



COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF
ENERGY AND ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENERGY RESOURCES
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Maura T. Healey
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Rebecca L. Tepper
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Kimberley Driscoll
Lt. Governor

Elizabeth Mahony
Commissioner

NOTICE OF PUBLIC COMMENT AND HEARING

Notice is hereby given that the Massachusetts Department of Energy Resources (DOER), acting under St. 2016, c. 75, § 11 and M.G.L. c. 25A, § 6, is holding a public hearing on 225 CMR 28.00: Solar Massachusetts Renewable Target (SMART) Program 3.0. The SMART 3.0 Program under 225 CMR 28.00 aims to increase the pace of solar deployment in the Commonwealth by adjusting incentive rates and other aspects of the program on an annual basis, making the program more responsive to rapidly changing market conditions and development costs. During the initial months of implementation of the SMART 3.0 Program, DOER has identified certain administrative issues that it proposes to address in this rulemaking to improve the implementation process in the future. Aside from various clerical edits, DOER proposes to update the methodology for allocation of program capacity between the three Electric Distribution Companies, clarify eligibility requirements for Canopy and repowered systems, and refine the procedures for receiving site visits. Additionally, DOER is modifying its eligibility criteria for certain projects aligned with existing plans for infrastructure investments in the Electric Distribution Companies' Capital Investment Projects and Electric Sector Modernization Plans. A virtual public hearing will be conducted to receive verbal and written comments on the regulation.

Location: Virtual Hearing via Zoom
https://zoom.us/webinar/register/WN_tozIXc89RWmdYh475HixtQ

Date: August 5, 2026, at 1:00PM

Verbal testimony will be accepted at the hearing; however, parties may also provide written copies of their testimony. Written comments will be accepted beginning June 26, 2026 and ending at 5pm on August 5, 2026. DOER requests that written comments be submitted as attached pdf files to DOER.SMART@mass.gov, with the words "SMART 3.0 Public Comment" in the subject line. Alternatively, comments can be submitted via mail to Grace Fletcher at the Department of Energy Resources, 100 Cambridge Street, 9th Floor, Boston, MA 02114. Copies of the proposed regulations may be obtained from the DOER website at <https://www.mass.gov/info-details/smart-30-program-details> or by emailing DOER.SMART@mass.gov.

Language interpretation services are available upon request. To request this service, please email DOER.SMART@mass.gov at least four (4) business days prior to the August 5, 2026 hearing. Please include your name, the event name and date, the language requested, and your phone number should we have any questions.

BY ORDER OF: Elizabeth Mahony, Commissioner
Department of Energy Resources

Small Business Impact Statement

(As required by M.G.L. c. 30A §§ 2, 3 & 5)

CMR No: 225 CMR 28.00

Estimate of the Number of Small Businesses Impacted by the Regulation: None

Participation in 225 CMR 28.00 by any small business is voluntary.

Select Yes or No and Briefly Explain

- Will small businesses have to create, file, or issue additional reports?
No, participation in the program by small businesses is voluntary.
- Will small businesses have to implement additional recordkeeping procedures?
No, Participation in the program by small businesses is voluntary.
- Will small businesses have to provide additional administrative oversight?
No, Participation in the program by small businesses is voluntary.
- Will small businesses have to hire additional employees in order to comply with the proposed regulation?
No, Participation in the program by small businesses is voluntary.
- Does compliance with the regulation require small businesses to hire other professionals (e.g. a lawyer, accountant, engineer, etc.)?
No, Participation in the program by small businesses is voluntary.
- Does the regulation require small businesses to purchase a product or make any other capital investments in order to comply with the regulation?
No, Participation in the program by small businesses is voluntary.
- Are performance standards more appropriate than design/operational standards to accomplish the regulatory objective?
No, regulated entities must comply via well-established criteria. The proposed regulatory changes have no impact on this compliance process.
- Do any other regulations duplicate or conflict with the proposed regulation?
No.
- Does the regulation require small businesses to cooperate with audits, inspections or other regulatory enforcement activities?
No, Participation in the program by small businesses is voluntary.
- Does the regulation require small businesses to provide educational services to keep up to date with regulatory requirements?
No, Participation in the program by small businesses is voluntary.
- Is the regulation likely to *deter* the formation of small businesses in Massachusetts?
No, Participation in the program by small businesses is voluntary.
- Is the regulation likely to *encourage* the formation of small businesses in Massachusetts?
Yes, the regulation is likely to encourage the formation of small businesses involved in the solar market.
- Does the regulation provide for less stringent compliance or reporting requirements for small businesses?
No, there are no additional compliance obligations for small businesses.
- Does the regulation establish less stringent schedules or deadlines for compliance or reporting requirements for small businesses?
No, participation in the program by small businesses is voluntary.
- Did the agency consolidate or simplify compliance or reporting requirements for small businesses?
No, participation in the program by small businesses is voluntary.
- Can performance standards for small businesses replace design or operational standards without hindering delivery of the regulatory objective?
No, participation in the program by a small business is voluntary.
- Are there alternative regulatory methods that would minimize the adverse impact on small businesses?
No, the updates are to requirements that live regulation and therefore require a rulemaking to update.