

HOUSE No. 4449

The Commonwealth of Massachusetts

PRESENTED BY:

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 supporting solar distribution.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Paul W. Mark</i>	<i>2nd Berkshire</i>	<i>10/4/2021</i>

HOUSE No. 4449

By Mr. Mark of Peru, a petition (subject to Joint Rule 12) of Paul W. Mark relative to solar distribution. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act supporting solar distribution.

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 139 of Chapter 164 of the of the General Laws, as appearing in the
2 2018 Official Edition, is hereby amended by striking out subsection (i) and inserting in place
3 thereof the following: “A Class I net metering facility shall be exempt from subsections (b1/2),
4 (f), and (k), and may net meter and accrue Class I net metering credits if it is generating
5 renewable energy.

6 SECTION 2. Section 11F of chapter 25A of the of the General Laws, as appearing in the
7 2018 Official Edition, is hereby amended by striking out subsection (h) and inserting in place
8 thereof the following subsection:

9 (h) The department shall adopt regulations allowing for a retail supplier to discharge its
10 obligations under subsection (a) by making an alternative compliance payment. This alternative
11 compliance payment shall be calculated by setting it initially at 50 dollars per megawatt hour for
12 compliance year 2003 and shall be adjusted each year by the previous year’s consumer price

13 index. The department shall post this amount annually not later than January 30 each year;
14 provided, however, that the department shall adopt regulations allowing for a retail supplier to
15 discharge its obligations under subsection (g) by making an alternative compliance payment in
16 an amount established by the department; provided, however, that the department shall set on-
17 site generation alternative compliance payment rates at levels that shall stimulate the
18 development of new on-site renewable energy generating sources.

19 SECTION 3. Section 138 of said Chapter 164, as so appearing, is hereby amended by
20 inserting the following definition:-

21 Energy Storage net metering facility”, a stationary or mobile facility for the storage of
22 electrical energy that may be interconnected to a distribution company.

23 SECTION 4. Said Section 138 of Chapter 164, as so appearing, is further amended by
24 inserting after the word “manufacture”, in line 35, the following word:- , store

25 SECTION 5. Said Section 138 of Chapter 164, as so appearing, is further amended by
26 inserting after the words “anaerobic digestion net metering facility,” in line 48, the following
27 words:- energy storage net metering facility,

28 SECTION 6. Said Section 138 of Chapter 164, as so appearing, is further amended by
29 inserting after the words “anaerobic digestion net metering facility”, in line 67, the following
30 words:- energy storage net metering facility

31 SECTION 7. Said Section 138 of Chapter 164, as so appearing, is hereby further
32 amended by striking out the definition of “Class I net metering credit” and inserting in place
33 thereof the following definition:-

34 Class I net metering credit", a credit equal to the excess kilowatt-hours by time of use
35 billing period, if applicable, multiplied by the sum of the distribution company's: (i) default
36 service kilowatt-hour charge in the ISO–NE load zone where the customer is located; (ii)
37 distribution kilowatt-hour charge; (iii) transmission kilowatt-hour charge; and (iv) transition
38 kilowatt-hour charge; provided, however, that this shall not include the demand side
39 management and renewable energy kilowatt-hour charges set forth in sections 19 and 20 of
40 chapter 25; and provided further, that credit for a Class I net metering facility that is not an
41 agricultural net metering facility or that is not using solar, anaerobic digestion or wind as its
42 energy source shall be the average monthly clearing price at the ISO–NE. For energy storage net
43 metering facilities, the credit is equal to the time-differentiated value between the time period
44 that the energy was stored and the time-differentiated value when the energy was exported.

45 SECTION 8. Said Section 138 of Chapter 164, as so appearing, is further amended by
46 striking out the definition of "Class II net metering credit" and inserting in place thereof the
47 following definition: - "Class II net metering credit", a credit equal to the excess kilowatt-hours
48 by time of use billing period, if applicable, multiplied by the sum of the distribution company's:
49 (i) default service kilowatt-hour charge in the ISO–NE load zone where the customer is located;
50 (ii) distribution kilowatt-hour charge; (iii) transmission kilowatt-hour charge; and (iv) transition
51 kilowatt-hour charge; provided, however, that this shall not include the demand side
52 management and renewable energy kilowatt-hour charges set forth in sections 19 and 20 of
53 chapter 25. For energy storage net metering facilities, the credit is equal to the time-differentiated
54 value between the time period that the energy was stored and the time-differentiated value when
55 the energy was exported.

56 SECTION 9. Said Section 138 of Chapter 164, as so appearing, is further amended by
57 striking out the definition of “Class III net metering credit” and inserting in place thereof the
58 following definition:-

59 'Class III net metering credit", a credit equal to the excess kilowatt-hours by time of use
60 billing period, if applicable, multiplied by the sum of the distribution company's: (i) default
61 service kilowatt-hour charge in the ISO-NE load zone where the customer is located; (ii)
62 transmission kilowatt-hour charge; and (iii) transition kilowatt-hour charge; provided, however,
63 that for a Class III net metering facility of a municipality or other governmental entity, the credit
64 shall be equal to the excess kilowatt-hours multiplied by the sum of (i), (ii) and (iii) and the
65 distribution kilowatt-hour charge; and provided further, that this shall not include the demand
66 side management and renewable energy kilowatt-hour charges set forth in sections 19 and 20 of
67 chapter 25. For energy storage net metering facilities, the credit is equal to the time-differentiated
68 value between the time period that the energy was stored and the time-differentiated value when
69 the energy was exported.