



Local 103 OF GREATER BOSTON

International Brotherhood of Electrical Workers

256 FREEPORT STREET • DORCHESTER, MASSACHUSETTS 02122

TELEPHONE: (617) 436-3710 FAX: (617) 436-3299

TOLL FREE: (800) 218-0075

WEBSITE: www.the103advantage.com



July 11, 2017

Commissioner Judith Judson
Massachusetts Department of Energy Resources
100 Cambridge Street, Suite 1020
Boston, MA 02116

RE: Comments regarding SMART emergency regulations

Dear Commissioner Judson:

Please accept these comments in response to the emergency regulations on the Solar Massachusetts Renewable Target (SMART) program. We are the International Brotherhood of Electrical Workers Local 103 (IBEW Local 103). IBEW Local 103 represents over 7,000 licensed electricians/members in Massachusetts. The solar industry has created thousands of jobs for our members over the past several years and those jobs are now at risk. For every megawatt of solar power installed, 20 electrical jobs are created. Below, we suggest several critical improvements to the SMART program that we hope you will adopt in the final regulations and tariffs. Continued solar growth is critical to the Massachusetts economy and keeping our environment clean and safe for our families and future generations.

The SMART program should be improved by:

1. ***Setting the base compensation rates at a level that will encourage continued solar development and protect solar jobs in the Commonwealth.*** The competitive process to set these levels should be allowed a higher ceiling, \$0.175 per kilowatt-hour, to insure the entire program will work in the years to come. At the same time, additional support (adders) for community solar, low-income solar and other priority development should be protected from decline over time to ensure continued and accelerated growth of these types of projects given their relatively stable additional cost.
2. ***Removing the hard caps on these adders, so that community solar, low-income solar and solar with storage are encouraged as much as possible.*** Caps on the total capacity of projects that can qualify for these adders, proposed at 320 megawatts, conflict with the purpose of the legislation in promoting these important projects. The caps and decline in adder value should be eliminated, or modified to initiate a more gradual decline in adder value instead of a sharp cliff.

3. *Encouraging the continued use of solar net metering to fairly compensate solar customers for their valuable solar power.* The SMART program has not proposed an adequate replacement for net metering and will not be successful without the continued existence of fair and full compensation for solar customers in the Commonwealth. DOER needs to take action to ensure that the proposal for an alternative on-bill crediting mechanism can become a workable, complementary option for community shared and low-income solar projects. There needs to be an open, transparent process into the development of this mechanism before it is proposed to the Department of Public Utilities. In parallel, DOER should work with the legislature to raise net metering caps immediately.
4. *Clarifying and improving new land use and siting criteria, performance standards, special provisions and greenfield subtractors.* As written, the current regulations lack sufficient clarity and specificity regarding land use performance standards for ground-mounted projects and special provisions related to agricultural tariff generating units. In general, performance standards and special provisions must be defined in such a way as to not unreasonably hinder the development of ground-mounted projects. The SMART program should also give deference to cities and towns that have gone through the time and effort to identify and zone areas as appropriate for solar/power generation, and projects in these areas should not be subject to a subtractor.

In particular, we propose the following improvements:

- a. Eliminate or Modify Project Segmentation Restrictions
- b. In Section 20.05 (5)(e) 5., Performance Standards:
 - i. Specify that the temporary relocation of topsoil for grading should be allowed as long as the topsoil is replaced and no topsoil or other soils are removed from the site.
 - ii. Include standard post-driven pilings along with ballasts and screw-type pilings.
- c. In Section 20.06 (1)(d), Special Provisions for Agricultural Tariff Generation Units:
 - i. Remove the 1 MW AC size cap for Agricultural Solar Tariff Generation Units
 - ii. Provide additional clarity on the meaning of the 50% shading requirement.
 - iii. Reduce the fixed-tilt minimum from six feet to three feet, as well as reduce the horizontal tracking canopy from ten feet to six feet.
- d. Remove performance standards and land based (including agriculture) special provisions from the emergency regulations and establish them as guidelines.
- e. Allow land that hasn't been in agricultural use in the last 5 years to be eligible for the tariff if substantial agricultural benefits can be demonstrated.

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5. *Ensuring total compensation for small systems is adequate to support continued sustainable development.* We are concerned that the current program design exposes projects in the under 25kW market segment and low income under 25 kW market segment to the results of a competitive procurement designed for projects that share little resemblance in size or overall cost structure. To ensure that residential project economics can meet customer payback-period requirements for the duration of the SMART program, we recommend establishing a backstop in the form of a price floor on Base Compensation Rates of \$0.34/kWh for Solar Tariff Generation Units of 25 kW or less, and \$0.40/kWh for Low Income Solar Tariff Generation Units of 25 kW or less, in Block 1. This backstop will ensure a consistent level of support for residential projects and maintain momentum for meeting the 1,600 MW solar goal.

Thank you for your work to continue Massachusetts' solar leadership. We appreciate the opportunity to comment on the SMART program and hope you will make these much-needed changes.

Sincerely,

A handwritten signature in black ink, appearing to read "Louis J. Antonellis", with a stylized, flowing script.

Louis J. Antonellis
Business Manager