



The Commonwealth of Massachusetts

DEPARTMENT OF PUBLIC UTILITIES

TO: Service List (e-mail only) for NSTAR Electric Company, D.P.U. 24-10; Massachusetts Electric Company and Nantucket Electric Company, D.P.U. 24-11; and Fitchburg Gas and Electric Light Company, D.P.U. 24-12

FROM: Kerri DeYoung Phillips, Hearing Officer

RE: Procedural Notice

DATE: February 23, 2024

CC: Mark D. Marini, Department Secretary

PROCEDURAL NOTICE

I. INTRODUCTION

In this Procedural Notice, the Department of Public Utilities (“Department”) establishes the procedural schedule, service list, and ground rules for the above-referenced proceedings. Additionally, the Department provides guidance on participation at the upcoming public hearings and technical sessions for the proceedings. As discussed below, counsel for each party shall: (1) provide to the Hearing Officer by **Thursday, February 29, 2024**, its list of participants to receive dedicated Zoom links for the upcoming public hearings and technical sessions; and (2) notify the Hearing Officer by **Wednesday, March 6, 2024**, if any listed participants did not receive a link. Parties to the proceedings are also encouraged to provide a brief, general list of questions to the service list by **Monday, March 4, 2024**, for guidance at the technical sessions.

II. PROCEDURAL SCHEDULE

Consistent with the memorandum issued on November 14, 2023, and the Notice of Filing, Public Hearing, and Request for Comments issued on February 2, 2024, for each company’s filing, the Department establishes the following procedural schedule going forward for these proceedings:

<u>DATE</u>	<u>ACTION</u>
Ongoing	Discovery to EDCs ¹
Friday, March 1, 2024	Each electric distribution company's ("EDC's") first discovery log due Each party shall provide its participants lists to the Hearing Officer for the public hearings and technical sessions
Tuesday, March 5, 2024	Intervenor testimony (General Track) due; discovery on General Track intervenor testimony and supporting exhibits opens Pre-hearing statements ² (Alternate Track) due
Thursday, March 7, 2024, at 7:00 p.m. Tuesday, March 12, 2024, at 2:00 p.m.	Virtual Public Hearings
Tuesday, March 12, 2024	Written public comments due
Friday, March 8, 2024 Monday, March 11, 2024 Wednesday, March 13, 2024 All commencing at 10:00 a.m.	Virtual Technical Sessions
Wednesday, March 13, 2024	Intervenor Testimony (Alternate Track) due; discovery on Alternate Track intervenor testimony and supporting exhibits opens
Monday, March 25, 2024	Deadline to issue discovery to all parties

¹ All responses to information requests are due within five (5) business days of the request.

² Pre-hearing statements shall set forth the following information: (1) the name of all witnesses who may be called to testify by the party, along with the subject matter of each witness' testimony; (2) a description of all exhibits that may be used by the party in presenting its case and the witness sponsoring each; (3) a statement of the party's basic position in the proceeding; (4) a statement of each question of fact, question of law, and policy question that the party considers at issue, along with the party's position on each issue, and, where applicable, the names of the party's witness(es) who will address each issue; and (5) any objections to a witness' qualifications as an expert.

Monday, April 1, 2024	Final discovery responses due EDCs' updated discovery logs due
Wednesday, April 3, 2024	Deadline for EDCs to submit exhibit lists
Monday, April 8, 2024, through Friday, April 26, 2024	Virtual Evidentiary Hearings ³
To Be Determined	Briefing

III. SERVICE LIST

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FOR: NSTAR ELECTRIC COMPANY
Petitioner, D.P.U. 24-10
Limited Participant, D.P.U. 24-11, D.P.U. 24-12

³ Parties and their witnesses must be available for each date identified above. A detailed evidentiary hearing schedule will be determined at a later date.

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IV. GROUND RULES

Please refer to the Standard Ground Rules, which can be found at the Department's website at <https://www.mass.gov/how-to/file-comments-or-pleadings-with-the-dpu>, and the following exceptions to the Standard Ground Rules applicable to this proceeding.

A. Exceptions to Standard Ground Rules

1. Filing

As stated in our August 7, 2023 memorandum, in all instances where the Standard Ground Rules reference paper filing or service, please disregard. The Department is currently working in hybrid mode, with most proceedings being conducted with electronic-only filings. All materials shall be deemed to be filed or received on the date on which the e-mail containing the material is received by the Department.

2. Discovery

As stated in our November 14, 2023 memorandum, all responses to discovery are due within five (5) business days of the request.

3. Protected Materials

As with all other filings, materials for which confidential protection is sought, or may constitute critical energy infrastructure information, shall be submitted in electronic format only, marked and distributed via e-mail appropriately according to the Standard Ground Rules, and the filing party must retain original paper versions to be filed at a later date determined by the Department.

Going forward, as of the date of this Procedural Notice, any responses or oppositions to motions for protective treatment shall be submitted within two (2) business days of the motion.

4. Evidentiary Hearing Arrangements

The evidentiary hearings will be conducted virtually via the Zoom teleconferencing platform. Additional arrangements for evidentiary hearings will be decided by the Department and communicated to parties prior to the scheduled hearing.

V. PUBLIC HEARING AND TECHNICAL SESSION PARTICIPATION DEADLINES

Counsel for the EDCs and any other party to these proceedings that plan to participate at either public hearing or the technical sessions shall e-mail a participant list to the Hearing Officer by **Thursday, February 29, 2024**, that identifies, by hearing and session date, each individual that should receive a dedicated Zoom link. For each individual, provide their full name, title, organization, and e-mail address, and clearly specify the date(s) for which the individual requires a dedicated link.

Each individual on the lists received by the Hearing Officer will receive an individual invitation with a dedicated link from the Department by no later than **Monday, March 4**,

2024. Counsel for the parties shall confirm with their participants whether they received the dedicated links. To the extent any participants do not receive a link, counsel for the applicable party shall notify the Hearing Officer by no later than **Wednesday, March 6, 2024.**

Participants (i.e., “panelists” on the Zoom platform), must access the technical conference through the link provided in the invitation and must not share their invitations with any other participant, as each link is specific to that individual.

Parties should limit the number of designated participants to individuals that are essential to the efficient and orderly conduct of the public hearings and technical sessions. If a panelist is not needed on a particular day, that individual should use the appropriate public Zoom link or dial-in number to view or listen to the hearing or session.⁴ Public links and dial-in information will be posted to the Department’s website at the following locations:

<https://eeaonline.eea.state.ma.us/DPU/Fileroom/Hearings/ByDate>

<https://www.mass.gov/info-details/electric-sector-modernization-plan-resources>

VI. GUIDELINES FOR VIRTUAL TECHNICAL SESSIONS

A. General

A technical session provides an opportunity for the parties to proceedings and Department staff to come to some common understanding of complex technical issues that are more readily understood in a give-and-take discussion. Typically, technical sessions do not rely on sworn witness statements and are not transcribed by a court reporter. Technical sessions are not a substitute for discovery or an evidentiary record. As such, if parties or the Department would like to incorporate information acquired during a technical session into the evidentiary record, the information must be recaptured in the form of a written discovery questions or during questioning at an evidentiary hearing.

For these proceedings, with the exception of the presentation that may be provided by the net benefits consultant, the technical session discussions will be led by the Hearing Officer and/or other Department staff. Each session will be guided by questions and answers, first from the Department, followed by other parties to the proceedings who may have relevant questions on the topic under discussion.

⁴ Please note that if a participant with a dedicated link on a particular day instead seeks to view the proceedings through the public link, it will require the use of a different e-mail address than provided to the Department.

To facilitate the discussion, we encourage the parties to coordinate where possible and provide a brief, general list of questions to the service list by **Monday, March 4, 2024**. The list should identify the particular topic to which each question applies. To ensure the efficient and orderly conduct of the technical sessions in the time afforded, Department staff may limit discussion on particular questions. Additionally, only Department staff and other participants with dedicated links will appear on video and have the ability to unmute themselves for discussion.

B. Topics by Day

As noted in our February 20, 2024 memorandum, the following topics will be addressed according to the schedule provided:

Friday, March 8, 2024:

Topic 1: Cost Recovery Framework and Reconciling Mechanism(s)

Topic 2: Distributed Generation Interconnection and Cost Allocation

Monday, March 11, 2024:

Topic 3: Equity and Engagement in Distribution Planning

Topic 4: Forecast and Demand Assessment Methods, Integrated Resource Planning, and Related Considerations

Wednesday, March 13, 2024:

Topic 5: Net Benefits Method and Related Considerations

Topic 6: Miscellaneous, as needed

A more detailed agenda with Department-specific questions for each technical session will be circulated to the parties at a later date.

C. Name Display and Admission

Participants must identify themselves by their full name and organization affiliation. For each technical session day, the Department will open the Zoom videoconferencing link for participants at approximately 9:30 a.m. before opening the link available to the public. Participants must join the technical session by **no later than 9:45 a.m.** on their planned participation day(s) to ensure proper functioning of their audio and video.

D. Technical Difficulties

Participants are expected to make their appearances by video. If a participant is unable to appear by video due to technical difficulties, the Hearing Officer will afford the participant a reasonable amount of time to resolve the technical difficulties. If such technical difficulties cannot be resolved after reasonable efforts are expended, the Hearing Officer may permit the participant to appear by phone.

E. Video and Audio Controls

To reduce ambient noise and other disturbances, all participants must mute themselves unless they are speaking. The Hearing Officer will use Zoom audio controls to mute or unmute participants as necessary.

F. Monitor

The hearing monitor for the technical conference will be Shirley Barosy, the Legal Assistant for the Department's Legal Division. The hearing monitor will be granted host privileges. Participants should report any technical difficulties to Ms. Barosy at shirley.barosy@mass.gov, who will then relay that information to the Hearing Officer.

G. Recording

The Zoom videoconferencing platform will livestream the technical sessions; however, the livestream will not be recorded and will not be part of the official record for these proceedings. To ensure the orderly conduct of the technical sessions, the chat and record features of the Zoom videoconferencing platform will be disabled during the sessions.

H. Technical Session Arrangements and Breaks

The technical sessions will begin at 10:00 a.m. and end by 5:00 p.m. each day, unless otherwise directed by the Hearing Officer. The Hearing Officer will allow for breaks as necessary. During breaks, the Department will post a notice via the Zoom videoconferencing platform that the session is in recess.

VII. CONCLUSION

For questions regarding this Procedural Notice, please contact Hearing Officer Kerri DeYoung Phillips at kerri.phillips@mass.gov and Hearing Officer Kevin Crane at kevin.crane@mass.gov.