



# The Commonwealth of Massachusetts

## DEPARTMENT OF PUBLIC UTILITIES

### NOTICE OF PUBLIC HEARING AND REQUEST FOR COMMENTS

D.P.U. 21-04

February 18, 2021

Investigation of the Department of Public Utilities, on its own motion, instituting a rulemaking pursuant to G.L. c. 30A, § 2, G.L. c. 164, § 148, and 220 CMR 2.00, to promulgate 220 CMR 105.00: Use of Professional Engineers for Gas Utility Work.

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On December 31, 2018, Governor Baker signed as an emergency law Chapter 339 of the Acts of 2018, An Act Further Providing for the Safety of the Commonwealth's Natural Gas Infrastructure ("Act"). Section 2 of the Act amended G.L. c. 164 by adding Section 148, which requires the stamp of a professional engineer on "any engineering plans or specifications for engineering work or services that could pose a material risk to public safety," as determined by the Department of Public Utilities ("Department"). Section 2 of the Act further states that the Department "may promulgate regulations as necessary to implement this section." Thus, following the solicitation and review of comments on this matter in Inquiry into the Use of Professional Engineers by Natural Gas Companies, D.P.U. 19-34, the Department has issued an Order instituting this rulemaking pursuant to G.L. c. 30A, § 2 and 220 CMR 2.00, for the purpose of adopting uniform requirements regarding the use of professional engineers by local gas distribution companies, pursuant to G.L. c. 164, § 148. The Department has docketed this matter as D.P.U. 21-04, and the regulations are to be promulgated as 220 CMR 105.00: Use of Professional Engineers for Gas Utility Work. A copy of the Department's Order and Proposed Regulations and Guidelines may be viewed on the Department's website as referenced below.

**Because of the COVID-19 state of emergency issued by Governor Baker on March 10, 2020, and certain ongoing restrictions and safety measures relating to in-person events, the Department will conduct a virtual public hearing to receive comments on the rulemaking.** The Department will conduct the hearing using Zoom videoconferencing on **Thursday, April 8, 2021**, beginning at 10:00 a.m. Attendees can join by entering the link, <https://zoom.us/j/93992307643>, from a computer, smartphone, or tablet. For audio-only access to the hearings, attendees can dial in at **1 (312) 626-6799** (not toll free) and then enter ID# 939 9230 7643. If you anticipate providing comments during the public hearing, please send an email by **Thursday, April 1, 2021**, to [Laurie.E.Weisman@mass.gov](mailto:Laurie.E.Weisman@mass.gov) with your name, email address, and mailing address, or leave a voicemail message by

**Thursday, April 1, 2021**, at (617) 305-3721 with your name, telephone number, and mailing address.

Any person interested in commenting may also submit written comments to the Department no later than 5:00 p.m. on **Thursday, April 1, 2021**. Written reply comments must be filed no later than 5:00 p.m. on **Thursday, April 15, 2021**. Written comments and reply comments shall be limited to a maximum of ten one-sided, double-spaced, typewritten pages.

At this time, all filings will be submitted only in electronic format in recognition of the difficulty that parties and the Department may have filing and receiving original copies because of the state of emergency and ongoing limitations related to the COVID-19 pandemic. Parties must retain the original paper version, and the Department will later determine when the paper version must be filed with the Department Secretary.

All documents must be submitted to the Department in **.pdf format** by e-mail attachment to [dpu.efiling@mass.gov](mailto:dpu.efiling@mass.gov) and [Laurie.E.Weisman@mass.gov](mailto:Laurie.E.Weisman@mass.gov). The text of the e-mail must specify: (1) the docket number of the proceeding (D.P.U. 21-04); (2) the name of the person or company submitting the filing; and (3) a brief descriptive title of the document. The electronic filing should also include the name, title, and telephone number of a person to contact in the event of questions about the filing. The electronic file name should identify the document but should not exceed 50 characters in length. Importantly, all large files submitted must be broken down into electronic files that do not exceed 20 MB. All documents submitted in electronic format will be posted on the Department's website through our online File Room as soon as practicable (enter "21-04") at: <https://eeaonline.eea.state.ma.us/DPU/Fileroom/dockets/bynumber>.

At this time, documents filed in this proceeding will not be available for public viewing at the Department because of the state of emergency. All documents, pleadings, or filings submitted to or issued by the Department will be available on the Department's website as referenced above as soon as practicable. To the extent a person or entity wishes to submit comments in accordance with this Notice, electronic submission, as detailed above, is sufficient. To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), contact the Department's ADA coordinator at [DPUADACoordinator@mass.gov](mailto:DPUADACoordinator@mass.gov). For further information regarding this notice, please contact Laurie Ellen Weisman, Hearing Officer, Department of Public Utilities, at [Laurie.E.Weisman@mass.gov](mailto:Laurie.E.Weisman@mass.gov) or (617) 305-3721.

By Order of the Department,

/s/

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Mark D. Marini, Secretary