

SENATE No. 1799

The Commonwealth of Massachusetts

PRESENTED BY:

Daniel A. Wolf

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 adoption of the accompanying bill:

An Act to improve renewable energy distribution.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Daniel A. Wolf</i>	<i>Cape and Islands</i>
<i>Sarah K. Peake</i>	<i>4th Barnstable</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>

SENATE No. 1799

By Mr. Wolf, a petition (accompanied by bill, Senate, No. 1799) of Daniel A. Wolf, Sarah K. Peake, James B. Eldridge and Denise Provost for legislation to improve renewable energy distribution. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act to improve renewable energy distribution.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 164 of the General Laws is hereby amended by inserting the following new
2 section:-

3 Section 144. All distribution companies performing construction work necessary to
4 interconnect a net metering facility, as defined in section 138 of this chapter, to the distribution
5 facility shall, within 30 days of a written request from the net metering facility owner or
6 representative, set a timely and reasonable deadline by which work will be completed and the net
7 metering facility will receive its official written notification authorizing the customer to activate
8 and operate the facility.

9 If the distribution company fails to complete construction or provide said official
10 notification within 30 days of the deadline, the distribution company shall credit to the net
11 metering facility owner the value of the amount of electricity not generated. Said credit shall be
12 determined by multiplying the projected kilowatt hour generation lost since the deadline has

13 passed, using the most accurate capacity factor for a facility of that size, specification and
14 technology, by the net metering facility's full and applicable net metering credit as determined by
15 section 138 of this chapter and 220 C.M.R. 18.00. Any credit available under this section shall be
16 allocated to the electric account(s) determined by the net metering facility; provided, however,
17 that those accounts are in the same load zone and distribution utility territory.

18 If a distribution company fails to provide an owner of a net metering facility with the
19 credit due under this section, the owner may bring an action in superior court for damages and/or
20 injunctive relief. If a net metering facility owner prevails in such an action, the owner shall be
21 entitled to costs, attorney's fees and treble damages.

22 This act shall take effect January 1, 2016.