

January 20, 2023

By Email  
Department of Public Utilities  
1 South Station  
Boston, MA 02111

Re: **DPU 21-50**  
**Request for Comments – Draft Policy on Enhancing Public Awareness and Participation**

Dear Commissioners:

This Office represents the Town of Hopkinton in the Department’s inquiry into procedural enhancements for public notice and awareness (DPU 21-50). Hopkinton has frequently participated in this proceeding, including through written comments and participation in the Department’s joint roundtable with the Energy Facilities Siting Board. Hopkinton thanks the Department for those opportunities. This letter is filed with the Department in response to the Department’s request for comments concerning its recently distributed draft policy on enhancing public awareness and participation (the “Draft Policy”).

Hopkinton’s primary observation is that the Draft Policy represents a good starting point to enhance public awareness and participation but it requires further detail to ensure that the Department reaches those goals. Below, are observations regarding the strengths of the Draft Policy and where further detail is needed.

The Department’s proposal to divide proceedings into “tiers” is, in Hopkinton’s view, an efficient and meaningful way to ensure that more important proceedings receive higher levels of public awareness. Moreover, it is also an expedient way to avoid information “overload” by inundating stakeholders with notices of every type of proceeding, including those of lesser importance.

Hopkinton also supports the Department’s requirement for the filing of community outreach plans, consistent with the tier of the proceeding. Making such plans an affirmative requirement at the outset of proceedings is a useful tool for ensuring that outreach occurs before the proceeding takes place.

Finally, the Town approves of the Department's requirements for outreach plans to include lists and notices to a different groups of stakeholders that includes affected municipal officials and other members of the community. Outreach to a diverse set of stakeholders, particularly in the most important tiers of proceedings, is critical to ensure public awareness of those proceedings and that goals including diversity, equity and inclusion are realized in the Department's decision-making.

As already stated, Hopkinton believes that, while these are important components to the Draft Policy, the Department should focus on elaborating these components to include more detail about how to implement them.

- Each "tier" of proceeding has different outreach requirements. It is unclear who, how, or when such a determination is made. For the Department's later requirements for the filing of a community outreach plan, it is necessary that such a determination is made *prior* to the opening of the proceeding. Indeed, for any outreach to be effective, such a determination would need be made many months or even a year or more in advance of "Tier 1" and potentially "Tier 2" proceedings.

- The Draft Policy should explicitly state that determination of a proceeding's "tier" is by the Department and not by a local distribution company ("LDC"). The Department should further have a process for seeking such a determination and should consider building in abbreviated outreach efforts to municipalities for that determination.

- The Draft Policy should elaborate on the terms "municipal and community leaders" to explicitly include a core subset of such leaders. That core subset should include key individuals in any municipalities' executive branch – in a town, for example, notification should be delivered to the select board chair and the town administrator/manager (or similar person). The Draft Policy should also require notification to town clerks.

- The Draft Policy should create a mechanism – whether on the Department's website or elsewhere – for municipalities to submit contact information for those persons who would be that municipality's "municipal leaders." This would enable municipalities to aid the Department and LDCs in identifying to whom notice should be directed, in the most efficient and least-costly manner to the Department.

- The Department should add a requirement for its Tier 2 proceedings that each proceeding have translated notices and interpretation services at the public hearing consistent with the Department's Language Access Plan, as the Department has already specified for Tier 1 proceedings. The Department identifies Tier 2 proceedings as the "majority of proceedings" and Hopkinton believes the majority of proceedings should provide this level of access as the default.

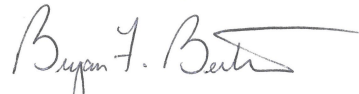
- The Department should add detail to the Draft Policy concerning exactly what must be included in a Community Outreach Plan. For example, who should be included in the "list of the municipal and community organizations to whom

the notice will be issued,” the means of that communication, and methods to ensure the communication was received.

- The Department should include more detail concerning how a “petitioner must work with stakeholders in affected communities to develop outreach plans ....” The Draft Policy should specify that each community outreach plan should itself contain details about the stakeholders who contributed to the plan and how the plan was developed. The Draft Policy should further require that the LDC include with the proposed community outreach plan any comments a municipality wishes to offer, in the event that a municipality disagrees with one or more of the provisions of the plan.

Hopkinton would like to end where it began, by thanking the Department for its efforts in this proceeding. As explained above, the Draft Policy represents a solid start to providing more meaningful public awareness and participation in the Department’s proceedings. The Department, however, should focus on adding more detail to the Draft Policy to ensure that those goals are realized.

Respectfully:




Bryan Bertram

cc: Norman Khumalo, Town Manager

## Certificate of Service

I certify that I served a true and correct copy of the foregoing document on all parties on the Service List for this proceeding as required by 220 CMR 1.05 on the date listed below.

Dated: January 20, 2023

  
\_\_\_\_\_

Rian Holmquest