

SENATE No. 1930

The Commonwealth of Massachusetts

PRESENTED BY:

Harriette L. Chandler

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 to promote the production of renewable power through agricultural anaerobic digestion facilities.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Harriette L. Chandler</i>	<i>First Worcester</i>	
<i>Paul Brodeur</i>	<i>32nd Middlesex</i>	
<i>Lori A. Ehrlich</i>	<i>8th Essex</i>	<i>1/29/2019</i>

SENATE No. 1930

By Ms. Chandler, a petition (accompanied by bill, Senate, No. 1930) of Harriette L. Chandler, Paul Brodeur and Lori A. Ehrlich for legislation to promote the production of renewable power through agricultural anaerobic digestion facilities. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act to promote the production of renewable power through agricultural anaerobic digestion facilities.

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 25A of the general laws, as appearing in the 2016 Official Edition,
2 is hereby amended by adding the following section:-

3 Section 17. (a) The department shall establish an incentive program to support non-solar
4 renewable energy resources that are less than five megawatts and that qualify for the class I
5 renewable energy portfolio standard under section 11F. The program shall be designed to finance
6 the development, construction, and operation of renewable-energy distributed-generation
7 projects through a fixed price performance-based incentive that is designed to achieve annual
8 megawatt targets at reasonable cost through competitive processes established by the department.

9 (b) The incentive program shall be tariff-based and the department shall promulgate
10 regulations that, at a minimum: (i) establish the eligibility criteria for facilities to qualify under
11 the program; (ii) establish the methodology for establishing incentives; and (iii) direct the

12 distribution companies to jointly file a model tariff to implement the program with department of
13 public utilities, for its review and approval.

14 (c) The methodology for establishing incentive levels shall: (i) take into consideration
15 underlying system installation, soft, and fuel costs; (ii) take into account electricity revenues and
16 any federal or state incentives; (iii) rely on market-based mechanisms or price signals as much as
17 possible; (iv) differentiate incentives levels by size, location, and project type; (v) establish
18 annual targets for each technology type; (vi) ensure that the costs of the program are shared
19 collectively among all ratepayers of the distribution companies; and (vii) promote investor
20 confidence through long-term incentive revenue certainty and market stability.

21 (d) Anaerobic digestion facilities that are both operational and qualified as Class I
22 renewable energy generating sources under section 11F prior to the effective date of this section
23 shall be eligible to participate in the incentive program via a one-time procurement for the class I
24 renewable generation attributes created by existing anaerobic digestion facilities. The department
25 shall determine eligibility criteria for existing anaerobic digestion facilities to participate in the
26 one-time procurement, with the total megawatts being procured equal to the combined capacity
27 of all eligible facilities. The one-time procurement shall include a ceiling price equal to or greater
28 than the alternative compliance payment rate, and not to exceed double the alternative
29 compliance payment rate, as established by the department under section 11F.

30 (e) Attributes, as defined by the department, of the Class I renewable energy generating
31 sources that qualify under regulations established pursuant to this section shall be eligible for use
32 by retail electric suppliers pursuant to their obligations under section 11F.