

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

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Morrissey, Michael (SEN)**

*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 promoting further renewable energy competition.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Morrissey, Michael (SEN)	Norfolk and Plymouth

# The Commonwealth of Massachusetts

\_\_\_\_\_  
In the Year Two Thousand and Nine  
\_\_\_\_\_

## AN ACT PROMOTING FURTHER RENEWABLE ENERGY COMPETITION.

*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 of chapter 25A of the General Laws, as amended by section 32  
2 of chapter 169 of the acts of 2008, is hereby amended by inserting after subsection (i) the  
3 following new subsection:-

4  
5 (j) Commencing January 1, 2009, an electric generation facility or other electric energy source  
6 shall not be eligible as a Class I or Class II renewable energy generating source under this  
7 section 11F if such facility or source is owned or leased by any entity that distributes electricity  
8 to end-use customers or by any affiliate of any such entity and any costs of the entity's or its  
9 affiliate's acquisition, leasing, construction, financing, ownership or operation of the facility or  
10 source are or will be recovered by the entity or its affiliate from end-use customers through its  
11 rates or other cost recovery mechanism determined or allowed by any non-municipal  
12 governmental regulatory authority. The foregoing shall not apply to any renewable energy  
13 generating source for which the department issued a statement of qualification under this section  
14 11F prior to January 1, 2009 or to any facility or source approved for cost recovery under section  
15 1A(f) of chapter 164.