

## The General Court of the Commonwealth of Massachusetts

*Cape and Islands Legislative Delegation*



Chairman Matthew H. Nelson  
Commissioner Robert Hayden  
Commissioner Cecile M. Fraser  
Department of Public Utilities

April 15th, 2022

RE: Cape Light Compact JPE 2022-2024 Three-Year Energy Efficiency Plan D.P.U. 21-126

Dear Chairman Nelson and Commissioners Hayden and Fraser,

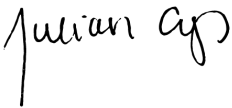
The undersigned members of the Cape & Islands legislative delegation write to you to voice our concerns regarding the recent decision of the Department of Public Utilities (“Department”) to deny the Cape Light Compact JPE’s (“Compact”) proposal for the Cape & Vineyard Electrification Offering (“CVEO”), an enhancement the Compact proposed to the 2022-2024 Three-Year Energy Efficiency Plan in D.P.U. 21-126. We believe CVEO is exactly the type of offering that municipal aggregators with certified energy efficiency plans are authorized to implement pursuant to G.L. c. 164, §134, and respectfully request that the Department reconsider its interpretation of the Green Communities Act to recognize that strategic electrification offerings which incorporate solar photovoltaics are appropriately within the scope of energy efficiency programs under Massachusetts law.

As a strategic electrification offering, CVEO is aligned with the Legislature’s 2018 amendments to the Green Communities Act of 2008 (codified at G.L. c. 25, §§21(b)(2)(iv)(A) and (J)). Specifically, CVEO will allow low- and moderate-income customers on the Cape & Vineyard to participate in energy efficiency programming offered by the Compact which supports the Commonwealth’s climate goals. We do not believe that the implementation of CVEO would represent a new solar incentive program in the Commonwealth in conflict with the existing Solar Massachusetts Renewable Target Program (“SMART”).

Furthermore, the Department’s overall tenor in its decision with respect to the authority of the Compact to administer energy efficiency programming is of concern. The Department should not ignore the Legislature’s clear intent for municipal aggregators to have the flexibility to design and administer an energy plan that municipalities believe best meets the needs of their constituents.

Thank you for your consideration of our concerns and our request for the Department to allow electrification offerings that incorporate solar photovoltaics to be implemented through energy efficiency programs. Please do not hesitate to contact our offices with any questions that you may have regarding this matter.

Sincerely,



**Julian Cyr**  
*State Senator*  
*Cape & Islands District*



**Dylan Fernandes**  
*State Representative*  
*Barnstable, Dukes & Nantucket*



**Susan Moran**  
*State Senator*  
*Plymouth & Barnstable District*



**Timothy Whelan**  
*State Senator*  
*First Barnstable District*



**Sarah Peake**  
*State Representative*  
*Fourth Barnstable District*



**Kip Diggs**  
*State Representative*  
*Second Barnstable District*



**Steven Xiarhos**  
*State Representative*  
*Fifth Barnstable District*