

## **S2564, An Act to promote a clean energy future**

### **LEGISLATIVE HISTORY:**

S479 favorable to Senate Global Warming and Climate Change. Committee redraft, S2302, favorable to Senate Ways and Means. Senate Ways and Means redraft, S2545, favorable to Senate. Amended by Senate, passed as S2565

### **SUMMARY:**

SECTION 1: Requires 50% of the vehicles owned or leased by the commonwealth in the state fleet be zero emissions vehicles by 2025.

Requires that 100% of the state's fleet purchased after 2026 be zero emission vehicles

SECTION 2: Clarifies the Attorney General's authority to intervene on behalf of ratepayers in a number of cases, including those involving competitive suppliers

SECTIONS 3-6: Places a ten year moratorium on hydraulic fracturing in the commonwealth.

Places a ten year moratorium on the collection, storage, treatment, or disposal wastewater hydraulic fracturing fluid, wastewater solids, drill cuttings or other byproducts from hydraulic fracturing in the commonwealth

SECTIONS 7-21: Makes a number of updates to definitions in the Global Warming Solutions Act, including "direct emissions", "greenhouse-gas emitting priority", and "market-based compliance mechanism", to allow EOEEA to better deal with emissions from all sources

Requires EOEEA to set 2030 and 2040 emissions limits. The 2030 emission limit must not be less than 43 per cent below the 1990 emissions levels, and the 2040 emissions limit must not be less than 62 per cent below 1990 emissions levels

Adds language to the Global Warming Solutions Act to direct EOEEA to consult with the DPH when evaluating the costs and benefits of greenhouse gas reductions relative to adoption of and compliance with the 2020 statewide greenhouse gas emissions limit

Requires EOEEA to issue a 2050 emissions reduction plan that shall describe in detail the commonwealth's actions and methods for achieving the 2030, 2040 and 2050 emissions limits

Requires EOEEA to develop and implement a market-based compliance mechanism on the transportation sector by 2020, the commercial, industrial, and institutional sectors by 2021, and the residential building sector by 2022

Requires EOEEA to publish a comprehensive energy plan every five years

SECTION 22: Requires natural gas and electric utilities and energy efficiency service companies to distribute information about MassSave programs via billing statements at least once annually

SECTIONS 23-24: Inserts definitions for “environmental justice”, “environmental justice population”, “environmental justice household”, and “low-income households” under the chapter of law governing the Department of Energy Resources

SECTION 25: Raises the annual Renewable Portfolio Standard increase from 1% to 3%

SECTION 26: Requires DOER to design solar incentive programs whose economic benefits are equally shared by low-income households, environmental justice populations and other communities facing barriers to accessing the program

SECTION 27: Establishes a statewide energy storage deployment target of 2,000 megawatts by January 1, 2030 and requires DOER to set a subsequent statewide energy storage deployment target to be achieved by January 1, 2035

To achieve the energy storage targets, DOER may consider a variety of deployment mechanisms and may require policies to encourage the cost effective deployment of energy storage systems including, but not limited to:

- (i) Distribution company or municipal lighting plant programs to encourage private deployment of energy storage systems by their customers;
- (ii) procurement of cost-effective energy storage systems to be owned and operated by a distribution company
- (iii) the use of alternative compliance payments collected to fund a grant program for private development
- (iv) the use of energy storage to replace fossil generation

SECTION 28: Allows for affected municipalities, members of the general court whose district includes ratepayers of such companies, or groups of not less than 50 persons who are immediately and significantly impacted participate as full parties in a gas or electric company’s request for approval or investigation

SECTION 29: Allows Regional School districts to lease land for the purpose of

generating renewable energy, as long as it does not interfere with educational programming

SECTION 30: Requires that there be at least one air monitoring station within a one-mile radius of any working natural gas compressor station

SECTION 31: Requires each distribution company to offer at least one option for a time-of-use rate. Requires each distribution company to distribute a summary of available rate options with a calculation of expected bill impacts under each option

Encourages programs to be promoted to ratepayers so they may choose to reduce their electric bills by using electricity at non-peak times

SECTION 32: Creates additional consumer protections with competitive suppliers and improves billing transparency

SECTION 33-34: Requires Energy Facilities Siting Board to consider health impacts in project evaluations and adds the commissioner of public health to the board

SECTION 35: Requires DPU to determine whether a contract for new gas pipeline capacity is in the public interest

SECTION 36: Grants municipalities the ability to enter into long-term, financeable contracts on behalf of all residents, and businesses in the community through a democratic process

SECTION 37-39: Restores retail net metering rates for solar projects serving privately-owned affordable housing and its residents

SECTION 40: Allows all new solar projects to share net metering credits across loads zones so long as the facility and customer belong to the same distribution company

SECTION 41: Clarifies the relationship between demand charges and monthly minimum reliability contributions

SECTION 42: Removes the net metering cap

SECTION 43: Allows shared solar projects whose customers are primarily residential customers to receive the full-retail net metering rate and be exempt from any net metering cap that may exist

SECTION 44-45: Improves upon the implementation of monthly minimum

reliability contributions by for new solar customers by increasing clarity and delays their implementation

SECTION 46: Requires the DPU to issue regulations requiring all gas companies to report to the department, in a uniform manner, lost and unaccounted for gas for each year

SECTIONS 47-49: Allows for distribution and transmission of offshore wind to be procured separately if cost-effective

Adds “offshore wind energy transmission” and “offshore wind energy transmission developer” definitions into state law

SECTION 50: Removes the sunset provision from the 3(d) regulations under the Global Warming Solutions Act

SECTION 51: Requires EOEEA to conduct a detailed, quantitative modeling and analysis of the commonwealth’s energy economy and emissions, which shall be sufficient to identify multiple technically and economically-feasible pathways to reduce statewide emissions consistent with the 2050 emissions limit

SECTION 52: Allows for the procurement of additional offshore wind energy resources, up to 5,000 megawatts. Allows for the procurement of additional hydroelectric energy resources.

Implements a task force to study the procurement process and provide recommendations to the legislature

SECTION 53: Requires DEP to track the source and carbon intensity of all transportation fuels

SECTION 54: Requires DOT to conduct a feasibility study on allowing zero emission vehicles to travel in high-occupancy vehicle lanes

SECTION 55: Requires DOT to develop a program to promote private electric vehicle adoption in the commonwealth, with a goal of 25% ownership by 2028

SECTION 56: Requires DPU, in consultation with DOER, to develop a plan to facilitate the creation of new municipal light districts

SECTION 57: Bans any new natural gas compressor station from being located within 0.5 miles of a playground, day care center, church, environmental justice population, or area of critical environmental concern

SECTION 58: Directs the Massachusetts state pension fund to divest from

thermal coal

SECTION 59: Requires DOT and the MBTA, in consultation with EOEEA, to develop a comprehensive plan for the full electrification of all the authority's passenger vehicles, including buses, ferries, and commuter rail lines

SECTION 60: Requires EOEEA, in consultation with A+F, to file a cost benefit analysis on the impacts of the implementation of the Global Warming Solutions Act

SECTION 61: Establishes a commission to study the feasibility of incentivizing and requiring the installation of solar power systems in all newly constructed housing

SECTION 62: Requires the MBTA to issue a report on the development of a power management system to capture and reuse energy produced from regenerative braking with authority trains

SECTION 63-67: Sets implementation dates for different sections of this legislation

SECTION 68-69: Allows anaerobic digestion facilities to participate in net metering

Requires DOER to establish a pilot program for anaerobic digestion facilities that utilize solid waste or organic materials otherwise ineligible, up to six megawatts

SECTION 70-79: Sets implementation dates for different sections of this legislation

SECTION 80: Requires Section 57 of this bill to go into effect only when the Attorney General certifies that it is constitutional

