

COMMONWEALTH OF MASSACHUSETTS

ENERGY FACILITIES SITING BOARD

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Petition of Northeast Energy Center, LLC)	
Pursuant to G.L. c. 164, § 69J for Approval)	EFSB 18-04
To Construct a New Natural Gas Liquefaction,)	
Storage and Truck-loading Facility in the Town)	
of Charlton, Massachusetts.)	
_____)	

_____)	
Petition of Northeast Energy Center LLC)	
Pursuant to G.L. c. 40A, § 3 for Individual)	D.P.U. 18-96
Exemptions and a Comprehensive)	
Exemption from the Zoning Bylaw of the Town)	
of Charlton, Massachusetts.)	
_____)	

**RESPONSE OF
PIPE LINE AWARENESS NETWORK
FOR THE NORTHEAST, INC.
OF THE TENTATIVE DECISION**

I. INTRODUCTION

In accordance with the September 20, 2021 posted notice, the Pipe Line Awareness Network for the Northeast, Inc. (“PLAN”) hereby submits this response to the Energy Facilities Siting Board (the “Siting Board” or the “Board”) in response to the September 20, 2021 Tentative Decision of the Siting Board (the “Tentative Decision”) in the above referenced dockets (collectively, the “Proceedings”). Pursuant to the Presiding Officer’s notification, any

party or limited participant seeking to submit written comments on the Tentative Decision should provide such comments by email on or before Monday, September 27, 2021. The Siting Board will hold a meeting on October 6, 2021 and thereafter will issue a final decision in the Proceedings (the “Final Decision”).

PLAN, a limited participant in these Proceedings, stands by our positions as enumerated on pages 31-2 of the Tentative Decision.

II. COMMENTS

Additionally, we would like to note that, subsequent to our last comment in these proceedings of February 16, 2021,¹ we have seen two of Secretary Theoharides’ “Building a clean energy future in Massachusetts” presentations. Both versions of the presentation contain a slide asking “How Do We Get to 2030?”² For the building sector, the slide declares, “~1,000,000 homes and ~350 million sq-ft of commercial property retrofitted with clean heating, high-efficiency insulation” and “Fewer residential and commercial gas customers than today.” For electric generation, the slide enumerates “6,000 MW of new clean energy built and interconnected,” “several new regional transmission lines operational,” and “1GW offshore wind & 500MW solar every year, ... through 2050.” Nowhere does the slide mention gas as a solution to getting us to 2030 emission reductions, nor does the presentation say, “Let’s build new fossil gas plants expected to last decades supporting local distribution companies, after which maybe

¹ Comments of PLAN on Updated Interconnection Analysis, February 16, 2021 (available at <https://fileservice.eea.comacloud.net/FileService.Api/file/FileRoom/13157194>).

² Presentation: “Building a clean energy future in Massachusetts”, Kathleen Theoharides, Secretary Massachusetts Executive Office of Energy and Environmental Affairs, April 29, 2021 (available at energy.mit.edu/wp-content/uploads/2021/04/2021-04-29-Building-a-clean-energy-future-in-Massachusetts.pdf).

they can support electric distribution companies and maybe even as an ‘attractive alternative’ in the transportation sector!” But that misguided sentiment undergirds the Siting Board’s justification for Approval in the Tentative Decision.

In August, the *Boston Globe*³ reported the reality of the Commonwealth’s progress on getting to 2030 – in this first year of the decade, instead of the 100,000 needed to make that million homes declaration we have converted a measly 461. More electrification, fewer gas customers.

And yet, on page 16 of the Tentative Decision, the Board declares, “[T]he Siting Board finds that there is a need for additional natural gas facilities, such as the Project, to meet reliability, economic efficiency, and environmental objectives in the Commonwealth.”

Notwithstanding the Siting Board’s declaration on page 193 of the Tentative Decision, fracked gas should *not* be viewed as an “energy “bridge” during the state’s transition away from a fossil-fuel-based economy”; it *is* the fossil-fuel-based-economy we must transition away from. Fracked gas might help us transition away from oil and coal, but it is not a solution —just as heroin worked well as a cure for morphine addiction. The myth of gas as a bridge has long been debunked. The fracked gas economy is a highway with no offramp, and it’s time to jump.

It was disheartening to read on page 190 of the Tentative Decision “[t]he Siting Board notes that the Company, in its 2019 Amended Petition to Construct, relies exclusively on the

³ See “Massachusetts should be converting 100,000 homes a year to electric heat. The actual number: 461,” *Boston Globe*, Aug. 21, 2021 (available at <https://www.bostonglobe.com/2021/08/21/science/massachusetts-should-be-converting-100000-homes-year-electric-heat-actual-number-461>)

2008 GWSA and EEA's original 2020 Clean Energy and Climate Plan ("2020 CECF") in support of its assertion that the Project is consistent with Commonwealth environmental protection policies. The Company's analysis stops short of addressing subsequent, significant, state climate-change related policies and legislation." Why is that allowed? The Board then "acknowledges the significant policy shift in Massachusetts regarding decarbonization that is reflected in the 2050 Roadmap and the Climate Roadmap Act" and proceeds to make the argument FOR the project proponent. The proponent has filed, paused, modified, amended, multiple times in the last three years during the proceedings. Certainly, the Board must make them justify their project in its last iteration instead of allowing them to simply fall "short."

It is the Commonwealth that will fall short if the agencies under the Executive Office of Energy and Environmental Affairs continue to conduct business as usual approving every project that comes before them. It is long past time to stop building fossil fuel facilities. We need to start walking the walk, not just talking the talk. Let's start by saying "No" to this one.

With respect to zoning exemptions, it is unconscionable that the Siting Board continues to take away home rule by granting all individual and comprehensive zoning exemptions requested. We note that, here, the Board claims this is because the Company engaged in "good faith negotiations" with the Town of Charlton, but we also note on page 31 of the Tentative Decision, "NEC's HCA with the Town of Charlton states that NEC and the Town would 'collaborate in evaluating possible opportunities for provision of natural gas distribution service

to customers located within the Town.’’ What other promises that cannot be kept⁴ and should not have been made led to the Town’s withdrawal of objections?

IV. CONCLUSION

For all the reasons set forth herein, the APPROVAL set forth in the Tentative Decision must be reversed and NEC’s Amended Petition for its LNG facility be DENIED.

Respectfully submitted this 27th day of September, 2021.



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Service List – EFSB 18-04/D.P.U. 18-96 (per current electronic service list)

⁴ “The Charlton Planning Board has no informal site plan review process. ... There is no reason [for] even a courtesy review when the applicant would not even have to comply with any of the recommendations from the Planning Board. If the EFSB has chosen to exempt NEC from the Charlton Zoning by-laws, then the Planning Board wants no part of the approval process.” Comments of Charlton Planning Board, Sept. 27, 2021, <https://fileservice.eea.comacloud.net/FileService.Api/file/FileRoom/14005951>