



The Commonwealth of Massachusetts

DEPARTMENT OF PUBLIC UTILITIES

TO: Service List, D.P.U. 22-59

VIA: Electronic Mail Only

FROM: Donna C. Sharkey, Esq., Hearing Officer

RE: Cranberry Point Energy Storage, LLC – Procedural Notice

DATE: May 11, 2023

CC: Mark D. Marini, Department Secretary

PROCEDURAL NOTICE

On August 27, 2021, Cranberry Point Energy Storage, LLC (“Cranberry Point” or the “Company”) filed a petition (“Siting Petition”) with the Energy Facilities Siting Board (“Siting Board”), pursuant to G.L. c. 164, § 69J¼, to construct a 150 megawatt, 300 megawatt-hour, battery energy storage system and ancillary electrical equipment to be located on a six-acre parcel of land at 31R Main Street, Carver, Massachusetts (the “Project”). The Siting Petition was docketed as EFSB 21-02. On May 11, 2022, Cranberry Point filed a petition with the Department of Public Utilities (the “Department”), pursuant to G.L. c. 40A, § 3, seeking a comprehensive exemption from the operation of the Zoning Bylaws for the Town of Carver in connection with the Project (the “Zoning Petition”). The Department docketed the Zoning Petition as D.P.U. 22-59. The proposed six-acre Project consists of undeveloped land located south of NSTAR Electric Company d/b/a Eversource Energy’s (“Eversource”) existing Carver Substation, east of an existing electrical right-of-way, north and west of cranberry bogs. Cranberry Point proposes to install lithium-ion batteries located inside above-ground self-contained enclosures as part of the Project. Cranberry Point plans to interconnect the Project with the electric transmission system at an existing Eversource transmission line.

Under the authority provided by G.L. c. 25, § 4, the Department referred the Zoning Petition to the Siting Board, which was then consolidated with the Siting Board Petition. Cranberry Point Energy Storage, LLC, EFSB 21-02/D.P.U. 22-59, Referral and Consolidation Order (June 1, 2022). In reviewing the Zoning Petition to date, the Siting

Board has applied Department and Siting Board standards in a consistent manner, as required by G.L. c. 164, § 69H(2). The Siting Board provided notice of the Project and conducted two public comment hearings, on November 8, 2021, and July 12, 2022. The Siting Board issued a ruling on intervention on May 6, 2021, and issued a supplemental ruling on intervention on August 22, 2022. On May 10, 2023, pursuant to G.L. c. 164, § 69J¼, the Siting Board voted to dismiss for lack of subject matter jurisdiction the Company's Siting Petition. <https://www.mass.gov/media/2591631/download> The Siting Board relinquished its jurisdiction over the Company's Zoning Petition and returned the review of the matter to the Department.

A Notice of Department Proceeding is attached to this Procedural Notice.

Department Proceeding in D.P.U. 22-59

The Department will treat all existing intervenors and limited participants in EFSB 21-02/D.P.U. 22-59 as intervenors and limited participants, respectively, in the Department's continuing review of D.P.U. 22-59.

The Department hereby incorporates the full administrative record of EFSB 21-02/D.P.U. 22-59, including all filings, rulings, responses to discovery, comments, transcripts, and briefs, into the docket for D.P.U. 22-59. Further, I intend to move the Company's filing, all testimony and associated exhibits, and responses to discovery in the attached Exhibit List (dated April 25, 2023) into evidence in D.P.U. 22-59. The deadline to file any objections to moving the identified exhibits from EFSB 21-02/D.P.U. 22-59 into evidence in this proceeding is **May 19, 2023**.

Further, I am providing an opportunity for parties and limited participants to file supplemental briefing in the Department docket. Supplemental briefs are due **May 26, 2023**.

Please contact me with any procedural questions at: donna.sharkey@mass.gov or by voice mail at (617) 305-3625.