

# HOUSE . . . . . No. 2968

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## The Commonwealth of Massachusetts

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PRESENTED BY:

***George N. Peterson, Jr.***

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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 establishing renewable energy investment commission.

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PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>George N. Peterson, Jr.</i>	<i>9th Worcester</i>	<i>1/18/2013</i>
<i>Bruce J. Ayers</i>	<i>1st Norfolk</i>	<i>1/31/2013</i>
<i>Stephen L. DiNatale</i>	<i>3rd Worcester</i>	<i>1/18/2013</i>
<i>William Smitty Pignatelli</i>	<i>4th Berkshire</i>	<i>1/30/2013</i>
<i>David T. Vieira</i>	<i>3rd Barnstable</i>	<i>2/1/2013</i>

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By Mr. Peterson of Grafton, a petition (accompanied by bill, House, No. 2968) of George N. Peterson, Jr., and others for an investigation by a special commission (including members of the General Court) relative to the cumulative costs to consumers and businesses of all of the Commonwealth's renewable and alternative energy programs. Telecommunications, Utilities and Energy.

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## The Commonwealth of Massachusetts

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In the Year Two Thousand Thirteen  
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An Act establishing renewable energy investment commission.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to create jobs, provide economic relief to the people of the Commonwealth of Massachusetts, and increase renewable electricity generation, and conserve and protect the natural resources of the Commonwealth of Massachusetts, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

*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: This Act shall be entitled the "Renewable Energy Investment Act", and  
2 shall be construed in a manner to achieve its public purposes, which are to determine the  
3 cumulative costs to consumers and businesses of all the Commonwealth's renewable and  
4 alternative energy and energy efficiency measures, programs, and incentives and to encourage  
5 the development and procurement of renewable energy sources that are low cost and cost  
6 effective for the Commonwealth's consumers and businesses.

7           SECTION 2. (a) There shall be an renewable energy investment commission to research  
8 and determine the cumulative costs to consumers and businesses, on an annual basis, of all the  
9 Commonwealth's renewable and alternative energy and energy efficiency measures, programs,  
10 and incentives, as well as, to encourage the development and procurement of renewable energy  
11 sources that are low cost and cost effective for the Commonwealth's consumers and businesses.

12           (b) The commission shall consist of 2 members of the senate, 1 of whom shall be the  
13 senate chair for the joint committee on telecommunication and energy who shall serve as co-

14 chair, and 1 of whom shall be appointed by the senate minority leader; 2 members of the house  
15 of representatives, 1 of whom shall be the house chair for the joint committee on  
16 telecommunication and energy who shall serve as co-chair, and 1 of whom shall be appointed by  
17 the house minority leader; 3 persons to be appointed by the governor, 1 of whom shall be an  
18 executive of an electric or distribution company, and 1 of whom shall be a representative of a  
19 consumer advocacy organization, and 1 of whom shall be nationally recognized renewable  
20 energy policy and financing professional based in the Commonwealth; the attorney general or a  
21 designee; the secretary of energy and environmental affairs or a designee; a representative of the  
22 Massachusetts Clean Energy Center; a representative of the New England Independent System  
23 Operator; 1 representative each of the Associated Industries of Massachusetts, the National  
24 Federation of Independent Businesses, the Retailers Association of Massachusetts, and the  
25 Massachusetts Taxpayers Foundation; and, a representative of the Massachusetts Competitive  
26 Partnership, who shall serve as a third co-chair.

27 (c) The commission shall investigation and report to the legislature shall include, but not  
28 be limited to the followings, chapter 164 of the acts of 1997 (relative to the restructuring of the  
29 electric utility industry in the commonwealth), chapter 114 of the acts of 2008 (the oceans act of  
30 2008), chapter 169 of the acts of 2008 (relative to green communities) chapter 206 of the acts of  
31 2008 (the clean energy biofuels act), chapter 298 of the acts of 2008 (the global warming  
32 solutions act), Chapter 307 of the acts of 2008 (the green jobs act), and Chapter 209 of the acts of  
33 2012 (relative to competitively priced electricity) collectively hereinafter referred to as “the  
34 energy acts,” and any and all substantive and technical amendments to the energy acts, with  
35 regard to the energy acts’ respective and collective impacts upon residential and commercial  
36 electricity rates from 1997 through 2020, taking into account, for comparative and competitive  
37 purposes, renewable energy initiatives existing in the states that geographically border the  
38 Commonwealth, including the cost of transmission required to transport renewable energy in  
39 order to meet the Commonwealth’s renewable portfolio standard, and taking into account the  
40 avoidance or reduction of greenhouse gases and other pollutants, energy reliability, security and  
41 diversification, and detriments including, but not limited to, the impact on ecologically sensitive  
42 areas, large unfragmented habitat blocks, priority or estimated habitats for plant and animal  
43 species listed pursuant to chapter 131A, populations of bird and bat species that are considered  
44 by the department of fish and game as being vulnerable to impacts from the operation of wind  
45 turbines, historic, cultural, or scenic or recreational areas of special federal or state significance,  
46 noise and public health and safety and job creation.

47 (d) The commission shall report the results of its investigation and study and its  
48 recommendations together with a detailed description and chart of the residential and  
49 commercial rate impact of acquiring electricity from renewable resources, including line item for  
50 each state and federal payable by an end user and attributable to renewable energy funding,  
51 grants, and other incentive programs, including net metering.

52 (e) The commission shall report short and long-term projections through 2020 of private  
53 sector investment in renewable energy generation facilities in the Commonwealth, along with  
54 recommended drafts of legislation necessary to carry its recommendations into effect by filing  
55 the same with the clerks of the senate and the house of representatives on or before January 15,  
56 2014.

57 (f) The powers of the commission shall include, but not be limited to: (i) using voluntary  
58 and uncompensated services of private individuals, agencies and organizations as may be offered  
59 or needed; (ii) recommending policies and making recommendations to agencies and officers of  
60 the commonwealth and local subdivisions of government; (iii) enacting by-laws for the  
61 commission's own governance; and (iv) holding regular public meetings, fact-finding hearings  
62 and other public forums as the commission considers necessary.

63 (g) The commission may request from all state agencies such information and assistance  
64 as the commission may require. The commission may also request such information from  
65 companies and organizations with state contracts that provide services relative to the scope of the  
66 commission.

67 (h) Members of the commission shall not receive compensation for their services but may  
68 receive reimbursement for the reasonable expenses incurred in carrying out their responsibilities  
69 as members of the commission.

70 (i) The commission shall convene its first meeting no later than 30 days after the effective  
71 date of this act and shall submit its report, along with any recommendations for legislative or  
72 regulatory reforms, not later than September 1, 2013 with the clerks of the house of  
73 representatives and the senate who shall forward a copy of the report to the house and senate  
74 chairs of the joint committee on telecommunications, utilities and energy.