

**SENATE . . . . . No.**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Benjamin B. Downing**

*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 passage of the accompanying bill:

An Act encouraging renewable energy generation.

PETITION OF:

NAME:

Benjamin B. Downing

DISTRICT/ADDRESS:

Berkshire, Hampshire and Franklin

# The Commonwealth of Massachusetts

\_\_\_\_\_  
In the Year Two Thousand and Nine  
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## AN ACT ENCOURAGING RENEWABLE ENERGY GENERATION.

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

- 1 SECTION 1. Section 11F(b) (9) of Chapter 25A of the General Laws, as amended by chapter 169 of the  
2 acts of 2008, is hereby amended by striking out the following words: -  
3 “provided, however, that the calculation of a percentage of kilowatt-hours sales to end-use customers in  
4 the commonwealth from new renewable generating sources shall exclude clauses (6) and (7).”
- 5 SECTION 2. Section 11F(c) of said chapter 25A, as so appearing, is hereby amended by striking clause (6)  
6 and inserting in place thereof the following clause:-  
7 (6) energy generated by new hydroelectric facilities, or incremental new energy from increased capacity  
8 or efficiency improvements at existing hydroelectric facilities provided, however, that (i) only energy  
9 from new facilities having a capacity up to 25 megawatts or attributable to improvements that  
10 incrementally increase capacity or efficiency by up to 25 megawatts at an existing hydroelectric facility  
11 shall qualify; (ii) no such facility shall involve pumped storage of water or construction of any new dam;  
12 and (iii) more than one renewable energy generating source as defined by this subsection may be  
13 located at a facility and shall qualify as a separate renewable energy generating source for purposes of  
14 this subsection; ”

15 SECTION 3. Section 11F(d) (6) of said chapter 25A, as so appearing, is hereby amended by striking clause  
16 (6) and inserting in place thereof the following clause:-

17 (6) that only energy from existing facilities up to 5 megawatts shall be considered renewable energy and  
18 no such facility shall involve pumped storage of water nor construction of any new dam and more than  
19 one renewable energy generating source as defined by this subsection may be located at a facility and  
20 shall qualify as a separate renewable energy generating source for purposes of this subsection;”

21 SECTION 4. Section 4E (f) of Chapter 40J of the General Laws, as amended by chapter 169 is hereby  
22 amended by striking out the second sentence and inserting in place thereof the following sentence: -

23 “The board shall make grants in an amount not less than \$3 million annually for hydroelectric facilities,  
24 other than pumped storage facilities in the commonwealth, constructed before December 31, 1997 for  
25 upgrades to increase efficiency or capacity and to reduce environmental impacts.”

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