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March 3, 2021

VIA EMAIL

Mark D. Marini, Secretary
Department of Public Utilities
One South Station
Boston, MA 02110
mark.marini@state.ma.us

RE: Massachusetts Municipal Wholesale Electric Company ("MMWEC")

Dear Secretary Marini:

Enclosed are copies of the following documents in Word or portable document format (.pdf):

1. Appearance of Counsel – Nicholas J. Scobbo, Jr.;
2. Appearance of Counsel – Sherry L. Vaughn;
3. Draft Order of Notice (in Word);
4. Draft Notice of Filing, Request for Comments and Public and Evidentiary Hearing (in Word);
5. MMWEC Petition for Approval of the Issuance of Notes, Bonds and Other Forms of Indebtedness to Finance (and Re-finance) a Capacity Resource ("Petition");
6. Joint Direct Testimony of Ronald C. DeCurzio and Glenn Trueira, on behalf of MMWEC, including Attachments 1-8 thereto.
7. Direct Testimony of Michael Mace on behalf of MMWEC, including Attachments 1 and 2 thereto; and
8. Direct Testimony of Paul J. Hibbard, on behalf of MMWEC, including Attachments 1-3 thereto.

The Petition and supporting evidence and documents are filed with the Department of Public Utilities ("Department") pursuant to St. 1975, c. 775, §§ 5(p), 9, 11 and 17.

In its Petition, MMWEC requests that the Department find it is reasonably necessary for MMWEC to issue revenue bonds, notes or other evidences of indebtedness in an aggregate amount not to exceed \$170,000,000 comprised of:

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- (A) up to \$85,000,000 of long-term revenue bonds, notes or other evidences of indebtedness, the proceeds of which would be used to construct, own, operate and maintain a capacity resource (“Initial Issuance”); and
- (B) up to \$85,000,000 in refunding revenue bonds, notes or other evidences of indebtedness to be issued by MMWEC in an appropriate amount and at the appropriate times to refinance all, or a portion, of the Initial Issuance (“Refunding Bonds”).

The capacity resource will provide required capacity and rate stability to MMWEC members (and their customers) who are Project Participants in MMWEC’s Project 2015A. MMWEC’s Project 2015A was created for MMWEC to own, construct, finance operate and maintain the capacity resource. Fourteen (14) MMWEC members are Project Participants in Project 2015A. The capacity resource also will assist the Project Participants to meet their absolute requirement to have sufficient capacity while simultaneously providing a means to reduce carbon emissions and provide system reliability.

As stated in the enclosed Petition, MMWEC’s Enabling Act, *St. 1975, c. 775*, as amended, authorizes MMWEC to own, finance, construct, operate and maintain the capacity resource and to issue refunding bonds. *St. 1975, c. 775, §§ 5(p), 11*.

I would appreciate it if you would assign a docket number to the attached Petition and forward to me at your earliest possible convenience an Order of Notice and Notice so, on behalf of MMWEC, I may publish the Notice in the appropriate newspapers and provide it to all interested persons.

As stated in the pre-filed Joint Direct Testimony of Ronald C. DeCurzio and Glenn Trueira, MMWEC needs to receive authority from the Department for the Initial Issuance at the end of the Second Quarter of 2021 so that it will be able to meet the requirements of the Independent System Operator-New England.

The Department’s fee schedule for a filing is set forth in 810 CMR 4.02 and requires a filing fee for “each application by any public utility for the approval of the issuance of stocks, bonds, notes or other evidences of indebtedness.” Our records show that no filing fee was charged to MMWEC by the Department for any prior MMWEC financing petitions. MMWEC is not a “public utility.” Rather, MMWEC was established pursuant to a Special Act of the Massachusetts Legislature as “a body politic and corporate and a public instrumentality of the commonwealth.” *St. 1975, c. 775, §-2*. The Petition is filed pursuant to MMWEC’s Enabling Act and not pursuant to any provision of the General Laws. MMWEC’s Enabling Act limits the applicability of the General Laws to MMWEC. *St. 1975, c. 775, §19*. Accordingly, MMWEC is not subject to either G.L., c. 25, §3 (which formerly defined the phrase “public utility company”) or G.L., c. 164, §76D (which references “public utility companies”). However, in the event the Department determines that a filing fee is required, please notify me.

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Should you have any questions on the enclosed, please contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "Nicholas J. Scobbo, Jr.", written in a cursive style.

Nicholas J. Scobbo, Jr.

Enclosures
cc: dpu.efiling@mass.gov