

SENATE No. 1770

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 relative to net metering, community shared solar and energy storage.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>Jennifer L. Flanagan</i>	<i>Worcester and Middlesex</i>
<i>Peter V. Kocot</i>	<i>1st Hampshire</i>
<i>Lori A. Ehrlich</i>	<i>8th Essex</i>
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>Cory Atkins</i>	<i>14th Middlesex</i>
<i>Edward F. Coppinger</i>	<i>10th Suffolk</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>
<i>Michael J. Barrett</i>	<i>Third Middlesex</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>
<i>Frank I. Smizik</i>	<i>15th Norfolk</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>
<i>Brian A. Joyce</i>	<i>Norfolk, Bristol and Plymouth</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>
<i>Carmine L. Gentile</i>	<i>13th Middlesex</i>
<i>Benjamin Swan</i>	<i>11th Hampden</i>
<i>Thomas J. Calter</i>	<i>12th Plymouth</i>

<i>David M. Rogers</i>	<i>24th Middlesex</i>
<i>Gailanne M. Cariddi</i>	<i>1st Berkshire</i>
<i>Paul A. Schmid, III</i>	<i>8th Bristol</i>
<i>Daniel J. Ryan</i>	<i>2nd Suffolk</i>
<i>Evandro C. Carvalho</i>	<i>5th Suffolk</i>

SENATE No. 1770

By Mr. Eldridge, a petition (accompanied by bill, Senate, No. 1770) of James B. Eldridge, Jennifer L. Flanagan, Peter V. Kocot, Lori A. Ehrlich and other members of the General Court for legislation relative to net metering, community shared solar and energy storage. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act relative to net metering, community shared solar and energy storage.

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. Chapter 25 A of the General Laws is hereby amended by inserting after
2 section 11I the following sections:-

3 Section 11J. The department shall establish a Commonwealth Solar Program for all retail
4 electricity suppliers selling electricity to end-use customers in the commonwealth to encourage
5 the development of solar photovoltaic technology by residential, commercial, governmental and
6 industrial electric customers throughout the Commonwealth. The program shall be structured to
7 achieve 20 per cent solar electricity, measured by the sale of retail electricity to end-use
8 customers in the commonwealth, by December 31, 2025.

9 SECTION 2. Section 139 of chapter 164 is hereby amended by striking out paragraph (f),
10 appearing in the 2012 Official Edition, and inserting in place thereof the following paragraph:-

11 (f) The aggregate net metering capacity for solar net metering facilities shall be 1600
12 megawatts DC of solar photovoltaic facilities interconnected to the distribution system of a
13 distribution company, as defined in section 1 of chapter 164. The aggregate net metering
14 capacity of facilities that are a non-solar Class I facility, a non-solar agricultural net metering
15 facility, a wind net metering facility, or an anaerobic digestion net metering facility shall not
16 exceed 3 per cent of the distribution company's peak load, which includes all such facilities that
17 are interconnected or have been approved as eligible for net metering as of the effective date of
18 this section. The maximum amount of nameplate capacity eligible for net metering by a
19 municipality or other governmental entity under this section shall be 10 megawatts AC. For the
20 purpose of calculating the aggregate capacity, the capacity of a non-solar Class I facility, a non-
21 solar agricultural net metering facility, a wind net metering facility or an anaerobic digestion net
22 metering facility shall be its nameplate rating.

23 SECTION 3. Said section 139 of said chapter 164 is hereby further amended by striking
24 out paragraph (i), as so appearing, and inserting in place thereof the following paragraph:-

25 (i) Class I and Class II net metering facilities that are not net metering facilities of a
26 municipality or other government entity shall be exempt from the aggregate net metering
27 capacity of facilities under subsection (f).

28 SECTION 4. Chapter 164 of the General Laws is hereby amended by inserting after
29 section 145 the following section:-

30 Section 146. On or before January 1, 2016, the department shall open a proceeding to
31 establish an energy storage program. This program shall be designed to enable cost effective
32 energy storage systems that reduce greenhouse gas emissions, reduce demand for peak electrical

33 generation, defer or substitute for an investment in distribution or transmission assets, provide
34 back-up or emergency power, ancillary services, or improve the reliable operation of the
35 distribution grid. In considering policies pursuant to this section, the department shall consider
36 the integration of energy storage systems with other programs, including grid modernization,
37 renewable and alternative portfolio standards and demand-side management. Such program shall
38 take effect no later than January 1, 2017.

39 SECTION 5. Notwithstanding any general or special law to the contrary, any community
40 shared solar energy system, shall be exempt from taxes, for a period of 20 years from the date of
41 interconnection, imposed by chapter 59 of the General Laws. For the purposes of this section,
42 "community shared solar energy system" shall mean a solar powered system or device or a
43 combination of solar powered systems or devices collectively owned by residents or non utility
44 businesses that are placed on property owned by a cooperating local property owner, nonprofit
45 organization or non utility business for the purpose of heating or otherwise supplying not more
46 than 125 per cent of the annual energy needs of each of the owners of the system or device;
47 provided, however, that (i) the ownership units shall be less than or equal to 25 kilowatts each
48 and (ii) the owner of a community solar energy system unit shall receive an exemption in
49 proportion to the owner's share of the system, as determined by the proportion of energy
50 generated for use by the owner.

51 SECTION 6. Section 5 shall take effect on January 1, 2016.