

**SENATE . . . . . No. 1675**

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**The Commonwealth of Massachusetts**

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PRESENTED BY:

***Robert L. Hedlund***

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*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 renewable energy generation and connection.

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PETITION OF:

NAME:

DISTRICT/ADDRESS:

*Robert L. Hedlund*

**SENATE . . . . . No. 1675**

By Mr. Hedlund, a petition (accompanied by bill, Senate, No. 1675) of Robert L. Hedlund for legislation to generate and connect renewable energy. Telecommunications, Utilities and Energy.

**The Commonwealth of Massachusetts**

**In the Year Two Thousand Eleven**

An Act relative to renewable energy generation and connection.

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

1 Chapter 164 of the Massachusetts General Laws is hereby amended by inserting, at the  
2 end thereof, the following new section:-

3 SECTION 1: Section 1: The State of Massachusetts finds that: (1) Electricity produced  
4 from renewable resources helps to reduce greenhouse gas emissions, and limits emissions of  
5 other pollutants regulated pursuant to the Clean Air Act, enhances national energy security, and  
6 provides substantial economic benefits. (2) The need exists for the rapid expansion of low and  
7 zero carbon-emitting electric generation at a far greater pace than current levels. (3) Distributed  
8 electric generation is energy efficient, promotes grid stability and reduces transmission system  
9 congestion during periods of peak demand. (4) A transition toward renewable energy sources  
10 brings economic benefit to consumers by reducing their exposure to increasingly volatile fossil  
11 fuel markets. (5) Renewable energy payments, also known as 'feed-in tariffs', are a proven  
12 mechanism for accelerating the development of renewable energy in grid-connected areas. (6)  
13 By guaranteeing access to the grid and setting a favorable price per unit of power, feed-in tariffs

14 ensure that renewable energy is a sound long-term investment for companies, for industry, and  
15 for individuals and thereby creates a strong economic incentive for investing in renewable  
16 energy technologies. (7) The International Energy Agency, the European Commission and the  
17 United Kingdom's Stern Review have determined that feed-in tariff policies in Germany, Spain,  
18 France and other European Union countries have achieved larger renewable energy deployment  
19 at lower costs, compared with policies in other European Union countries. Section 2. The  
20 purpose of this Act is to-- (1) enable the rapid and sustainable development of distributed  
21 renewable electricity generation in Massachusetts; (2) stimulate the development of new jobs and  
22 industry in Massachusetts; (3) create a stable and secure market for capital investments in  
23 renewable energy technologies; (4) reduce air and water pollution, related health problems and  
24 health-care expenditures; (5) help prevent greenhouse gas concentrations in the atmosphere from  
25 reaching levels that would cause dangerous global temperature increases of more than 2 degrees  
26 Celsius above pre-industrial levels; (6) protect natural resources; (7) allow all citizens to  
27 participate in renewable electricity generation; (8) reduce the price volatility and long term costs  
28 of electricity; (9) place the Massachusetts at the forefront of the global renewable energy  
29 revolution; and (10) reduce the dependence of Massachusetts on foreign sources of energy.

30 SECTION 2. (a) Standards- In order to encourage the use of renewable energy facilities  
31 and to ensure the safety and reliability of renewable energy facilities and transmission systems  
32 interconnected with those facilities, within one year after the enactment of this section, the  
33 Department of Public Utilities shall propose rules establishing standards for the physical  
34 connection between-- (1) renewable energy facilities; and (2) transmission facilities of  
35 transmitting utilities subject to the jurisdiction of the Department under this part.(b) Expedited  
36 Procedures- The standards under this section shall include separate expedited procedures for

37 interconnecting renewable energy facilities up to 10 kilowatts and a separate standard that  
38 expedites interconnection for renewable energy facilities up to 2000 kilowatts. In designing such  
39 expedited procedures, the Department shall consider model rules published by the Interstate  
40 Renewable Energy Council. (c) Final Rule- Within 2 years after the enactment of this section,  
41 and after notice and opportunity for comment, the Department shall promulgate, and from time-  
42 to-time thereafter revise, final standards under this section. Such revisions shall take into account  
43 changes in the underlying standards and technologies. Such revisions shall be made available to  
44 regulatory authorities for their consideration prior to final promulgation. (d) Safety, Reliability,  
45 Performance, and Cost- The standards under this section shall establish those measures for the  
46 safety and reliability of the affected equipment and transmission systems as may be appropriate.  
47 Such standards shall be consistent with the reliability standards under section 215 and all  
48 applicable safety and performance standards established by the national electrical code, the  
49 Institute of Electrical and Electronics Engineers, Underwriters Laboratories, or the American  
50 National Standards Institute, and the North American Electric Reliability Council, yet constitute  
51 the minimum cost and technical burdens to the interconnecting renewable energy facility as the  
52 Department shall, by rule, prescribe.(e) Additional Charges- The standards under this section  
53 shall prohibit the imposition of additional charges by the owners or operators of transmission  
54 systems for equipment or services for interconnection that are additional to those necessary to  
55 achieve the objectives of subsection (d).(f) Reliability- The rules under this section shall include  
56 provisions respecting minimum reliability of renewable energy facilities (including reliability of  
57 such facilities during emergencies) and rules respecting reliability of electric energy service to be  
58 available to such facilities from transmitting utilities and public utilities during emergencies. (g)  
59 Grid Interconnection-Related Network Upgrades- The standards under this subsection shall

60 provide the following:(1) The obligation to provide priority interconnection for renewable  
61 energy facilities (as required under subsection (h)) shall apply to:(A) Any transmitting utility  
62 providing transmission service subject to the jurisdiction of the Department to electric utilities in  
63 a retail service territory that includes the renewable energy facility if-- (i) such transmitting  
64 utility is in possession of transmission facilities technically suitable to receive electricity from  
65 the renewable energy facility; and (ii) there is no other transmission or distribution facility with a  
66 technically and economically more suitable connection point. (B) Transmission facilities shall be  
67 deemed to be technically suitable under subparagraph (A) even if feeding in the electricity  
68 requires the transmitting utility to upgrade its transmission facilities at a reasonable economic  
69 expense, as determined by the Department. In this case, the transmitting utility shall upgrade its  
70 transmission facilities without undue delay, if so requested by an interconnecting renewable  
71 energy facility. (C) The obligation to upgrade the transmission facilities shall apply to all  
72 technical facilities required for operating the transmission system and to all connecting  
73 installations which are owned by or passed into the ownership of the transmitting utility. (2)  
74 EXCEPTIONS- The standards under this section shall not require any transmitting utility to  
75 interconnect with renewable energy facilities or to provide priority access to available transfer  
76 capability on the transmission system if the transmitting utility is already committed through  
77 long-term contracts to full capacity of its load and such utility has no ability to transmit any new  
78 generation from renewable energy facilities to any other electric utility. (3) COSTS OF  
79 NETWORK UPGRADES- The standards under this section shall provide that all prudently  
80 incurred costs associated with network upgrades to accommodate new renewable energy  
81 facilities for the purchase and transmission of electricity produced from renewable energy  
82 facilities shall be initially borne by the electric utility or transmitting utility. (h) Priority of

83 Orders- Any renewable energy facility may apply to the Department for an order requiring the  
84 interconnection of such facility with the transmission system of any transmitting utility in  
85 accordance with the standards under this section, and the Department shall issue such an order  
86 after notice and opportunity for hearing. The Department shall give priority to the consideration  
87 of applications from renewable energy facilities under this section and shall ensure that  
88 applications by renewable energy facilities are given priority interconnection and priority access  
89 to available transfer capability on the transmission system over applications from facilities that  
90 are not renewable energy facilities. (i) Effective Date- This section shall take effect with respect  
91 to applications submitted to the Department under subsection (h) after the effective date of  
92 regulations promulgated under this section. SECTION 3. The Department of Public Utilities is  
93 hereby authorized and directed to promulgate rules and regulations to carry out the provisions of  
94 this section.