

HOUSE No. 3553

The Commonwealth of Massachusetts

PRESENTED BY:

David Allen Robertson

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 regarding the reform of Class 2 regulations.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>David Allen Robertson</i>	<i>19th Middlesex</i>	<i>1/17/2025</i>

HOUSE No. 3553

By Representative Robertson of Tewksbury, a petition (accompanied by bill, House, No. 3553) of David Allen Robertson relative to the reform of class 2 renewable energy generating resources. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act regarding the reform of Class 2 regulations.

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 11F of Chapter 25A is hereby amended by sticking paragraph (d) in its
2 eternity and inserting in its place the following:

3 (d) Every retail electric supplier providing service under contracts executed or extended
4 on or after January 1, 2009, shall provide a minimum percentage of kilowatt-hour sales to end-
5 use customers in the commonwealth from Class II renewable energy generating sources. For the
6 purposes of this section, a Class II renewable energy generating source is one that began
7 commercial operation before December 31, 1997 and generates electricity using any of the
8 following: (1) solar photovoltaic or solar thermal electric energy; (2) wind energy; (3) ocean
9 thermal, wave or tidal energy; (4) fuel cells utilizing renewable fuels; (5) landfill gas; (6) energy
10 generated by existing hydroelectric facilities, provided that such existing facility shall meet
11 appropriate and site-specific standards that address adequate and healthy river flows, water
12 quality standards, fish passage and protection measures and mitigation and enhancement

13 opportunities in the impacted watershed as determined by the department in consultation with
14 relevant state and federal agencies having oversight and jurisdiction over hydropower facilities;
15 and provided further, that only energy from existing facilities up to 7.5 megawatts shall be
16 considered renewable energy and no such facility shall involve pumped storage of water nor
17 construction of any new dam or water diversion structure constructed later than January 1, 1998;
18 (7) low emission advanced power conversion technologies using fuels such as by-products or
19 waste from agricultural crops, food or animals, energy crops, biogas, liquid biofuel including but
20 not limited to biodiesel, organic refuse-derived fuel, or algae; (8) marine or hydrokinetic energy
21 as defined in section 3; or (9) geothermal energy. A facility shall not be a Class II renewable
22 generating source unless it operates or contracts for one or more recycling programs approved by
23 the department of environmental protection. At least 34.75 per cent of any revenue received by
24 the facility through the sale of Massachusetts RPS-eligible renewable energy certificates shall be
25 allocated to such recycling programs. A Class II renewable generating source may be located
26 behind the customer meter within the ISO-NE control area provided that the output is verified by
27 an independent verification system participating in the NEPOOL GIS accounting system and
28 approved by the department.