

APPENDIX B

GRANT APPLICATION FOR INTERVENOR SUPPORT GRANT PROGRAM

Pursuant to 220 CMR 34.00, the Intervenor Support Grant Program (“Program”) provides financial assistance to eligible entities and sets out the procedures for the Program. Complete and submit this Grant application to the Division of Public Participation (“Division”) at the Department of Public Utilities (“Department”) to request a Grant award to participate in a Department or Energy Facilities Siting Board (“Board”) proceeding.

In a Department proceeding, an entity seeking a grant (“Grant Applicant”) may submit a Grant Application upon the filing of a petition for review or a Department order opening an investigation or inquiry. In a Board proceeding, a Grant Applicant may submit a Grant Application upon the filing of the Notification of Intent to File Application (Pre-filing Notice) by the project proponent. In both Department and Board proceedings, a Grant Applicant shall submit a Grant Application no later than the deadline to petition to intervene in a Proceeding notice.

The Division shall review the Grant Application for completeness within ten business days of receipt and will notify the Grant Applicant by email of any deficiencies which must be addressed by the end of the application window or by the date indicated by the Division. The Division will issue a written determination of Grant status and payment decisions to all Grant Applicants within 30 calendar days after the Grant Application deadline. The Director of the Division may make a conditional Grant award to a Grant Applicant. However, the Grant will not be disbursed until the Grant Applicant has been granted intervenor status in the proceeding.

Educational resources are available on the Division webpage to help entities new to the Department or Board engage effectively in proceedings. If you have questions, contact the Division at [email] and [phone number].

A. Applicant Information

1. Name of Entity or Working Name for Unincorporated Association of Individuals:
2. Mailing Address:
3. Contact Person
 - i. Name:
 - ii. Phone Number:
 - iii. Email Address:
 - iv. Preferred Contact Method:

4. Additional Contact Person (preferred)

- i. Name:
- ii. Phone Number:
- iii. Email Address:
- iv. Preferred Contact Method:

B. Proceeding Information

5. Docket Number:

6. Docket Name:

7. Have you submitted a petition to intervene in the proceeding?

- ☐ Yes
- ☐ No (If you check this box, move on to question 9.)

8. Has your petition to intervene in the proceeding been approved?

- ☐ Yes
- ☐ No
- ☐ Awaiting response

C. Eligibility Information

9. Indicate your eligibility status:

- ☐ Organization or entity that advocates on behalf of a relevant subset of residential customers defined geographically or based on specific shared interests
- ☐ Organization or entity that advocates on behalf of low- or moderate-income residential populations or residents of historically marginalized or overburdened and underserved communities, or residents of unfairly burdened areas as defined in 980 CMR 15.02
- ☐ Governmental body, including regional planning agency, federally recognized tribe⁵, state-acknowledged tribe⁶ or state-recognized tribe⁷

⁵ Federally recognized Tribes within the current State boundaries of Massachusetts include Wampanoag Tribe of Gay Head (Aquinnah) and Mashpee Wampanoag Tribe. <https://www.federalregister.gov/documents/2021/01/29/2021-01606/indian-entities-recognized-by-and-eligible-to-receive-services-from-the-united-states-bureau-of>

⁶ The Chappaquiddick Tribe of the Wampanoag Nation is a state-acknowledged Tribe within the current State boundaries of Massachusetts. <https://www.chappaquiddickwampanoagtribe.org/>

⁷ State-recognized Tribes within the current State boundaries of Massachusetts include the Herring Pond Wampanoag Tribe and the Hassanamisco Nipmuc Band.

- ☐ Group of individuals (unincorporated association) that may be specifically and substantially affected by a Proceeding
10. Explain how your organization is eligible under this category. Provide a brief description of your organization or unincorporated association and the nature of your work.
11. Are you representing a municipality with a population less than 7,500 applying for funding related to a proceeding for a Large Clean Energy Infrastructure Facility (LCEIF)⁸ or Small Clean Energy Infrastructure Facility (SCEIF)⁹ within your boundaries?
- ☐ Yes. Please list the municipality(ies):_____. (If you check this box, then you do not have to respond to questions 12 and 13.)
 - ☐ No
12. Have you previously intervened in a Department or Board Proceeding?
- ☐ Yes. Please provide the docket #, case caption, and brief description of your participation in the last 5 Proceedings
 - ☐ No
13. Provide a narrative to demonstrate that participating in this proceeding presents a Significant Financial Hardship without receiving Grant funds. The narrative should include, if applicable, the number of staff, the current fiscal year total budget, the number of months of operating reserve available, unallocated funds or grants that may be available for interventions, and Form 990 for non-profit organizations with federal tax-exempt status.
- a. If you are applying as a group of individuals (unincorporated association), provide a self-attestation including the name and address of all individuals in the group requesting funding, the number of additional volunteers/supporters if applicable, and a narrative to demonstrate the level of financial hardship.

<https://www.mass.gov/news/governor-healey-signs-executive-order-granting-state-recognition-to-herring-pond-wampanoag-tribe>, <https://nipmuc.gov/who-we-are-2/>

⁸ LCEIF means Large Clean Energy Infrastructure Facilities as defined in M.G.L. c. 164, § 69G and 980 CMR 13.01(5).

⁹ SCEIF means Small Clean Energy Infrastructure Facilities as defined in M.G.L. c. 164, § 69G and 980 CMR 13.01(5).

14. Provide a narrative describing the position and nature of interest you represent in the Proceeding. If applicable, include a summary of questions and concerns raised during pre-filing engagement meetings.
15. Provide a statement describing how you will substantially contribute to the Proceeding including developing the evidentiary record. Please address your planned impact on the Proceeding.
16. Provide a clearly stated, achievable, and reasonable plan outlining the breadth and scope of your anticipated participation in the Proceeding and describe how the Grant will be used. Please also address which components of the Proceeding you will be participating in, e.g., presenting evidence/testimony, cross-examining witnesses, filing briefs, presenting oral arguments, etc.
17. What unique perspective would you bring to the Proceeding that is not adequately addressed by other parties to the Proceeding?

D. Projected Costs

The Grant award for a Proceeding is limited to up to \$150,000 for each party and \$500,000 per proceeding. The Director of the Division has the discretion to increase both the Grant award to a Grantee and the aggregate amount awarded for a single Proceeding past these thresholds or provide a Grant in addition to the amount initially awarded to the Grantee if good cause is demonstrated by the Grantee or if new, novel, or complex issues have arisen in a proceeding since the initial Grant Application was approved.

You may request compensation for reasonable legal fees, reasonable expert witness fees (including community experts),¹⁰ and other reasonable costs of preparation for and participation in a proceeding. Once the Grant Application is approved, Grant payment may be requested upfront before costs are incurred or as reimbursements as costs are incurred during the proceeding. Upon a showing of good cause, up to ten percent of the total Grant amount can be awarded upfront before costs are incurred.

Up to ten percent of the Grant may be used for non-legal, non-expert, and non-consultant administrative costs associated with participation in the proceeding. Administrative costs may include costs associated with drafting the grant application, where a third party (e.g., a consultant) was hired to complete the application. If the Grant application is approved and a third party was used for the application, the Grantee may request no more than five percent of the total Grant amount as reimbursement.

¹⁰ Members of an affected community, including residential ratepayers and residents with relevant lived experience who will serve as subject matter experts on issues specific to their community.

All Grantees must have a tax identification number and register with the Commonwealth of Massachusetts Comptroller's Office to receive the Grant award. An unincorporated group of individuals applying for an award may partner with a fiscal sponsor to receive the Grant award.

18. Provide the total amount of funds sought:
19. Attach your proposed budget, including an itemized estimate of costs and fees of anticipated attorneys, consultants, experts (including Community Experts) and all other costs related to preparation for or participation in the Proceeding.
20. Attach background information (e.g., qualifications, any previous experience participating in a Department/Board Proceeding, and resume) for attorneys, consultants, and experts (including community experts) that you plan to hire and the services each will provide.
21. If your Grant application is approved, will you seek:
 - ☐ Advance payment before costs are incurred
 - ☐ Reimbursement after costs are incurred

E. Reporting Requirement

22. Within 30 calendar days of completion of a Proceeding in which a Grantee has received Grant funds through the Program, the Grantee shall submit a report that identifies:
 - (a) The specific and itemized use of the Grant during the Proceeding;
 - (b) The significant contribution provided by the Grantee's participation; and
 - (c) A demonstration that the Grantee's participation in the Proceeding and use of funding did not cause a delay.

If a Grantee appeals a Board or Department final decision, the Grantee shall have an additional 30 calendar days from the deadline for appeal to submit the report. Grant funds shall not be used to pursue an appeal of a Board or Department final decision.

23. Any unused funds shall be returned to the Department within 30 calendar days after the deadline for appeal or by Order of the Director.

F. Signature by Authorized Representative

I am an authorized representative of _____ and declare under penalty of perjury that the information provided in the Grant Application is true and correct. I agree to provide, upon request, additional information or documentation to the Division.

Name of signatory:

Title:

Date: