JOINT COMMITTEE ON TELECOMMUNICATIONS, UTILITIES, AND ENERGY

BILL SUMMARY

BILL NO. H.3469 *(Redraft)*

TITLE: An Act relative to energy affordability, clean power, and economic competitiveness

SPONSOR: Representative Mark J. Cusack

COMMITTEE: Telecommunications, Utilities, and Energy

ACCOMPANIED BY:

H.3459, An Act modernizing competitive energy supply (Rep. Tackey Chan)

H.3475, An Act promoting a just transition and clean energy workforce standards (Rep. Marjorie C. Decker)

H.3493, An Act increasing opportunities for peak energy storage (Reps. Dan Cahill & Sean Garballey)

H.3520, An Act facilitating distributed energy resources in the commonwealth (Rep. Jack Patrick Lewis)

H.3521, An Act maximizing and optimizing small-scale assets in communities (Rep. Jack Patrick Lewis)

H.3534, An Act relative to electric ratepayer protections (Rep. Frank A. Moran)

H.3542, An Act advancing the clean energy transition (Rep. Steve Owens)

H.3549, An Act to remove woody biomass from the greenhouse gas emissions standard for municipal lighting plants (Rep. Orlando Ramos)

H.3552, An Act regarding the alternative energy portfolios standard (Rep. David Robertson)

H.3555, An Act relative to reporting on funds received from the Clean Energy Standard and future Clean Heat Standard program (Rep. Jeffrey N. Roy)

H.3556, An Act relative to current and future electric rates (Rep. Jeffrey N. Roy)

CURRENT LAW:

This legislation amends Chapter 21N, Chapter 25, Chapter 25A, Chapter 142A, Chapter 149, Chapter 164 of the General Laws, Chapter 503 of the acts of 1982, Chapter 169 of the acts of 2008, and Chapter 8 of the acts of 2021.

SUMMARY:

SECTION 1 states that the General Court finds and declares:

- Federal actions have created significant regulatory uncertainty and financial harm to Massachusetts' clean energy transition goals, threatening offshore wind projects, canceling grants for supporting infrastructure (Salem port facility), withholding funds for solar programs ($156M) and EV charging infrastructure ($63M), and altering tax credits for renewables and electric vehicles.
- These cumulative impacts increase costs, risks, and time for advancing clean energy and meeting emissions targets.
- Therefore, the Commonwealth must set responsible emissions reduction goals that balance environmental objectives with avoiding undue financial burdens on ratepayers and ensuring equitable sharing of the costs and benefits of the transition, especially for low-income and historically burdened communities.

SECTION 2 makes the Mass Save greenhouse gas emissions reductions goal, set by the EEA Secretary, advisory and non-binding for Mass Save plans through 2030 and requires that they not adversely impact affordability for residents and competitiveness for businesses.

SECTION 3 creates an affordability and competitiveness standard that all state entities in the Commonwealth must adhere to before implementing any regulation, administrative action, program implementation, procurement requirement, or policy undertaken to comply with or contribute to the compliance of statewide greenhouse gas emission limits and sublimits established under chapter 21N, or to advance the Commonwealth's clean energy goals.

No such actions shall take effect unless the entity has determined, based on reasonably available data, that such action will not impose unreasonable adverse impacts on the affordability of energy, utility, or related costs for residential ratepayers; or on the operating costs or economic competitiveness of Massachusetts businesses.

SECTION 4 requires the DPU to limit the scope and scale of GHG reduction and electrification programs offered by EDCs and LDCs to meet GHG limits and sublimits, to the extent that gas or electric bill impacts associated with said programs are found to be unreasonable.

SECTIONS 5 - 6, 8 amend the cost-effectiveness screening that DPU uses to ultimately determine if Mass Save programming is cost-effective by removing the requirement for DPU to calculate the social value of GHG emissions when calculating cost-effectiveness. This returns the focus of Mass Save to cost-effectiveness and also to energy efficiency.

SECTION 7 states that for-profit entities that operate affordable housing with over 50% low-income tenants be served outside of the low-income framework in the Mass Save program. This changes the status quo where large, for-profit developers receive 100% incentive coverage for all eligible measures, providing program administrators with discretion of how to set the incentive levels.

SECTION 9 strikes further requirements for DPU to calculate the social value of GHG emissions when calculating cost-effectiveness. It further strikes references to strategic electrification and sets a new requirement that to receive a Mass Save residential offer, customers must first weatherize their property or provide proof of existing weatherization.

This section also removes the prohibition on customers receiving Mass Save rebates for efficient gas heating systems, effectively immediately, and also sets a price cap for future Mass Save plans of no more than $4 billion (level with the budget for the 2022 – 2024 Mass Save plan).

SECTION 10 further returns the Mass Save program to cost-effectiveness and energy efficiency by changing the approval process of Mass Save plans by the Energy Efficiency Advisory Council (EEAC) by removing references to demand management, beneficial electrification, and decarbonization.

SECTION 11 states that Mass Save quarterly reporting on the extent that the Mass Save plans contribute to Chapter 21N statewide greenhouse gas emissions limits shall not apply to Mass Save plans through 2030.

SECTION 12, 14, and 21 creates a new division of clean energy procurement within the Department of Energy Resources. This division is tasked with developing resource solicitation plans, administering procurements for clean energy generation and energy services, and negotiating/managing contracts with clean energy generation and energy service facilities.

DOER is authorized to procure environmental attributes of resources that qualify for DEP's Clean Energy Standard program, which include Class I RPS resources (e.g. solar, wind, anaerobic digestion, small-scale hydropower) and large-scale hydropower and nuclear. DOER can also procure energy services such as energy storage, demand response.

This new model replaces the Section 83-style procurements where the electric distribution companies conducted the procurements. DOER would now have authority to issue competitive procurements and set the solicitation schedule, giving the department ultimate flexibility to procure more or less depending on market conditions.

Sets targets of 10,000 megawatts of solar and 10,000 megawatts of offshore wind by 2040.

Sets the utility remuneration for costs associated with contracts under this section at 1.75% of the contract's annual costs. This is lower than the 2.25% provided for the Section 83C offshore wind procurement or the Section 83E storage procurement.

DOER must investigate, solicit, and contract for environmental attributes and energy services with the objective of contributing to GHG limits, and improving affordability for residents and competitiveness for businesses.

DOER's resource solicitation plan must include:

- A description of clean energy generation and services sufficient to ensure a diversified, reliable, and cost-effective energy supply that meets state emissions limits, along with a 3-year solicitation schedule.
- Defined economic development objectives and requirements, a mechanism for distribution companies to recover costs from long-term contracts, and a review of previous clean energy solicitations.

DOER is responsible for developing and proposing the competitive bidding method for the resource solicitation plan, consulting with both the DPU and AGO. DOER must file the plan with the DPU for a cost-effectiveness review. If approved, the DPU mandates EDCs to propose tariffs to recover costs, provided the tariffs improve energy affordability and business competitiveness. Additionally, the DOER must include a review of the impact of contracted attributes on portfolio standards and offer legislative recommendations.

Following public comment, the DOER competitively solicits clean energy contracts, requiring bidders to meet workforce, economic, and labor standards. DOER makes the binding selection, but contracts require DPU approval (within 90 days), contingent on cost-effectiveness, ratepayer protection, and improved affordability/competitiveness. DOER may also retire purchased environmental attributes.

A central procurement fund is established to finance long-term contracts, funded by DPU-approved tariffs (which must ensure affordability and competitiveness), legislative appropriations as applicable, bid fees, and other public/private revenue.

SECTION 13 allows vintage clean generation (pre-2019) - mostly hydropower - to fully participate in the Clean Peak Energy Standard and gain full clean peak credits for doing so. Under the existing text of the statute that is virtually impossible.

SECTION 15 – Competitive Electric Supply: Requires quarterly reporting to the DPU from competitive suppliers on all rates charged to various customer classes, load served, customers billed, and energy supplies offered.

SECTION 16 decreases the yearly 3% increase in the Renewable Portfolio Standard (RPS) to 1%. The RPS requires electricity suppliers to obtain an increasing percentage of the power they sell from renewable energy sources. The increase to 3% would restart in 2033 and run through 2037, before reverting back to a 1% yearly increase thereafter. This would reduce prices for end users in the near-term, and give more time for renewable energy generation to come online before restarting the 3% increase in 2033.

SECTION 17 requires a minimum of 70% of Alternative Compliance Payments made pursuant to the Renewable Portfolio Standard to be returned to ratepayers. ACP's are currently deposited in a MassCEC custodial fund for use in clean energy projects. There was $272,603,000 in MassCEC ACP custodial fund for the fiscal year ending June 2023, and $379,237,758 for the fiscal year ending June 2024.

SECTION 18 eliminates the Alternative Portfolio Standard (APS) by January 1, 2028, while creating a safe harbor for participants in the program who have qualified or completed an application by that date. The APS requires Massachusetts electricity suppliers to obtain a portion of their energy from approved alternative energy technologies such as combined heat and power, flywheel storage, and renewable thermal systems that improve efficiency and reduce greenhouse gas emissions but are not classified as renewable under the RPS.

SECTION 19 requires DOER, when establishing standards, requirements, and procedures of the siting and permitting of small clean energy infrastructure to include the use of surplus interconnection service as part of the standards for applying site suitability guidance.

SECTION 20 adjusts language that was included in the 2024 Climate Act that could have the unintended consequence of undermining the permitting reforms that were the centerpiece of that law. Strikes the requirement that small clean generation and storage projects make a number of certifications and disclosures as part of their local consolidated permit application. These certifications and disclosures have to do with the applicant's commitment to workforce and economic development, apprenticeship programs, and labor harmony plans.

SECTIONS 22 – 33 establish consumer protections in the solar industry:

- Inserts new definitions for "comparable equipment", "consumer", "lease", "loan", "solar power purchase agreement", "residential contracting", "residential solar electric system", "solar agreement", "solar company", and "solar salesperson" into MGL c.142A.

- Solar customers have at least 5 business days after the date of the sale of any solar electric system and receipt of the signed agreement to cancel the agreement, without any financial penalty. Also outlines the information that solar companies and installers must provide as part of agreements for the purchase or lease of residential solar electric systems, and for solar power purchase agreements.
- Before entering into an agreement for a solar electric system with any customer, the solar company must provide the customer with a separate written disclosure form. This form will be developed by DOER and the Office of Consumer Affairs and Business Regulation. Also directs DOER and OCABR to develop a consumer educational brochure that must be provided no later than when the consumer disclosure form is provided to the customer. Additionally requires any solar company or installer that sells itself to another company to notify all system owners of the transaction and provide the contact information of the company they've been sold to within 90 days.
- Requires applicants who wish to obtain state registration as a contractor/subcontractor to attest to whether they have ever previously been registered in MA as a salesperson, contractor, or subcontractor.
- Requires solar salespeople to annually register with OCABR and to pay a registration fee in an amount to be determined by the director of OCABR; establishes a $5,000 fine for any solar salesperson engaging in residential solar electric system sales without obtaining a certificate of registration from OCABR; establishes ground rules for sales and marketing practices; limits visiting hours at residences; requires OCABR to evaluate salesperson training and certification programs in alignment with national industry standards.
- Directs DOER and OCABR to develop a consumer disclosure form via a stakeholder process where they will receive input from solar companies, other stakeholders, and the public.

SECTION 34 establishes labor standards for geothermal work performed by utilities. All construction on a thermal energy network and on any utility infrastructure impacted by the construction or installation of a thermal energy network that is not performed by workers directly employed by a gas utility company is to be performed and procured under the new §27I of MGL c.149 created by this section. Public authorities can only permit or agree to construction if the agreement with the utility contains a stipulation requiring prescribed rates of wages for non-company workers. Also, employees claiming to be aggrieved by violations of this statute may prosecute a civil action against alleged violators for injunctive relief within 3 years of the violation.

SECTION 35 adds a definition of "energy marketer" to statute that encompasses competitive retail suppliers.

SECTION 36 updates the definition of "gas company" to allow a gas company to make, sell, or distribute geothermal energy to individual customers.

SECTION 37 adds definition of portable solar (i.e. balcony solar) to Chapter 164. Portable solar devices generate electricity without needing to adhere to interconnection regulations or participating in net metering programs.

SECTION 38 codifies the definition of the term Total Resource Cost Test, which is the cost-effectiveness screening tool used by the Department of Public Utilities (DPU) to deem an energy efficiency program cost-effective if its present value of lifetime benefits (avoided energy, capacity, transmission and distribution costs) equals or exceeds the present value of its lifetime costs (administrator and participant costs). This definition excludes the social value of greenhouse gas reductions.

SECTION 39, 54, 62 - 64 authorize electric distribution companies to procure energy supply, including gas, electricity, transmission, transportation or a combination thereof, if such energy supply is:

- Secured by a long-term contract executed by an electric company or distribution company with a term of one year or greater;
- Subject to the review and approval of the department of public utilities under section ninety-four A, before becoming effective; and
- Cost-effective, provides enhanced safety and reliability, contributes to mitigation of winter electricity price spikes and meets other state goals.

The costs for such energy supply would be allowed to be allocated to electric and gas customers, to the extent benefits from such energy supply contracts are demonstrated to benefit both sets of customers.

SECTION 40 clarifies that the distribution companies may procure supply for default service through DPU-approved processes including via procurements of varying lengths and in combination with other distribution companies. Residential rates must be changed every six months at a minimum, excluding time-varying rates and variable service rates. DPU is authorized to require a separate mechanism to recover charges, including those connected to ISO-New England wholesale markets or federal tariffs on imports to said markets. This mechanism must be itemized separately on customer bills.

SECTION 41 requires a breakdown of charges for distribution service to be included on customers' bills to better inform them of the charges attributable to system benefit programs.

SECTION 42 allows DPU to set a non-uniform percentage discounts for suppliers that have chosen the complete billing method that is based on each individual suppliers' amount of uncollectable bills or percentage of customers in arrears relative to the average of the uncollectable bills or the average number of customers in arrears.

SECTION 43 requires brokers, energy marketers and suppliers to pay an annual fee up to $10,000 and requires execution of a $5M bond per retail license to do business in MA. Training requirements for energy markets; requirements for energy marketers to be legal agents of suppliers.

SECTION 44 repeals the existing low-income and moderate-income discount rate to make way for the new section in chapter 164 that contains a discount rate for low-income electric and gas customers.

SECTION 45 increases the daily total cap for violations of DPU's code of conduct to $10M. Authorizes DPU to require that violators pay restitution to harmed customers, and allows DPU to revoke or suspend licenses for violations.

SECTION 46 allows customers to initiate complaints regarding unauthorized switching of electric service with the DPU within 2 years.

SECTION 47 makes reforms to the competitive supply industry.

SECTION 48 removes the requirement that gas and electric utilities regulated by the DPU advertise the sale of bonds in newspapers within their service territory and in Boston. This section also fixes a typo in the statute.

SECTION 49 is a technical fix.

SECTION 50 prohibits gas and electric utilities that are regulated by the DPU from seeking rate recovery for direct or indirect costs associated with:

- Membership, dues, sponsorships, or contributions to business or trade associations
- Charitable giving expenses
- Executive or legislative lobbying, or soliciting others to engage in such lobbying or policy analysis
- Contributions to political candidates, campaigns, issue committees, or PACs
- Marketing, administration, customer service, or other costs for products and services not regulated by the DPU, unless found to be reasonable by the DPU.
- Travel (included owned, leased, or chartered aircraft), lodging, entertainment, gifts, or food and beverage expenses for the company's board of directors, trustees, and external advisory councils
- Recovery for expenses related to rate cases
- Directs the DPU and the AGO's Office of Ratepayer Advocacy to monitor and investigate compliance and noncompliance.

SECTION 51 adds surplus interconnection service as potential remedial action for proposed project by amending the definition of cumulative impact analysis.

SECTION 52 inserts a definition of surplus interconnection service into the general laws.

SECTION 53 requires in the case of large clean transmission and distribution infrastructure facilities, small clean transmission and distribution infrastructure, and natural gas pipelines, surplus interconnection service has been given due consideration in an effort to avoid or minimize expenditures.

SECTION 55 amends section 69J by requiring the description of alternatives to a facility within a petition to construct a facility, to include the use of surplus interconnection as part of the consideration of methods of transmitting or storing energy to said facility.

SECTION 56 amends section 69T of chapter 164 by requiring the description of the alternatives to the large clean transmission and distribution infrastructure facility (within an application for a consolidated permit for a large clean transmission and distribution infrastructure facility) to include surplus interconnection service.

SECTION 57 adds an additional requirement that the EDCs' ESMPs also include comprehensive load management and virtual power plant (VPP) plans, with the goal of minimizing ratepayer costs and maximizing ratepayer benefits of distributed energy resources to the greatest extent possible. Such plans will provide a detailed summary and timeline of all of the EDC's current, proposed, and under development programs and investments related to grid modernization, the electrification of the building and transportation sectors, distributed energy resources, and efforts to make use of advanced metering infrastructure. The EDCs must also share quantitative 5- and 10-year targets for peak load reduction across their systems, as well as information regarding how flexible interconnection processes will be integrated with their load management and virtual power plant plans.

SECTION 58 directs the DPU to establish a comprehensive distribution system planning and cost-recovery framework by July 1, 2028. This framework will encompass the electric utilities' ESMPs and the discrete investments identified within the ESMPs, base distribution rates, reconciliation charges, and other DPU proceedings and relevant company filings deemed relevant by the DPU. The framework will apply to any petition to amend electric rates that is filed with the DPU on or after July 1, 2028.

SECTION 59 requires the electric distribution companies to accept a surety bond or letter of credit in lieu of cash, at the discretion of the interconnecting customer, for common system modification payments required under an interconnection service agreement to commence construction of required electric power system upgrades. This will diminish the risk to interconnecting customers of multi-year interest carrying costs associated with interconnection deposits and in furtherance of the Commonwealth's clean energy mandates.

SECTION 60 Amends current statute to require gas companies to file schedules with the DPU not less frequently than every 5 years (vs current statutes 10 years), showing all rates, prices, and charges to be charged or collected within the commonwealth for the sale and distribution of gas, together with all forms of contracts to be used for such schedules.

SECTION 61 requires the DPU to direct LDCs and EDCs to coordinate an initiative to perform a customer bill-impact analysis assessment. This includes bill impacts resulting from any proposed programs or procurements associated with GHG reductions, clean energy, solar, workforce development, or electrification. Requires EEA to submit an annual report to the legislature that includes the current ratepayer impact measure test results of each existing program, regulation, or procurement.

SECTION 65 creates new section 94J of c. 164, and would make budget billing the default billing method, with an opportunity to opt out.

SECTION 66 requires the EDCs to create an Energy Bill Watch program for all electric utility customers with smart meters installed. The EDC will notify customers of their energy usage (kW and $ cost) on the 10th and 20th day of the month.

SECTION 67 amends the definition of "Class I net metering credit" by removing the transition charge from the list of charges multiplied by a customers's kWh usage to determine the credit's value.

SECTION 68 amends the definition of "Class II net metering credit" by removing the transition charge from the list of charges multiplied by a customers's kWh usage to determine the credit's value.

SECTION 69 amends the definition of "Class III net metering credit" by removing the transition charge from the list of charges multiplied by a customer's kWh usage to determine the credit's value.

SECTION 70 amends the definition of "Market net metering credit" by removing the transition charge from the list of charges multiplied by a customer's kWh usage to determine the credit's value.

SECTION 71 amends the definition of "Neighborhood net metering credit" by removing the transition charge from the list of charges multiplied by a customer's kWh usage to determine the credit's value.

SECTION 72 safe harbors projects already in the interconnection queue by clarifying that the proposed NEM classification changes only apply to projects that submitted interconnection applications before November 1, 2025.

SECTION 73 raises the municipal net metering hosting capacity limit from 10 MW to 20 MW on the amount of net metering hosting capacity allowed by a municipality or other qualify government entities.

SECTION 74 grants municipal behind-the-meter NEM projects the same exemption from aggregate NEM capacity caps as other BTM NEM solar projects under MGL c.164 Section 139.

SECTION 75 states that a supply rate net metering facility will generate supply rate net metering credits.

SECTION 76 clarifies that small hydro facilities participating in the Commonwealth's Small Hydroelectric Net Metering Program (SHP) should be measured at the turbine-generator unit level.

SECTION 77 removes language pertaining to the moderate-income discount rate as inserted by last year's climate law and removes the requirement for a fully compensating adjustment to be made to the low-income discount when the scale of on-site generation would have an impact on affordability.

SECTION 78 exempts portable solar generation devices from certain interconnection requirements.

SECTION 79 inserts 5 new sections into chapter 164 of the general laws.

Sec. 152 includes the discounted rate for low-income electric customers, codifies the low-income discount rate for gas customers and removes language pertaining to the moderate-income discount rate.

Sec. 153 allows gas companies to develop programs to build, own, and operate geothermal heat loops for individual customers in their existing service territories

Sec. 154 gives the DPU the authority to have supervision of facilities owned and operated by gas companies for the purpose of ensuring public safety pertaining to the construction and operation of utility-scale non-emitting thermal energy, including networked geothermal and deep geothermal energy.

Sec. 155 requires gas companies to develop, and every 2 years, amend a “just transition plan” as part of any climate compliance plan submission, with the first just transition plan filing due April 1, 2027. Each plan will provide projections for any attrition among its in-house workforce and the utilization of outside contractors over both the two-year period and over the course of its transition to net zero emissions aligned with a company’s climate compliance plan filings or its complete retirement of its gas pipeline, whichever is later. The plans must identify provisions, opportunities, and initiatives for training and employment opportunities for workers who may be displaced by the gas company’s compliance with the commonwealth’s net zero emissions goals on the other forms of energy it distributes. This includes any agreement reached with labor organizations representing employees at its gas or alternative fuel operations or labor organizations representing employees of its outside contractors

Sec. 156 requires each EDC to offer a comprehensive flexible interconnection program to enable the efficient interconnection of new customer loads and to maximize the deployment of DERs, while minimizing associated electric infrastructure upgrade and buildout costs.

Sec.157 directs each EDC to offer a comprehensive process for interconnection of a vehicle-to-grid (V2G) system at residential buildings, subject to consultation with an industry stakeholder working group and review and approval by the DPU.

SECTION 80 repeals “An Act pertaining to Nuclear Power,” known as the "Nuclear Power and Waste Disposal Voter Approval and Legislative Certification Act." The Act prohibits any new nuclear power plant from being constructed or operated (as well as any low-level radioactive waste disposal or storage facility) within the Commonwealth unless the construction and operation of the proposed nuclear power plant has been approved by a majority of the voters in a state-wide general election.

SECTION 81 amends the definition of "firm energy delivery" to include surplus interconnection service.

SECTION 82 inserts the definition of "surplus interconnection service" into the green communities act.

SECTION 83 extends the deadline for the state to contract for 5,600 MW of offshore wind under the section 83C solicitations from 2027 to 2029, in response to uncertainty surrounding federal permitting. This will give the Commonwealth more flexibility in the state’s timeline for offshore wind procurements in response to changing market conditions.

SECTION 84 amends the 83C procurement process by allowing DOER to condition the determination of any winning bid upon a bidder's inclusion of regional or project-specific transmission costs, including surplus interconnection service.

SECTION 85 amends the 83C procurement process by requiring DOER to give preference to proposals that demonstrate benefit from resources able to guarantee firm energy delivery, including the use of surplus interconnection service.

SECTION 86 amends the 83C procurement process by allowing the DPU to authorize or require the contracting parties to seek recovery of regional or project-specific transmission costs, including surplus interconnection costs, from other states or from benefitted entities or populations in other states consistent with policies and tariffs of FERC.

SECTION 87 amends the 83C procurement process by requiring the regulations promulgated by DPU pursuant to this section require that proposals avoid line loss and mitigate transmission costs to the extent possible, including the use of surplus interconnection service.

SECTION 88 amends the 83E storage procurement by allowing DOER to give preference to proposals for environmental attributes or energy services from energy storage systems that provide additional benefits or value to the electric grid or communities, including: supporting grid resiliency and transmission needs in specific geographic locations and the efficient use of existing transmission infrastructure by the use of surplus interconnection service.

SECTION 89 repeals a provision that would have added biomass to the MLP Greenhouse Gas Emission Standard (GGES) in 2026.

SECTION 90 requires each EDC to offer a comprehensive flexible interconnection program. Within two months of the effective date of this act, the DPU will issue guidance to the distribution companies regarding the development of the flexible interconnection program.

Within six months of the effective date of this act, the distribution companies will file proposed model tariff provisions or tariff revisions with the DPU to implement the required flexible interconnection program.

Prior to making the filing, the distribution companies must convene a DER industry stakeholder working group that will meet at least twice per month starting one month after the effective date of this act, to develop and present draft versions of the documents to be included in the above filing.

The DPU will then conduct a proceeding to investigate the flexible interconnection program draft proposal and approve, deny, or modify such proposal within one year of the effective date of this act.

SECTION 91 requires each electric distribution company to submit a supplement to their ESMPs approved by the DPU that includes utility load management and virtual power plant planning.

SECTION 92 directs the EEA secretary, when issuing a statement as to whether the commonwealth has complied with the 2030 statewide greenhouse gas emissions limits, in the instance that the state has not met said limits, the secretary of energy and environmental affairs shall include a formal assessment regarding the primary cause for non-compliance. If said cause is attributed to the actions or inactions of the federal government, then the GHG emissions limits and sublimits established for 2030 shall be advisory in nature and unenforceable by or against the Commonwealth or any other person. If the Commonwealth fails to achieve the GHG emissions limits established for 2030, this section establishes immunity for the Commonwealth, including its departments, agencies, authorities, and other entities in the instance that the Commonwealth.

SECTION 93 requires labor peace agreements for certain thermal energy networks. Labor peace agreements are required for land subleases or conveyed by the state or a political subdivision for a thermal energy network, heat loop, and associated renewable generation. This section also conditions any funding made by the state for a thermal energy network or heat loop on a recipient's agreement to enter a fully executed labor peace agreement.

SECTION 94 prevents municipalities participating in the fossil fuel-free demonstration program from receiving Mass Save incentives that incentivize the construction of all electric homes.

SECTION 95 requires income verification for property owners, renters, and landlords located in "designated equity communities" to receive Mass Save rebates and incentives.

SECTION 96 allows high voltage transmission lines, with full control of access, to be permitted on highways and they may be constructed, placed, or maintained across any public right of way or along any highway, federally aided state highway, controlled access highway, interstate highway, or roadway, except as deemed necessary by the secretary of transportation to protect public safety or ensure the proper function of the trunk highway.

SECTION 97 sets an effective date for the setting of the $4B Mass Save budget cap, which starts with the 2028 to 2030 plan.

SECTION 98 sets budget cuts for the 2025-2027 Mass Save plan to reduce the budget from $4.5B to $4.17B.

SECTION 99 sets an effective date for the solar consumer protection provisions pursuant to chapter 142A of the general laws.

SECTION 100 sets an effective date for the automated solar permitting provision.

SECTION 101 sets an effective date for the automated solar permitting provision.

SECTION 102 sets an effective date for the automated solar permitting provision.

SECTION 103 sets an effective date for the commencement of the coordinated initiative to establish a ratepayer impact measure.

SECTION 104 sets an effective date of November 1, 2026, for default budget billing.

SECTION 105 sets an effective date for the Energy Bill Watch Program provision.