

**HOUSE . . . . . No. 859**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*James M. Cantwell*

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to green energy generation.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>James M. Cantwell</i>	<i>4th Plymouth</i>	<i>1/19/2011</i>

**HOUSE . . . . . No. 859**

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By Mr. Cantwell of Marshfield, a petition (accompanied by bill, House, No. 859) of James M. Cantwell relative to green energy generation. Telecommunications, Utilities and Energy.

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Eleven**  
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An Act relative to green 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 138 of chapter 164 of the General Laws, as appearing in the 2008  
2 Official Edition, is hereby amended by inserting in line 21 after the words “a Class I net metering  
3 facility not using solar” the words:- “, hydrokinetic,”

4           SECTION 2. Section 138 of chapter 164 of the General Laws, as appearing in the 2008  
5 Official Edition, is hereby amended by inserting in line 37 after the words “solar net metering  
6 facility,” the words:- “hydrokinetic net metering facility,”

7           SECTION 3. Section 138 of chapter 164 of the General Laws, as appearing in the 2008  
8 Official Edition, is hereby amended by inserting in line 55 after the words “solar net metering  
9 facility,” the words:- “hydrokinetic net metering facility,”

10          SECTION 4. Section 138 of chapter 164 of the General Laws, as appearing in the 2008  
11 Official Edition, is hereby amended by inserting in line 95, the following new paragraph:-  
12 “Hydrokinetic net metering facility,” a facility for the production of electrical energy that uses:  
13 (a) waves, tides, and currents in oceans, estuaries, and tidal areas; (b) free-flowing water in

14 rivers, lakes, and streams; (c) free-flowing water in man-made channels; or (d) differentials in  
15 ocean temperature, called ocean thermal energy conversion to generate electricity and is  
16 interconnected to a distribution company.