

Berkshire Photovoltaic Services Inc.
60 Roberts Drive Suite 109
North Adams, MA
01247
www.bpvs.com Tel: 413 664 0152

February 1, 2024

Massachusetts Department of Energy Resources
100 Cambridge St. Suite 1020
Boston, MA 0211

Submitted electronically to: DOER.SMART @mass.gov
And : CBrown @ SEAdvantage .com
tmichelman@SEAdvantage .com from cdk@bpvs.com

Re: SMART Review Comments

Christopher Derby Kilfoyle

Thank you for the opportunity to submit these comments on the SMART Program review.

The Stakeholders Question guidance of 12/21/ 23 begins, perhaps unwittingly, with the fundamental judgement to make about the redundant SMART Program requirements. They are a boondoggle, not harmonized from the start and incapable of streamlining. Your guidance admits as much by declaring only DOER 225 CMR 20 reserved for comment, cautioning stakeholders to not mention, keep off limits other SMART Program requirements it “interacts with”: the DPU SMART Tariff, Separate utility SMART Program interpretation of the Tariff, and Schedule Z requirements, Administrative portals and tunnels of the utilities independent administrative manager which also serves that function for MassSAVE , Utility inter-management and how in turn local Massachusetts AHJs act as the verifiers of SMART Program compliance.

BPVS, a PV design installation firm with a 39 years history has been a participant in every solar PV incentive program Massachusetts has fostered. The SMART program is the one we’ve least participated in. In fact, just one BPVS customer chose SMART; that was in 2018 on the first block prior to all the regs. being put in place in 2019. That program roll-out experience prompted us to avoid SMART and counsel subsequent prospects to avoid participation.

The following critique closely follows the questions asked in the stakeholder guidance. For greater detail DOER policymakers and others would do well to study our published comments on the build up to the SMART program in DPU Docket 17-140. Our comments from the DOER & DPU SMART Orders through SMART Program reviews and inquiries compose a large addition to those at 17-140 at the on line DPU File Room. A set of BPVS comments: “Pre – SMART, Birth of SMART and Son of SMART” 2015 – 2023 is available upon request as a zip file.

1. SMART Incentives:

Incentive is a misnomer. SMART participation involves a transaction. Net Metering is an incentive. Trading attributes for cash or credit is a transaction. SMART Participation also means additional fees and design costs in time and hardware.

The 12-21-2023 communicate asks for a new *incentive* the SMART program could offer.

BPVS recommends a pre-bate to: consumers who install solar and storage to reduce load or defect from the grid; for new construction PV the pre-bate could apply to those sites which eschew service to the grid; finally, a pre-bate to invest into a solar and storage project for a separately derived electric resource circuit not connected to the grid but serving a dedicated load. PV as DSM is an idea with a long history. Its displays good to elegant physics of efficiency in many applications. These types of systems are especially suited to low income and no income activity applications, residential applications, rural distribution feeders, and for seasonal and or diurnal load management of commercial activities and educational institutions. The ‘Exo – grid ‘, as we name it, SMART project type could be metered and self-reporting to the MassCEC PTS system.

If DOER preferred a production -based incentive rather than a pre-bate, then, self and third-party revenue grade monitoring can relay the data. Small private firms are the most reliable for this task; no need for the utility. The SMART program, to date (from anecdotal evidence we’ve heard – others may have to confirm) allows an individual utility to hide or lose or de base customer solar production data. In all instances avoiding utility and program management inputs and administrative expense can benefit all ratepayers. The “Exo-grid” SMART incentive must keep attributes intact with the energy.

There are two other incentive components to replace the abstract attribute laden RECS anomaly- for solar on or off the grid. Solar electricity is today’s energy. Think about sustainability and physics. How much better than having vintages of RECS and SRECs and now SMART block RECs confusing the energy consumer with derivative tranches of varying values than to simply incorporate two aspects into an incentive: how long has the PV system been producing, how consistently- and then, at what time of use price point. Here we’re approaching a value of solar incentive and emphasizing rewards for designing durable production into the marketplace.

2.Declining Block Schedule: BPVS since 1997 has advocated for separate industry support program incentives for large scale and small scale solar. The latter could be under 250 kW or even under 60 kW. The declining block incentive and twenty-year tranche may be apt for large solar developments but not for small scale. The salient argument for no declining block or residential set aside is to prevent unscrupulous solar sales people use that policy feature to bait naïve consumers into a deadline and discount hysteria. Other reasons are to reduce the bureaucratic burden on development firms and residential accounts.

3-7 Program Clarity

One key word in this group of questions is barriers. Our comments in Docket 17-140 addressed the issue we see in the Berkshires where utility territories have been Balkanized. Customers in one part of town or one town in a regional school district, two utilities share, are confused because one will have entirely different SMART processes, metering requirements or block and incentive availability than another. Even though our firm did not encourage SMART participation we did answer solar shopper’s questions. NGRID and Eversource requirements differ enough to allow solar salespersons to mis-represent SMART metering and compensation details. They may just be ignorant but also may use the confusion as an excuse- blame the utility for general expansive mis-representations. Although there is

uniformity in consumer disclosure forms required by DOER and in the utility participants' agreement, there is zero education on environmental and solar (or RE) attributes. There is no education on the rather demanding Terms and Conditions of metering and complying with utility attribute provenance verification. Utility reporting on SMART compliance and its contribution to the RPS is buried in DPU and DOER files- two to three years tardy. That's a barrier. It would be great to have solar data public in real time. Where inverter failure or battery recalls cause data loss at a site, the utility SMART data should be readily available to the site owner. The SMART program cannot handle system capacity expansions - basically ignoring the incremental nature of solar and ESS technology.

To many of our discerning customers, that the utility can change SMART rules at will is a hard stop. Stakeholders would like clarity for example on representing SMART application fees. Will they increase on a regular basis at a regular rate or abruptly according to DPU and Utility emergency orders? As an aside, the legacy, Schedule Z Form language (Section D Page 2) about access to a customer's solar production data and obligation to provide a report annually often confuses and disturbs folks who read with comprehension.

Regarding question 5: please see our discussion above on 'Exo- Grid' PV designs and note that, outside of SMART, people are looking for micro -grids designed for refuge and resilience needs. Don't assume these are preppers; many noble activities need Solar and ESS. The emergent technologies and reliability concerns, this type of project displays, means they have to avoid SMART Programs which require a vulnerable, open internet access to and for the utility or its administrative subcontractor.

8- 9. Canopy and Agrivoltaic Adders and requirements. Broaden both definitions. It's not just carports; its shade for animals, wood sheds, covered bridges, canal and overpass structures.

10-11- Please see our answer in Question/Section 1. third and fourth paragraph above. The complex, insidious calculation needs removal not improvement. A predictable, consistent value of solar per kWh for small scale solar (attributes intact), at the time it is made or used through an Energy Storage System (ESS) is what's needed. There should be a slight bonus to reward those sites producing consistently over time to support continued service. Keep it simple and modest; let the Commonwealth manage it, not the utilities. Again, for more detail on what here sounds simplistic; see our extensive comments and those of others on the build up to the SMART program and the Value of Solar.

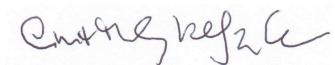
12. The Utility SMART Participation Agreement needs to be completely re-worked to protect Consumers from risk of fees or reporting expenses due to utility fiat. Any consumer whose equipment can be managed remotely by the utility or its agent should never have to waive their civil redress and class action rights in the event of damages.

13-14. BPVS and our 2024-2026 customers want to be assured, as SMART gets re-created or impacted and embedded, that a utility account which does not wish to participate in SMART may still interconnect a PV system without duress. Further that any customer may keep the attributes of solar generation intact with the energy and finally that any customer with excess net metered solar credits may export those credits to another account.

Our final advice to DOER is obvious. End the SMART Program and end the MassSAVE Program as entities under separate utility management. Create a Green Utility to harmonize the work of making our

energy supply and use sustainable. Easier said than done I understand but the urgency of the task to alleviate climate change emissions means it's time to box out the groupthink from gas and electricity utility hegemony over Massachusetts solar and clean energy policy.

Sincerely,

A handwritten signature in dark ink, appearing to read "Charles Keefe", written in a cursive style.