



SMART GROWTH AND REGIONAL COLLABORATION

VIA ELECTRONIC MAIL ONLY

Grace Fletcher
Department of Energy Resources
100 Cambridge St., 9th Floor
Boston, MA 02114

July 25, 2025

Re: MAPC Comments on SMART 3.0 Program Emergency Regulations

Dear Ms. Fletcher and the DOER SMART Program Team,

Thank you for the opportunity to comment on the Department of Energy Resources' emergency regulations for the SMART 3.0 Program (225 CMR 28.00). The Metropolitan Area Planning Council (MAPC) is the Regional Planning Agency serving the people who live and work in the 101 cities and towns of Greater Boston. We work toward a more equitable, sustainable, collaborative, and climate resilient future for the people who live and work in Greater Boston. MAPC's Clean Energy Department works closely with our municipalities and community-based organizations to accelerate equitable deployment of solar PV and other renewable energy resources to help achieve the Commonwealth's clean energy and climate goals.

MAPC is broadly supportive of the approach DOER has taken towards SMART 3.0, which balances the need for continued support for solar deployment with increased requirements for equitable solar access, protections for key natural and working lands, consumer protection, and encouraging co-location of energy storage and solar PV systems. In particular, MAPC supports the added flexibility DOER has built into the program to enable DOER to modify capacity blocks, capacity allocations and set asides, and compensation rates and adders through an annual assessment. The impending repeal of the federal investment tax credits for solar PV demonstrates the need for this flexibility to enable DOER to respond to changing market and policy conditions to support the local solar industry and ensure solar remains affordable and accessible to all.

With significant changes to the SMART program proposed in these regulations and substantial headwinds from federal policy, our comments below focus on the need for additional flexibility within the program regulations, alongside close evaluation of the impacts of new requirements.

MAPC is very supportive of establishing clear requirements for eligible community shared solar projects to dedicate a portion of bill credits generated to low-income customers. Community solar must continue to thrive and be accessible to low- and moderate-income residents and renters to

ensure these residents have equitable access to the benefits of solar and the Commonwealth's extensive investments. We are also supportive of establishing consumer protection requirements through guaranteed savings requirements (and in the case of small residential third-party owned systems, restrictions on escalator rates).

Similarly, we are excited to see low-income community shared solar (LICSS) in municipal aggregation programs incorporated in SMART 3.0 in a way that builds on the interim approach established through D.P.U. 23-67. Many of the 61 communities in our region who have aggregation programs are interested in expanding the services and benefits their programs can offer, particularly to advance equity and improve affordability.

With the impending loss of federal tax credits, **we recommend that DOER incorporate in the annual assessment a review of the status of community solar and LICSS project development and low-income customer participation. We further recommend that DOER retain the flexibility to revise program requirements as needed if these important equity goals are not being achieved or projects are not able to move forward.** Expanding access to community solar across the Commonwealth is critical to achieving a just transition; DOER must ensure that requirements for low-income carveouts and guaranteed savings can be realistically achieved by projects given the changing market conditions.

Additionally, MAPC notes that many of the critical details related to the mitigation fee requirement established by 225 CMR 28.09 are still forthcoming in the Department's *Guideline Regarding Land Use, Siting, and Project Segmentation* including the mitigation fee formula and weighting factors. We are generally supportive of the mitigation fee approach, including the factors considered by DOER and the establishment of a trust fund for mitigation fee payments.

However, we recognize that DOER faces a significant challenge through the forthcoming Guidelines as well as other the new land use requirements in 225 CMR 28.08 to balance the goals of continuing to support a robust solar market in the Commonwealth while encouraging future development to focus on previously-developed areas and sites with more limited impacts on natural and working lands. Through these regulations, DOER has taken substantial steps to effectively rule out a significant amount of land for solar PV development and increase the costs of development in other greenfield sites. The initial steps proposed here are appropriate, and **we encourage DOER to closely monitor the impacts these requirements are having on the siting of solar PV installations and make further adjustments as needed towards balancing these goals.**

We note also that the ongoing proceedings in D.P.U. 25-20 to establish a Long-Term System Planning Process (LTSP) will have a substantial impact on the future siting of solar PV systems across the Commonwealth. Study areas that proceed with distribution system upgrades will be prime regions for future development. While we do not have specific recommendations for how the SMART program's land use and mitigation fee provisions might be adapted for future study areas through the LTSP (or conversely, how the electric distribution utilities should consider SMART provisions in conducting distribution studies), we encourage DOER to continue engaging with the


DPU, electric utilities, and developers to ensure the goals and approaches of SMART and the LTSP are in alignment.

SMART 3.0 represents a significant step forward towards providing continued long-term support for solar deployment in the Commonwealth, improving equitable solar access, and encouraging efficient land use for future development. SMART 3.0 also makes significant, well-intentioned changes to the program, many of which may create new challenges for solar development in light of the loss of federal support for solar. **While MAPC supports many of these changes, we also recommend that DOER build in further flexibility into program provisions and requirements to ensure that the program can balance the multiple goals it seeks to achieve and enable DOER to quickly respond to changing market conditions and trends in program participation.**

Sincerely,



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