

August 7, 2026

Committee of Conference, S.3166/H.5175
Massachusetts General Court
24 Beacon St
Boston, MA 02133

**RE: Recommendations of the Union of Concerned Scientists on S.3166/H.5175, An Act
relative to energy affordability, clean power and economic competitiveness**

Members of the Committee of Conference,

I write today on behalf of the Union of Concerned Scientists, a Massachusetts-based national non-profit organization that puts science into action to build a healthier planet, a safer world, and a more equitable society. Working with more than 12,000 UCS supporters in Massachusetts and more than 660,000 supporters across the country, we advance equitable science-based solutions to some of the world's most pressing problems, including the energy affordability and climate crises.

We deeply appreciate the leadership of this committee as you work to reconcile S.3166 and H.5175 to improve energy affordability through proven clean power solutions that advance the Commonwealth's economic competitiveness.

It has been encouraging to see the tremendous thought and commitment that the Senate and the House have brought to these energy affordability bills, and to see that in both bills **distributed energy resources** (DERs) like rooftop solar, storage, smart grid technologies, and virtual power plants (VPPs) have been raised as key solutions to help the state cover its increasingly high energy needs while making the cost of electricity more affordable.

There are many important pieces in these bills. As you work to create the strongest, most effective bill possible, we write to offer our recommendations on a few provisions that we believe hold strong promise to help protect households and businesses across Massachusetts from further cost surges in their energy bills, and from other impacts from the Commonwealth's energy choices, in the near term and for years to come. The provisions would be instrumental in:

- ensuring the **effective distribution of the benefits** of a clean energy transition to all residents of the commonwealth,
- increasing the **effectiveness and reach of Mass Save**, the state's nation-leading energy efficiency program,
- establishing **robust community protections** from unregulated data centers, and

- preserving the **right of the people of the Commonwealth** to vote on new nuclear facilities.

Ensure that Clean and Affordable Energy Solutions Reach Everyone in the Commonwealth

Massachusetts has an enormous technical potential of distributed solar in Massachusetts environmental justice neighborhoods—estimated to be [31 gigawatts](#) (GW) of solar, enough to power the equivalent of all the state’s almost 3 million homes. Yet it remains largely untapped. Despite the overall success of the SMART program at facilitating the growth of solar and storage, data shows that [just 1%](#) of the program’s allocated solar capacity is on low-income properties.

The legislature [established a mandate](#) to ensure the equitable distribution of energy and environmental benefits. However, to date, most of the state’s solar and storage policies and programs have had no explicit and enforceable equity provisions. The Solar and Storage Equity amendment to S.3143 ([#84](#)) would have established mandatory low-income enrollment targets and a no-upfront-cost pathway for low-income households to access VPP-paired storage. We ask that the Committee incorporate this framework, or comparable enforceable targets, into the final bill to ensure that the benefits of transitioning to clean energy resources like distributed solar and storage reach everyone in the state.

Make Mass Save even more impactful, while maintaining a commitment to equity and accessibility

Energy efficiency is a key tool for helping households and businesses invest in reducing their energy costs, with investments that serve them for years or decades. And Mass Save has been a key, and nation-leading program, helping Massachusetts residents save more than [\\$34 billion](#) in energy bills between 2012 and 2023. The program has also made tremendous strides in [reaching low- and moderate-income \(LMI\) households](#). An important driver in being able to serve more LMI households has been allowing individuals to legally declare their household income to qualify for no or low-cost energy upgrades, known as self-attestation.

Any cuts to the program would be fully at odds with the legislature’s drive to make energy more affordable, and would hinder the limited resources the program has to support electric upgrades that advance solar and storage readiness. With over 50 percent of our region’s electricity generated from fossil gas, families are already exposed to price volatility, even more now given the ongoing US-Israeli war of aggression against Iran. Likewise, the removal of the self-attestation option would create unnecessary hurdles that will thwart the program’s progress towards equity.

We urge you to strengthen the Mass Save program as envisioned in S.3166, and preserve its budget and its self-verification option as crucial measures for using energy more efficiently, reducing costs, protecting residents from the negative impact of demand spikes due to extreme weather and global events in a grid that is still heavily reliant on fossil gas.

Establish robust data center protections

Planned data centers could require new electric grid infrastructure and thousands of megawatts in additional power plant capacity in the state, and the queue of prospective data center projects has been increasing at a stunning rate, from close to 2,000 megawatts

(MW) in early 2025 to 5,000 MW this summer, as reported by the Executive Office of Energy and Environmental Affairs. Serving that level of demand would require the equivalent of 5 new nuclear power plants, solely for data centers. Yet the state has no policies in place to protect Massachusetts ratepayers from the [costs associated with such projects](#).

A recent study from the Union of Concerned Scientists found that utility ratepayers in seven states served by the regional transmission organization PJM were passed more than [\\$4.3 billion](#) for data center-related transmission projects, with billions more dollars of costs still to come. Data centers also bring the threat of public health costs from polluting generation facilities, and the depletion of water resources, among other costs.

We applaud both the House and Senate for looking to address the impacts of data centers. Yet given the magnitude of the data center push and the inadequacies of the current frameworks for communities and the Commonwealth to handling projects, the provisions in each bill fall notably short of what this moment requires. We urge you to preserve the approach in H.5175 of applying data center regulations independent of the tax exemption and linked to clean generation and a review of tariffs; add protections for communities from impacts of data center water use and noise; and include requirements around cumulative impact analyses, community benefit agreements, and labor. The Data Centers amendment to S.3143 ([#62](#)) offers an excellent template for legislative provisions to address proposed data center projects seeking permits for construction and operation in Massachusetts.

Preserve the public's right to vote on new nuclear facilities

New nuclear would not provide relief for Massachusetts ratepayers in the near term, given the long timelines for construction, or in the long term, given that even new experimental nuclear reactors will be significantly more costly than renewable energy technologies and energy efficiency. As detailed by UCS Director of Nuclear Power Safety Dr. Edwin Lyman, for example, small modular reactors (SMRs) will not solve many of the problems associated with traditional nuclear, with regard to high costs, but also around safety concerns, security issues, and the generation of nuclear waste.¹

We urge you to preserve the long-standing right of Massachusetts residents to approve or deny new nuclear power plants, particularly in the context of an energy affordability bill, and to reject any appeal of Chapter 503 of the acts of 1982.

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In addition to the above recommendations, the Union of Concerned Scientists would also like to express support for the recommendations offered in comment letters sent to the Conference Committee by:

- The Massachusetts Environmental Justice Table (submitted on August 7, 2026)
- The Distributed Energy Resources Coalition (submitted on July 21, 2026)
- The Clean Energy Equity Coalition (submitted on July 21, 2026)
- RENEW Northeast (submitted on August 7, 2026)

¹ Lyman, Edwin. "Five Things the 'Nuclear Bros' Don't Want You to Know About Small Modular Reactors." The Equation (Union of Concerned Scientists). April 30, 2024. <https://blog.ucs.org/edwin-lyman/five-things-the-nuclear-bros-dont-want-you-to-know-about-small-modular-reactors>

We thank you again for your strong attention to the many needs and opportunities around energy affordability in the Commonwealth at this time, especially given the leadership void left by the federal administration on issues of clean energy and energy affordability, and very much appreciate your attention to our recommendations. We are counting on you to lead us in the next steps in achieving Massachusetts's clean and affordable energy vision—for our communities, for our health, for our economy. Please do not hesitate to contact us if we can provide further assistance in that work.

Sincerely,

A handwritten signature in black ink, appearing to read 'Paula' followed by a stylized surname.

Paula García
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Union of Concerned Scientists
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