

The Commonwealth of Massachusetts



DEPARTMENT OF PUBLIC UTILITIES

[https://www.mass.gov/info-
details/park-city-wind-
zoning](https://www.mass.gov/info-details/park-city-wind-zoning)

NOTICE OF FILING, REQUEST FOR COMMENTS, AND PUBLIC COMMENT HEARING

D.P.U. 24-48

Park City Wind LLC

Park City Wind LLC (“Park City Wind” or “Company”) has filed with the Department of Public Utilities (the “Department”) a petition seeking individual and comprehensive zoning exemptions from the operation of the Zoning Ordinance of the Town of Barnstable, Massachusetts (the “Zoning Petition”). The purpose of the zoning exemptions is for the construction and operation of an access road on an approximately one-acre parcel at 6 Shootflying Hill Road in the Town of Barnstable (“the Parcel”) to provide access to a substation to be located at 8 Shootflying Hill Road (the “Substation”). The Energy Facilities Siting Board (the “Siting Board”) previously approved the construction and operation of the Substation, as part of the “New England Wind 1 Connector,” by a Final Decision issued in EFSB 20-01/D.P.U. 20-50/20-57 on December 15, 2023 (the “EFSB Approval”). A description and map of the Parcel for the Zoning Petition is provided below.

The Department will conduct a public comment hearing with both in-person and remote participation options:

6:30 PM, Tuesday, June 18, 2024.

In-person hearing location: Barnstable High School - Performing Arts Center, 744 West Main Street, Hyannis, MA 02601.

Remote attendees: join by clicking (or entering) this link:

<https://us06web.zoom.us/j/84027146809> from a computer, tablet, or smart device. For audio-only participation, attendees can dial in at (646) 558-8656 (not a toll-free number)] and then enter the **Webinar ID: 840-2714-6809**

To provide oral comments during the public comment hearing (in person or on Zoom), please send an email to Yonathan.Mengesha@mass.gov with your name, email address, and mailing address by **noon June 17, 2024**. To provide comments by telephone, please leave a voicemail message referencing “DPU 24-48” at (617) 305-3544 with your name, telephone number, and mailing address by **noon June 17, 2024**. Pre-registered commenters will speak first, and other commenters afterward.

The Department also invites written comments on the Zoning Petition. Written comments will be most useful to the Department if submitted by **Wednesday July 3, 2024**.

Important Dates:	
Public Comment Hearing	June 18, 2024
Deadline to file written comments	July 3, 2024
Deadline to file for intervention/limited participant status	July 3, 2024

Public Comment Hearing

At the public comment hearing, the Company will present an overview of the Zoning Petition. Public officials and members of the public will have an opportunity to ask questions and make comments about the Zoning Petition. The public comment hearing will be transcribed by a court reporter. A recording of the public comment hearing will be posted to the Department’s YouTube channel after the hearing, at <https://www.youtube.com/channel/UcklPj6xxSKww-Kr26lEZVTA>.

Public Review of the Company’s Petition

A detailed description of the Zoning Petition is electronically available via the Department’s webpage for the Zoning Petition. You can access the webpage by scanning the QR code above, or go to <https://www.mass.gov/info-details/park-city-wind-zoning>. In addition, electronic copies of Park City Wind’s Zoning Petition and attachments have been provided to representatives of the Town of Barnstable. The Company also maintains a webpage for the Zoning Petition: <http://parkcitywind.com>.

Hard copies of the Company’s petitions, including all attachments, are available for public inspection at the following locations:

Boston

- Department of Public Utilities, One South Station, 3rd floor, Boston, MA 02110

Barnstable

- Sturgis Library, 3090 Main Street, Barnstable, MA 02630
- Town Clerk, Town of Barnstable, 367 Main Street, Hyannis, MA 02601

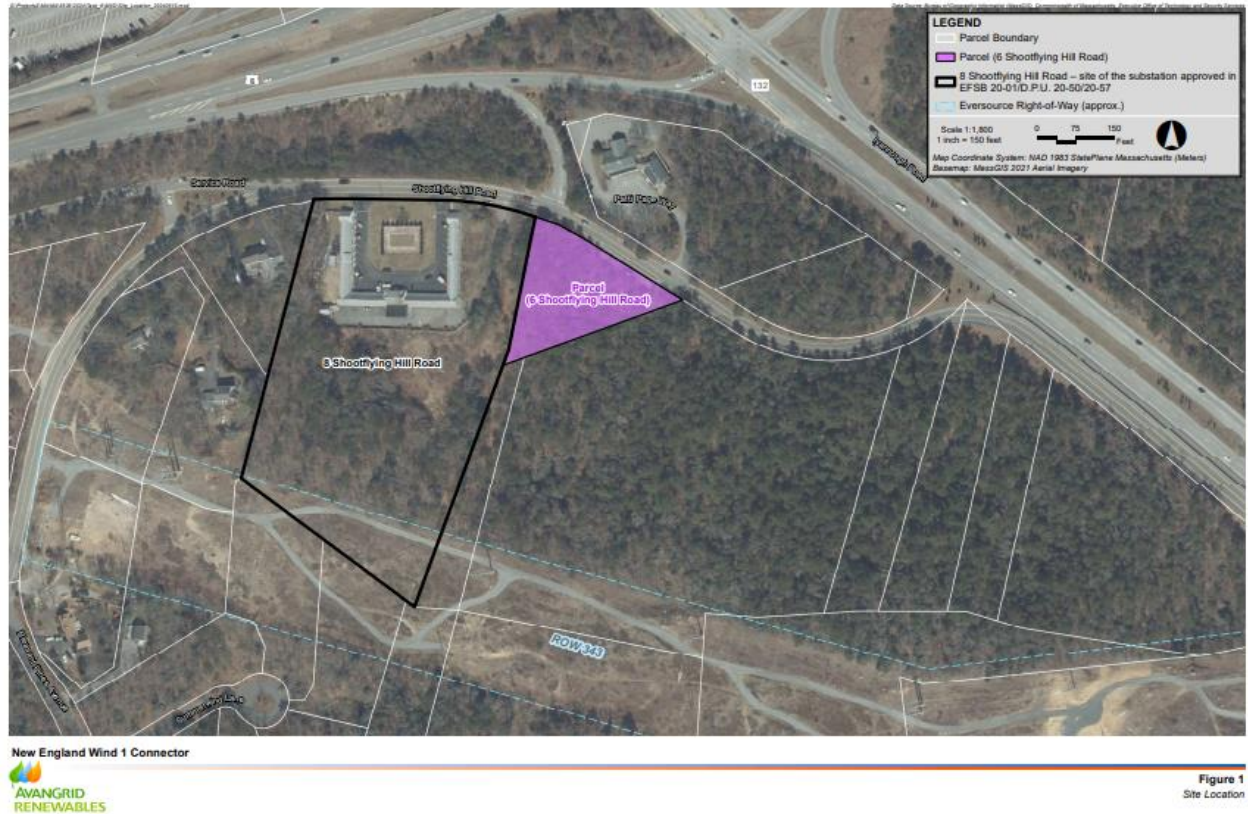
Zoning Petition

The Department will review the Zoning Petition to determine whether the zoning exemptions should be granted, and if the proposed use of the Parcel is reasonably necessary for the convenience or welfare of the public, pursuant to G.L. c. 40A, § 3. A map of the Parcel is provided below; the Parcel is identified as “6 Shootflying Hill Road.”

The Parcel will be used to provide improved vehicular access to the Substation for construction vehicles and emergency vehicles and allows the entrance to the Substation to be located further away from residences west of the Substation site. Additionally, use of the Parcel for access purposes will reduce site elevations for the Substation by up to ten feet compared to the original Substation design, reducing the need to import fill to raise the site elevation. The Company is not proposing any substation equipment or other electric infrastructure for the Parcel. The

Zoning Petition does not propose any changes to the New England Wind 1 Connector as described within the EFSB Approval. No additional zoning relief is sought for 8 Shootflying Hill Road or for any other component of the New England Wind 1 Connector.

Figure 1: THE PARCEL



Intervention and Participation

Persons or groups who wish to be involved in the Department proceeding, beyond providing comments at the public comment hearing or submitting written comments, may seek either to intervene as a party or to participate as a limited participant. A petition to intervene or participate must be filed no later than **Wednesday, July 3, 2024**, and follow the instructions provided below.

“Intervenor” of “Party” Status: An **intervenor** can participate fully in the evidentiary phase of the proceeding, including the right to participate in evidentiary hearings, file a brief, and appeal the final order.

“Limited participant” status: A **limited participant** receives documents during the proceeding and may file a brief.

Any person seeking intervenor or limited participant status in this proceeding must file by **July 3, 2024**. A petition to intervene must demonstrate that the petitioner may be substantially and specifically affected by this proceeding. See below for filing instructions. For additional

information on the Department's procedural rules, please see the following link:
<https://www.mass.gov/how-to/file-a-petition-to-intervene-in-an-efsb-or-dpu-siting-case>.

Filing Instructions

Written comments on the Zoning Petition, or a petition to intervene or participate as a limited participant in this proceeding, must be filed in two places:

First, the comments or petition must be sent to the Department by email - to dpu.efiling@mass.gov - AND to Connor.C.Tarr@mass.gov - no later than the close of business on **July 3, 2024**. The text of the e-mail must specify: (1) the docket number of the proceeding (D.P.U. 24-48); (2) the name of the person or entity submitting the filing; and (3) a brief description of the document. The email should also include the name, title, and telephone number of a person to contact in the event of questions about the filing. Second, the comments or petition must be sent by email to counsel for Park City Wind: Zachary Gerson, Esq., at zgerson@foleyhoag.com and Aaron Lang, Esq. at alang@foleyhoag.com.

Accommodation Requests

Reasonable accommodations for people with disabilities (e.g., Braille, large print, electronic files, audio format) are available upon request. Include a description of the accommodation you will need and a way we can contact you if we need more information. Please provide as much advance notice as possible. Last minute requests will be accepted, but we may be unable to fulfill the request. Please contact the Department's ADA coordinator at Andrea.R.Casul@mass.gov.

Interpretation services are available upon request. Include in your request the language required and a way to contact you if we need more information. Requests may be made no later than **June 7, 2024**. It may not be possible to accommodate last-minute requests. Contact the Hearing Officer (contact information below).

Non-discrimination Notice

The Department complies with applicable state and federal civil rights laws and does not discriminate on the basis of sex, race, color, religion, creed, national origin (including limited English proficiency), gender identity, income, class, disability, age, sexual orientation, ethnicity, genetic information, ancestry, or status as a veteran. The Department does not exclude people or treat them differently because of sex, race, color, religion, creed, national origin (including limited English proficiency), gender identity, income, class, disability, age, sexual orientation, ethnicity, genetic information, ancestry, or status as a veteran. See the Department's Non-Discrimination Notice at: <https://www.mass.gov/info-details/massachusetts-dpu-non-discrimination-notice>.

Contact

For further information about the proceeding, please contact the Hearing Officer at the address or telephone number below:

Connor C. Tarr, Esq., Hearing Officer
Massachusetts Department of Public Utilities
One South Station, 3rd Floor
Boston, MA 02110
Connor.C.Tarr@mass.gov
(617) 305-3596

For periodic updates please visit the Department's webpage for this proceeding found at:
<https://www.mass.gov/info-details/park-city-wind-zoning>.