



Massachusetts Department of Energy Resources
100 Cambridge Street, Suite 1020
Boston, MA 02114

Re: Public Comments on the RPS Class I Emergency Regulation (225 CMR 14.00)

To whom it may concern,

SunRaise Investments LLC (SunRaise) would like to thank the DOER for this opportunity to comment and for the department's continued work of fairly and effectively integrating renewable sources of energy into the Commonwealth of Massachusetts. Overall, SunRaise is in support of the emergency regulations on RPS Class I and would like to highlight multiple comments below that it feels will benefit the implementation and operation of the regulations for the DOER and industry stakeholders.

Clarity on Emergency Regulation Deadline

It would be beneficial to stakeholders participating in residential, commercial, and utility scale segments of the solar market to understand the date at which Statements of Qualification (SoQ) will no longer be granted. Many individuals and companies participating in these segments of the market are making financial commitments now on the basis that they will qualify for SREC II eligibility. Having a clear date communicated to the industry of when they need to file an application by in order to receive that SREC II eligibility will ensure that stakeholders are making intelligent financial decisions based on the publically available information.

Negative Effects of Changes to the Regulations

SunRaise understands these regulations are not final and would ask the DOER not to make any changes that would have a material, adverse impact on the entities receiving SREC II eligibility. Many Massachusetts companies and residents are currently making financial and other commitments on the basis of their SREC II SoQ and on the basis that they will retain this SoQ. Reducing the compensation of or removing an already granted SoQ, or changing the deadline to any earlier date would have a material and adverse impact on many stakeholders. SunRaise would request that the DOER, when making any changes to these regulations, take into consideration the financial and other commitments solar stakeholders are making as a result of the regulations.

Extensions

Given the long development, permitting, interconnection, and construction timelines of solar projects, especially large scale projects, the DOER should consider an opportunity for applicants to file a one-time 6-month extension of the SoQ beyond January 8, 2017. This would extend the

deadline to July 8, 2017 for projects that qualify for the extension, which would be a full 15 months after the emergency regulations were released. Larger scale projects, like those in the Managed Growth Sector, very often have projects timelines that last 18 to 24 months.

This extension option would provide applicants with a hedge against the likely shortage of skilled solar contractors over the next 7+ months. It is necessary for a developer such as SunRaise to seek out and hire construction contractors that have the skills and knowledge necessary to install large scale solar projects. These contractors are expected to have limited availability in their schedules over the rest of 2016 in order to meet the high demand of solar construction. An extension will provide these contractors with the ability to spend more time on individual projects, improving the quality of the installation, and with the potential to take on more projects, increasing the quantity of quality projects.

The deadline of January 8, 2017 occurs when timelines can be interrupted by unpredictable weather events. So allowing for an extension of 6 months will allow applicants to not only ensure their systems are being installed safely by a team of reliable contractors, but also that any weather events that can interrupt facility construction will not result in the applicant losing its SoQ.

This extension option would also allow applicants with project related litigation issues to file an extension with the DOER based on that litigation. The extension of 6 months is sufficient as it allows for the additional time needed to remedy issues associated with litigation and continue or commence construction after resolving the litigation. The DOER should consider, and if appropriate allow, an extension to be granted based upon the evidence that project related litigation is delaying construction of the facility.

When applying for an extension the applicant should provide evidence that the project it is filing an extension for will be constructed by July 8, 2017. This can be accomplished by providing the DOER with a status update of the project including its permits, interconnection documentation, system modifications, net metering agreements or PPAs, leases, and construction schedules. If the extension is being filed based on a legal challenge the applicant should provide evidence of the challenge and when and how it can be expected to be remedied.

The applicant should be required to file its application for an extension of SoQ under these regulations no later than November 25, 2016. This would be a full 30 business days before SoQ reservation end date of January 8, 2017, which would allow the DOER sufficient time to review the application and make a determination if an extension should be granted.

Conclusion

In conclusion, SunRaise greatly appreciates this opportunity to comment and the DOER for taking into considerations these comments. We look forward to working with you in the future on these and other regulations.