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April 26, 2021

Secretary Mark D. Marini
and Hearing Officer Lauren Morris
Department of Public Utilities
One South Station, Second Floor
Boston, MA 02110

Re: Petition of Massachusetts Municipal Wholesale Electric Company for an Order Under Chapter 775 of the Acts of 775 Approving Issuance of Notes, Bonds, and other Evidence of Indebtedness of Finance, Construct and Operate a Capacity Resource as an Initial Issuance and Refund the Initial Issuance Through Refunding Bonds., DPU 21-29

Dear Hearing Officer Morris and Secretary Marini,

For the below-stated reasons, Berkshire Environmental Action Team (BEAT) requests that the Massachusetts Department of Public Utilities (DPU) deny the request of Massachusetts Municipal Wholesale Electric Company (MMWEC) for approval of financing for "Project 2015A" in Peabody, Massachusetts (DPU 21-29).

BEAT thoroughly supports statements from many at the Public Hearing held Monday, April 26 at 10:00 AM via Zoom; especially the technical testimonies of Sustainable Marblehead, Helen Vanbenschoten, and statements by Public Health Physicians Steve Jones, MD and Adele Franks, MD. We highly recommend that the DPU take the technical information on alternative clean energy sources and public health impact of the proposed fossil fuel plant into full, in-depth consideration.

THERE WAS LITTLE TO NO PUBLIC TRANSPARENCY IN THE DEVELOPMENT AND ADOPTION OF THIS PROJECT PLAN.

The supposition that municipal light plants are publicly managed utilities is challenged in this case, since most of the discussion and decision making on Special Project 2015A has been conducted in “executive session”, without the knowledge of constituents in the 14 municipalities participating in this agreement. Indeed, it’s mainly been due to the alarm raised by a single City Councillor in Wakefield that there has been any awareness of this project by the public at all, and this has only been in recent months, even though municipal contracts for this project date back for six years.

With the likelihood of this project not only to have health, environmental and climate impacts, but to end up as a stranded asset financially impactful to ratepayers of the municipal light districts participating in this contract, as fossil fuel use is phased out by our state’s new Next Generation Climate Roadmap Act¹, it is especially important that this financial contract receive more time for public scrutiny than has been allowed by the DPU’s schedule. It has already caused the municipal light departments of Holyoke² and Chicopee,³ who were signed on as customers, to file to withdraw from the project as their local climate policies have changed during these ensuing years since it was started. This sentiment is also coming from Peabody’s State Representative Sally Kerans⁴, and residents and municipal light board members of other municipalities named in the contract, including Holden⁵ ⁶, Hull, South Hadley, and Wakefield⁷.

Since the DPU is starting to investigate “*procedural enhancements to public notice requirements to increase public awareness of and participation in Department*”

¹ “An Act Creating a Next Generation Roadmap for Massachusetts Climate Policy”. Chapter 8 of the Acts of 2021, signed by Governor Baker, March 26, 2021. <https://malegislature.gov/Laws/SessionLaws/Acts/2021/Chapter8>

² “Statement of Holyoke Gas & Electric Department”, filed on Docket DPU 21-29, April 2, 2021. <https://fileservice.eea.comacloud.net/FileService.Api/file/FileRoom/13368248>

³ “Comments of the Chicopee Municipal Light Plant”, filed with the DPU, April 6, 2021. <https://fileservice.eea.comacloud.net/FileService.Api/file/FileRoom/13381726>

⁴ Public Hearing on DPU 21-29, held April 26, 2021.

⁵ “Letter: Holden should withdraw commitment to Peabody Peaker Power” Denis Mahoney of Holden, MA. Published in Worcester Telegram & Gazette, on April 14, 2021. <https://www.telegram.com/story/opinion/letters/2021/04/14/letter-holden-should-withdraw-commitment-peabody-peaker-power/7139085002/>

⁶ Comments filed on Docket DPU 21-29, April 22, 2021. <https://fileservice.eea.comacloud.net/FileService.Api/file/FileRoom/13449422>

⁷ Public Hearing on DPU 21-29, held April 26, 2021.

proceedings”⁸ (DPU21-50), it would be fitting that the approval process for these contracts should be extended and additional hearings on this docket be added. This extension of proceedings would allow more time for public outreach on these agreements that will affect these municipalities for decades, and participation in the DPU approval process.

At least one additional hearing should be held in evening hours to allow participation from members of the public who are unable to attend during daytime hours due to work schedule. This would better serve affected community members from Peabody and the 14 municipalities who would be physically and financially impacted by this financial agreement.

Timeline of project consideration:

It is also concerning to learn that the DPU will not consider additional hearings. When we contacted the Attorney General’s office to see if there was a way to assure public outreach and additional hearings, they contacted the DPU to inquire and were told that an extra hearing was not possible because of an accelerated timeline “set by DPU statute”⁹.

This begs several questions:

- *Why is the timeline for a multi-decade investment on an such a quick timeline?*
- *What statute is driving this timeline? Is it in any way influenced by the applicant?*
- *Why is the public, especially the host community and those financially impacted in the municipal customer communities, not included in determining the timeline?*
- *Why, after six years of development of this project behind closed doors in executive session, is the timeline for public input being rushed?*

CUMULATIVE HEALTH IMPACTS & SITING.

It is concerning that the DPU expressly stated that there will not be a hearing on siting issues for Project 2015A during the April 26th Public Hearing. How can there not be a hearing on siting for a project located in within 2 miles of 6 environmental justice communities identified by the state, and in a community with 7 hazardous waste sites, 12 large quantity waste generators, 19 nursing homes and multiple schools all located within a few miles of the proposed project site?

The impact of PM2.5 and NOx emissions on environmental justice neighborhoods, the elderly and children pose a significant health risk to an already overburdened community. The impact from these existing sources of air pollution, including extensive highway traffic, has already added to the impact of the COVID pandemic in Peabody.

⁸ “Notice of Inquiry by the Department of Public Utilities on its own Motion into procedures for enhancing public awareness of and participation in its proceedings.” filed on Docket D.P.U.21-50, on April 16, 2021.
<https://fileservice.eea.comacloud.net/FileService.Api/file/FileRoom/13432282>

⁹ Phone conversation with Elizabeth Mahony, Massachusetts Attorney General’s Office, April 20, 2021.

Not holding a siting hearing is neglectful when considering the public good, and neglectful of consideration of financial impacts of lost productivity, increasing healthcare costs and potentially increased loss of life incurred by increased local emissions.

Why will there be no siting hearing held for this project?

ADDING FOSSIL FUELS INFRASTRUCTURE IS INCONSISTENT WITH OUR STATE'S CLIMATE GOALS.

Since MMWEC was willing to draw comparison to older plants, it's disconcerting that they were not willing to do a thorough review of possible zero emissions alternatives. Massachusetts passed legislation creating the Clean Peak Standard in 2018, to make sure that peak demand, specifically, could be addressed by emissions-free methods, starting at 1.5% in 2020 and growing annually. This plus the new Next Generation Roadmap Act¹⁰ and the Massachusetts Energy Storage Initiative¹¹ add to the likelihood of renewable alternatives being financially preferable, and this project becoming a stranded asset before the end of its 30-year contracted lifespan.

Though it is true that this peaker plant proposal was made before the passage or even drafting of these programs and legislation, this is the operative policy now. There is a recent precedent for the DPU, as a state agency, to consider this new legislation in a previously filed application. The Massachusetts Department of Environmental Protection (DEP) recently revoked the permit for the Palmer Renewable biomass plant slated for Springfield. This was a technical timing out of the original permit, but DEP also found it important to note that a secondary reason for revoking the permit was the change in understanding of climate, environmental justice and health impacts that had taken place during the interval of years from initial proposal to the present day¹². *This is something the DPU needs to take into consideration regarding Project 2015A as well.*

ALTERNATIVES ARE NOT THOROUGHLY ADDRESSED.

MMWEC's description of a fossil fuel peaker plant as the most feasible choice for meeting peak demand, and as having a role to play in helping the state achieve its goal

¹⁰ "An Act Creating a Next Generation Roadmap for Massachusetts Climate Policy". Chapter 8 of the Acts of 2021, signed by Governor Baker, March 26, 2021. <https://malegislature.gov/Laws/SessionLaws/Acts/2021/Chapter8>

¹¹ "The Energy Storage Initiative aims to make the Commonwealth a national leader in the emerging energy storage market requiring a 1,000 Megawatt hour (MWh) energy storage target to be achieved by December 31, 2025" An Act to Advance Clean Energy, Chapter 227 of the Acts of 2018, Energy Storage Initiative web page. <https://www.mass.gov/energy-storage-initiative>

¹² Letter Re: Revocation of Plan Approval, Massachusetts Department of Environmental Protection, April 2, 2021. <http://www.pfpi.net/wp-content/uploads/2021/04/Palmer-Renewables-Revocation-Final-1.pdf>

of Net Zero by 2050¹³ clearly shows that other alternatives were not thoroughly considered.

Even ISO New England has recognized the likelihood of peak demand declining over the next 10 years due to our state's energy efficiency programs, battery storage mandates, and demand response programs¹⁴, reducing the need for more peaker capacity. Beyond that point, the lifetime of a fossil fuel project will be reduced even more drastically because of impending changes in energy policy.

If it truly turns out that more peak demand capacity is needed, our state's Clean Peak Standard and Energy Storage Initiative create acceptable circumstances for MMWEC to consider a renewables plus storage business model instead of fossil fuel technology. Given the flexibility of the Clean Peak Standard, the renewable generation unit (solar array or other clean generation facility) doesn't need to be on the same property as the storage facility if space isn't available on site. It doesn't even need to be operated by the same owner¹⁵.

More analysis is needed

Before the DPU proceeds on a decision on Project 2015A, thorough third party analysis is needed on multiple fronts:

- Study of Need - *During the six years since this proposal was drafted, peak demand has dropped significantly, and is forecasted by ISO-New England to continue to drop for at least another decade. Six years later, is this project needed? Even if ISO-New England projections beyond that point indicate a rise in peak demand, those ensuing years will provide much time for further development of new clean technologies.*

- Study of Alternatives - *Given new state energy programs and incentives that have recently come forward, and new developments in clean energy generation and storage infrastructure, there needs to be a full, third party study of zero emissions alternatives to this proposed peaker plant as well as the effects that accelerated deployment of existing energy efficiency and demand response programs could have on reducing peak demand.*

¹³ "It is important to note that the State's plans to achieve Net Zero by 2050 still include a major role for this type of unit. The goal is Net Zero, understanding that a limited amount of resources that have the ability to start and stop quickly and offset the variability of the renewable resources will be required", statement by MMWEC at Wakefield Municipal Gas & Light Department Board of Gas & Light Commissioners Meeting, January 6, 2021, p. 53. <http://wmgld.com/wp-content/uploads/2021/01/020321.pdf>

¹⁴ "Energy Efficiency is Working in New England". Acadia Center, April 24, 2018. <https://acadiacenter.org/energy-efficiency-is-working-in-new-england/>

¹⁵ 225 CMR 21.00: CLEAN PEAK ENERGY PORTFOLIO STANDARD (CPS). <https://www.mass.gov/doc/225-cmr-21-clean-peak-energy-portfolio-standard-cps/download>

- Study of Public Health Effects - A thorough, third-party study needs to be conducted of the public health outcomes and their subsequent financial impacts that would result from increased emissions and pollution from Project 2015A as currently proposed.

CONCLUSION.

Consideration of MMWEC's Project 2015A should not be undertaken until further, more accessible and timely public hearings are held, and third party studies of the public health impacts of the current proposal, the need for this project and renewable energy and storage alternatives are conducted.

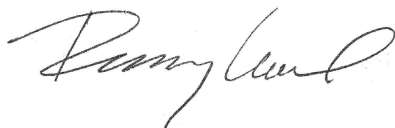
BEAT opposes the financing of any new fossil fuel burning infrastructure, including MMWEC's Project 2015A.

The folly of using old, climate-destroying techniques is especially poignant in the case of peaker plants, whose duration of use is easily met with battery storage technology. At a time when we have set goals for decarbonization of our energy and all other sectors of our economy in Massachusetts, any multi-decade investment by our public utilities must be used for clean energy generation and storage.

Respectfully submitted,



Jane Winn, *Executive Director*
Berkshire Environmental Action Team



Rosemary Wessel, *Program Director*
No Fracked Gas in Mass, A Program of Berkshire Environmental Action Team

Cc:

Attorney General Maura Healey
Charles Baker, Governor of the Commonwealth of Massachusetts
Kathleen Theoharides, Secretary of Energy and Environmental Affairs
Senators Edward Markey and Elizabeth Warren
Congresspeople Richard Neal and Seth Moulton