

HOUSE No. 4019

Sections 69, 103, 104, and 108 contained in the engrossed Bill making appropriations for the fiscal year 2020 (see House, No. 4000), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see Attachment E of House, No. 4014). July 31, 2019.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act relative to offshore wind contract pricing.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to forthwith provide for offshore wind contract pricing, 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. Notwithstanding subsection (b) of section 83C of chapter 169 of the acts of
2 2008, inserted by chapter 188 of the acts of 2016, the department of public utilities shall not
3 approve a long-term contract for offshore wind energy generation that results from a subsequent
4 solicitation and procurement period if the levelized price per megawatt hour, plus associated
5 transmission costs, is greater than or equal to the adjusted levelized price per megawatt hour,
6 plus transmission costs, that resulted from a previous procurement; provided, however, that the
7 department shall adjust such procurement’s price for the availability of federal tax credits,
8 inflation and incentives; and provided further, that the adjusted levelized price shall not include
9 mitigation efforts that, where feasible, create and foster employment and economic development
10 in the commonwealth.

11 SECTION 2. Section 1 shall apply to contracts subject to review by the department of
12 public utilities as of July 1, 2019.

13 SECTION 3. Section 1 is hereby repealed.

14 SECTION 4. Section 3 shall take effect on July 1, 2020.

15 SECTION 5. Except as otherwise specified, this act shall take effect as of July 1, 2019.