



# The Commonwealth of Massachusetts

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## DEPARTMENT OF PUBLIC UTILITIES

D.P.U. 16-64-F

June 2, 2017

Investigation of the Department of Public Utilities, on its own Motion, Commencing a Rulemaking pursuant to G.L. c. 164, §§ 138 and 139; G.L. c. 30A, § 2; 220 C.M.R. § 2.00 et seq.; and Executive Order 562, to Amend 220 C.M.R. § 18.00 et seq.

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VOTE AND ORDER TO REOPEN PROCEEDING TO REQUEST COMMENTS ON THE  
MONTHLY MINIMUM RELIABILITY CONTRIBUTION DATE

## I. INTRODUCTION AND PROCEDURAL HISTORY

This Order follows a series of Orders issued by the Department of Public Utilities (“Department”) in connection with An Act Relative to Solar Energy (“Act”).

St. 2016, c. 75. The Act gives the Department the authority to consider proposals by distribution companies for a monthly minimum reliability contribution (“MMRC”).

St. 2016, c. 75, § 9; G.L. c. 164, § 139(j). Among other things, the Act requires that the Department “may only approve a proposal for a monthly minimum reliability contribution after the aggregate nameplate capacity of installed solar generating facilities in the [C]ommonwealth is equal to or greater than 1,600 megawatts” (“MMRC Date”).

St. 2016, c. 75, § 9; G.L. c. 164, § 139(j).

Following issuance of six prior Orders, the Department closed the record in this docket on February 1, 2017.<sup>1</sup> In its prior Order in this docket, D.P.U. 16-64-E, the Department summarized the MMRC proposals and written comments received from interested stakeholders, and provided further MMRC proposal guidelines to the electric distribution companies in anticipation of a future MMRC proposal filing. Net Metering Rulemaking, D.P.U. 16-64-E at 19-23 (January 13, 2017). On January 17, 2017, NSTAR Electric Company and Western Massachusetts Electric Company d/b/a Eversource Energy (“Eversource”) filed a petition with the Department pursuant to G.L. c. 164, § 94, and 220 C.M.R. § 5.00 et seq. seeking an increase in their base distribution rates and approval of

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<sup>1</sup> The record in this docket consists of written comments from interested parties, oral comments presented at the public hearing, and information provided by the electric distribution companies in response to direct questions by the Department.

an MMRC. Eversource's petition and MMRC proposal is docketed as D.P.U. 17-05. The Department will continue to address the MMRC Date in a generic investigation. In this Order, the Department reopens the record in D.P.U. 16-64 and announces its request for additional comments concerning the MMRC Date in this docket.

## II. REOPENING THE PROCEEDING

In D.P.U. 16-64-B, the Department held that the MMRC Date is separate and distinct from the threshold certification date of July 7, 2016, when the Department certified that the aggregate nameplate capacity of solar net metering facilities is equal to or greater than 1,600 megawatts ("MW") direct current, and therefore need not be set as the same date. D.P.U. 16-64-B at 4 (July 7, 2016); see D.P.U. 16-64-D at 16-17 (July 29, 2016). On August 5, 2016, the electric distribution companies jointly filed a letter reporting that the capacity of installed solar facilities in the Commonwealth as measured in alternating current as of June 30, 2016, was 1,055.73 MW. In its prior Order, the Department declined to make a finding regarding the MMRC Date. D.P.U. 16-64-E at 19. Now that there is a pending MMRC proposal in Eversource's rate case in D.P.U. 17-05, the Department must consider the appropriate procedure to establish an MMRC Date. Since the MMRC Date affects all electric distribution companies, not just one particular electric distribution company, the Department finds it appropriate to address the MMRC Date in a generic proceeding. Since the MMRC Date was previously discussed in D.P.U. 16-64, the Department therefore finds that it is necessary, efficient, and within our discretion to reopen D.P.U. 16-64 for the limited purpose of investigating and determining an MMRC Date.

The Department is considering one of the following sources of data regarding the capacity of solar generating facilities to inform its determination of the MMRC Date:

(1) ISO New England Inc. (“ISO-NE”) data;<sup>2</sup> (2) on-site generating facility (“OSGF”) reports to the Department;<sup>3</sup> and (3) more recent information from the electric distribution companies obtained through this docket. The ISO-NE data would include information about solar generating facilities throughout the Commonwealth, including those located in municipal light plant service territories. The OSGF reports only include information about solar generating facilities located in investor-owned utility service territories. Because there are multiple interpretations of what constitutes “capacity of installed solar generating facilities” and how to determine if the 1,600-MW threshold has been reached, the Department seeks public comments to inform its determination of the MMRC Date. Following receipt of written comments, the Department will issue a subsequent Order, D.P.U. 16-64-G, announcing the MMRC Date.

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<sup>2</sup> On May 1, 2017, ISO-NE released the 2017 Forecast Report on Capacity, Energy, Loads, and Transmission (“2017 CELT Report”) stating that there are 1,324.77 MW alternating current (“AC”) of installed photovoltaic capacity in Massachusetts. See [https://www.iso-ne.com/static-assets/documents/2017/05/2017\\_celt\\_report.xls](https://www.iso-ne.com/static-assets/documents/2017/05/2017_celt_report.xls) at tab 3.1.1, cell E34. This capacity equates to 1,655.96 MW direct current (“DC”). Pursuant to 220 C.M.R. § 1.10(2), the Department takes official notice of the 2017 CELT Report.

<sup>3</sup> The electric distribution companies file OSGF reports with the Department by April 1 of each year. St. 1997, c. 164, § 193 (1G)(g).

### III. SOLICITATION OF COMMENTS

The Department seeks written comments for the narrow purpose of informing its future determination of the MMRC Date no later than 5:00 p.m. on **July 14, 2017**. Please indicate which question is being answered. Comments, excluding attachments, should not exceed ten pages and may be provided in response to any or all of the following questions.

1. Should the 1,600-MW threshold be calculated in AC or DC? Why? Why not?
2. Should the 1,600-MW threshold include all solar generating facilities in the Commonwealth (i.e., facilities located in investor-owned utility and municipal light plant service territories)? Why? Why not?
3. What is the minimum threshold that the Department should use to interpret the term “installed”: (1) constructed and interconnected; (2) constructed, but not interconnected; or (3) a different interpretation? Why? Why not?

Any person who desires to file written comments shall file an original and one (1) copy of such written comments with Mark D. Marini, Secretary, Department of Public Utilities, One South Station, Boston, Massachusetts, 02110. All documents should also be submitted to the Department in electronic format using one of the following methods: (1) by e-mail attachment to [dpu.efiling@state.ma.us](mailto:dpu.efiling@state.ma.us) and the hearing officer [Staci.Rubin@state.ma.us](mailto:Staci.Rubin@state.ma.us); or (2) on a CD-ROM. The text of the e-mail or CD-ROM must specify: (1) the docket number of the proceeding (D.P.U. 16-64-F); (2) the name of the person or company submitting the filing; and (3) a brief descriptive title of the document.

The electronic filing should also include the name, title, and telephone number of a person to

