

SENATE No. 1478

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act relative to consumer choice of green electricity..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 164 of the General Laws, as appearing in the 2004 Official
2 Edition, is hereby amended by inserting after section 1H the following section:--

3 Section 1I. The department is hereby authorized and directed to require electric
4 companies organized pursuant to this chapter to provide retail customers with the option of
5 purchasing electricity derived from renewable energy. The department shall: promulgate rules
6 and regulations to establish a “green electricity purchasing” program; establish fair and efficient
7 rates for electricity generated from renewable energy sources; and develop a program to educate
8 retail customers about renewable energy options. Renewable energy purchasing options
9 established by this act will be separate and distinct from what is required by the renewable
10 portfolio standard regulations (225 CMR 14.00), as established by the division of energy
11 resources. The department shall implement the requirements of this act no later than July 1,
12 2010. Biannual reports must be filed by the department to the general court’s joint committee on
13 energy and joint committee on government regulations detailing the implementation of the act.
14 For the purposes of this section “renewable energy” or “renewables” will be defined as either (i)

15 resources whose common characteristic is that they are nondepletable or are naturally
16 replenishable but flow-limited, or (ii) existing or emerging non-fossil fuel energy sources or
17 technologies, which have significant potential for commercialization in New England and New
18 York, and shall include the following: solar photovoltaic or solar thermal electric energy; wind
19 energy; ocean thermal, wave, or tidal energy; fuel cells; landfill gas; waste-to-energy which is a
20 component of conventional municipal solid waste plant technology in commercial use; naturally
21 flowing water and hydroelectric; and low-emission, advanced biomass power conversion
22 technologies, such as gasification using such biomass fuels as wood, agricultural, or food wastes,
23 energy crops, biogas, biodiesel, or organic refuse-derived fuel. The following technologies or
24 fuels shall not be considered renewable energy supplies: coal, oil, natural gas except when used
25 in fuel cells, and nuclear power.