



# *Commonwealth of Massachusetts*

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Mr. Michael Judge  
MA Department of Energy Resources  
100 Cambridge St, Suite 1020  
Boston, MA 02114

Dear Mr. Judge,

Thank you for the opportunity to comment on the Next Incentive Solar Program straw presentation.

I want to express my appreciation for the careful work that has gone into this proposal. I was unable to support the solar legislation that became Chapter 75 of the Acts of 2016 because I was concerned that the net metering cap lift was too small to provide the industry with sufficient room for growth and that the cuts to net metering rates would imperil low-income and community solar projects.

The Next Incentive program as proposed is a potential step toward meeting these concerns. Equalized incentive levels for like projects (excluding adders and those instances where net metering credit value would outstrip incentive value) regardless of net metering status should eliminate the necessity to receive a net metering allocation.

However, to ensure the continued viability of low-income and community solar projects under the proposed program, as Section 11 of Chapter 75 requires, there must be a mechanism to allow at least a portion of the incentive payout to be shared and to offer high enough overall value to attract subscribers. One potential approach would be to allow subscribers to a low-income or community solar project to sign up to receive per kilowatt hour bill credits derived from the energy value portion of the incentive at a greater than 1 to 1 ratio to the number of kilowatt hours of electricity they consume. I encourage DOER to continue working with the appropriate stakeholders to find a solution to meet the Section 11 mandate to support installation types like low-income and community solar projects that "provide unique benefits" to Massachusetts residents.

I would also like to comment on the proposed siting restrictions. I applaud DOER's desire to harmonize solar development and the preservation of our forest and agricultural land.

If I understand the current proposal correctly, however, out of nearly 5 million acres of land statewide, only 40,000 to 50,000 acres would remain eligible for the incentive program. Such a dramatic departure from SREC I and SREC II, neither of which contained any siting limitations, necessitates extensive conversation with the many constituencies the proposal would affect (the solar industry, the conservation community, municipalities, real estate developers, and land use organizations, not to mention the private land owners themselves). To inform that conversation, a mapping analysis that determines exactly how much and what land would be restricted from the incentive program should be made public as soon as possible. Without this analysis it is impossible for the many stakeholders to weigh the merits of the proposal.

If the mapping analysis indicates that a significant portion of land amenable to solar siting would, in fact, be excluded from the Next Incentive program, serious consideration should be given to seeking statutory authorization for such restrictions. In enacting Section 11 of Chapter 75, the legislature included no language regarding siting restrictions and neither SREC I nor SREC II provides any precedent for such action. I cannot recall a single discussion among legislators where it was anticipated that DOER would include siting restrictions in its successor program to SREC II. The record confirms this recollection. Not a single amendment filed to the legislation that ultimately became Chapter 75 addressed the question of siting restrictions.

Thank you again for the opportunity to comment. If I can be helpful in any way going forward, please don't hesitate to contact me.

Best regards,

A handwritten signature in black ink, appearing to read 'J. Hecht', with a stylized flourish at the end.

Jonathan Hecht