, maintain consistency with existing regulatory frameworks, and maximize the program's benefits for Massachusetts ratepayers and low-income communities.

Low Income Program Eligibility and Administration

The current low income geographic eligibility definition restricts participation to areas with household income equal to or less than 65% of statewide median income or Federally Designated Environmental Justice Areas. We recommend expanding geographic eligibility to include areas with household income at or below 80% of area median income plus Environmental Justice areas, consistent with federal low income requirements and maximizing program accessibility. The current 65% threshold artificially constrains program participation and conflicts with broader policy objectives of expanding clean energy access to low and moderate income communities.

The draft regulations lack clear timelines for issuing required self-attestation documentation and fail to address pre-approval processes for subscriber enrollment. We recommend requiring the Department to issue self-attestation documentation within 30 days of program launch, establish pre-approval processes for subscribers at or near the time of project enrollment rather than at Permission to Operate, and expand eligibility to households at or below 80% AMI.

Location-Based Adders and System Design Recognition

Current location-based adders do not recognize the grid benefits of west-facing solar installations. We recommend the establishment of a location-based adder for west-facing roof installations (SSW to W orientations) that contribute to peak demand reduction. West-facing solar systems provide valuable grid services by generating power during peak demand periods, reducing system costs and enhancing grid reliability.

Canopy solar adder eligibility requirements may inadvertently exclude smaller systems. We recommend explicitly confirming that canopy solar adders are available for systems ≤ 25 kW AC. Smaller canopy installations provide equivalent environmental and land use benefits and should receive commensurate incentives.

The expiration of federal residential tax credits on December 31, 2025, will significantly impact residential solar economics and project viability. We recommend increasing the building-mounted solar adder from \$0.02/kWh to \$0.06/kWh for residential installations to compensate for the loss of federal incentives. The elimination of federal tax credits creates a

substantial financing gap for residential solar installations. Enhanced state incentives are necessary to maintain market stability and continue progress toward Commonwealth clean energy goals, and the financial benefits of decarbonization and peak load reduction are well worth the modest increase in SMART program costs in terms of the net impact on ratepayers.

Current regulations lack adequate incentives for innovative installation methods that maximize land use efficiency and building integration. We recommend reinstating raised racking provisions to encourage new construction incorporating structural support for rooftop canopies, establishing a rooftop canopy adder of \$0.08/kWh or greater to compensate for additional structural and installation costs, and clarifying that canopy adders apply to rooftop installations regardless of dual-function requirements. Raised racking and rooftop canopy installations provide superior land use efficiency and building integration but require structural investment. Enhanced incentives will encourage broader adoption of these beneficial installation methods.

Market Flexibility

Requirements to disaggregate solar and storage components within power purchase agreements or leases create implementation complexity. We recommend allowing alternative demonstrations of customer savings for integrated solar plus storage systems under single contracts. Integrated offerings often provide superior customer value and grid benefits. Regulatory requirements should facilitate rather than complicate these beneficial arrangements

Net Metering Program Coordination

Section 28.05(3)(c) grants the DOER broad discretionary authority to determine "uncapped capacity" for certain project types, potentially conflicting with statutory exemptions for systems ≤ 25 kW and systems ≤ 250 kW that serve on-site load. The 2022 legislative exemption for such systems from net metering caps represents clear legislative intent that should not be circumvented through regulatory implementation. Therefore we urge the DOER to establish uncapped capacity for such systems for the duration of the program. to. Clear guardrails are necessary to prevent unauthorized limitation of these exempted systems.

SMART Metering Requirements and Implementation Challenges

Pending legislation (cite to Govs affordability bill H4144) requiring all net metering facilities to enroll in SMART, combined with SMART meter location requirements, creates significant financial and logistical barriers, particularly for rural installations and smaller systems. We recommend including an exemption for systems ≤ 25 kW AC from mandatory SMART meter installation requirements, allowing alternative compliance pathways through manual reporting of Class I Renewable Energy Certificates (RECs), and establishing geographic and site-specific exemptions for installations where SMART meter placement is financially prohibitive or physically impractical. SMART meter installation requirements impose disproportionate costs on smaller installations, particularly in rural areas where distances between generation sources and utility connection points can exceed 300-400 feet. Trenching requirements through forested or ledge terrain can cost tens of thousands of dollars, making projects economically unviable.

Manual REC reporting provides equivalent environmental attribute tracking while maintaining program integrity.

SMART meters utilize different wiring configurations than standard production meters, creating significant technical and financial challenges when meters are removed at program conclusion. We recommend requiring standardized meter socket configurations compatible with standard production meters, establishing clear protocols for meter replacement at program end, and providing technical guidance for system owners regarding post-program operation. Current SMART meter wiring configurations leave system owners with non-functional installations when meters are removed after 20 years. System owners face substantial costs for electrician services to rewire meter sockets and source replacement equipment that may not be readily available through standard distribution channels. This creates long-term liability for the program and unfair burden on participants.

The complexity and cost of SMART meter infrastructure is disproportionate to the administrative benefits for systems ≤ 25 kW AC. We recommend establishing streamlined reporting requirements through existing Class I REC and PTS manual reporting mechanisms rather than mandating specialized metering infrastructure. Small systems represent minimal administrative complexity for Class I REC tracking purposes. Additionally, minimal cell and WiFi service reduce automatic reporting services. Manual reporting through established Production Tracking System procedures provides adequate documentation for Commonwealth greenhouse gas reduction goals while eliminating unnecessary infrastructure costs and technical complications.

Program Capacity and Implementation Timeline

The proposed initial tranche capacity of 450 MW for year one beginning October 2025 may be insufficient to meet existing project demand, particularly given the delayed implementation of the SMART 3 program and the elimination of federal tax incentives. We recommend expanding the initial tranche capacity to 750 MW or greater to accommodate existing projects with valid Interconnection Service Agreements. Substantial pent-up demand exists from projects developed under previous program iterations. The elimination of federal incentives under the OBBB increases reliance on state programs. Adequate initial capacity ensures projects with existing ISAs can proceed expeditiously and meet the July 2026 construction deadline, maintaining market stability and project viability.

Transition Provisions and Legacy Systems

Projects qualifying for exemptions under SMART 2.0 may face regulatory uncertainty when transitioning to SMART 3.0. We recommend automatically carrying forward all SMART 2.0 exemptions to SMART 3.0 without requiring reapplication, specifically maintaining exemptions for projects with valid ISAs predating battery energy storage system requirements, and preserving prime farmland and good cause exemptions established under SMART 2.0. Retroactive application of new requirements to projects developed under previous regulatory frameworks creates regulatory uncertainty and potential stranded investments. Allowing existing exemptions for legacy systems to protect legitimate development expectations and maintain program integrity across regulatory transitions is critical.

Solar Tracking Technology Eligibility

Solar tracking technology adder eligibility criteria require clarification. We recommend providing explicit guidance on qualifying tracking technology specifications and performance requirements. Clear technical specifications ensure consistent application and prevent disputes during qualification processes. Enable systems <25kW to be eligible for solar tracking adder.

Conclusion

The proposed modifications outlined in these comments are essential to ensure SMART 3.0 achieves its intended objectives while maximizing benefits for Massachusetts ratepayers and environmental justice communities. The recommended changes address critical implementation barriers that will otherwise constrain program effectiveness and create unnecessary burden.

These adjustments are particularly crucial given the elimination of federal tax credits and the need to maintain deployment momentum toward the Commonwealth's clean energy targets. We appreciate DOERs consideration of these comments and are available to provide additional feedback or clarification during this process.

Respectfully Submitted,

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