

The Green Communities Act of 2007

1. Establish Commonwealth's Energy Goals:

- Meet at least 25 per cent of the Commonwealth's electric load, including both capacity and energy, by the year 2020 with clean, demand side resources including: energy efficiency, load management, demand response, and generation that is located behind a customer's meter and is a combined heat and power system with an annual efficiency of 60 per cent or greater with the goal of 80 per cent annual efficiency for combined heat and power systems by 2020;
- Meet at least 20 per cent of the Commonwealth's electric load by the year 2020 through new, renewable generation;
- Reduce the use of fossil fuel in buildings by 10 per cent from 2007 levels by the year 2020 through the increased efficiency of both equipment and the building envelope;
- Reduce greenhouse gas emissions by 20 per cent from 1990 levels by the year 2020; and
- Develop a plan to reduce total energy consumption in the Commonwealth by at least 10 per cent by 2017 through the development and implementation of the Green Communities Program that utilizes renewable energy, demand reduction, conservation and energy efficiency. The Secretary of Energy and Environmental Affairs shall annually, no later than September 1st, establish an annual reduction target for the Commonwealth for the following calendar year.

2. Establish Energy Efficiency and Green Communities Program

- Provide loans and grants from the Massachusetts Renewable Energy Trust Fund and the Alternative Compliance Fund to municipalities to finance the cost of energy efficient improvements, allowing them to realize energy savings.
- Create an expedited permitting process for the siting of clean energy generating facilities within municipalities.

3. Establish Least Cost Energy Planning

- Require distribution companies to consider all available energy resources when purchasing power, and mandates they purchase the most cost-effective and stable resources, with the goal of procuring all cost-effective energy efficiency and conservation prior to the acquisition of more expensive supply from more traditional sources.

4. Implement Long Term Contracts for the Purchase of Renewable Energy

- Establish a 5 year pilot program, requiring distribution companies to enter into cost-effective renewable 10-15 year energy contracts for the procurement of renewable energy, to help eliminate a barrier in the financing of renewable energy generation in the Commonwealth.

5. Create New Department of Clean Energy

- Establish Department of Clean Energy, under the supervision and control of the Commissioner. The new department is vested with the duties and authority that rests currently with the Commissioner of the Division of Energy Resources (DOER), and shall focus on overseeing efficiency and renewable energy programs within the state.

6. Amend the Renewable Energy Portfolio Standard (RPS) to Create a Second Class.

- Create second class of RPS. Class I eligible technologies include "new" and "incremental new" renewable generation. Class II eligible technologies include "existing" renewable generation.

7. Establish Alternative Energy Portfolio Standard

- Provide market incentives to alternative generation technologies operating in the state by requiring a percentage of generation sold to customers come from coal gasification, combined heat and power, and other alternative energy technologies.

8. Improve Utility Safety

- Require inspection and maintenance standards for electric and gas utilities.
- Increase fines for failing to replace gas meters every 7 years.
- Require regulation and oversight of steam companies by the Department of Public Utilities.
- Authorize the Department of Public Utilities to have oversight over holding companies in the event of a sale or merger of the utility company located in the state, allowing a public hearing to ensure the sale or merger is in the public's best interests.

9. Establish Office of Ratepayer Advocacy

- Create an independent Office of the Ratepayer Advocate within the Attorney General's Office, authorized to intervene in administrative or judicial proceedings on behalf of consumers regarding matters involving rates.

10. Promote Fuel Efficient State-Owned Vehicles

- Direct the state to replace state-owned and operated vehicles with more fuel-efficient vehicles.

11. Provide Alternative Vehicles Tax Deduction

- Provide for an income tax deduction of \$2,000 for an individual who purchases a hybrid or alternative fuel vehicle.

12. Extend Business Tax Credit for Installation of Solar Water Heating Units

- Extend the tax credit of 15% or \$300 to Massachusetts businesses to offset the cost of purchasing a solar water heating system.

13. Establish Smart Grid Pilot Program

- Establish a pilot program requiring each distribution company to file a plan establishing a "smart grid" program, whereby customers will receive automated information related to their energy demands in order to make more efficient choices regarding energy use.

14. Establish Demand Response Pilot Program

- Direct the Secretary of Energy and Environmental Affairs to establish a program placing SMART METER technology in 5,000 residential and small commercial industrial locations, for the purpose of helping customers lower their monthly utility bills by reducing their electricity demand.

15. Establish Energy Pay and Save Pilot Program

- Direct the Secretary of Energy and Environmental Affairs to establish a program whereby homeowners or tenants can purchase renewable energy products for the home with no up-front payment, and pay them off monthly on their utility bill.

16. Increase Incentives for Installing Renewable Generation

- Expand qualifications and increase incentives for solar and wind net-metering.

17. Extend Low Interest Loans for Energy Efficient Home Improvements

- Direct the Secretary of Energy and Environmental Affairs to provide at least \$5 million in low interest loans for residential homeowners seeking to make energy efficient home improvements.

18. Provide \$3 Million Annually to Hydroelectric Facilities for Upgrades

- Direct \$3 million annually from the Renewable Energy Trust Fund to go towards upgrades at existing hydroelectric facilities.

BILL SUMMARY

BILL NO: House 3965

TITLE: The Green Communities Act of 2007

SPONSOR: Speaker DiMasi, et. al.

COMMITTEE: Telecommunications, Utilities and Energy

HEARING DATE: Monday, April 2, 2007

SIMILAR MATTERS: None

PRIOR HISTORY: New Bill

CURRENT LAW:

General Law chapters 25, 25A, 40J, 164, 166A, etc, and numerous Special Acts.

SUMMARY:

SECTION 1: This section directs the state to replace state-owned and operated vehicles, with vehicles having above-average fuel efficiency for new vehicles within their size class, as determined by the federal government.

SECTION 2: Directs the Commissioner of the Division of Capital Asset Management to minimize life-cycle costs in new construction.

SECTION 3: Office of the Ratepayer Advocate under the Attorney General.

SECTION 4: Technical change amending Chapter 21A regarding the new Department of Clean Energy.

SECTION 5: Amends Chapter 21A by adding the following new sections:

Section 21: Requires the Secretary of the Executive Office of Energy and Environmental Affairs to design and implement a bidding process for competitive procurement of electric generation.

Section 22: (a) Establishes the Massachusetts Renewable Energy Trust Fund. The Secretary of Energy and Environmental Affairs will hold this fund in an account separate from other funds or accounts.

(b) The public purpose of this fund will be to provide financial assistance in the form of grants or loans to finance the cost of renewable energy activities.

(c) The Department will develop a list of qualified home improvement contractors to construct, install, and complete renewable energy projects.

(d) Defines renewable technologies eligible for the fund.

(e) Makes available no more than \$3 million annually of the Massachusetts Renewable Energy Trust Fund money for grants, loans, or other support for upgrades to increase the efficiency or capacity and to reduce the environmental impacts of hydroelectric facilities located in the Commonwealth.

SECTION 6: Give the DPU authority to periodically audit utility companies.

SECTION 7: Adds Section 18A to Chapter 25 that allows assessments to be collected from steam distribution companies under the jurisdictional control of the DPU.

SECTION 8: Amends Chapter 25 by striking out sections 19 and 20 and replacing them with the following sections:

Section 19: This section requires the Executive Office to require a mandatory charge per kilowatt-hour for all electricity and gas consumers of the Commonwealth, except those consumers served by a municipal lighting plant which does not supply generation service outside its own service territory or does not open its service territory to competition at the retail level, to fund energy efficiency activities.

Section 20: This section requires the Executive Office to require a mandatory per kilowatt-hour for all electricity consumers of the Commonwealth, except those consumers served by a municipal lighting plant which does not supply generation service outside its own service territory or does not open its service territory to competition at the retail level, to support the development and promotion of clean and renewable energy projects.

Section 21: Directs the Department of Public Utilities to ensure that the Commonwealth's electric and natural gas resource needs will first be met through all available energy efficiency and demand resources that are less expensive than supply. The cost of supply will be determined by the Department with consideration of the average cost of generation to all customer classes over the previous 24 months. No later than March 20, 2008 and every three years afterwards, the electric distribution utilities and municipal aggregators with certified efficiency plans will jointly prepare an electric Efficiency Investment Plan and the natural gas distribution utilities will jointly prepare a gas plan.

Section 22: Establishes the Energy Efficiency Advisory Council.

Section 23: Definitions.

Section 24: Prohibits ExParte communication during proceedings.

SECTION 9: This section establishes the Department of Clean Energy within the Executive Office of Energy and Environmental Affairs and vests in the Department all of the duties and authority currently vested with the Division of Energy Resources. Within the Department of Clean Energy there will be three divisions: a Division of Energy Efficiency, a division of Renewable and Alternative Energy Development, and a Division of Green Communities.

SECTION 10: Technical change regarding Chapter 25A reference of Division of Energy Resources to Department of Clean Energy.

SECTION 11: Adds the definition of energy savings.

SECTION 12: Technical change regarding annual report from the Department of Clean Energy.

SECTIONS 13-16: Technical change regarding Chapter 25A reference of Division of Energy Resources to Department of Clean Energy.

SECTION 17: Repeals Chapter 25A, Section 10.

SECTION 18: Technical change regarding Chapter 25A reference of Division of Energy Resources to Department of Clean Energy.

SECTION 19: Amends Chapter 25A, Section 11F by striking out paragraphs (a) and (b) and inserting the following paragraphs:

(a) This section amends the existing Renewable Energy Portfolio Standard. It states that the Department of Clean Energy will establish a renewable energy portfolio standard for all retail electricity suppliers selling electricity to end-use customers in the Commonwealth. By December 31, 1999, the Department will determine the actual percentage of kilowatt-hour sales to end-use customers in the Commonwealth that is derived from existing renewable energy generating sources. Every retail supplier will provide a minimum percentage of kilowatt-hour sales to end-use customers in the Commonwealth from new renewable energy generating sources following a schedule.

(b) Defines a renewable energy generating source or a Class I source.

(c) On or before January 1, 2008, a new renewable energy generating source meeting certain requirements will be known as a Class I renewable energy generating source. It is defined as a renewable energy generating source that

begins commercial operation after December 31, 1997, or the net increase of incremental new generating capacity after December 31, 1997 at an existing facility.

- (d) Commencing on January 1, 2009, every retail supplier providing service under contracts executed or extended on or after January 1, 2009, will also provide a minimum percentage of kilowatt-hour sales to end-use customers in the Commonwealth from Class II renewable energy generating sources. Defines a Class II renewable energy generating source.
- (e) On or before June 30, 2008, the Department of Clean Energy will determine the actual percentage of kilowatt-hour sales to end-use customers in the commonwealth which was derived from Class II generating sources in 1998. On or before January 1, 2009, every retail supplier shall annually provide to end-use customers in the Commonwealth, generation attributes from Class II energy facilities in the amount equal to the percent of the kilowatt hour sales from Class II energy generating sources in 1998, and shall provide at least that percentage of Class II generation attributes each year thereafter.

SECTION 20: Establishes an alternative energy portfolio standard for all retail electricity suppliers selling electricity to end-use customers in the commonwealth.

SECTION 21: Repeals Chapter 25A, Section 11G.

SECTION 22: Technical change regarding Chapter 25A references of the Division of Energy Resources to the Department of Clean Energy.

SECTION 23: Renewable energy generation outside of ISO New England.

SECTION 24: Technical changes regarding the committee structure in the Legislature.

SECTION 25: Technical change regarding references to the Division of Energy Resources Credit Fund to the Department of Clean Energy Credit Trust Fund.

SECTIONS 26-27: Technical change regarding Chapter 25A references of the Division of Energy Resources to the Department of Clean Energy.

SECTION 28: Amends Chapter 25A by adding the following new sections:

Section 14(a): Defines terms pertaining to energy management services.

Section 14(b): Authorizes a public agency to contract for energy management services for a term of ten years.

Section 14(c): The provisions of this subsection will be applicable to a government body.

Section 14(d): A public agency may cancel a request for proposals when it determines that the cancellation or rejection may serve the best interests of the public agency.

Section 14(e): Authorizes the Secretary of the Executive Office of Energy and Environmental Affairs with power enforcement program.

Section 15(a): Defines terms pertaining to energy management services.

Section 15(b): Establishes an alternative to a public agency to the procurement process by establishing a request for qualifications process.

Section 15(c): A public agency may cancel a request for qualifications when it determines that the cancellation or rejection may serve the best interests of the public agency.

Section 15(d): The public agency will negotiate a contract with the most qualified person at compensation which the public agency determines is fair, competitive, and reasonable.

Section 15(e): Mandates that agency decisions regarding selection of providers are final.

Section 15(f): The public agency will provide public notice of the meeting at which it proposes to award the guaranteed energy savings contract, or the parties to the proposed contract, and of the purpose of the contract. This will be made at least ten days before the meeting.

Section 15(g): Proscribes what guaranteed energy savings contracts will include. The guaranteed energy savings contract will include a written guarantee of the qualified provider that either the amount of energy savings guaranteed will be achieved or the qualified provider will reimburse the public agency for the shortfall amount.

Section 15(h): Payments under a contract for energy management services may be based in whole or in part on any cost savings attributable to a reduction in energy and water consumption due to the contractor's performance or revenues gained due to the contractor's services that are aimed at energy and water savings.

Section 15(i): Mandates all requirements under contract are in writing.

Section 15(j): Mandates qualified providers to be bonded.

Section 15(k): Guaranteed energy savings contracts may extend beyond the fiscal year in which they become effective.

Section 16: This section establishes a Green Communities Division within the Department of Clean Energy.

Section 16(a): Establishes factors that communities must meet in order to establish a green community certification.

Section 16(b): Defines the purpose of the green communities program to provide financial assistance, finance costs, and award grants to provide technical assistance to municipalities and other governmental bodies that qualify as green communities.

Section 16(c): Specifies how communities will qualify for participation in the green communities program. In order to qualify as a green community a municipality must:

1. file an application with the Division; and
2. accept a designation as a qualifying clean energy community by the clean energy facility site screening committee established pursuant to section 20 and permit the construction of a minimum of 1 clean energy generating facility within the community on municipally or privately owned real property identified by the secretary as real property which could potentially be utilized to site clean energy generating facilities, clean energy research and development facilities, and clean energy manufacturing facilities pursuant to section 20; or
3. adopt an expedited application and permitting process pursuant to which clean energy generating facilities or clean energy research and development or manufacturing facilities may be sited within the municipality; provided, however, that said process shall not exceed 1 year from the date of initial application to the date of final approval; provided, further, that in lieu of adopting such an expedited application and permitting process a municipality may agree to transfer the right, without recourse to the municipality, to site clean energy generating facilities within the municipality to the energy facilities siting board established pursuant to section 64H of chapter 164; or
4. agree to enter into a contract wherein the municipality shall purchase a fixed percentage of electricity consumed by municipally owned buildings, street and traffic lights from clean energy generating sources; provided, however, that the maximum percentage of clean energy generation required to satisfy the provisions of this subsection shall not exceed 20 per cent of a municipality's total electric load as determined by the Division.

Section 16(d): Establishes funding priorities for the green communities program. Consideration will be given to whether municipalities have undertaken any other

initiatives to reduce energy consumption, promote energy conservation, or promote the development of clean energy generating facilities.

Section 16(e): Authorizes the Division to establish guidelines regarding energy conservation measures and projects.

Section 16(f): Funding for the green communities program in any fiscal year will be available from the revenues generated by the Massachusetts Renewable Energy Trust Fund, up to 100 percent of the revenues generated annually by the alternative compliance payment funds, and other funds.

Section 16(g): Exempts municipalities served by municipal lighting plants from participation in the green communities program.

Section 16(h): Authorizes the Division to establish rules and guidelines for the administration of the program.

Section 17: The Division will design and implement a competitive procedure for the procurement of electric generation from clean energy generating facilities on behalf of municipalities seeking assistance with the procurement. Any competitive bids received will include payment options with rates that remain uniform for a minimum of 5 years. In place of designing and implementing a competitive bidding process, the Director may become a member of one or more programs organized and administered by the Massachusetts Health and Educational Facilities Authority or its subsidiary organization for the purpose of competitive group purchasing of electricity.

Section 18: Establishes a clean energy site screening committee consisting of 7 members. The committee will develop a state wide list of public and private real property which could be utilized to site clean energy generating facilities, clean energy research and development facilities, and clean energy manufacturing facilities and submit an annual list of such facilities to the Secretary of Energy and Environmental Affairs. The committee will also annually submit a written report of its activities to the House and Senate Chairs of Ways and Means, the Chairs of the Joint Committee on Telecommunications, Utilities, and Energy, and the House and Senate Clerks.

SECTION 29: Technical change regarding Chapter 25B reference of the Division of Energy Resources to the Department of Clean Energy.

SECTION 30: Technical change regarding Chapter 30B reference of the Division of Energy Resources to the Department of Clean Energy.

SECTION 31: Repeals Chapter 40J, Section 4E.

SECTION 32: This section adds the definitions of “alternative fuel vehicle” and “hybrid vehicle” to Chapter 62 of the General Laws relative to the taxation of personal income.

SECTION 33: This section amends the chapter relative to the taxation of personal income by adding an income tax deduction of \$2,000 for an individual who purchases a hybrid or alternative fuel vehicle.

SECTION 34: This section amends the corporate tax law by creating a credit for the installation of solar water heating systems. A credit of the lesser of \$300 or 15 percent could be claimed for the cost of retail purchase and installation of such systems, subject to rules and regulations to be promulgated by the Department of Revenue.

SECTION 35: Mandates home energy scoring.

SECTION 36: This section is a technical change requiring the State Board of Building Regulations and Standards to revise and amend the energy conservation code every five years.

SECTION 37: This section requires amendment of the energy conservation code every three years.

SECTION 38: Adds the definition of “basic service”.

SECTION 39: Deletes the definition of “default service”.

SECTION 40: Amends Chapter 164 definitions.

SECTION 41: Each distribution, transmission, and gas company will file a report with the Department by March 1 of each year comparing its performance during the previous calendar year to the Department’s service quality standards and any applicable national standards adopted by the Department. The Department will levy a penalty against any company that fails to meet the service quality standards in an amount up to and including the equivalent of 4 percent of the company’s transmission and distribution service for the previous calendar year.

SECTION 42: This section is a technical change in Chapter 164 striking references to the Division of Energy Resources and replacing it with the Department of Clean Energy.

SECTIONS 43-45: Technical change striking reference to default service and standard offer.

SECTION 46: Technical changes regarding the committee structure in the Legislature.

SECTION 47: Amends the definition of “clean energy generating unit” in Chapter 164, Section 69G.

SECTION 48: This section is a technical change amending the definition of a “generating facility”.

SECTION 49: Technical change regarding Chapter 164 reference of Division of Energy Resources to Department of Clean Energy.

SECTIONS 50-51: Adds steam distribution company to Section 76D of Chapter 164.

SECTION 52: Establish inspection and maintenance standards for utilities.

SECTION 53: Authorizes the Department of Public Utilities oversight over “holding companies” in sales/mergers.

SECTION 54: Requires that each meter for measuring gas provided to a consumer by a gas company or a municipal lighting plant will be replaced every seven years. Failure to comply with this section will result in a fine of \$50.

SECTION 55: Any gas company found to have not repaired streets after excavation will be subject to a fine between \$500 and \$1,000.

SECTION 56: This section is a technical change in Chapter 164 striking references to the Division of Energy Resources and replacing it with the Department of Clean Energy.

SECTION 57: Technical change replacing standard offer with basic service.

SECTION 58: Amends Chapter 164 by adding the following new sections:

Sections 138-140: These sections establish net metering.

Sections 141-142: Promotes on-site generation through financial incentives. The Department will continue to remove any impediments to the development of efficient, low-emissions distributed generation taking into account the need to appropriately allocate any associated costs in a fair and equitable manner.

SECTION 59: Adds Chapter 164B to Chapter 164 that allows DPU oversight of steam distribution companies.

SECTION 60: No member or employee of the Department of Public Utilities or the Department of Clean Energy, within one year after his service has ceased or terminated, will be employed by or lobby the office on behalf of any company or regulated industry over which that office had jurisdiction during the tenure of such member of the office.

SECTION 61: This section establishes an energy facilities siting commission, the purpose of which shall be to study the development of a procedure for coordinating and consolidating applications for construction of generating facilities in the Commonwealth.

SECTION 62: Renewable energy long term contracts pilot program.

SECTION 63: This section requires each electric and gas company operating in the Commonwealth to provide the Secretary of the Executive Office of Energy and Environmental Affairs with a progress report, no later than September 1, 2007, detailing the status of their respective arrearage management programs, aimed at assisting low income customers with overdue payments and helping prevent shut offs, required pursuant to Chapter 140 of the Acts of 2005. This section directs the Secretary to annually review these progress reports, and order the electric and gas utilities to make revisions or modifications to their arrearage management programs as deemed appropriate.

SECTION 64: This section directs the Secretary of the Executive Office of Energy and Environmental Affairs to implement a Pay-As-You-Save pilot program. The program allows buildings owners and tenants to purchase and install renewable energy products with no up-front payment or debt commitment. A charge is added to the residential, commercial or industrial electric utility customer's bills for as long as the owner or tenant occupies the building. This section directs the Department to open a proceeding to establish a PAYS tariff for each electric distribution company. The Department is directed to implement a payment structure that accounts for and offsets the cost purchase and installation by the annual cost of energy savings over the course of a year. The Secretary is directed to fund the program from a percentage of the energy efficiency systems-benefit-charge. The pilot program shall be implemented no later than July 1, 2007 and shall expire on July 1, 2008.

SECTION 65: Establishes a smart grid pilot program.

SECTION 66: This section directs the Secretary of the Executive Office of Energy and Environmental Affairs to implement a state-wide Demand Response two year pilot program to test the impact of automated controls equipment to measure customer peak demand, the impact of information and feedback on household peak demand, and customer acceptance and preference for demand response options. This section directs the Secretary to submit a report to the legislature no later than February 1, 2010, detailing the operation and results of the program, including information concerning changes in customers' energy use patterns, an assessment of the value of the program to both participants and non-participants, and recommendations concerning modification of the program.

SECTION 67: Requires the Secretary of Energy and Environmental Affairs to make recommendations regarding what supplemental funds, if any, will be expended for the Low Income Home Energy Assistance Program. The recommendations will include recommended funding levels and funding sources. The Secretary will submit the plan to the Joint Committee on Telecommunication, Utilities, and Energy before October 1, 2008.

SECTION 68: Provides retail access to competitive suppliers of renewable energy.

SECTION 69: Establishes a special commission to study the use of construction and demolition (C&D) material in the renewable portfolio standard.

SECTION 70: Establishes a home energy scoring program.

SECTION 71: Directs the Department of Clean Energy to institute rulemaking to investigate the use of non-sustainable harvested virgin wood as biomass in the renewable portfolio standard.

SECTION 72: This section requires the Department of Public Utilities to re-establish the HEAT Loan program, to assist consumers with the purchase of energy efficient items for residential home modifications through low-interest loans.

SECTION 73: Establishes the Massachusetts Clean Energy Plan and Energy Advisory Board.

SECTION 74: Requires the Department of Public Utilities to file a report with the Department of Clean Energy on the effectiveness of energy efficiency programs.

SECTION 75: Directs the Department of Public Utilities to hold a public hearing and issue a report relative to whether it is cost effective to require electric companies and municipal lighting plants to replace meters for measuring electricity to consumers. The Department will report on its recommendations and any proposed legislation to the Committees on Ways and Means and the Joint Committee on Telecommunication, Utilities, and Energy.

SECTION 76: March 31, 2009 will be the effective date of the \$300 solar water heater tax credit.

SECTION	DESCRIPTION	Old Sections
1	Directs State to Replace State-Owned Vehicles with Fuel-Efficient Vehicles	Section 33
2	Directs DCAMM Minimize Life-Cycle Costs in New Construction	Section 13
3	Office of the Ratepayer Advocate Under the AG	(Similar Sec 6a-c of Sec. 12)
4	Technical Change Amending Ch 21A Regarding New Department of Clean Energy	NEW
5	21 Requires Secretary to Design and Implement Bidding Process for Competitive Procurement of Electric Generation	Section 13 of 6C
	22 Establishes Massachusetts Renewable Energy Trust Fund (RETF)	Section 25(a)-25(b) in 6C
	\$3 Million Annually to Hydroelectric Facilities in Massachusetts from RETF for Upgrades	NEW
6	DPU Audit of Utility Companies	NEW
7	Adds "Section 18(A)" to Chapter 25, Allowing Assessments to be Collected from Steam Distribution Companies	H 3391
8	19 Energy Efficiency Funding-System-Benefit-Charge Electric/Gas Customers	Sections 11(a)-11(b) in 6C
	20 Renewable Energy Trust Fund Funding-System-Benefit Charge Electric	Section 12(a)-12(b) in 6C
	21 Least Cost Procurement	NEW
	22 Establish Energy Efficiency Advisory Council	NEW
	23 Definitions	NEW
	24 Prohibits ExParte Communication During Proceedings	Section 67 of 6C
9	Describes New Department of Clean Energy (DCE)	Similar to Section 19 of 6C
10	Technical Change re: Chapter 25A Changing Reference to "Division of Energy Resources" to "Department of Clean Energy"	NEW
11	Adds Definition of "Energy Savings"	NEW
12	Technical Change re: Annual Report from Department of Clean Energy	NEW
13	Technical Change re: Chapter 25A Changing Reference to "Division of Energy Resources" to "Department of Clean Energy"	NEW
14	Technical Change re: Chapter 25A Changing Reference to "Division of Energy Resources" to "Department of Clean Energy"	NEW
15	Technical Change re: Chapter 25A Changing Reference to "Division of Energy Resources" to "Department of Clean Energy"	NEW
16	Technical Change re: Chapter 25A Changing Reference to "Division of Energy Resources" to "Department of Clean Energy"	NEW
17	Repeals Chapter 25A Section 10	NEW
18	Technical Change re: Chapter 25A Changing Reference to "Division of Energy Resources" to "Department of Clean Energy"	NEW
19	Renewable Portfolio Standard Language (RPS)	NEW part of Section 21(a)-22
20	Alternative Energy Portfolio Standard	Section 223
21	Repeals Chapter 25A Section 11G	NEW
22	Technical Change re: Chapter 25A Changing Reference to "Division of Energy Resources" to "Department of Clean Energy"	NEW
23	RPS Import Requirement	S 1960
24	Technical Change re: Committee Structure in Legislature	Section 226
25	Technical Change re: Chapter 25A Changing Reference to "Division of Energy Resources Credit Trust Fund" to "Department of Clean Energy"	NEW
26	Technical Change re: Chapter 25A Changing Reference to "Division of Energy Resources" to "Department of Clean Energy"	NEW
27	Technical Change re: Chapter 25A Changing Reference to "Division of Energy Resources" to "Department of Clean Energy"	NEW
28	14(a) Definitions for Energy Management Services	Section 31(a) of 6C
	14(b) Authorizes Public Agency to Contract for Energy Management Services for a Term of 10 Years	Section 31(b) of 6C
	14(c) Directs the Provisions of this Subsection to Apply to a Governmental Body	Section 31(c) of 6C
	14(d) Authorizes the Agency to Cancel Request for Proposals (RFP) In Best Interests	Section 31(d) of 6C
	14(e) Authorizes the Secretary with Power Enforce Program	Section 31(e) of 6C
	15(a) Definitions for Energy Management Services	Section 32(a) of 6C

15(b)	Establishes Alternative to Procurement Process; Establishes RFQ Process	Section 32(b) of 6C
15(c)	Authorizes the Agency to Cancel Request for Qualifications (RFQ) In Best Interests	Section 32(c) of 6C
15(d)	Mandates Agency Contract with Most Qualified and Provide Fair Compensation	Section 32(d) of 6C
15(e)	Mandates Agency Decisions Regarding Selection of Providers are Final	Section 32(e) of 6C
15(f)	Mandates Agency Provide Public Notice of Award of Contract	Section 32(f) of 6C
15(g)	Proscribes What Guaranteed Energy Savings Contracts Shall Include	Section 32(g) of 6C
15(h)	Establishes that Payments Under Contract May be Based on Cost Savings Attributable to Reduction in Energy	Section 32(h) of 6C
15(i)	Mandates All Requirements Under Contract Are in Writing	Section 32(i) of 6C
15(j)	Mandates Qualified Providers be Bonded	Section 32(j) of 6C
15(k)	Authorizes Contracts to Extend Beyond Fiscal Year in Which Become Effective	Section 32(k) of 6C
16	Creation of New Green Communities Division	Section 5(c)(i) in 6C
16(a)	Establishes Factors for Qualification as a Green Community	Section 5(c)(i) in 6C
16(b)	Purpose of Green Communities Program	Section 5(c)(i) in 6C
16(c)	Specifies How Communities Qualify for Participation in the Green Communities Program:	Section 5(c)(ii) in 6C
	(i) file application with Division	Section 5(c)(ii) sub(i)
	(ii) accept designation as clean energy community AND permit construction least 1 clean generating facility community	Section 5(c)(ii) sub (ii)
	(iii) adopt expedited application+permitting process not exceeding 1yr OR transfer right to site to energy facility siting board	Section 5(c)(ii) sub (iii)
	(iv) OR agree enter contract municipality agrees purchase clean energy not exceeding 20% of municipalities' electric load	Section 5(c)(ii) sub (iv)
16(d)	Establishes Funding Priorities for Green Communities Program	Section 5(c)(iii) in 6C
16(e)	Authorizes the Division to Establish Guidelines Regarding Energy Conservation Measures and Projects	Section 5(d) in 6C
16(f)	Establishes Limit on Amount of Annual Funding for Green Communities	Section 5(e) in 6C
16(g)	Exempts Municipalities Served by Municipal Lighting Plants from Participation in Green Communities Program	Section 5(f) in 6C
16(h)	Authorizes Division to Establish Rules and Guidelines for Administration of Program	Section 5(g) in 6C
17	Directs Implementation of Competitive Bidding Procedure for Procurement of Electric Generation from Clean Facilities	Section 5(b)(ii) in 6C
18	Creation of Clean Energy Site Screening Committee (as of right use industrial zoning)	Section 20 in 6C
29	Technical Change re: Chapter 25B Changing Reference to "Division of Energy Resources" to "Department of Clean Energy"	NEW
30	Technical Change re: Chapter 30B Changing Reference to "Division of Energy Resources" to "Department of Clean Energy"	NEW
31	Repeals Chapter 40J Section 4E	Section 77
32	Amends Definitions Relative to "Alternative Fuel Vehicle" and "Hybrid Vehicle"	Section 81
33	\$2,000 Tax Deduction for Purchase of Hybrid or Alternative Fuel Vehicles	Section 85
34	\$300 Tax Credit for Solar Water Heating Systems	Section 88
35	Mandate Home Energy Scoring	NEW
36	Technical Change to International Energy Conservation Code	Similar to Section 132
37	Require Amendment of Energy Conservation Code Every 3 Years	Section 132
38	Adds "Basic Service" Definition	Section 201
39	Strikes "Default Service" Definition	Section 203
40	Chapter 164 Definitions	Similar to Section 18 of 6C
41	Mandate Distribution and Transmission Companies File Annual Report re: Performance; Increase Penalty	Section 211(c)
42	Technical Change re: Chapter 164 Changing Reference to "Division of Energy Resources" to "Department of Clean Energy"	NEW
43	Technical Change Striking Reference to Default Service and Standard Offer	Section 215-222
44	Technical Change Striking Reference to Default Service and Standard Offer	Section 215-222
45	Technical Change Striking Reference to Default Service and Standard Offer	Section 215-222

46	Technical Change re: Committee Structure in Legislature	NEW
47	Establishes Definition for "Clean Energy Generating Unit"	Section 230
48	Technical Change Amending "Generating Facility" Definition	Section 232
49	Technical Change re: Chapter 164 Changing Reference to "Division of Energy Resources" to "Department of Clean Energy"	NEW
50	Adds "Steam Companies" to Chapter 164 Section 76D	NEW
51	Adds "Steam Companies" to Chapter 164 Section 76D	NEW
52	Establish Inspection and Maintenance Standards for Utilities	Section 264
53	Authorize DPU Oversight Over "Holding Companies" in Sale/Mergers	Section 265
54	Requires Replacement of Gas Meters Every 7 Years; Increases Fine of \$50	Section 267
55	Penalty for Not Repairing Streets After Excavation	Section 268
56	Technical Change re: Chapter 164 Changing Reference to "Division of Energy Resources" to "Department of Clean Energy"	NEW
57	Technical Change "Standard Offer" to "Basic Service"	Sections 271-272 & 274-276
58	138 Net Metering	Section 279
	139 Net Metering Continued	Section 279
	140 Net Metering Continued	Section 279
	141 Promotes On-Site Generation	NEW
	142 Promotes On-Site Generation Continued	NEW
59	Adds "Chapter 164(B)" to Chapter 164, Allowing DPU Oversight of Steam Distribution Companies	NEW
60	Restriction on Lobbying of Former DPU and DCE Employees	Section 315
61	Establish Commission Study Siting of Energy Facilities in Massachusetts	Section 457
62	Renewable Energy Long Term Contract Pilot Program	NEW
63	Requires Electric/Gas Companies Provide Annual Progress Reports re: Arrearage Management Programs	Section 458
64	Establish Energy Pay and Save Pilot Program (EPS)	Section 459
65	Smart Grid Pilot Program	NEW
66	Establish Demand Response Pilot Program	Section 460
67	Requires Secretary Examine Need for State Funding for LIHEAP	Section 456
68	Provide Retail Access to Competitive Suppliers of Renewable Energy	from S. 1964
69	Establish Special Commission Study Use of Construction and Demolition (C&D) Material in RPS	from S. 1951
70	Establish New Home Energy Scoring Program	NEW
71	Directs Department Institute Rulemaking Investigate Use of Non-Sustainable Harvested Virgin Wood as Biomass in RPS	NEW
72	Re-Establishes HEAT Loan Program-Up to \$5 Million Loans for Energy Efficiency Improvements	Section 436
73	Massachusetts Clean Energy Plan & Energy Advisory Board	NEW
74	Requires Report on Effectiveness of Energy Efficiency Programs	NEW
75	Directs DPU Hearing re: Replacing Electric Meters and Using Advanced Meter Technology	NEW
76	Effective Date for \$300 Solar Water Heater Tax Credit	NEW