

ENERGY CONFERENCE REPORT
SECTION BY SECTION SUMMARY

*Engrossed 36-0
6/24/08*

Conf Section	Issue	Summary
1	State-owned vehicles	Requires as new cars are transitioned into the state fleet, they must meet a fuel efficiency standard to be established by OSD in consultation with DOER. Also requires a phase in at 5% per year of alternative fuel vehicles (AFV) and/or hybrids with a goal of reaching 50% of the fleet by 2018.
2	State building construction	Requires DCAM to mandate that new construction or renovations of over \$25,000 of facilities owned or operated by the Commonwealth utilize energy efficiency, water conservation, or renewable technologies utilizing listed criteria. Also requires that higher ed construction projects utilize the MA-CHPS Green Schools guidelines.
3	RGGI Trust Fund	Establishes a trust fund for revenues from RGGI cap and trade auctions.
4	Rate Payer Advocate	Establishes an office of the rate payer advocate within the AG's office to intervene in proceedings affecting ratepayers.
5	Home Energy Score	Requires the board of registration of home inspectors to adopt regulations to require the development of information relating to home energy audits to be given to every buyer at the time of closing.
6	Tech Reorg Change	Changes "division" to department to reflect reorg
7	Energy procurement	Authorizes EOEEA and ANF to develop a competitive bidding process for procurement of electric generation. Allows the Secretary to opt into MHEFA to serve this purpose.
7	RGGI Definitions and Priorities	Creates definitions and operational uses for cap and trade auctions under RGGI. Includes a list of priorities for RGGI \$.
8	Economic Target Areas	Allows municipalities to consider areas that they have designated for the potential to develop Class I renewable energy as a factor in designating a Economic Target Area.
9	DPU Audits	Allows DPU to conduct periodic audits on companies it regulates, and upon written complaint by AG
10	Steam Distribution	Authorizes the commission to assess steam distribution companies under control of DPU and requires annual reports by the companies on intrastate operating revenues.

clarify TIP

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11	Efficiency Assessment	Codifies the 2.5 mills per kW/hr charge for all consumers (except munis) to fund efficiency programs, including demand side management - to be administered by the electric companies. Also authorizes DPU to approve gas efficiency programs, also including demand side management - to be administered by the gas companies. DPU shall ensure that these programs are cost-efficient and utilizing competitive procurement. Fund shall be administered by DOER and at least 30% of the funds shall support low income residential demand side management and education programs.
11	Munis - MRET	Allow munis the option of contributing into and accessing the Renewable Trust Fund.
11	Efficiency First	The commonwealth's gas and electric needs shall be met through efficiency and demand reduction resources. Also requires that every 3 years electric companies and muni aggregators with certified efficiency plans shall jointly prepare and electric efficiency investment plan, and natural gas distribution companies shall prepare a natural gas plan. Each plan shall meet the listed requirements and shall provide for acquisition of all available efficiency and demand reduction resources that are cost effective and prepared in coordination with the Energy Efficiency Advisory Council. If efficiency goals are not met, than MTC shall collect an assessment and establishes the Efficiency Council.
12	DOER Reorg	Reorganizes the existing Division of Energy Resources - creating a Department of Energy Resources with 3 divisions - Green Communities, Energy Efficiency, and Renewable and Alternative Energy Development. Adds new definitions.
13	Technical	Changes committee reference to TUE
14	Technical	Changes "division" to department to reflect reorg
15	Technical	Changes reference from DTE to DPU to reflect Gov's reorg
16	Technical	Changes "division" to department to reflect reorg
17	Technical	Changes "division" to department to reflect reorg
18	Technical	Changes reference from DTE to DPU to reflect Gov's reorg
19	Technical	Changes "division" to department to reflect reorg
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21	Technical	Changes "division" to department to reflect reorg

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22	Green Communities	Requires the newly established Division of Green Communities to develop a Green Communities program for municipalities that wish to implement energy efficiency as well as renewable and alternative energy projects.
22	Competitive Procurement for Green Communities	Requires the division to develop a competitive bidding process for procurement of electric generation for green communities. Allows the director to opt into MHEFA to serve this purpose.
23	State Energy Management Services	Revises various processes for state and local entities to procure energy management services
24	Technical	Changes "division" to department to reflect reorg
25	Technical	Changes reference from DTE to DPU to reflect Gov's reorg
26	Technical	Changes reference from DTE to DPU to reflect Gov's reorg
27	Technical	Changes committee reference to TUE
28	Technical	Changes "division" to department to reflect reorg
29	Technical	Changes "division" to department to reflect reorg
30	Technical	Changes reference from DTE to DPU to reflect Gov's reorg
31	Technical	Changes committee reference to TUE
32	Renewable Portfolio Standard (RPS)	Adds a new class II to address existing facilities with a cap of 5 MW for hydro facilities. Clarified that hydro facilities in class I must meet certain enviro standards and caps new or incremental capacity at 25 MW. Adds geothermal energy into both classes of RPS and updates definition of biomass.
32	Alternative Portfolio Standard (APS)	Creates a new alternative portfolio standard that includes coal gasification, flywheel storage, energy efficient steam, combined heat and power, any facility that substitutes its fossil fuel source with an equal or greater amount of alternative paper-derived fuel source approved by DEP, or any other technology approved by DOER after a 30A hearing. This section requires that coal gasification technology must have the ability to permanently capture and sequester carbon and the division shall set emission performance standards but they shall not exceed the emissions of the average of MA existing natural gas plants.
33	Technical	Changes "division" to department to reflect reorg
34	Technical	Changes reference from DTE to DPU to reflect Gov's reorg
35	Technical	Adds regulatory authority to this section and removes an existing deadline.

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37	State Energy Management Services	Revises various processes for state and local entities to procure energy management services
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39	Technical	Changes committee reference to TUE
40	Technical	Changes "division" to department to reflect reorg
41	Technical	Changes "division" to department to reflect reorg
42	Technical	Changes "division" to department to reflect reorg
43	Nox Fund Clarification	Removes subject to appropriation language
44	State Energy Management Services	Establishes various processes for state and local entities to procure energy management services for projects less than \$100,000 and solar.
45	Technical	Changes "division" to department to reflect reorg
46	Technical	Changes reference from DTE to DPU to reflect Gov's reorg
47	Technical	Changes "division" to department to reflect reorg
48	MA Tech Collaborative (MTC) Board	Adds the Secretary of EEA to the Board of Directors at MTC
49	MA Renewable Energy Trust Fund (MRET)	Revises existing enabling legislation governing the MRET by creating a new Governing Board to oversee the uses of this fund. This board will develop both 5 year strategic plans and 1 year operational plans for MRET.
50	Municipal Lease	Extension of financing term for municipalities for efficiency, alternative, or renewable improvements from 10 to 20 years.
51	Alternative fuel vehicles	Adds definitions relating to alternative fuel, and alternative fuel vehicles.
52	Hybrid vehicle	Adds definition of "hybrid vehicle".
53	Hybrid Vehicle Efficiency	Increases the efficiency requirement from 10% to 25 % in the definition of hybrid vehicle
54	International Energy Conservation Code	Requires local building inspectors to have a general knowledge of the energy requirements as part of the IECC (under section 94).

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55	International Energy Conservation Code	Requires State Board of Regulations and Standards to adopt, within one year of its being updated, the latest edition of the International Energy Conservation Code as part of the State Building Code. (the IECC is updated every 3 years)
56	Technical	Clarified that DTC shall enforce chapter 159 (common carriers) with respect to telecomm, and DPU with respect to everything else.
57	Chapter 164 (Electric and Gas Companies)	Rewrites definition section
58	Utility Owned Solar Generation	Allows elec companies and distribution companies to own or operate solar generation facilities up to 25 MW for the first year and 50 the second and thereafter. Companies may petition DPU for cost recovery of solar facilities constructed and operated by the utility. Requires them to file with DPU and DPU must assess the program by 2011, and this is sunseted in 2012.
59	Sunset	Sunsetes the section that allows electric companies to own solar generation
60	Competitive Suppliers	Requires notification of competitive electric suppliers at time of change of utility service, move, or inquiry into efficiency or rates and allows utility companies to collect payment for the competitive electric supplier from the customer.
61	Service Quality Standards and Penalties	Increases existing penalty from 2% to 2.5%
62	Technical	Changes "division" to department to reflect reorg
63	Technical	Strikes out the 2nd paragraphs of Section 1F to make a correct reference to basic service.
64	Low income Discount Rates	Ensures that residential customers eligible for low income discount rates receive service on demand, and requires discos to periodically notify all customers of the availability and method for obtaining low income discounts.
65	Technical	Changes committee reference to TUE
66	Muni-owned Companies	Clarifies that energy related services of muni-owned companies are separate activities from muni generation supply services.
67	Steam Distribution	Clarifies that companies subject to plant damage system administration includes steam distribution companies.

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68	Steam Distribution	Clarifies that companies subject to plant damage system administration includes steam distribution companies.
69	Mergers	Provides for DPU oversight and review of utility company mergers at holding company level.
70	Meter Reading	Updates meter readings for utility company practices
71	Meter Reading	Updates meter readings for utility company practices
72	Meter Reading	Updates meter readings for utility company practices
73	Meter Reading	Updates meter readings for utility company practices
74	Technical	Changes "division" to department to reflect reorg
75	Technical	Makes a correct reference to basic service
76	Technical	Replaces standard offer with new relevant term of basic service (electricity).
77	Technical	Replaces standard offer with new relevant term of basic service (electricity).
77	Net metering	Provides for netmetering up to 2 MW for solar and wind as well and agricultural facilities. Also provides for neighborhood netmetering.
77	On-site Generation	Provides for DPU promotion of on-site generation
77	Distributed Generation	Provides for DPU promotion of distributed generation
78	Small Municipal Renewable Generation	Provides further opporunties for municipalities to own renewable generation, less than 10MW and sell its output.
79	Steam Distribution Companies	Establishes a new chapter to give DPU oversight of steam distribution companies.
80	Technical	Corrects references from the Governor's reorganization
81	Technical	Makes a reference change to the correct section for energy management services.
82	Technical	Makes a reference change to the correct section for energy management services.
83	Long Term Contracts	Establishes a 5 year pilot in which electric companies shall enter into long term contracts of 10-15 years with renewable generators.

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84	Energy Pay and Save	Establishes a pay and save pilot program to allow utility customer to purchase and install renewable generation products by paying over time through their utility bills
85	Smart Grid	Establishes a DPU pilot program to develop advanced smart meters and smart grid programs for purpose of networking real time energy usage and transportation.
86	Retail Access	DPU shall require electric companies to provide consumers with retail access to competitive sellers of renewable generation attributes.
87	Construction and Demolition Commission	Establishes a special commission to investigate construction and demolition debris as it relates to biomass and the RPS.
88	Green Buildings Commission	Establishes a commission to examine environmental and economic impact of instituting a green building plan for the Commonwealth.
89	Siting Commission	Establishes a commission to review and make recommendations on the siting of energy facilities.
90	HEAT Loan Pilot Program	Requires DOER to establish a pilot that will assist consumers in the purchase of energy efficient products for their home.
91	Reporting on Energy Efficiency/SBC	Requires DPU and DOER to report on the effectiveness of the system benefit charge.
92	Gateboxes and Performance Standards	Requires DPU to hold a public hearing and report on the existing gatebox policy and recommendations for potential updates, including any proposed penalties. Also requires DPU to hold a public hearing and report on existing maintenance and repair standards of utility facilities and recommendations for updates.
93	ACP Payments	Allows for grants from alternative compliance payments for green communities and commonwealth based programs that develop renewable generation, flywheel storage, and energy generation educational programs.
94	Renewable Generation Report	Requires DPU to assess effectiveness of allowing electric companies to own solar generation and make recommendations to the legislature on continuing, expanding, or eliminating this program.
95	Merger Exemption	Exempts certain companies who have filed with FERC before the effective date of this act, from the merger provisions contained in this bill.

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96	State building construction	Requires DOER in consultation with DCAM to establish methodology for life-cost analysis by July 1, 2009.
97	Efficiency First	Advisory council must undertake study of energy efficiency and demand response programs by Dec. 31, 2009.
98	Competitive Suppliers	Requires DPU to establish terms for non-utility suppliers for programs by September 1, 2009.
99	AFV Stations	Requires Mass Turnpike to develop a plan for availability of AFV stations on the Pike.
100	Statewide Master Plan	Requires state transportation authorities and officials along with DOER to develop a statewide master plan for advancement of hybrid and AFV.
101	MBTA AFV Feasibility Study	Requires the MBTA to study the feasibility of incorporating AFV and hybrids into its fleet.
102	Default Service Mechanism Hearing	Requires DPU to hold a public hearing and report on the impacts of competitive retail supply marketplace on the existing default service adjustment mechanism.
103	Competitive Supply Compliance Report	Requires electric companies to file compliance plan on the requirements in section 1D of ch. 164 that requires them to provide billing services for competitive suppliers.
104	First Report on Green Communities	First report required for the Green Communities program shall be filed not later than April 1, 2010.
105	Imports	Controls how renewable generation is imported into ISO-NE codifying existing NEPOOL rules. Also requires DOER to make a feasibility determination on one, requiring generators to commit capacity as an energy resource for RECs, and two, the ability to "net" the RECs for generators that import renewable energy into NEPOOL, but export non-renewable energy out.
106	LIHEAP Recommendations from DHCD	Requires DHCD to annually report by October 1 of each year on what supplemental funding will likely be required for LIHEAP.
107	Muni Study	Requires DOER to conduct a study on the current barriers to establishing municipal electric utilities.
108	UMASS Boston Pilot Program	Requires DOER to work with UMASS Boston to develop education opportunities on energy efficiency and related technologies and uses.
109	Ex parte communications	Requires DPU to open an investigation on off the record ex parte communications.

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110	Efficiency Plan Low Income Requirements	Requires that gas and electric companies maintain low income allocation amounts under their efficiency plans after for 3 years after those plans expire.
111	Energy Efficiency Reporting Date	Provides reporting deadlines for the first round of the utilities' energy efficiency plans.
112	RGGI 4	DEP and DOER deadline for regulations
113	RGGI 5	Grandfathers in current multi-year agreements on greenhouse gas emissions
114	RGGI 6	Host communities language - effective for tax years January 2010-2011
115	RGGI 7	DEP ability to withhold vintage year allowances from auction to transition to RGGI
116	Energy Goals	Establishes goals for the Commonwealth for reducing overall energy usage and increasing use of renewable and alternative forms of energy.
117	Effective Date for RPS	Effective date of January 1, 2009 for transition to Class I and Class II of RPS from existing structure.
118	Effective Date for APS	Effective date of January 1, 2009 for APS
119	Effective Date for IECC	Makes this section effective 6 months after enactment.
120	Effective Date for Home Energy Scoring	Makes section 5 effective 1 year after enactment
121	Competitive Bidding Process Effective Date	Makes this part of section 7 (section 21) effective on July 1, 2008
122	Effective Date for Sunset	Sets the sunset date for utility owned solar generation at June 30, 2012 (section 59)
123	Effective date for Hybrid Efficiency Requirement	Makes section 53 effective in 3 years.
124	Effective Date for Governor's Reorganization Correction	Makes section 80 retroactive to the date of the Governor's reorganization enactment of April 10, 2007