



33 Broad St, 7<sup>th</sup> Floor, Boston, MA 02109

(t) 617-902-2354 (f) 617-902-2349

[www.nepga.org](http://www.nepga.org)

March 29, 2019

Honorable Martin Suuberg  
Commissioner  
Massachusetts Department of Environmental Protection  
One Winter Street, Second Floor  
Boston, MA 02108

Dear Commissioner Suuberg:

The New England Power Generators Association (“NEPGA”)<sup>1</sup> appreciates the opportunity to provide comments to the Massachusetts Department of Environmental Protection (“MassDEP”) on its proposed amendments to CMR 7.75: *Clean Energy Standard* (“CES”). NEPGA takes no position with respect to expanding the CES to include municipal utilities. However, NEPGA opposes including large-scale Canadian hydro imports in the CES, which would only extend an unnecessary subsidy to a resource that does not need additional support. Instead, NEPGA urges MassDEP to remove the post-2010 vintage requirement to allow all qualified resources, regardless of age or technology, to participate in the CES.

First, NEPGA does not agree that a CES-E that includes existing large-scale, provincially-owned Canadian hydroelectric resources with proposed long-term contracts with Massachusetts consumers would help ensure replacement of emitting generation and a reduction of greenhouse gas (GHG) emissions under the Global Warming Solutions Act (GWSA). Adding existing provincially-owned Canadian hydro imports to a CES-E would only provide an additional revenue stream for entities that do not need the ratepayer-backed subsidy. It flies in the face of the purpose of a CES to mandate market-share for resources that are not supported by long-term contracts and would not otherwise be recognized for some of the clean energy attributes that Massachusetts has mandated.

Second, if the CES is intended to increase the amount of clean energy generation needed to help the Commonwealth meet the GHG reduction mandates under the GWSA, NEPGA suggests that MassDEP simply remove the vintage requirements under the current CES. CES eligibility is currently limited to only those resources that

---

<sup>1</sup> The comments expressed herein represent those of NEPGA as an organization, but not necessarily those of any particular member.

commenced commercial operation after December 31, 2010 (also referred to as “new” resources). These vintage requirements deny existing resources the opportunity to contribute their low and zero-carbon attributes and potentially leads to premature retirements of otherwise qualified clean energy generators. Failure to recognize these resources will also unnecessarily lead to inefficient and costlier program compliance, with added costs borne by ratepayers. An open, non-discriminatory CES that includes participation of pre-2010 resources will enable the Commonwealth to more quickly and cost-effectively meet the emissions reduction goals required by the GWSA. NEPGA urges MassDEP to remove vintage as a requirement from the CES, allowing all otherwise eligible new and existing resources to compete under the standard.

NEPGA has consistently pointed to a meaningful price on carbon dioxide emissions, on an economy-wide basis, as the best manner for Massachusetts and other New England states to meet emissions mandates. Such an in-market model, that is consistent across all New England states, is the best way to meet environmental policy objectives and help stop the cycle of additional subsidies or carve-outs to ensure reliability or retention of valuable resources. Nonetheless, the comments outlined above are intended to work within the scope of the CES and the questions posed by MassDEP.

NEPGA thanks MassDEP for its consideration of these comments.

Respectfully submitted,

/s/

---

Dan Collins  
Director of Government Affairs

March 29, 2019