SENATE DOCKET, NO. 1870 FILED ON: 2/18/2021

SENATE . . . . . No. 2168

The Commonwealth of Massachusetts

PRESENTED BY:

James B. Eldridge

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 ensuring access to solar energy for all communities.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
James B. Eldridge	*Middlesex and Worcester*	
Joanne M. Comerford	*Hampshire, Franklin and Worcester*	*3/5/2021*
Michael O. Moore	*Second Worcester*	*3/9/2021*
Tami L. Gouveia	*14th Middlesex*	*3/10/2021*

SENATE DOCKET, NO. 1870 FILED ON: 2/18/2021

SENATE . . . . . No. 2168

By Mr. Eldridge, a petition (accompanied by bill, Senate, No. 2168) of James B. Eldridge, Joanne M. Comerford, Michael O. Moore and Tami L. Gouveia for legislation to ensure access to solar energy for all communities. Telecommunications, Utilities and Energy.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. *1956* OF 2019-2020.]

The Commonwealth of Massachusetts

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

An Act ensuring access to solar energy for all communities.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. For any solar incentive program, storage incentive program, electric passenger vehicle incentive program or residential renewable heating incentive program under general law, session law, or other authority, after this law takes effect, the Department of Energy Resources shall

(a) reserve a portion of the program for low-income residents, and Environmental Justice Populations, as determined by the Executive Office of Energy and Environmental Affairs pursuant to Executive Order 552, and providers or residents of publicly-assisted housing under section 1 of chapter 40T; and

(b) to the greatest extent possible, designs such programs to address the energy affordability issues that many residents currently face; provided, that all programs shall include strong consumer protection provisions to safeguard residents from exploitation or manipulation; and provided further, that the department shall ensure that information about a program and its benefits are provided in a readily accessible, transparent, and user friendly manner to all users, including residents of communities whose primary language is not English. In creating any program pursuant to this section, the department shall proactively engage and consult with low-income residents, traditionally underserved customers and communities, and organizations that serve these constituencies or represent their interests.

SECTION 2. Section 139 of chapter 164 of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by striking out, in subsection (a) clause (1), the words "A Class I or Class II net metering facility may designate customers of the same distribution company to which the Class I or Class II net metering facility is interconnected and that are located in the same ISO-NE load zone to receive such credits in amounts attributed by the Class I or Class II net metering facility." and inserting in place thereof the following words:- A Class I or Class II net metering facility may designate customers of any distribution company, regardless of which ISO-NE load zone the customers are located in, to receive such credits in amounts attributed by the Class I or Class II net metering facility;

by striking out, in subsection (b1/2) clause (1), the words "A solar net metering facility may designate customers of the same distribution company to which the solar net metering facility is interconnected and that are located in the same ISO-NE load zone to receive such credits in amounts attributed by the solar net metering facility." and inserting in place thereof the following words:- A solar net metering facility may designate customers of any distribution

company, regardless of which ISO-NE load zone the customers are located in, to receive such credits in amounts attributed by the solar net metering facility.; and

by inserting after paragraph (2) of subsection (b ½) the following:- "(3) Any solar net metering facility owner may elect to receive all or a portion of the net metering credits generated by a solar net metering facility during a billing period in the form of a direct payment by directing the distribution company to purchase such net metering credits, without discount or penalty, at the rates provided for in the applicable tariff."

SECTION 3. Notwithstanding any general or special law to the contrary, the department of energy resources and department of public utilities shall amend any rules, regulations, and tariffs to permit the owner of any new solar facility, including any solar energy generating source, that qualifies for programs pursuant to section 11F of chapter 25A of the General Laws and application regulations that achieves commercial operation on or after January 1, 2020 to: (a) receive credits for any electricity generated by a solar facility that exceeds the owner's usage during a billing period, with such credits to be credited to a solar facility owner's customer account with the relevant distribution company, and carried forward from month to month; (b) designate customers of any distribution company, regardless of which ISO-NE load zone the customers are located in, to receive such credits in amounts attributed by the solar facility, with such credits applicable to any portion or all of a designated customer's electric bill; and (c) direct the distribution company to purchase all or a portion of any credits produced by a solar facility at the rates provided for in the applicable statute, regulation, or tariff without discount or penalty.

SECTION 4. This law shall take effect upon passage.