

**COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF PUBLIC UTILITIES**

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Petition of NSTAR Electric Company d/b/a )  
Eversource Energy for Approval of Proposed Long-) )  
Term Contracts for Offshore Wind Energy ) D.P.U. 22-70  
Generation Pursuant to Section 83C of an Act )  
Relative to Green Communities, St. 2008, c. 169, as )  
amended by St. 2016, c. 188, §12; St. 2021, c. 8 §§ )  
91 *et. seq.* )  
)

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Petition of Massachusetts Electric Company and )  
Nantucket Electric Company d/b/a National Grid )  
for Approval of Proposed Long-Term Contracts for ) D.P.U. 22-71  
Offshore Wind Energy Generation Pursuant to )  
Section 83C of an Act Relative to Green )  
Communities, St. 2008, c. 169, as amended by St. )  
2016, c. 188, §12; St. 2021, c. 8 §§ 91 *et. seq.* )  
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Petition of Fitchburg Gas and Electric Light )  
Company d/b/a Unitil for Approval of Proposed )  
Long-Term Contracts for Offshore Wind Energy ) D.P.U. 22-72  
Generation Pursuant to Section 83C of an Act )  
Relative to Green Communities, St. 2008, c. 169, as )  
amended by St. 2016, c. 188, §12; St. 2021, c. 8 §§ )  
91 *et. seq.* )  
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**MOTION OF COMMONWEALTH WIND, LLC  
FOR A BRIEF EXTENSION OF TIME TO RESPOND TO  
THE DEPARTMENT’S NOVEMBER 4 INTERLOCUTORY ORDER**

On November 4, 2022, the Department of Public Utilities (the “Department”) directed Commonwealth Wind, LLC (“Commonwealth Wind”) to notify the Department and the Electric Distribution Companies (“EDCs”) within three business days whether this proceeding should progress, or should be dismissed with the possibility of a future filing. Interlocutory Order at 13.

That third business day is Wednesday, November 9, 2022.<sup>1</sup> Pursuant to 220 C.M.R. §§ 1.04(5) and 1.02(5), for the reasons stated below, Commonwealth Wind respectfully requests a brief extension of time to respond from three business days to five business days, making its response to the Department due on Monday, November 14, 2022.<sup>2</sup>

Pursuant to 220 C.M.R. § 1.02(5), “for good cause shown, any time limit prescribed or allowed by 220 CMR 1.00 may be extended. All requests for extensions shall be made by motion in accordance with 220 CMR § 1.04(5), and shall be made before the expiration of the period originally prescribed or as previously extended.” This motion is being made before the expiration of the period originally prescribed.

There is good cause for granting this motion for a short extension of time to respond. There is no dispute that given both the Project’s size and complexity, the ramifications of Commonwealth Wind’s evaluation of and response to the Department’s Interlocutory Order will be significant, not only for Commonwealth Wind but also for the ratepayers of the Commonwealth, the Massachusetts communities that are working with Commonwealth Wind to bring clean energy and jobs to the Commonwealth, Commonwealth Wind’s commercial partners in this endeavor, the EDCs, and the agencies and offices of the Commonwealth that are driving the effort to achieve the Commonwealth’s climate goals in the most beneficial and cost effective manner possible.

Commonwealth Wind is mindful that the Department has expended resources investigating the PPAs. Given the potential financial and environmental implications of the Department’s ultimate determination, as well as the diverse interests of the project’s numerous

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<sup>1</sup> The second of those business days — today, Tuesday, November 8, 2022 — is also election day in the Commonwealth. G.L. c. 54, § 62.

<sup>2</sup> Friday, November 11, is Veterans Day, a legal holiday. G.L. c. 4, § 7, cl. 18.

stakeholders, Commonwealth Wind respectfully maintains that three business days is an insufficient period in which to provide the reasoned and thoughtful response that the Department's directive warrants. No prejudice will inure to any party or the Department from a brief extension of time for this purpose. Indeed, requests for similarly brief extensions for non-dispositive responses have previously and frequently been granted by the Department. *See, e.g., Berkshire Gas Co., D.P.U. 21-120 (Dec. 17, 2021); Massachusetts Elec. Co. & Nantucket Elec. Co., D.P.U. 09-32 (May 28, 2009 & Dec. 29, 2009), Aquarion Water Co., D.P.U. 08-27 (Sept. 19, 2008).*

Commonwealth Wind has consulted with the other parties to the proceeding. The Department of Energy Resources has indicated that it supports a two business day extension with filing on Monday, November 14. The Attorney General's Office has indicated that it does not oppose this request for additional time. The EDCs have indicated that they take no position on this Motion.

**WHEREFORE**, Commonwealth Wind respectfully requests that the Department GRANT an extension of time to respond to the Department's directive, from three business days to five business days, making Commonwealth Wind's response to the Department due on Monday, November 14, 2022.

Respectfully submitted,

**COMMONWEALTH WIND, LLC**

By its attorneys,



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Zachary Gerson  
Ethan Severance  
FOLEY HOAG LLP  
155 Seaport Boulevard  
Boston, Mass. 02210-2600  
617-832-1000  
zgeron@foleyhoag.com  
eseverance@foleyhoag.com

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