

HOUSE No. 3901

The Commonwealth of Massachusetts

PRESENTED BY:

Frank I. Smizik

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 passage of the accompanying:

An Act relative to net metering.

PETITION OF:

NAME:

Frank I. Smizik

DISTRICT/ADDRESS:

15th Norfolk

HOUSE No. 3901

By Mr. Smizik of Brookline, a petition (subject to Joint Rule 12) of Frank I. Smizik relative to electricity net metering. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

In the Year Two Thousand Fourteen

An Act relative to net metering.

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 139 of Chapter 164 of the Massachusetts General Laws is hereby
2 amended by adding the following subsection:

3 (j) Notwithstanding the aggregate net metering capacity limits specified in subsection (f),
4 any on-site renewable energy source which is determined by the administrator of the net
5 metering system of assurance to otherwise meet the qualifications for net metering cap allocation
6 shall qualify for net metering provided such determination is obtained on or before December 31,
7 2016.

8 Section 2. (a)(1) There shall be a net metering study commission established to research
9 and review the long-term viability of net metering in the commonwealth. The commission shall
10 assess and report to the legislature on the costs and benefits of the existing net metering
11 framework from the perspectives of the customer-generator, non-participating ratepayers, and the
12 citizens of the commonwealth at large. The commission shall report on these findings and make
13 recommendations to the legislature to encourage the sustained and orderly development of
14 customer-sited renewable generation sources within the commonwealth, while minimizing any
15 cross-subsidization by or of such generation.

16 The commission shall consist of 12 members or their designees: 1 of whom shall be the
17 chairperson of the department of public utilities, who shall serve as chair; 1 of whom shall be the
18 commissioner of the department of energy resources; 1 of whom shall be the attorney general; 4
19 of whom shall be members of the joint committee on telecommunications, utilities and energy, 2
20 of whom shall be the co-chairs of the committee, 1 of whom shall be appointed by the ranking
21 senate minority member, and 1 of whom shall be appointed by the ranking house minority

22 member; 1 of whom shall be appointed by the Massachusetts Municipal Association; and 4 of
23 whom shall be appointed by the governor, 1 of whom shall be a representative of a solar energy
24 business association serving members actively doing business across a broad cross-section of the
25 Massachusetts solar market, 1 of whom shall be a representative of a Massachusetts renewable
26 energy business association encompassing multiple RPS eligible technologies, including but not
27 limited to solar, 1 of whom shall represent large electric users, and 1 of whom shall be a
28 representative of a Massachusetts investor owned utility. The commissioners' terms shall expire
29 180 days from submission of the final commission report pursuant to subsection (b). A vacancy
30 in the commission shall be filled in the manner in which the original appointment was made.

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32 (2) The members of the commission shall receive no compensation for their
33 services.

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35 (3) The powers of the commission shall include, but not be limited to: (i) using
36 voluntary and uncompensated services of private individuals, agencies and organizations as may
37 be offered or needed; (ii) recommending policies and making recommendations to the general
38 court to effectuate the changes outlined in subsection (a); (iii) enacting by-laws for the
39 commission's own governance; and (iv) holding regular public meetings, fact-finding hearings
40 and other public forums as the commission considers necessary.

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42 (4) The commission may request from all state agencies such information and
43 assistance as the commission may require.

44 (b)(1) The commission shall consult with electric distribution companies, consumer
45 organizations, renewable energy businesses residing in the commonwealth and other interested
46 parties, providing at least 1 opportunity for public comment, as well as, the public review of the
47 commission's draft report prior to filing the report with the general court.

48 (2) The commission shall convene its first meeting by November 1, 2014 and shall
49 submit its report, along with any recommendations for legislative or regulatory reforms, not later
50 than December 31, 2015 with the clerks of the house of representatives and the senate who shall
51 forward a copy of the report to the house and senate chairs of the joint committee on
52 telecommunications, utilities and energy.

53 (c) The commission shall be dissolved within 180 days of submission of the final
54 commission report pursuant to subsection (b) of this section.