



COMMONWEALTH WIND

Program Manual Community and Commercial Wind Projects

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1. OVERVIEW

1.1 THE MASSACHUSETTS CLEAN ENERGY CENTER

Created by the Green Jobs Act of 2008, the Massachusetts Clean Energy Center (MassCEC) has as its mission to foster the growth of the Massachusetts clean energy industry by providing seed grants to companies, universities, and nonprofit organizations; funding job training and workforce development programs; and, as home of the Massachusetts Renewable Energy Trust, supporting the installation of renewable energy projects throughout the state. For more information, visit www.masscec.com.

1.2 THE COMMONWEALTH WIND PROGRAM

The goals of the Commonwealth Wind Incentive Program (“Commonwealth Wind”) are to 1) guide and support wind project proponents through the detailed analysis and community engagement necessary to evaluate proposed projects and 2) support the development of projects that, through the results of this process, demonstrate appropriate siting. Commonwealth Wind provides rebate and grant funding as well as technical guidance for the evaluation and installation of wind projects. Funding is available for residential, commercial, industrial and public facilities. Funding is based on the size and other characteristics of the wind project.

The Commonwealth Wind Program supports small wind, community wind and commercial wind projects. These are defined as:

Small Wind: A wind project that utilizes wind turbines with nameplate power capacities of less than 100 kilowatts (kW).

Community Wind: A wind project that utilizes one or more wind turbines with power capacity of 100 kW and greater and typically (1) serves a load that is located on the project site, (2) will have a net-metering agreement with the utility company or (3) will serve the load requirements of a host municipal light department.

Commercial Wind: A wind project that typically serves the ISO-New England wholesale electricity market or a municipal light plant system, or has an on-site load that does not qualify for net metering. Commercial Wind projects typically have three or more turbines.

Community Wind and Commercial Wind projects are eligible for the same early-stage funding opportunities to investigate and evaluate project viability. Commonwealth Wind also provides funding opportunities for the development phase of projects depending on size and project category.

Commonwealth Wind Program Offerings are designed to guide wind project proponents through the detailed analysis and community engagement necessary to support the development of projects that demonstrate appropriate siting and achieve widespread public acceptance. For more information on appropriate siting refer to Section 5.1.

The Commonwealth Wind Program Offerings are:

Site Assessment Grants of Services: Site assessment grants of services are available for *community and commercial wind projects*. A site assessment provides a preliminary evaluation of the potential for wind development on one or more sites. The assessment incorporates a desktop analysis and a site visit to investigate siting, wind resource, land use/environmental restrictions, interconnection options and site access. Support for this activity is provided through a grant of services and is available for community and commercial wind projects.

Feasibility Study Grants: Feasibility study grants are available for *community and commercial wind projects*. A feasibility study provides an in-depth analysis of the technical, environmental, regulatory and financial aspects of a wind project at a specific site. Feasibility study activities occur after a site assessment has determined that a potential site is worthy of further evaluation. Eligible activities include wind resource monitoring, feasibility studies, pre-construction acoustic studies and business planning activities. MassCEC may also provide grants of services for stakeholder education and facilitation services as part of an overall feasibility study award.

Development Grants: Development grants are available to both Community and Commercial Wind projects. Community Wind projects may use Development Grants for both development activities (such as permitting, environmental impact evaluation, geotechnical studies, public outreach, interconnection studies, etc.) and for construction activities (such as turbine procurement, erection, and commissioning). Commercial Wind may only use Development Grants for development activities.

Small Wind Construction Rebates: Small Wind Construction Rebates are available for small wind projects. Rebates are based on turbine-rated capacity and expected production. Please see the [Small Wind Solicitation](#) for further details on Small Wind Program Offerings.

1.3 THE COMMONWEALTH WIND PROGRAM MANUAL

The Commonwealth Wind Program Manual for Community and Commercial Wind Projects (“Program Manual”) provides general information about the Commonwealth Wind Incentive Program as well as requirements, terms, and conditions that apply to Community or Commercial Wind Projects seeking assistance through Commonwealth Wind. For information about program offerings for small wind projects, please see the [Small Wind Overview Page](#).

2. KEY DEFINITIONS

The following are definitions for key terms frequently used in Commonwealth Wind Solicitations for Community and Commercial Wind Projects.

Acoustic Study Consultant	The primary entity responsible for performing the pre-construction acoustic study for the applicant.
Agreement	A contract between MassCEC and grantee outlining the terms under which MassCEC provides funding to conduct Commonwealth Wind Program Offerings.
Applicant	An entity that submits an application to MassCEC in response to an open solicitation but for whom a decision to award has not yet been made.
Award	A commitment, subject to execution of an agreement, to provide the applicant with a rebate, grant, grant of services or loan upon achieving completion of milestones.
Awarded Applicant	An applicant that has received an award through a solicitation.
Eligible Applicant	A commercial, industrial, institutional, residential or public entity proposing a wind project with a rated capacity of 100 kW or greater utilizing wind turbines of nameplate capacity of 100 kW or greater.
Grantee	The entity with which MassCEC contracts to provide a program offering through a rebate, grant, grant of services, or loan.
Non-Participating Entity	A property owner in the general vicinity of the planned wind project that has not elected to participate in the project, e.g. as a partner in the project team, by receiving some form of financial or other remuneration from the project, or by conveying specified property rights to the project.
Non-Public Entity	Any entity that is not an instrumentality, authority, agency, department or political subdivision of the Commonwealth of Massachusetts. A non-public entity must be a legally registered corporation, limited liability company, partnership, other business organization (for-profit or not-for-profit) or private landowner.
Non-Public Entity Wind Project	A wind project proposed by an applicant that is a non-public entity.
Participating Entity	A property owner in the general vicinity of the planned wind project that has elected to participate in the project, e.g. as a partner in the project team, by receiving some form of financial or other remuneration from the project, or by conveying specified property rights to the project.
Program Offering	An activity, such as a site assessment, feasibility study, or development activity, for which MassCEC offers assistance through an award.
Project Category	The scale of the project, which may be small wind, community wind, or commercial wind. Please see Section 1.2 for detailed definitions.
Project Site	The specific contiguous property at which the wind energy system will be located for which the applicant or awarded applicant has site control.
Public Entity	An instrumentality, authority, agency, department or political subdivision of the Commonwealth of Massachusetts, including municipalities.

Public Entity Wind Project	A wind project that is located at a site that is owned by a public entity.
Solicitation	A MassCEC-issued document that invites applications for program offerings.
Wind Project	The planned or actual generating facility represented in the applicant’s application that relates to the program offering. A wind project includes all of the unit(s) at the proposed Project Site.

3. MINIMUM REQUIREMENTS

3.1 APPLICANT AND PROJECT REQUIREMENTS

The following requirements are applicable to all applicants for any Commonwealth Wind funding opportunity for Community Wind or Commercial Wind projects:

<p>Eligible Applicant</p>	<p>A legally registered corporation, limited liability company, partnership or other business organization (for profit or not-for-profit) or a public entity, including federal, state and local government entities.</p> <p>An applicant may be a single organization or a partnership of eligible organizations. Partnerships must designate a lead organization for contractual, accountability and administrative purposes.</p> <p>In general, private individuals are not eligible to apply for Community Wind or Commercial Wind projects. However, private landowners may apply for site assessments of their property.</p>
<p>Eligible Commercial Wind Project</p>	<p>A land-based wind energy facility expected to:</p> <ul style="list-style-type: none"> • Consist of one or more wind turbines with a combined generating capacity of 2 Megawatts or greater; and • Sell electricity under an arms-length transaction directly into the ISO New England wholesale power market or a municipal light plant system or serve an on-site load that does not qualify for net metering.
<p>Eligible Community Wind Project</p>	<p>A land-based wind energy facility that will be located in Massachusetts and will produce electricity for behind-the-meter or net-metered use, or for self-supply by a municipal light plant that pays into MassCEC’s Renewable Energy Trust Fund.</p> <p>The electricity end user and customer on record on the project site must be located in an eligible electric provider territory that is a contributor to MassCEC’s Renewable Energy Trust Fund; or must be an entity (e.g. a Third-Party Owner) that plans to sell 50 percent or more of the electricity from the Wind Project to an electricity end user(s) and customer(s) of record in an eligible electric provider territory that is a contributor to MassCEC’s Renewable Energy Trust Fund.</p> <p>The Green Communities Act of 2008 allows municipally-owned electric departments to voluntarily opt-in to MassCEC’s Renewable Energy Trust Fund. More information about opting into MassCEC’s Renewable Energy Trust Fund and a list of those MLPs that have already done so is available online at: http://www.masscec.com/content/municipal-lighting-plant-</p>

	<p>communities</p> <p>For information on areas served by investor-owned electric distribution companies: www.masscec.com/masscec/file/ElectricUtilityMap.pdf</p>
<p>Site Control</p>	<p>The applicant must demonstrate site control over the proposed site. The following site control requirements apply based on the stage of development:</p> <p><i>Site Assessment Applications:</i></p> <ul style="list-style-type: none"> • If the applicant is not the owner of the parcel the applicant must submit a completed Landowner Consent Letter as provided in the Site Assessment Application. <p><i>Feasibility Study Applications:</i></p> <ul style="list-style-type: none"> • A non-public entity must demonstrate that it owns the site(s) or has a 25-year option to lease the site(s) that is exercisable for two years from the date of application. • A public entity must demonstrate that it owns the site(s), or has, at minimum, a Memorandum of Understanding (“MOU”) with the site owner(s). The MOU must allow the applicant to complete a wind project feasibility study. <p><i>Development Applications:</i></p> <ul style="list-style-type: none"> • The Applicant must demonstrate that it owns the site(s), has a ground lease of at least 25 years from the date of application, or has a 25-year option to lease the site(s) that is exercisable for at least two years from the date of application.
<p>Detailed Acoustic Study Requirement</p>	<p>If the distance between the proposed project and the nearest existing or planned residence or other sensitive receptor is less than five (5) times the blade tip height (defined as the height of the tip of the blade at the highest point in the blade sweep) of the turbine, MassCEC requires that a pre-construction acoustic study be completed by the Grantee during the feasibility study phase.</p> <p>Applicants may apply for an acoustic study grant through MassCEC’s Feasibility Study Activities solicitation. Applicants whose Project has setbacks beyond this limit may also apply for acoustic study funding. All acoustic studies funded by MassCEC must be completed according to MassCEC’s Wind Turbine Acoustic Methodology. Applicants must identify their acoustic consultant at the time of application.</p>

Wind Resource	Solicitations for individual program offerings identify the minimum threshold wind speeds necessary to be eligible to apply.
Public Engagement	In addition to completing feasibility study analyses (such as Project technical aspects, financial aspects, and community and environmental impacts), all successful Applicants must plan and implement a public engagement process that allows broad input from municipal officials and private citizens (of the city or town where the project is proposed) in the project analysis effort.

3.2 MINIMUM TECHNICAL REQUIREMENTS

All Commonwealth Wind Projects must demonstrate compliance with MassCEC’s Minimum Technical Requirements (“MTRs”) as applicable to the stage of development. These requirements are not intended to be all-encompassing, nor are they intended to be a substitute for engineering specifications, safety requirements, or local permitting regulations. Site specific conditions and/or local requirements may require additional or specific technical requirements not contained in the following minimum requirements. MassCEC reserves the right to withhold payment to any projects that do not satisfy the MTRs.

MINIMUM TECHNICAL REQUIREMENTS	
Siting Requirements	<p>All projects seeking Feasibility Study grants or Development Grants must comply with the following minimum requirements to be eligible for funding:</p> <ul style="list-style-type: none"> • All aspects of the wind project must comply with the terms of the manufacturer’s design and warranty requirements, if any; • All aspects of the wind project, to the extent they are known at the feasibility application phase, must comply with regional, state or federal requirements, if applicable; • All aspects of the wind project must be expected to comply with the local, applicable zoning by-laws, if any, or have received a variance by the time of application; <p>Meeting a town bylaw does not ensure that a project is appropriately-sited.</p> <p>In addition to these minimum technical requirements for siting, MassCEC strongly encourages project applicants to adopt and employ the principles for appropriate siting of wind turbines described in Section 5.1.</p>

<p>Equipment</p>	<p>All wind turbine models with a rotor swept area greater than 1,000 m² receiving a Development Grant through Commonwealth Wind must be type certified to IEC 61400 standards by an independent, accredited third party certification agent (such as Germanischer Lloyd, DNV, etc.). All wind turbines with a rotor swept area not greater than 1,000 m² (approximately 36 meters rotor diameter) receiving a Development Grant through Commonwealth Wind must meet one of the following requirements:</p> <ul style="list-style-type: none"> • The same MassCEC requirements (outlined above) for turbines with a rotor swept area greater than 1,000 m²; or • Be included on the Interstate Turbine Advisory Council (ITAC) Unified List of Wind Turbines, available at http://www.cleanenergystates.org/projects/ITAC/list/ • Show evidence that the turbine is eligible for incentives from the New York State Energy Research and Development Authority (NYSERDA) because it has met requirements NYSEDA has developed, as outlined in the document “Eligibility Requirements for Midsize Turbines Under NYSEDA’s On-Site Wind Turbine Incentive Program (PON 2097),” More information can be found at www.nyseda.org <p>In addition, all of the equipment and related components that comprise the wind project must:</p> <ul style="list-style-type: none"> • Be new and must be designed for the specific wind project in question, • Have a UL listing and must be compliant with Institute of Electrical and Electronics Engineers (IEEE) standards, • Comply with National Electric Code provisions for wind tower grounding and over-current protection, and • Include appropriate lightning protection and surge suppression. <p>MassCEC may elect to not fund projects that propose to use specific turbine models that have documented reliability or performance issues but otherwise meet the above requirements.</p>
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<p>Installation Requirements</p>	<p>The wind project electrical work must be performed by a Massachusetts licensed electrician professional. For more information: http://www.mass.gov/dpl/boards/el/index.htm.</p> <p>The wind project must be installed according to the manufacturer’s instructions and in compliance with all applicable codes and standards including:</p> <ul style="list-style-type: none"> • The most up-to-date provisions of the National Electric Code (NEC) at the time of system installation, and • Local, state, and /or federal building laws, codes and practices. <p>All systems must have an appropriate electric utility interconnection agreement in place at the time of interconnection to the utility grid. For more information: http://www.masscec.com/masscec/file/InterconnectionGuidetoMA_Final(3).pdf</p> <p>All pertinent permits and inspections must be obtained and copies kept on file as may be required by local codes and/or state law.</p> <p>The wind project may not be removed from the site for its useful design life as specified in the grant agreement or terms and conditions.</p>
<p>Mandatory Commissioning</p>	<p>The wind project must be commissioned and a commissioning report must be prepared. Commissioning is the process of ensuring that the systems are designed, installed, functionally tested, and capable of being maintained and operated according to the approved design and owner’s operational needs. At a minimum the report should include: inspection process and findings, system and component testing process and findings, and initial system performance findings.</p>
<p>Warranty</p>	<p>All equipment must have a minimum two-year full warranty to the purchaser against defects, failures, breakdowns or excessive degradation of electrical output. The warranty shall cover the full cost, including labor, of repair or replacement of defective components or systems. In addition, applicants are strongly encouraged to obtain a service contract that provides the same coverage outlined above for the period after warranty.</p>
<p>Meter</p>	<p>Each renewable energy project proposed for MassCEC funding must have a dedicated meter that:</p> <ul style="list-style-type: none"> • Is readily accessible and easily understood by the system owner, • Records only the system’s AC output as measured on the AC side of the system’s isolation transformer, • Shall be separate from the utility billing meter and shall not interfere with utility billing or net-metering,

	<ul style="list-style-type: none"> • Must be a standard utility “revenue quality” meter that conforms to applicable American National Standards Institute (ANSI) C-12 standards and shall be installed on the output side of the renewable system's isolation transformer, and • Shall have a visible display of cumulative energy produced by the renewable energy system and be available for periodic testing and/or re-calibration, if necessary.
<p>Reporting to MassCEC’s Production Tracking System (PTS)</p>	<p>All interconnected projects must report to the MassCEC Production Tracking System (PTS). Community and Commercial Wind Projects must report for a minimum of five years. These projects must include an automated reporting system which meets the requirements described below.</p> <p>There are three options for establishing automated reporting to the PTS:</p> <ol style="list-style-type: none"> 1) Vendor-Supplied System: a Data Acquisition System (DAS) that has local PTS-incorporated Automated Reporting features. 2) Vendor-Supplied Service: a DAS with a service that offers remote monitoring that has PTS-incorporated Automated Reporting features. 3) Sample Source Code Integration: a DAS vendor or service provider can customize the software of their system to incorporate this data transfer functionality.

4. APPLICATION, AWARD AND GRANT MANAGEMENT PROCESS

The process for applying, being awarded, and managing a grant from the Commonwealth Wind program is summarized as follows:

1. Solicitation Offering

MassCEC will offer a solicitation for specific program offerings for which an applicant can apply. Most solicitations are offered on a rolling basis throughout the year, meaning that applications can be submitted at any time that the solicitation is active.

2. Application

Applicants can respond to Commonwealth Wind solicitations while they are active. Applications must include the application form and any other required documentation. Typically, applications are submitted electronically. Further details on the application process are included in the solicitation and application documents.

3. Application Review

MassCEC will review applications according to the Review Criteria in Section 5 of this program manual. In conducting application reviews, MassCEC will engage and consult with other public agencies, including: Massachusetts Department of Environmental Protection (“MassDEP”), Department of Energy Resources (“DOER”), Energy Facilities Siting Board (“EFSB”). Applicants might be asked to provide further or clarifying information. MassCEC will decide whether or not to offer an award to the applicant based on the review criteria.

4. Awarding and Contracting

Upon approving an award to the applicant, MassCEC will notify the applicant and commence contracting the award. MassCEC will work with the Awardee to finalize and execute the grant contract. Upon execution of the grant contract by MassCEC and the grantee, work may begin.

5. Grant Management

The grant may be applied to applicable work completed during the term of the contract. Work done outside of the term of the contract may not be applied to the grant. All grants are paid out on a reimbursement basis only.

Grantees are required to coordinate the work period and payment schedule with their consulting team and are urged to consider MassCEC deliverable requirements and payment schedules ahead of making agreements with their consulting team. MassCEC also suggests that the final payment to the consulting team be withheld until all MassCEC deliverables are approved.

To receive reimbursement through a grant, the grantee must submit and have approved by the MassCEC project manager the following:

Deliverables

- Milestone deliverables

Invoices

- Completed reimbursement request form
- **Relevant** invoices from consultants/contractors to grantee
- Proof of payment (canceled checks/wire transfers) for the relevant invoices from grantee to consultants/contractors

Once all documentation is received and approved by MassCEC, a check for the applicable amount will be sent to the grantee.

5. REVIEW CRITERIA

Funding will only be available for projects that meet MassCEC's eligibility and Minimum Technical Requirements. In addition, MassCEC will only provide funding to projects that, at the relevant stage of the project, appear to be appropriately-sited as described in section 5.1, and can demonstrate stakeholder engagement and anticipated general community acceptance.

5.1 PROJECT REVIEW CRITERIA: APPROPRIATE SITING

Commonwealth Wind Program Offerings are designed and intended to guide wind project proponents through the detailed analysis and community engagement necessary to evaluate proposed projects and to support the development of projects that demonstrate appropriate siting.

Appropriately-sited wind projects provide the environmental, public health, energy security and economic benefits of clean energy with minimal impact. An appropriately-sited project is one that is technically feasible and economically viable, complies with all permit requirements and regulations, maintains sufficient safety setbacks, and has minimal environmental and community impacts. The best way to achieve appropriate siting and widespread community support for a wind project is to:

- employ a careful and open evaluation and decision-making process;
- engage a broad cross-section of community members early in the process; and
- conduct rigorous project-specific analyses employing conservative assumptions.

MassCEC's Commonwealth Wind program structure is designed to encourage and support the community engagement and detailed analysis necessary to achieve appropriate siting. This structure supports a well-informed local review process and the timely approval of wind projects that will enhance the probability of broad community acceptance.

To be eligible for funding, projects must meet or be expected to meet the following minimum project criteria:

- **Sufficient Safety Setbacks** – Project sited far enough from residences, buildings and public ways to ensure a high margin of safety.
- **Technical Viability** – Project equipment is certified and able to be transported to the site and interconnected to the grid.
- **Economic Viability** – Project is expected to result in a positive cash flow.
- **Minimal Acoustic Impacts** – Acoustic levels are expected to comply with MassDEP's noise regulations based on rigorous analysis with conservative assumptions and a margin of error.
- **Minimal Shadow Flicker Impacts** – Shadow flicker impacts are expected to be minimal or can be mitigated.
- **Minimal Environmental Impacts** – Project will not significantly impact wildlife or protected land.

- **Compliance with Regulations** – Project complies with all local, state and federal regulations.
- **General Community Support** – Project proponent has conducted significant outreach to engage community stakeholders throughout the feasibility study and development process. Both onsite and offsite stakeholders are aware of expected impacts (acoustic, shadow flicker, aesthetic, etc.) and any concerns have been addressed.

The project evaluation studies that MassCEC funds are intended to establish whether or not projects will meet these criteria. MassCEC recognizes that not all of these criteria will be met at the early stages of development of a project. For site assessment and feasibility study applications, MassCEC requires that all projects demonstrate expected compliance with these criteria. For Development Grants, MassCEC requires that all these criteria are met, with the exception of obtaining all permits. However, for Community Wind Projects receiving Development Grants, the construction funding portion is contingent upon projects meeting all criteria. MassCEC will not provide funding to projects that have fatal flaws in any of these areas.

If at any point it is determined that a project can no longer meet or cannot be expected to meet the above criteria, MassCEC may rescind the remainder of the grant.

5.2 APPLICATION REVIEW CRITERIA

MassCEC, in consultation with MassDEP, DOER and EFSB, will review applications based on the following criteria:

1. **Minimum Threshold Criteria** – The application is filled out completely and includes all required attachments. The clarity, specificity and consistency of the application are sufficient to be deemed credible. The applicant and project meet all minimum eligibility requirements.
2. **Appropriate Siting** – The proposed project is consistent with the appropriate siting principles described in Section 5.1.
3. **Technical Merits** – The proposed project application demonstrates:
 - a. consistency with appropriate siting concepts and standards,
 - b. thoroughness of prior studies and analyses,
 - c. clear work plan elements and organization, and
 - d. identification of development risks and mitigation strategies.
4. **Community Engagement** – Clear evidence of prior public outreach and specific plans for continued public outreach and education.
5. **Team Composition and Qualifications** – The project proponent, technical consultants and other key players (such as site property owners) have demonstrated commitment to the project. Applicant is committed to the required cost share. Consultants have a track record of submitting high quality deliverables to the grantee and MassCEC, completing work in a timely fashion, and being responsive to the grantee and MassCEC. Project proponent and key technical personnel

possess the necessary qualifications and experience to complete the work and can provide evidence of success with similar projects in the past.

6. **Financial Merits** – The proposed project is expected to provide positive economic benefits.
7. **Commitment to Energy Efficiency** - Energy efficiency steps have been taken in order to reduce the energy consumption at the project site.
8. **Potential Benefits to Massachusetts Ratepayers** - The application demonstrates significant environmental and economic benefit to Massachusetts ratepayers that contribute to MassCEC's Renewable Energy Trust. Project is an efficient and effective use of ratepayer funds demonstrated by requesting less than the maximum amount for which the project is eligible, leveraging any previously awarded funds, and the cost benefit of dollars requested per kilowatt hour generated over life of project.

6. GENERAL COMMONWEALTH WIND CONDITIONS

6.1 NOTICE OF PUBLIC DISCLOSURE

6.1.1 GENERAL STATEMENT

As a public entity, MassCEC is subject to Massachusetts' Public Records Law, codified at Chapter 66 of the Massachusetts General Laws. Thus, except for those documents exempted from disclosure, any documentary material, data or other information received by MassCEC from an applicant is a public record subject to disclosure. Applicants are advised to review Chapter 66 prior to submitting any information to MassCEC.

Notwithstanding the above, certain kinds of information may be statutorily exempt from public disclosure under the limited exemption at Chapter 23J, Section 2(k) of the Massachusetts General Laws. Specifically, materials that fall under one of the following categories may be determined to be not public records and thus not subject to disclosure:

1. Information, documents or data that consist of trade secrets;
2. Information, documents or data that consist of commercial or financial information regarding the operation of any business conducted by the applicant; and
3. Information, documents or data regarding the applicant's competitive position in a particular field of endeavor.

6.1.2 PROCEDURES FOR HANDLING DOCUMENTS IDENTIFIED AS "SENSITIVE INFORMATION."

An Applicant may assert a claim of confidentiality for part or all of the information submitted to MassCEC by following the instructions on the Notice of Confidentiality Cover Letter (see Section 7).

6.2 CONTRACTUAL REQUIREMENTS

MassCEC intends to enter into agreements with the selected applicants containing certain standard provisions. Please refer to the applicable solicitation to determine which contractual requirements apply to the particular program offering.

6.3 WAIVER AUTHORITY

MassCEC reserves the right, at its sole discretion, to waive minor irregularities in submittal requirements, to request modifications of the application, to accept or reject any or all applications received and/or to cancel all or part of Commonwealth Wind at any time prior to awards.

6.4 DISCLAIMER

The Commonwealth Wind Solicitation does not commit MassCEC to award any funds, pay any costs incurred in preparing an application, or procure or contract for services or supplies. MassCEC reserves the right to accept or reject any or all applications received, negotiate with all qualified applicants, cancel or modify the solicitation in part or in its entirety, or change the application guidelines, when it is in its best interests.

MassCEC reserves the right to make no awards, to award less than the applicant requests, and/or to award less than the maximum amount of funds potentially available through this Solicitation.

6.5 CHANGES/AMENDMENTS TO THE SOLICITATION

This Program Manual and associated solicitation documents have been distributed electronically using MassCEC's website. It is the responsibility of applicants to check MassCEC's website for any addenda or modifications to the solicitation to which they intend to respond. MassCEC, the Commonwealth of Massachusetts, and its subdivisions accept no liability and will provide no accommodation to applicants who submit an application based on an out-of-date solicitation and/or related document.

6.6 GRANTS TAXABILITY

Grants may be considered taxable income by the U.S. Internal Revenue Service and the Massachusetts Department of Revenue. All parties are strongly encouraged to consult with a tax professional to determine the federal and/or state tax implications of receipt of a grant.

MassCEC will issue a Form 1099 to each grantee who receives funds. Therefore, MassCEC will need to receive a completed W-9 Form from each grantee prior to the remittance of any grant payment. A template W-9 Form and instructions will be provided for the grantee to complete and return to MassCEC's finance department.

6.7 GRANT PAYMENTS

MassCEC grants are paid on a reimbursement only basis. Any costs incurred or associated with work performed outside of the contract period will not be reimbursed. Grantees are required to coordinate the work period and payment schedule with their consulting team and are urged to consider MassCEC deliverable requirements and payment schedules ahead of making agreements with their consulting team. MassCEC also suggest that the final payment to the consulting team be withheld until all MassCEC deliverable requirements are met.

6.8 OTHER

Projects that do not receive funding for an application may reapply by submitting a new application once any noted issues have been addressed. MassCEC reserves the right to amend or otherwise alter



the allocation of funds and is under no obligation to fund any application. MassCEC does not pay for any costs associated with application submission. Any changes to this solicitation will be posted on the MassCEC website.

6.9 RIGHT TO RESCIND AWARDS

All projects must comply with MassCEC's minimum requirements and appropriate-siting criteria. If a project fatal flaw is identified at any stage of the process, or if a project is determined to no longer comply with MassCEC requirements at any stage of the process, MassCEC has the right to rescind any unused funds.

7. NOTICE OF CONFIDENTIAL INFORMATION COVER LETTER

This cover letter notifies MassCEC as to the confidentiality of information submitted by the applicant for support indicated below. If this cover letter is not included with information submitted to MassCEC when the information is received by MassCEC, then such information may be made publicly available without further notice to you. All confidentiality claims are subject to verification by MassCEC.

POLICY: As a public entity, MassCEC is subject to Massachusetts’ Public Records Law, codified at Chapter 66 of the Massachusetts General Laws. Thus, any documentary material, data or other information received by MassCEC, or created by MassCEC, is a public record subject to disclosure. Materials that fall under certain categories, however, may be exempt from public disclosure under a statutory or common law exemption, including the limited exemption at Massachusetts General Laws Chapter 23J, Section 2(k) regarding confidential information submitted to MassCEC by an applicant for any form of assistance.

PROCEDURE: In order to make a claim of confidentiality for these categories of materials that may be exempt from disclosure, you must:

- (1) Complete **all** fields below;
- (2) Submit this cover letter with any information for which you are requesting confidential treatment. Please submit a separate cover letter with each separate submission;
- (3) Prominently mark each page containing confidential information “CONFIDENTIAL”; and
- (4) Submit a copy of all non-confidential information (including any redacted versions of partially confidential documents) separate from all materials for which you request confidential treatment.

Name:	Address:
<p>Category (check all that apply):</p> <p><input type="checkbox"/> Information, documents, or data that consist of trade secrets</p> <p><input type="checkbox"/> Information, documents, or data that consist of commercial or financial information regarding the operation of the business conducted</p> <p><input type="checkbox"/> Information, documents, or data regarding the applicant’s competitive position in a particular field or endeavor</p>	
<p>If substantial harm would result from disclosure, state what those harmful effects would be and their causal connection to disclosure of the information:</p>	
<p>Period of time for which confidential treatment is desired (e.g., until a certain date, until the occurrence of a specific event, or permanently):</p>	
Date:	Signature:
Application Number (if applicable):	Printed Name (and title, if applicable):