

HOUSE No. 5126

Section 139 contained in the engrossed Bill making appropriations for the fiscal year 2023 (see House, No. 5050), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see Attachment U of House, No. 5132). July 28, 2022.

The Commonwealth of Massachusetts

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

An Act to provide low- and moderate-income customers comprehensive energy efficiency services and building electrification along with onsite renewable energy generation and energy storage.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide low- and moderate-income customers comprehensive energy efficiency services and building electrification along with onsite renewable energy generation and energy storage, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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. (a) Notwithstanding any general or special law to the contrary, not later
2 than January 1, 2024, any electric distribution company or municipal aggregator with a certified
3 efficiency plan may submit proposed low- and moderate-income whole building efficiency,
4 electrification and greenhouse gas emission reduction offerings to a limited number of
5 participants within the low- and moderate-income customer groups to the department of public
6 utilities for review. The offerings shall: (i) promote the adoption of whole building energy
7 efficiency measures, including weatherization; (ii) require full displacement of fossil fuel heating

8 and cooling equipment and fossil fuel cooking appliances, excluding outdoor grills; and (iii)
9 promote adoption and installation of onsite renewable energy generation and energy storage. A
10 renewable energy facility funded by the offerings made under this section shall be designated as
11 a “qualifying facility” as defined in 220 CMR 8.02. The offerings shall be designed to encourage
12 customers to lower energy consumption, reduce demand, improve customer resiliency or reduce
13 use of the distribution system.

14 (b) Costs incurred under this section may be recovered through the funding sources
15 authorized in subsection (a) of section 19 of chapter 25 of the General Laws.

16 (c) Not later than August 1, 2028, the department shall file a report detailing the results
17 of the offerings under this section, including: (i) an analysis of costs, benefits and scalability of
18 the offerings; and (ii) recommendations for legislative changes to any energy efficiency and
19 renewable energy generation incentive programs. The report shall be filed with the clerks of the
20 senate and the house of representatives, the joint committee on telecommunications, utilities and
21 energy and the house and senate committees on ways and means.

22 SECTION 2. This act shall take effect on July 1, 2022.