



# The Commonwealth of Massachusetts

## DEPARTMENT OF PUBLIC UTILITIES

**This is an important notice. Please have it translated. Este é um aviso importante. Quiera mandá-lo traduzir. Este es un aviso importante. Sirvase mandarlo traducir. Avis important. Veuillez traduire immédiatement. Questa è un'informazione importante, si prega di tradurla. 此为重要通知。请加以翻译。**

### NOTICE OF FILING AND PUBLIC HEARING

D.P.U. 21-126

November 2, 2021

Petition of the towns of Aquinnah, Barnstable, Bourne, Brewster, Chatham, Chilmark, Dennis, Eastham, Edgartown, Falmouth, Harwich, Mashpee, Oak Bluffs, Orleans, Provincetown, Sandwich, Tisbury, Truro, Wellfleet, West Tisbury, and Yarmouth, and Dukes County, acting together as the Cape Light Compact JPE, pursuant to G.L. c. 25, § 21, for approval by the Department of Public Utilities of its Three-Year Energy Efficiency Plan for 2022 through 2024.

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On November 1, 2021, the towns of Aquinnah, Barnstable, Bourne, Brewster, Chatham, Chilmark, Dennis, Eastham, Edgartown, Falmouth, Harwich, Mashpee, Oak Bluffs, Orleans, Provincetown, Sandwich, Tisbury, Truro, Wellfleet, West Tisbury, and Yarmouth, and Dukes County, acting together as the Cape Light Compact JPE (“Compact”), filed with the Department of Public Utilities (“Department”), a petition for approval of a three-year energy efficiency plan for calendar years 2022 through 2024 (“Three-Year Plan”). The Compact filed its Three-Year Plan pursuant to An Act Relative to Green Communities, Acts of 2008, c. 169, § 11 (“Green Communities Act”). The Department docketed this matter as D.P.U. 21-126.

The Green Communities Act requires the Commonwealth’s electric and gas distribution companies, and municipal aggregators with certified efficiency plans (together, “Program Administrators”) to develop, in consultation with the Energy Efficiency Advisory Council (“Council”), plans that provide for the acquisition of all available energy efficiency and demand reduction resources that are cost effective or less expensive than supply. G.L. c. 25, § 21. The Compact’s proposed Three-Year Plan includes energy efficiency programs for residential, low-income, and commercial and industrial (“C&I”) customers. The proposed Three-Year Plan also incorporates the Compact’s Residential Conservation Service filing pursuant to G.L. c. 164, App. § 2-7(h).

The Compact's proposed budget for its Three-Year Plan is \$231,749,455 (i.e., \$75,392,662 in 2022, \$76,067,442 in 2023, and \$80,289,351 in 2024). If the Compact's Three-Year Plan is approved as proposed, the Compact states that customers could experience the following bill impacts:

- A residential customer (R-1) using 516 kilowatt-hours ("kWh") of electricity per month could experience a monthly bill increase of \$9.78 or 7.33 percent in 2022; a monthly bill increase of \$0.14 or 0.10 percent in 2023; and a monthly bill increase of \$3.14 or 2.19 percent in 2024;
- A low-income residential customer (R-2) using 488 kWh of electricity per month could experience a monthly bill increase of \$0.82 or 1.12 percent in 2022; a monthly bill increase of \$0.06 or 0.08 percent in 2023; and a monthly bill decrease of \$0.25 or 0.34 percent in 2024;
- Actual bill impacts may be lower for customers who participate in energy efficiency programs that lower their electricity usage;
- Bill impacts for C&I customers will vary. These customers should contact the Compact for specific bill impact information.

**Due to certain ongoing safety measures and precautions relating to in-person events as a result of the COVID-19 pandemic, the Department will conduct two virtual public hearings to receive comments on the Compact's filing.** The Department will conduct two public hearings using Zoom videoconferencing:

- **Wednesday, December 1, 2021, beginning at 7:00 p.m.**
- **Thursday, December 2, 2021, beginning at 2:00 p.m.**

Attendees can join the December 1, 2021 hearing at 7:00 p.m. by entering the link, <https://us06web.zoom.us/j/85706654588>, and the December 2, 2021 hearing at 2:00 p.m. by entering the link, <https://us06web.zoom.us/j/84475716947>, from a computer, smartphone, or tablet. No prior software download is required. For audio only access to the hearings, attendees can dial in to either hearing at **(646) 558-8656 or (301) 715-8592 (not toll free)** and then enter the **Meeting ID# 857 0665 4588 for the December 1, 2021 hearing and Meeting ID# 844 7571 6947 for the December 2, 2021 hearing**. If you anticipate providing comments via Zoom during either public hearing, please send an email by **Monday, November 29, 2021**, to [jeffrey.leupold@mass.gov](mailto:jeffrey.leupold@mass.gov) with your name, email address, mailing address, and hearing date. If you anticipate commenting by telephone, please leave a voicemail message by **Monday, November 29, 2021**, at (617) 305-3684 with your name, telephone number, mailing address, and hearing date.

When using the Zoom platform, you will be able to listen to the hearing and provide comments in English or Spanish. To access interpretation services through Zoom during the

hearing, click on the “Interpretation” button on the menu at the bottom of the Zoom application screen and select your language (i.e., English or Spanish).

Alternately, any person interested in commenting on the Compact’s filing may submit written comments to the Department no later than the close of business (5:00 p.m.) on **Friday, December 3, 2021**. To the extent a person or entity wishes to submit comments in accordance with this Notice, electronic submission, as detailed below, is sufficient.

Any person who desires to participate in the evidentiary phase of this proceeding must file a written petition for leave to intervene with the Department. A petition for leave to intervene must satisfy the timing and substantive requirements of 220 CMR 1.03. The following persons/entities who desire to participate in the evidentiary phase of this proceeding must file a written petition for leave to intervene with the Department not later than the close of business on **Tuesday, November 2, 2021**: (1) voting and non-voting members of the Council; (2) any entity whose interests are represented on the Council; (3) any person/entity that has participated in the Council process; and (4) any person/entity that was previously granted intervention as a full party or limited participant in a three-year energy efficiency plan proceeding. All other persons/entities who desire to participate in the evidentiary phase of this proceeding must file a written petition for leave to intervene with the Department not later than the close of business on **Monday, November 15, 2021**. Receipt by the Department, not mailing, constitutes filing and determines whether a petition has been timely filed. A petition filed late may be disallowed as untimely, unless good cause is shown for waiver under 220 CMR 1.01(4). To be allowed, a petition under 220 CMR 1.03(1) must satisfy the standing requirements of G.L. c. 30A, § 10. All responses to petitions to intervene must be filed by the close of business on the second business day after the petition to intervene was filed.

Ordinarily, all parties would follow Sections B.1 and B.4 of the Department’s Standard Ground Rules (D.P.U. 15-184-A, App. 1 (March 4, 2020)) regarding the filing of documents. However, at this time, all filings will be submitted to the Department only in electronic format, consistent with the Department’s June 15, 2021 Memorandum addressing continued modified filing requirements. Until further notice, parties must retain the original paper version of the filing and the Department will later determine when the paper version must be filed with the Department Secretary.

All comments or petitions to intervene must be submitted to the Department in **.pdf format** by e-mail attachment to [dpu.efiling@mass.gov](mailto:dpu.efiling@mass.gov) and [jeffrey.leupold@mass.gov](mailto:jeffrey.leupold@mass.gov). In addition, all comments or petitions to intervene should be submitted to the Compact’s attorneys, Jeffrey M. Bernstein and Audrey Eidelman Kiernan, BCK LAW, P.C., by email attachment to [jbernstein@bck.com](mailto:jbernstein@bck.com) and [akiernan@bck.com](mailto:akiernan@bck.com). The text of the e-mail must specify: (1) the docket number of the proceeding (D.P.U. 21-126); (2) the name of the person or company submitting the filing; and (3) a brief descriptive title of the document. The electronic file name should identify the document but should not exceed 50 characters in

length. Importantly, all large files submitted must be broken down into electronic files that **do not exceed 20 MB.**

At this time, a paper copy of the filing will not be available for public viewing at the Compact's offices or the Department. The filing and other documents submitted in electronic format will be posted as soon as practicable at on the Department's website through our online File Room at: <https://eeaonline.eea.state.ma.us/DPU/Fileroom/dockets/bynumber> (enter "21-126").

Reasonable accommodations at public hearings for people with disabilities are available upon request. Contact the Department's ADA Coordinator at [DPUADACoordinator@mass.gov](mailto:DPUADACoordinator@mass.gov). Include a description of the accommodation you will need, including as much detail as you can. Also include a way the Department can contact you if we need more information. Please provide as much advance notice as possible. Last minute requests will be accepted, but may not be able to be accommodated. To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), contact the Department's ADA Coordinator at [DPUADACoordinator@mass.gov](mailto:DPUADACoordinator@mass.gov).

Any person desiring further information regarding the Three-Year Plan should contact counsel for the Compact, Jeffrey M. Bernstein and Audrey Eidelman Kiernan, BCK LAW, P.C., at (617) 244-9500. Any person desiring further information regarding this notice should contact Jeffrey Leupold, Hearing Officer, Department of Public Utilities, at [jeffrey.leupold@mass.gov](mailto:jeffrey.leupold@mass.gov).

