

SENATE No. 2180

The Commonwealth of Massachusetts

PRESENTED BY:

Barry R. Finegold

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:

Barry R. Finegold

DISTRICT/ADDRESS:

Second Essex and Middlesex

SENATE No. 2180

By Mr. Finegold, a petition (accompanied by bill, Senate, No. 2180) of Barry R. Finegold for legislation to support 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. Chapter 21N of the General Laws is hereby amended by inserting after
2 section 11 the following section:-

3 Section 12. The Secretary of Energy and Environmental Affairs shall establish a program
4 or programs to ensure that no fewer than 550 megawatts of solar, measured in alternating
5 current, are installed in the Commonwealth during calendar year 2023.

6 i) Such program or programs shall ensure that the minimum level of solar installed during
7 each year shall increase annually after 2023 by no fewer than 50 megawatts of alternating
8 current, until the year 2027, for a total of 3,250 megawatts.

9 ii) The program or programs established by the Secretary shall ensure that solar
10 installations in the Commonwealth in the year 2028 and beyond continue to increase at a pace
11 sufficient to maintain progress toward [NB – reference to the Commonwealth’s target of net zero
12 emissions of greenhouse gases by 2050.]

13 SECTION 2. Chapter 21N of the General Laws is hereby amended by inserting after
14 section 11 the following section:-

15 Section 13. To achieve the minimum solar installation targets established in Section 12 of
16 this chapter, and to create a simplified approach to encouraging the continuous deployment of
17 distributed solar in the Commonwealth, the Department of Public Utilities shall establish
18 alternative rates for different solar project sizes and customer types that are designed to enable
19 the financing and deployment of new residential, commercial, and ground-mounted distributed
20 generation projects, including community solar projects serving all income levels. The
21 Department of Energy Resources and the Department of Public Utilities shall coordinate with
22 each other to facilitate a smooth transition between the Commonwealth's existing solar incentive
23 program and a new solar program using the alternative rates established under this section. Such
24 alternative rates shall be approved by the Department no later than December 31, 2022.

25 i) In establishing such rates, the Department shall consider the following benefits
26 provided by distributed generation facilities: avoided energy purchases, avoided capacity
27 purchases, avoided distribution costs, avoided line losses, avoided environmental compliance
28 costs, enhanced reliability, avoided damages from greenhouse gas emissions, equity and
29 environmental justice benefits, and any other benefits determined by the Department.

30 ii) In establishing such rates, the Department shall also consider developing time
31 differentiated rates, as well as consider alternative rates that encourage social justice, promote
32 environmental justice, and the siting of clean energy projects in underserved communities.

33 iii) The Department, in consultation with the Secretary, shall periodically review and may
34 adjust such rates to ensure compliance with the minimum solar deployment requirements
35 established in Section 1.

36 iv) Within two years of establishing the rates described in this section, the Department
37 shall commission a study of the costs and benefits of distributed generation resources. The
38 Department may use such study as a basis for further adjustment to the rates described in this
39 section.

40 v) Nothing in this section shall be deemed to alter provisions for net metering established
41 under section 139 of chapter 164 of the General Laws.

42 SECTION 3. Chapter 21N of the General Laws is hereby amended by inserting after
43 section 11 the following section:-

44 Section 14. (a) The Secretary shall establish a new program to create green jobs by
45 solarizing the built environment in the Commonwealth.

46 (b) Under this program, beginning on January 1, 2023, all new buildings constructed in
47 the Commonwealth shall be required to incorporate solar generation facilities with capacity
48 sufficient to serve at least 50% of the expected electrical load of the building. Such solar
49 facilities shall be located on the same or adjacent property, unless doing so would be infeasible.
50 Under this program, beginning on January 1, 2025, all existing commercial buildings in the
51 Commonwealth with a flat roof of equal to or greater than 50,000 square feet shall be required to
52 incorporate solar generation facilities with capacity sufficient to serve at least 50% of the
53 expected electrical load of the building. Such solar facilities shall be located on the same or
54 adjacent property, unless doing so would be infeasible or prohibitively costly.

55 i. The Secretary shall establish provisions to allow building owners that are unable to co-
56 locate solar facilities on-site to comply via off-site options, including by funding or participating
57 in solar generation projects located elsewhere in the Commonwealth.

58 ii. Department shall direct the electric and natural gas distribution companies to modify
59 the Mass Save program to establish mechanisms to ensure that building owners' compliance with
60 this program does not unduly harm low income residents.

61 SECTION 4. Chapter 25A of the General Laws is hereby amended by inserting after
62 section 17 the following section:-

63 Section 18. The Department of Energy Resources shall implement a new program or
64 programs to target unique barriers to clean energy adoption. The program shall address, at a
65 minimum, the following challenges:

66 a. Challenges in increasing low-income participation in state clean energy programs,
67 including both residential and community solar programs;

68 b. Challenges related to co-locating solar projects with agricultural uses;

69 c. Challenges related to balancing the need for more clean energy with preserving open
70 space and community character;

71 d. Challenges associated with solarizing older buildings, brownfields, and parking lots;
72 and

73 e. Challenges associated with addressing environmental justice concerns through the
74 state's clean energy programs.

75 SECTION 5. Chapter 25A of the General Laws, is hereby amended by inserting after
76 section 10A the following section:-

77 Section 10B. (a) Beginning January 1, 2022, the division of green communities shall
78 implement a Solar Opportunity Zones initiative as a new component of the green communities
79 program. The goals of the Solar Opportunity Zones initiative shall be to identify locations
80 throughout the Commonwealth to be designated as preferred areas for siting additional ground-
81 mounted solar; to provide incentives to communities and electric utilities to facilitate greater
82 deployment of ground-mounted solar in such areas; and to minimize land use conflicts between
83 solar deployment and other uses. Solar Opportunity Zones established through this initiative
84 shall be of sufficient size to enable significant levels of ground-mounted solar development to
85 continue. In developing Solar Opportunity zones, the division will consult with the attorney
86 general's office, the electric distribution companies, municipalities, and industry stakeholders.

87 (b) In establishing Solar Opportunity Zones, the division shall take into account and
88 balance factors including: the overall need for clean energy to meet the Commonwealth's
89 renewable energy and greenhouse gas goals, the availability of land, the availability of
90 distribution and transmission infrastructure, the suitability of parcels for the construction of solar
91 facilities, the receptiveness of local communities, impacts on farmland, and impacts on other
92 environmental concerns.

93 (c) The division shall establish incentives and other mechanisms to encourage
94 communities located within Solar Opportunity Zones to reduce barriers to solar development.
95 Barriers addressed through the Solar Opportunity Zones initiative shall include, but not be
96 limited to, local permitting, zoning, and taxation policies and practices.

97 (d) The Department of Public Utilities, in consultation with the division, shall establish
98 incentives and other mechanisms to encourage electric utilities in the Commonwealth to rapidly
99 and proactively upgrade and adapt the distribution and transmission grid that serves Solar
100 Opportunity Zones to facilitate increased levels of solar installations in those areas.

101 (e) The division shall establish at least one Solar Opportunity Zone within each of the
102 service territories of the Commonwealth's electric distribution companies no later than January
103 1, 2022.

104 (f) The division shall annually publish a report detailing progress in establishing Solar
105 Opportunity Zones and the number of additional megawatts of solar installed within each Zone.