

HOUSE No. 3925

The Commonwealth of Massachusetts

In the Year Two Thousand Fourteen

An Act relative to distributed generation contracts.

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 83A of chapter 169 of the Acts of 2008, as inserted by Section 36
2 of chapter 209 of the Acts of 2012, is hereby amended by striking out the seventh paragraph and
3 inserting in place thereof the following paragraph:-

4 Ten per cent of the aggregate level of long-term contracts under this section shall be
5 reserved for newly developed, small, emerging or diverse renewable energy distributed
6 generation facilities as determined by the department of energy resources, which may include
7 such facilities notwithstanding eligibility to participate in the RPS program and sell RECs
8 including but not limited to clean, non-combustion distributed generation, and which are located
9 within each distribution company’s service territory. Notwithstanding this section to the
10 contrary, each distribution company shall be required to solicit proposals for such distributed
11 generation facilities separately through a competitive bidding process only. Distributed
12 generation projects qualifying under this paragraph shall have a nameplate capacity of not larger
13 than 6 megawatts, shall not qualify as a Class I, II, or III net metering facility, as defined in
14 section 138 of said chapter 164; provided, however, that long-term contracts reserved for newly
15 developed, small, emerging or diverse renewable energy distributed generation facilities shall not
16 be awarded to any technology which had more than 30 megawatts of capacity installed in the
17 commonwealth before April 1, 2012; provided further that each distribution company, when
18 feasible, shall not award more than fifty per cent of distributed generation long-term contracts
19 allocated under this paragraph to any single technology. Notwithstanding the foregoing, the
20 requirement that each distribution company, when feasible, not award more than fifty per cent of
21 distributed generation long-term contracts allocated under this paragraph to any single
22 technology shall not require a distribution company to issue more than one solicitation to comply
23 with this paragraph.