SENATE . . . . . No. 393

By Mr. Clancy, a petition (accompanied by bill, Senate, No. 393) of Edward J. Clancy, Jr., for legislation to require information concerning the energy consumption of large new buildings in the Commonwealth. Energy.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Five.

AN ACT REQUIRING INFORMATION CONCERNING THE ENERGY CONSUMPTION OF LARGE NEW BUILDINGS IN THE COMMONWEALTH.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 3 of chapter 25A of the General Laws, as most recently amended by section 47 of chapter 60 of the Acts of 1994, is hereby further amended by inserting after the definition of "Alternative energy property" the following definition: —

"Cost-effective measures", energy conservation measures whose costs are fully recouped through energy savings over their expected life-spans or load management measures whose costs are fully recouped through lowered rate charges over their expected life-spans.

SECTION 2. Said section 3 of said chapter 25A, as appearing in the 1994 Official Edition, is hereby further amended by inserting after the definition of "Energy conservation projects" the following definition: —

"Load management measures", measures that modify maintenance or operating procedures of a building or facility and installations therein, or the installation or modification of an installation in a building or facility designed to reduce the magnitude of energy consumption by the building or facility at times of peak demand on the energy generation and distribution system servicing such building or facility.

SECTION 3. Said chapter 25A is hereby further amended by inserting after section 11C, added by section 48 of chapter 60 of the acts of 1994, the following section: —

Section 11D. The commissioner shall establish threshold levels for peak energy demand and total energy consumption for large new or substantially renovated buildings or facilities. These thresholds shall be set to identify those large new buildings or substantially renovated facilities whose individual energy consumption would significantly impact demand in the commonwealth.

No building or facility that exceeds the threshold levels set by the commissioner may begin construction or substantial renovations without receiving a Significant Energy Use Permit from the commissioner. The commissioner shall establish an application form for a Significant Energy Use Permit that requires but is not limited to, the following information concerning the building or facility: projected annual peak energy demand on month-by-month and time-of-day basis; projected annual total energy consumption; major components of projected energy consumption itemized by end use categories including, but not limited to, technical specifications on lighting, heating, cooling, ventilation and industrial equipment to be used; specific energy conservation and load management measures to be incorporated into the construction and operation of the building or facility; types and amounts of fuels to be consumed during normal operation of the completed building or facility; and detailed information about the capacity, characteristics and expected performance of any electricity generating equipment with a capacity greater than one hundred kilowatts to be maintained at the building or facility site.

The commissioner or his designee shall review the completed application within thirty days and shall either approve the Significant Energy Use Permit or require the applicant to submit an analysis, to be performed by a third party acceptable to the secretary, of all energy conservation and load management measures that could be incorporated into construction or substantial renovation, or into operation of the completed building or facility, and the cost-effectiveness of each measure identified. Within thirty days of receipt of this analysis, the commissioner shall determine which, if any, cost-effective measures must be agreed to by the applicant before the commissioner grants a Significant Energy Use Permit.

The commissioner shall establish a public advisory committee which shall meet on a quarterly basis to review the implementation of this program. The advisory committee shall review and submit recommendations to the commissioner on the information to be submitted and the standards for evaluating it. The committee appointed by the secretary shall included:

1) three representatives from the electric power industry;

2) two representatives from the municipal light departments;

3) a representative of the gas industry:

4) a representative of the oil industry;

5) a representative of organized labor appointed from a list of five names submitted by the Massachusetts State Labor Council of the AFL-CIO;

6) a representative of the board of building regulations and standards;

7) a contractor who performs significant energy conservation work;

8) a registered professional engineer with expertise in technologies intended to improve the energy efficiency of buildings;

9) an architect with expertise in the energy-efficient design of new buildings;

10) a representative from a community organization that administers fuel assistance;

11) four representatives from broad-based consumer or energy conservation advocacy groups;

12) a representative from the department of public utilities; and

13) a representative from the executive office of energy resources.

SECTION 4. The commissioner of the division of energy resources shall promulgate rules and regulations to implement this act.

SECTION 5. This act shall take effect on July fourth, nineteen hundred and ninety-six.