

SENATE No. 1485

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act encouraging renewable energy generation..

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. Section 11F(b) (9) of Chapter 25A of the General Laws, as amended by
2 chapter 169 of the acts of 2008, is hereby amended by striking out the following words: -

3 “provided, however, that the calculation of a percentage of kilowatt-hours sales to end-
4 use customers in the commonwealth from new renewable generating sources shall exclude
5 clauses (6) and (7).”

6 SECTION 2. Section 11F(c) of said chapter 25A, as so appearing, is hereby amended by
7 striking clause (6) and inserting in place thereof the following clause:-

8 (6) energy generated by new hydroelectric facilities, or incremental new energy from
9 increased capacity or efficiency improvements at existing hydroelectric facilities provided,
10 however, that (i) only energy from new facilities having a capacity up to 25 megawatts or
11 attributable to improvements that incrementally increase capacity or efficiency by up to 25
12 megawatts at an existing hydroelectric facility shall qualify; (ii) no such facility shall involve
13 pumped storage of water or construction of any new dam; and (iii) more than one renewable

14 energy generating source as defined by this subsection may be located at a facility and shall
15 qualify as a separate renewable energy generating source for purposes of this subsection; ”

16 SECTION 3. Section 11F(d) (6) of said chapter 25A, as so appearing, is hereby amended
17 by striking clause (6) and inserting in place thereof the following clause:-

18 (6) that only energy from existing facilities up to 5 megawatts shall be considered
19 renewable energy and no such facility shall involve pumped storage of water nor construction of
20 any new dam and more than one renewable energy generating source as defined by this
21 subsection may be located at a facility and shall qualify as a separate renewable energy
22 generating source for purposes of this subsection;”

23 SECTION 4. Section 4E (f) of Chapter 40J of the General Laws, as amended by chapter
24 169 is hereby amended by striking out the second sentence and inserting in place thereof the
25 following sentence:-

26 “The board shall make grants in an amount not less than \$3 million annually for
27 hydroelectric facilities, other than pumped storage facilities in the commonwealth, constructed
28 before December 31, 1997 for upgrades to increase efficiency or capacity and to reduce
29 environmental impacts.”