

HOUSE No. 3170

The Commonwealth of Massachusetts

PRESENTED BY:

Danielle W. Gregoire

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 low-income access to solar.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Danielle W. Gregoire</i>	<i>4th Middlesex</i>	<i>1/17/2023</i>
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>	<i>2/9/2023</i>
<i>Priscila S. Sousa</i>	<i>6th Middlesex</i>	<i>7/24/2023</i>

HOUSE No. 3170

By Representative Gregoire of Marlborough, a petition (accompanied by bill, House, No. 3170) of Danielle W. Gregoire and Michelle M. DuBois that the Department of Energy Resources ensure equity, accessibility, and promote participation by renters and low-income retail electric customers in the solar incentive program. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Third General Court
(2023-2024)

An Act to promote low-income access to solar.

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

1 Chapter 164 is hereby amended by adding the following section:

2 Section 149.

3 Section 1.

4 (a) The department of energy resources shall ensure equity, accessibility, and
5 promote participation by renters and low-income retail electric customers in the solar incentive
6 program established in section 11 of chapter 75 of the acts of 2016, and in any successor solar
7 incentive program, by implementing a low-income customer verification process in which low
8 income customers shall be persons whose income is at or below 80 percent of the area median
9 income or 200 percent of the federal poverty level or is a small business, who are, for the
10 purposes of this section defined as business entities, including their affiliates that are (i)
11 independently owned and operated; and (ii) are defined as a “small business” under applicable

12 federal law, as established in the United States Code and promulgated from time to time by the
13 United States Small Business Administration.

14 (b) A low-income multi-unit building that meets the definition under M.G.L. c. 40B,
15 § 20 or otherwise receives tax credits under the U.S. Department of Housing and Urban
16 Development Low-Income Housing Tax Credit program shall qualify as one Low Income
17 Customer.

18 (c) In the implementation of the program, the department shall:

19 (i) Require income data verification to determine eligibility for low-income
20 customers. Proof of eligibility required for low-income customers shall include one or more than
21 one of the following: proof of participation in a low income discount program including
22 Medicaid; Supplemental Security Income; Temporary Assistance for Needy Families; Women,
23 Infants, and Children Nutrition Program; Low Income Home Energy Assistance Program;
24 Supplemental Nutrition Assistance Program or food stamps; Head Start; National School Lunch
25 Program; Emergency Aid to the Elderly, Disabled, and Children; School Breakfast Program;
26 Public Housing; Transitional Aide to Families with Dependent Children; Veterans' Service
27 Benefits established in Chapter 115 of the Massachusetts General Laws; Veterans Dependency
28 and Indemnity Compensation Surviving Parent or Spouse; Veterans Non-Service Disability
29 Pension; Fuel Assistance; or proof that the residential Low-income Customer lives in or is a
30 business entity located in a Census block group where the median household income is at or
31 below 200 percent of the U.S. Federal Poverty Guidelines or 80 percent of the area median gross
32 income published by the United States Census Bureau, whichever is greater; by living in or
33 owning a low-income multi-unit building, including those that are master-metered; or proof of

34 income of the account holder including pay stubs or form W-2; or any verification method
35 authorized by the U.S. Department of Treasury for qualified low-income economic benefit
36 projects Investment Tax Credit (ITC) adder under United States Public Law 117-169 Section
37 13103(2)(C);

38 (ii) prohibit credit checks as a means of establishing eligibility for residential
39 customers to become a subscriber;

40 (iii) prohibit the use of early termination and exit fees for residential customers;

41 (iv) require distribution companies generating an alternative form of on-bill credits as
42 approved by the department of public utilities from distributed solar generation facilities to
43 accept and implement no less frequently than once per month any changes to the identities of
44 designated recipients and amount of credits to be attributed to such recipients, as provided by the
45 owner of the solar distributed generation facility; and

46 (v) exempt low-income multi-unit building owners from bill credit maximums and
47 subscriber count minimums for the host project.

48 Section 2. The department shall promulgate regulations to implement this section within
49 180 days.