

# **HOUSE . . . . . No. 3925**

---

---

## **The Commonwealth of Massachusetts**

---

HOUSE OF REPRESENTATIVES, March 5, 2014.

The committee on Telecommunications, Utilities and Energy to whom was referred the petition (accompanied by bill, House, No. 3802) of Tackey Chan and Barry R. Finegold relative to the distribution of renewable energy contracts, reports recommending that the accompanying bill (House, No. 3925) ought to pass.

For the committee,

JOHN D. KEENAN.

**HOUSE . . . . . No. 3925**

---

The Commonwealth of Massachusetts

\_\_\_\_\_  
**In the Year Two Thousand Fourteen**  
\_\_\_\_\_

An Act relative to distributed generation contracts.

*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 83A of chapter 169 of the Acts of 2008, as inserted by Section 36  
2 of chapter 209 of the Acts of 2012, is hereby amended by striking out the seventh paragraph and  
3 inserting in place thereof the following paragraph:-

4           Ten per cent of the aggregate level of long-term contracts under this section shall be  
5 reserved for newly developed, small, emerging or diverse renewable energy distributed  
6 generation facilities as determined by the department of energy resources, which may include  
7 such facilities notwithstanding eligibility to participate in the RPS program and sell RECs  
8 including but not limited to clean, non-combustion distributed generation, and which are located  
9 within each distribution company’s service territory. Notwithstanding this section to the  
10 contrary, each distribution company shall be required to solicit proposals for such distributed  
11 generation facilities separately through a competitive bidding process only. Distributed  
12 generation projects qualifying under this paragraph shall have a nameplate capacity of not larger  
13 than 6 megawatts, shall not qualify as a Class I, II, or III net metering facility, as defined in  
14 section 138 of said chapter 164; provided, however, that long-term contracts reserved for newly  
15 developed, small, emerging or diverse renewable energy distributed generation facilities shall not  
16 be awarded to any technology which had more than 30 megawatts of capacity installed in the  
17 commonwealth before April 1, 2012; provided further that each distribution company, when  
18 feasible, shall not award more than fifty per cent of distributed generation long-term contracts  
19 allocated under this paragraph to any single technology. Notwithstanding the foregoing, the  
20 requirement that each distribution company, when feasible, not award more than fifty per cent of  
21 distributed generation long-term contracts allocated under this paragraph to any single  
22 technology shall not require a distribution company to issue more than one solicitation to comply  
23 with this paragraph.