

SENATE No. 1285

The Commonwealth of Massachusetts

PRESENTED BY:

Cynthia Stone Creem

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 authorizing the town of Brookline to amend its community choice aggregation plan.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

Cynthia Stone Creem

Norfolk and Middlesex

Tommy Vitolo

15th Norfolk

SENATE No. 1285

By Ms. Creem, a petition (accompanied by bill, Senate, No. 1285) of Cynthia Stone Creem and Tommy Vitolo (by vote of the town) for legislation to authorize the town of Brookline to amend its community choice aggregation plan. Municipalities and Regional Government. [Local approval received]

The Commonwealth of Massachusetts

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

An Act authorizing the town of Brookline to amend its community choice aggregation plan.

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. Notwithstanding any general or special law to the contrary, the town of
2 Brookline may amend the municipal load aggregation plan previously approved by the
3 department of public utilities pursuant to section 134 of chapter 164 of the General Laws.
4 Following authorization by a majority vote of town meeting, such amendments shall be filed
5 with the department for its final review and approval. Prior to its decision, the department shall
6 conduct a public hearing. The department shall not review any section of the town’s load
7 aggregation plan that has not been altered from the town’s load aggregation plan last approved
8 by the department except to the extent that proposed amendments to the plan change the meaning
9 or operation of such unaltered section.

10 The department shall approve the amendments set forth in this section. The amended load
11 aggregation plan may authorize the aggregated entity, Brookline’s Community Choice

12 Aggregation program, known as Brookline Green Electricity, to charge all participating
13 ratepayers an excise of up to \$0.02 per kWh to fund programs to:

14 (i) build in the town solar energy generation facilities or energy storage systems; and

15 (ii) accelerate the adoption of electric energy infrastructure in new buildings and in
16 existing buildings with fossil fuel infrastructure.

17 The amended load aggregation plan may authorize the aggregated entity to charge all
18 participating ratepayers an excise of up to \$0.13 per kWh to fund or enable:

19 (i) demand-response programs that enable program participants to reduce their electricity
20 costs by taking advantage of time-varying rates; and

21 (ii) investments in renewable energy or energy storage infrastructure that would reduce
22 net rates for program participants over the lifetime of the installed infrastructure.

23 The aggregation plan may authorize the aggregated entity to offer ratepayers a reduced
24 rate in exchange for agreement to pay an early termination fee. The aggregation plan may require
25 that participating ratepayers install or permit the installation of advanced meter infrastructure for
26 the purpose of providing the aggregated entity with time-varying use data and may provide for a
27 discounted rate for participating ratepayers' electric vehicle charging or other electrical
28 consumption costs during off-peak or other hours or demand response periods.

29 The aggregated entity is authorized to access the time-varying data from advanced meter
30 infrastructure to the same extent that such data is made available to local electricity distribution
31 companies.

32 Participation by any retail customer in the amended load aggregation program shall be
33 voluntary.

34 An amended aggregation plan shall take effect 30 days following its approval by the
35 department.

36 Ratepayers participating in the existing load aggregation program shall be automatically
37 enrolled in the amended plan. Once enrolled in an amended plan, any ratepayer choosing to opt
38 out within 180 days shall be entitled to receive basic service. Nothing in this section shall
39 authorize the town to restrict the ability of retail electric customers to obtain or receive service
40 from any authorized provider of electricity supply.

41 The aggregated entity shall fully inform participating ratepayers in advance of automatic
42 enrollment that they are to be automatically enrolled and that they have the right to opt-out of the
43 aggregated entity plan. In addition, such disclosure by the aggregated entity shall prominently
44 state all charges to be made and shall include full disclosure of the basic service rate and how to
45 access it.

46 SECTION 2. This act shall take effect upon its passage.