



COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF
ENERGY AND ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENERGY RESOURCES
100 CAMBRIDGE ST., 9th FLOOR
BOSTON, MA 02114
Telephone: 617-626-7300

Maura T. Healey
Governor

Rebecca L. Tepper
Secretary

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 two emergency regulations 225 CMR 20.00: Solar Massachusetts Renewable Target (SMART) Program and 225 CMR 28.00: Solar Massachusetts Renewable Target (SMART) Program 3.0. The Solar Massachusetts Renewable Target (SMART) program is the Commonwealth's primary solar incentive program and currently exists under 225 CMR 20.00. DOER is proposing a successor solar incentive program under 225 CMR 28.00: Solar Massachusetts Renewable Target (SMART) 3.0 that would update the program to reflect current market conditions and exist independently of 225 CMR 20.00. The proposed changes to 225 CMR 20.00 create an end date for eligibility under 225 CMR 20.00 and make a minor change to provide flexibility to existing community shared solar projects that enroll low-income customers. The proposed 225 CMR 28.00 covers the structure and requirements of the successor program. A public hearing will be conducted to receive verbal and written comments on both regulations.

Location: **Stinchfield Lecture Hall at Greenfield Community College**
 One College Drive, Greenfield, MA 01301

Date: **July 25, 2025, beginning at 1:00 PM**

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 20, 2025 and ending at 5 pm on July 25th, 2025. 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-programmatic-review> or by emailing DOER.SMART@mass.gov.

A summary of the regulations is available in multiple languages on the DOER website at <https://www.mass.gov/info-details/smart-programmatic-review>.

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 20.00

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

Participation in 225 CMR 20.00 by any small business is voluntary.

Select Yes or No and Briefly Explain

| | | |
|---------------------------------|---|---|
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Will small businesses have to create, file, or issue additional reports? No, participation in the program by small businesses is voluntary. |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Will small businesses have to implement additional recordkeeping procedures? No, participation in the program by small businesses is voluntary. |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Will small businesses have to provide additional administrative oversight? No, participation in the program by small businesses is voluntary. |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | 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. |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | 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. |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | 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. |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Are performance standards more appropriate than design/operational standards to accomplish the regulatory objective? (Performance standards express requirements in terms of outcomes, giving the regulated party flexibility to achieve regulatory objectives and design/operational standards specify exactly what actions regulated parties must take.) No, regulated entities must comply via well established criteria. The proposed regulatory changes have no impact on this compliance process. |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Do any other regulations duplicate or conflict with the proposed regulation? No. |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | 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. |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | 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. |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Is the regulation likely to <i>deter</i> the formation of small businesses in Massachusetts? No, participation in the program by small businesses is voluntary. |

| | | |
|--|---|--|
| Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | Is the regulation likely to <i>encourage</i> the formation of small businesses in Massachusetts? Yes, the regulation is likely to encourage the formation of small businesses involved in the solar market. |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Does the regulation provide for less stringent compliance or reporting requirements for small businesses? No, there are no additional compliance obligations for small businesses. |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | 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. |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Did the agency consolidate or simplify compliance or reporting requirements for small businesses? No, participation in the program by small businesses is voluntary. |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Can performance standards for small businesses replace design or operational standards without hindering delivery of the regulatory objective? No, participation in the program by small businesses is voluntary. |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Are there alternative regulatory methods that would minimize the adverse impact on small businesses? Possibly. No, program eligibility and the low income customer definition are defined in regulation and may only be changed through a formal rulemaking. |

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 20.00 by any small business is voluntary.

Select Yes or No and Briefly Explain

| | | |
|---------------------------------|---|---|
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Will small businesses have to create, file, or issue additional reports? No, participation in the program by small businesses is voluntary. |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Will small businesses have to implement additional recordkeeping procedures? No, participation in the program by small businesses is voluntary. |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Will small businesses have to provide additional administrative oversight? No, participation in the program by small businesses is voluntary. |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | 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. |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | 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. |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | 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. |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Are performance standards more appropriate than design/operational standards to accomplish the regulatory objective? (Performance standards express requirements in terms of outcomes, giving the regulated party flexibility to achieve regulatory objectives and design/operational standards specify exactly what actions regulated parties must take.) No, regulated entities must comply via well established criteria. The proposed regulatory changes have no impact on this compliance process. |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Do any other regulations duplicate or conflict with the proposed regulation? No. |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | 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. |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | 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. |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Is the regulation likely to <i>deter</i> the formation of small businesses in Massachusetts? No, participation in the program by small businesses is voluntary. |

| | | |
|--|---|--|
| Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | Is the regulation likely to <i>encourage</i> the formation of small businesses in Massachusetts? Yes, the regulation is likely to encourage the formation of small businesses involved in the solar market. |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Does the regulation provide for less stringent compliance or reporting requirements for small businesses? No, there are no additional compliance obligations for small businesses. |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | 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. |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Did the agency consolidate or simplify compliance or reporting requirements for small businesses? No, participation in the program by small businesses is voluntary. |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Can performance standards for small businesses replace design or operational standards without hindering delivery of the regulatory objective? No, participation in the program by small businesses is voluntary. |
| Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | Are there alternative regulatory methods that would minimize the adverse impact on small businesses? No, participation in the program by small businesses is voluntary. |