



October 30, 2019

Kara Sergeant
Massachusetts Department of Energy Resources (DOER)
100 Cambridge St. Suite 1020
Boston, MA 02114

RE: Center for Resource Solutions' (CRS's) Comments on the Clean Peaks Energy Portfolio Standard (CPS) Draft Regulation

Dear Ms. Sergeant,

CRS appreciates this opportunity to submit comments on the CPS Draft Regulation. CRS also appreciates DOER's incorporation of many of our previous recommendations in comments on the February 5, 2019 Stakeholder Questions and the April 12, 2019 Straw Proposal. CRS's primary remaining area of concern is how CPS and Clean Peak Energy Certificates (CPECs) affect consumer claims and how they may interact with renewable energy certificates (RECs) (GIS certificates).

Background on CRS and Green-e®

CRS is a 501(c)(3) nonprofit organization that creates policy and market solutions to advance sustainable energy. CRS has broad expertise in renewable energy program design and implementation, and provides technical guidance to policymakers and regulators at different levels on matters related to policy design, renewable energy accounting, tracking and verification, market interactions, and disclosures and consumer protection. CRS also administers the Green-e® programs. Green-e® is the leading independent certification for voluntary renewable electricity products in North America. For over 20 years, Green-e's® verification procedures have ensured that voluntary purchasers of renewable electricity products receive clear and accurate information from their providers and the full environmental benefits and sole ownership of each megawatt-hour (MWh) purchased. CRS, with oversight by the independent Green-e® Governance Board, maintains a stakeholder-driven standard development process. In 2018, Green-e® certified retail sales of over 62 million MWh, serving over 1.2 million retail purchasers of Green-e® certified renewable energy, including 61,000 businesses.¹

¹ See the 2019 (2018 Data) Green-e Verification Report here for more information: <https://resource-solutions.org/g2019/>.

Potential Double Counting of Renewable Generation Attributes

The Draft Regulation does not clearly address how CPECs will be able to deliver renewable energy attributes for generation that also generates Renewable Energy Certificates (RECs). For example, Section 21.02 of the CPS Draft Regulation requires that Energy Storage Systems that qualify to generate CPECs must demonstrate that they “operate primarily to store and discharge renewable energy”. However, RECs exclusively convey the fuel type generation attribute used to verify delivery of renewable energy in Massachusetts and neighboring states.² Therefore, CRS requests that the DOER provide guidance or other clarification regarding:

- What, if anything, CPECs mean for consumer claims and retail transactions of clean power;
- The generation attributes that they represent; and
- How they affect and will interact with RECs in order to avoid double issuance and double counting of attributes.

Thank you again for the opportunity to provide comments on this proposal. Please let me know if we can provide any additional support.

Sincerely,



Peggy Kellen
Director, Policy

² See 225 MASS. CODE REGS. 14.02;

Also see *NEPOOL-GIS Operating Rules*, v. Effective 1/1/19. Available at: <https://www.nepoolgis.com/wp-content/uploads/sites/3/2019/01/GIS-Operating-Rules-Effective-1-1-19.doc>;

Also See Jones et. al. (2015) *The Legal Basis for Renewable Energy Certificates*. Center for Resource Solutions. Available at: <https://resource-solutions.org/wp-content/uploads/2015/07/The-Legal-Basis-for-RECs.pdf>.