

**HOUSE . . . . . No. 2852**

**The Commonwealth of Massachusetts**

PRESENTED BY:

***Thomas J. Calter and Paul W. Mark***

*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 net metering, community shared solar and energy storage.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Thomas J. Calter</i>	<i>12th Plymouth</i>
<i>Paul W. Mark</i>	<i>2nd Berkshire</i>
<i>Cory Atkins</i>	<i>14th Middlesex</i>
<i>Christine P. Barber</i>	<i>34th Middlesex</i>
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>
<i>Paul Brodeur</i>	<i>32nd Middlesex</i>
<i>Antonio F. D. Cabral</i>	<i>13th Bristol</i>
<i>James M. Cantwell</i>	<i>4th Plymouth</i>
<i>Evandro C. Carvalho</i>	<i>5th Suffolk</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>
<i>Daniel M. Donahue</i>	<i>16th Worcester</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>
<i>Denise C. Garlick</i>	<i>13th Norfolk</i>
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>
<i>Carmine L. Gentile</i>	<i>13th Middlesex</i>
<i>Anne M. Gobi</i>	<i>Worcester, Hampden, Hampshire and Middlesex</i>

<i>Jonathan Hecht</i>	<i>29th Middlesex</i>
<i>Kate Hogan</i>	<i>3rd Middlesex</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>Peter V. Kocot</i>	<i>1st Hampshire</i>
<i>Stephen Kulik</i>	<i>1st Franklin</i>
<i>Paul McMurtry</i>	<i>11th Norfolk</i>
<i>William Smitty Pignatelli</i>	<i>4th Berkshire</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>
<i>Daniel J. Ryan</i>	<i>2nd Suffolk</i>
<i>Tom Sannicandro</i>	<i>7th Middlesex</i>
<i>Paul A. Schmid, III</i>	<i>8th Bristol</i>
<i>John W. Scibak</i>	<i>2nd Hampshire</i>
<i>Frank I. Smizik</i>	<i>15th Norfolk</i>
<i>Timothy J. Toomey, Jr.</i>	<i>26th Middlesex</i>
<i>Chris Walsh</i>	<i>6th Middlesex</i>
<i>Ellen Story</i>	<i>3rd Hampshire</i>

**HOUSE . . . . . No. 2852**

By Messrs. Calter of Kingston and Mark of Peru, a petition (accompanied by bill, House, No. 2852) of Thomas J. Calter and others relative to net metering, community shared solar and energy storage. Telecommunications, Utilities and Energy.

**The Commonwealth of Massachusetts**

**In the One Hundred and Eighty-Ninth General Court  
(2015-2016)**

An Act relative to net metering, community shared solar and energy storage.

*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. Chapter 25 A of the General Laws is hereby amended by inserting after  
2 section 11I the following sections:-

3 Section 11J. The department shall establish a Commonwealth Solar Program for all retail  
4 electricity suppliers selling electricity to end-use customers in the commonwealth to encourage  
5 the development of solar photovoltaic technology by residential, commercial, governmental and  
6 industrial electric customers throughout the Commonwealth. The program shall be structured to  
7 achieve 20 per cent solar electricity, measured by the sale of retail electricity to end-use  
8 customers in the commonwealth, by December 31, 2025.

9 SECTION 2. Section 139 of chapter 164 is hereby amended by striking out paragraph  
10 (f), appearing in the 2012 Official Edition, and inserting in place thereof the following  
11 paragraph:-

12 (f) The aggregate net metering capacity for solar net metering facilities shall be 1600  
13 megawatts DC of solar photovoltaic facilities interconnected to the distribution system of a  
14 distribution company, as defined in section 1 of chapter 164. The aggregate net metering  
15 capacity of facilities that are a non-solar Class I facility, a non-solar agricultural net metering  
16 facility, a wind net metering facility, or an anaerobic digestion net metering facility shall not  
17 exceed 3 per cent of the distribution company's peak load, which includes all such facilities that  
18 are interconnected or have been approved as eligible for net metering as of the effective date of  
19 this section. The maximum amount of nameplate capacity eligible for net metering by a  
20 municipality or other governmental entity under this section shall be 10 megawatts AC. For the  
21 purpose of calculating the aggregate capacity, the capacity of a non-solar Class I facility, a non-  
22 solar agricultural net metering facility, a wind net metering facility or an anaerobic digestion net  
23 metering facility shall be its nameplate rating.

24 SECTION 3. Said section 139 of said chapter 164 is hereby further amended by striking  
25 out paragraph (i), as so appearing, and inserting in place thereof the following paragraph:-

26 (i) Class I and Class II net metering facilities that are not net metering facilities of a  
27 municipality or other government entity shall be exempt from the aggregate net metering  
28 capacity of facilities under subsection (f).

29 SECTION 4. Chapter 164 of the General Laws is hereby amended by inserting after  
30 section 145 the following section:-

31 Section 146. On or before January 1, 2016, the department shall open a proceeding to  
32 establish an energy storage program. This program shall be designed to enable cost effective  
33 energy storage systems that reduce greenhouse gas emissions, reduce demand for peak electrical

34 generation, defer or substitute for an investment in distribution or transmission assets, provide  
35 back-up or emergency power, ancillary services, or improve the reliable operation of the  
36 distribution grid. In considering policies pursuant to this section, the department shall consider  
37 the integration of energy storage systems with other programs, including grid modernization,  
38 renewable and alternative portfolio standards and demand-side management. Such program shall  
39 take effect no later than January 1, 2017.

40 SECTION 5. Notwithstanding any general or special law to the contrary, any community  
41 shared solar energy system, shall be exempt from taxes, for a period of 20 years from the date of  
42 interconnection, imposed by chapter 59 of the General Laws. For the purposes of this section,  
43 "community shared solar energy system" shall mean a solar powered system or device or a  
44 combination of solar powered systems or devices collectively owned by residents or non utility  
45 businesses that are placed on property owned by a cooperating local property owner, nonprofit  
46 organization or non utility business for the purpose of heating or otherwise supplying not more  
47 than 125 per cent of the annual energy needs of each of the owners of the system or device;  
48 provided, however, that (i) the ownership units shall be less than or equal to 25 kilowatts each  
49 and (ii) the owner of a community solar energy system unit shall receive an exemption in  
50 proportion to the owner's share of the system, as determined by the proportion of energy  
51 generated for use by the owner.

52 SECTION 6. Section 5 shall take effect on January 1, 2016.