

Dispute Resolution Guidance

Informal Resolution, Arbitration, and Adjudicatory Proceeding Guidelines

The System of Assurance of Net Metering Eligibility established by the Department of Public Utilities (“Department”) in D.P.U. 11-11-A, Appendix A at Section 10 sets forth dispute resolution procedures for applicants aggrieved by an action of the Administrator. Applicants shall not lose a Submission Date, Cap Allocation, or place on the Waiting List pending the outcome of the dispute resolution process, unless otherwise ordered by the Department or an arbitrator assigned to the matter.

Informal Resolution

An applicant aggrieved by the Administrator’s action(s) on its Application for a Cap Allocation (“ACA”) or revocation of a Cap Allocation may submit a request to the Administrator to resolve the dispute. The submission of a request to resolve a dispute must be made within **fifteen (15) business days** of the Administrator’s action. The Administrator then has **fifteen (15) business days** to respond to the request. The Administrator and the applicant shall make a good faith attempt to resolve the dispute informally before any party commences arbitration.

Arbitration

If a dispute is not resolved informally within **30 business days** of a request, an applicant may initiate arbitration. The Administrator has retained Massachusetts Dispute Resolution Services, (MDRS) as a neutral and independent arbitration firm to provide arbitration services.

1. The applicant shall initiate an arbitration within fifteen (15) business days of the end of the Informal Resolution period, by submitting a written request summarizing the dispute. A written request shall be submitted via the “[Submit Your Case](#)” form located on the MDRS website (<http://www.mdrs.com/>).
2. The Applicant must schedule an initial hearing with MDRS to occur within **30 calendar days** of their request to initiate the arbitration.
3. The applicant will be responsible for the Arbitrator’s fees and costs.
4. The fees charged to the applicant will be \$990.00 for the first two (2) hours, and \$370.00 per hour thereafter.
5. Any arbitration will be conducted pursuant to MDRS’s posted arbitration rules, and the arbitrator shall render a written decision within **60 calendar days** of the initiation of arbitration.

ARBITRATOR CONTACT INFO:

Massachusetts Dispute Resolution Services
27 Congress Street, Suite 401
Salem, MA 01970
(800) 536-5520
caseadmin@mdrs.com
<http://www.mdrs.com>

Adjudicatory Proceeding

Either party aggrieved by the arbitrator’s decision may petition the Department for an adjudicatory proceeding under G.L. c. 30A. Such petition must be filed with the Department within **30 calendar days** of the receipt of the arbitrator’s decision.