

HOUSE No. 4044

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. Balse</i>	<i>12th Middlesex</i>	<i>7/29/2021</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.