

**HOUSE . . . . . No. 4044**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Carolyn C. Dykema*

*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 energy deployment in the Commonwealth.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>	<i>2/18/2021</i>
<i>David Paul Linsky</i>	<i>5th Middlesex</i>	<i>7/27/2021</i>
<i>Jon Santiago</i>	<i>9th Suffolk</i>	<i>7/27/2021</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>	<i>7/27/2021</i>
<i>Natalie M. Blais</i>	<i>1st Franklin</i>	<i>7/28/2021</i>
<i>Paul McMurtry</i>	<i>11th Norfolk</i>	<i>7/28/2021</i>
<i>Tricia Farley-Bouvier</i>	<i>3rd Berkshire</i>	<i>7/28/2021</i>
<i>John Barrett, III</i>	<i>1st Berkshire</i>	<i>7/28/2021</i>
<i>Tommy Vitolo</i>	<i>15th Norfolk</i>	<i>7/28/2021</i>
<i>Michelle L. Ciccolo</i>	<i>15th Middlesex</i>	<i>7/28/2021</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>7/28/2021</i>
<i>Steven Ultrino</i>	<i>33rd Middlesex</i>	<i>7/28/2021</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>7/28/2021</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>7/28/2021</i>
<i>Brian W. Murray</i>	<i>10th Worcester</i>	<i>7/28/2021</i>
<i>Ruth B. Balsler</i>	<i>12th Middlesex</i>	<i>7/29/2021</i>
<i>Alan Silvia</i>	<i>7th Bristol</i>	<i>8/2/2021</i>
<i>Harriette L. Chandler</i>	<i>First Worcester</i>	<i>8/4/2021</i>

<i>Danillo A. Sena</i>	<i>37th Middlesex</i>	<i>8/30/2021</i>
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>	<i>9/3/2021</i>
<i>Russell E. Holmes</i>	<i>6th Suffolk</i>	<i>9/24/2021</i>
<i>Mindy Domb</i>	<i>3rd Hampshire</i>	<i>11/1/2021</i>
<i>Bud L. Williams</i>	<i>11th Hampden</i>	<i>11/9/2021</i>
<i>Marcos A. Devers</i>	<i>16th Essex</i>	<i>2/25/2022</i>

**HOUSE . . . . . No. 4044**

By Ms. Dykema of Holliston, a petition (accompanied by bill, House, No. 4044) of Carolyn C. Dykema and others relative to solar energy deployment in the Commonwealth. Telecommunications, Utilities and Energy.

**The Commonwealth of Massachusetts**

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

An Act supporting solar energy deployment in the Commonwealth.

*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 10 of chapter 25A of the General Laws, as appearing in the 2018  
2 Official Edition, is hereby amended by adding the following subsection-:

3 (g) (1) Beginning January 1, 2022, the division shall implement a solar opportunity zones  
4 initiative as a component of the green communities program. The goals of the solar opportunity  
5 zones initiative shall be to: (1) identify locations throughout the commonwealth to be designated  
6 as preferred areas for siting additional ground-mounted solar photovoltaic electric energy; (2)  
7 provide incentives to communities and electric utilities to facilitate greater deployment of  
8 ground-mounted solar photovoltaic electric energy in the preferred areas; and (3) minimize land  
9 use conflicts between solar deployment and other uses. Solar opportunity zones established  
10 through the initiative shall be of sufficient size to enable significant levels of ground-mounted  
11 solar development to continue. In developing solar opportunity zones, the division shall consult  
12 with the attorney general’s office, electric distribution companies, municipalities and industry

13 stakeholders. In establishing solar opportunity zones, the division shall take into account and  
14 balance the following factors: (i) overall need for clean energy to meet the commonwealth's  
15 renewable energy and greenhouse gas goals; (ii) availability of land; (iii) availability of  
16 distribution and transmission infrastructure; (iv) suitability of parcels for the construction of solar  
17 facilities; (v) receptiveness of local communities; (vi) impact on farmland; and (vii) impact on  
18 other environmental concerns.

19 (2) The division shall establish incentives and other mechanisms to encourage  
20 communities located within solar opportunity zones to reduce barriers to solar development.  
21 Barriers addressed through the solar opportunity zones initiative shall include, but shall not be  
22 limited to, local permitting, zoning and taxation policies and practices.

23 (3) The department of public utilities, in consultation with the division, shall establish  
24 incentives and other mechanisms to encourage electric utilities in the commonwealth to rapidly  
25 and proactively upgrade and adapt the distribution and transmission grid that serves solar  
26 opportunity zones to facilitate increased levels of solar photovoltaic electric energy installations  
27 in the zones.

28 (4) The division shall establish at least 1 solar opportunity zone within each service  
29 territory of the commonwealth's electric distribution companies on or before January 1, 2022.

30 (5) The division shall annually publish a report detailing progress in establishing solar  
31 opportunity zones and the number of additional megawatts of solar installed within each zone.

32 SECTION 2. Said chapter 25A is hereby further amended by adding the following 4  
33 sections:-

34 Section 18. The secretary of energy and environmental affairs, hereinafter and in sections  
35 19 to 21, inclusive, “secretary”, shall establish programs to implement minimum annual solar  
36 installation targets. The programs shall ensure that no fewer than 550 megawatts of solar  
37 photovoltaic electric energy, measured in alternating current, shall be installed in the  
38 commonwealth during calendar year 2023. Each year thereafter, the programs shall ensure that  
39 the minimum level of solar photovoltaic electric energy installed during each year shall increase  
40 by no fewer than 50 megawatts of alternating current, until the year 2027, for a total of no fewer  
41 than 3,250 megawatts. The programs established by the secretary shall ensure that installation of  
42 solar photovoltaic electric energy in the commonwealth in the year 2028 and subsequent years  
43 continues to increase at a pace sufficient to maintain progress toward the 2050 statewide  
44 emissions limit of net zero greenhouse gas emissions established by the secretary on April 22,  
45 2020.

46 Section 19. To achieve the minimum solar installation targets established in section 18,  
47 and to create a simplified approach to encouraging the continuous deployment of distributed  
48 solar photovoltaic electric energy in the commonwealth, the department of public utilities shall  
49 establish alternative rates for different solar projects based on project size and customer type,  
50 designed to enable the financing and deployment of new residential, commercial and ground-  
51 mounted distributed generation projects, including community solar projects serving all income  
52 levels. The alternative rates shall be approved by the department of public utilities not later than  
53 December 31, 2022.

54 In establishing the alternative rates, the department of public utilities shall consider the  
55 benefits provided by distributed generation facilities, including: (i) avoided energy purchases,  
56 capacity purchases, distribution costs, line losses, environmental compliance costs and damages

57 from greenhouse gas emissions; (ii) enhanced reliability; (iii) equity and environmental justice  
58 benefits; and (iv) any other benefits determined by the department of public utilities. The  
59 department of public utilities shall also consider developing time differentiated rates and  
60 alternative rates that encourage and promote social justice, environmental justice and the siting  
61 of clean energy projects in underserved communities. The department of public utilities, in  
62 consultation with the secretary, shall periodically review and may adjust the alternative rates to  
63 ensure compliance with the minimum solar deployment requirements established in section 18.  
64 Nothing in this section shall alter provisions for net metering established under section 139 of  
65 chapter 164.

66           Section 20. The department shall implement new programs to target unique barriers to  
67 clean energy adoption. The program shall address, at a minimum, challenges related to: (i)  
68 increasing low-income participation in state clean energy programs, including both residential  
69 and community solar programs; (ii) co-locating solar projects with agricultural uses; (iii)  
70 balancing the need for more clean energy with preserving open space and community character;  
71 (iv) solarizing brownfields, older buildings and parking lots; and (v) addressing environmental  
72 justice concerns through the commonwealth's clean energy programs.

73           Section 21. The secretary shall establish a program to create green jobs by solarizing the  
74 built environment in the commonwealth. Beginning on January 1, 2023, each new building  
75 constructed in the commonwealth shall incorporate solar generation facilities with capacity  
76 sufficient to serve at least 50 per cent of the expected electrical load of the building. The solar  
77 generation facilities shall be located on the same or adjacent property as the building, unless  
78 doing so would be infeasible. Beginning on January 1, 2025, each existing commercial building  
79 in the commonwealth with a flat roof of 50,000 square feet or more shall incorporate solar

80 generation facilities with capacity sufficient to serve at least 50 per cent of the expected electrical  
81 load of the building. The solar facilities shall be located on the same or adjacent property, unless  
82 doing so would be infeasible or prohibitively costly. The secretary shall allow a building owners  
83 that is unable to co-locate solar facilities on-site to comply with the requirements of this section  
84 through off-site options, including by funding or participating in solar generation projects located  
85 elsewhere in the commonwealth. The secretary shall promulgate rules and regulations necessary  
86 to implement and administer the program. The department shall direct electric and natural gas  
87 distribution companies to modify the Mass Save program to establish mechanisms that ensure  
88 that building owners' compliance with the alternative rate program does not unduly harm low  
89 income residents.

90 SECTION 3. The department of energy resources and the department of public utilities  
91 shall coordinate to facilitate a smooth transition between the solar incentive program established  
92 in section 11 of chapter 75 of the acts of 2016 and the alternative rate system established in  
93 section 19 of chapter 25A of the General Laws.

94 SECTION 4. Within 2 years of establishing the alternative rates described in subsection  
95 (b) of section 19 of chapter 25A of the General Laws, the department of energy resources shall  
96 commission a study of the costs and benefits of distributed generation resources. The department  
97 may use the study as a basis for further adjustment to the rates described in said section 19 of  
98 said chapter 25A.

99 SECTION 5. Sections 3 and 4 shall take effect 30 days after the publication of alternate  
100 rates for different solar project sizes and customer types as provided in section 19 of chapter 25A  
101 of the General Laws.