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DEPARTMENT OF PUBLIC UTILITIES

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May 29, 2024

VIA EMAIL

Michael D. Hurley  
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Dear Clerks Hurley and James:

Pursuant to Section 2 of Chapter 25 of the Massachusetts General Laws, the Department of Public Utilities ("Department") hereby submits its 2023 Annual Report to the Massachusetts General Court. This Report summarizes the Department's activities from January 1, 2023 through December 31, 2023.

Sincerely,

/s/  
Teddy Echeverria  
Chief of Staff

Enc.

cc. Rebecca L. Tepper, Secretary, Energy and Environmental Affairs  
James M. Van Nostrand, Chair, Department of Public Utilities  
Cecile M. Fraser, Commissioner, Department of Public Utilities  
Staci Rubin, Commissioner, Department of Public Utilities  
Johannes Buchanan, Assistant Secretary for Government Relations, Energy and Environmental Affairs



# DEPARTMENT OF PUBLIC UTILITIES ANNUAL REPORT

2023

*SUBMITTED TO THE GENERAL COURT OF THE COMMONWEALTH OF  
MASSACHUSETTS PURSUANT TO G.L. c. 25, § 2*

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## INTRODUCTION

The Massachusetts Department of Public Utilities (the “Department” or “DPU”) is responsible for oversight of investor-owned electric power, natural gas, and water utilities in the Commonwealth. In addition, the DPU is charged with developing alternatives to traditional regulation, monitoring service quality, regulating safety in the transportation and gas pipeline areas, and the siting of energy facilities. The mission of the DPU is to ensure that consumer rights are protected and that utility companies are providing the most reliable service at the lowest possible cost. The DPU seeks to promote safety, security, reliability of service, affordability, equity, and greenhouse gas (“GHG”) emissions reductions.

The Department is overseen by the three-member Commonwealth Utilities Commission appointed by the Secretary of the Executive Office of Energy and Environmental Affairs with approval by the Governor. The Secretary designates one of the Commissioners as Commission Chair. For most of 2023, the Commission was composed of Chair James M. Van Nostrand, Commissioner Cecile M. Fraser, and Commissioner Staci Rubin. Commissioner Fraser has served on the Commission since 2017. Commissioner Rubin’s service on the Commission commenced on April 10, 2023, while Chair Van Nostrand joined the Commission on May 1, 2023.

In 2023, the Department issued 604 Orders. In terms of significant orders, the Commission in August 2023 issued an order in D.P.U. 23-67 to open an investigation to establish municipal aggregation guidelines, with the goal of creating a more efficient and streamlined process for Massachusetts cities and towns to establish municipal aggregation programs. Since then, the Department issued seven Orders approving municipal aggregation plans. These orders addressed plans for Burlington, North Brookfield, Mendon, Weston, Chelsea, Beverly, Sherborn, Quincy, Andover, Malden, Medfield, Boxford, Belchertown, Hanson, Canton, and Wayland allowing those municipalities to aggregate the electrical load of customers for the purpose of purchasing competitive power supply while ensuring appropriate consumer protection. In September 2023, the Commission issued an order in D.P.U. 23-50 that changed the basic service procurement and pricing schedules for Eversource and National Grid such that the new pricing period separates the most expensive months of January and February. This change ensures that the basic service customers of the Electric Distribution Companies (“EDCs”) will experience more predictable and consistent rates regardless of the time of year. In December 2023, the Commission issued an order in D.P.U. 20-80, commonly referred to as the “Future of Gas” proceeding. The Order on Regulatory Principles and Framework assessed the role of natural gas distribution companies (“LDCs”) in meeting the Commonwealth’s 2050 climate targets and strategized a shift towards clean energy. Among other things, Order 20-80-B requires LDCs to consider non-gas pipe alternatives to gas expansion projects and restricted cost recovery for promoting natural gas use. Additionally, it mandates that LDCs file Climate Compliance Plans every five years to demonstrate a pathway to compliance with the state’s GHG emissions limits.

The Department also approved notable rate reductions in gas and electricity. In February, the Department issued an Order approving reductions in gas supply rates for most customers across the Commonwealth. On average, the decreases resulted in a monthly bill decrease of about 4-5%



for a typical residential heating customer. In March, the Department approved reductions in electric basic service rates for National Grid electric customers. On average, the reductions resulted in a monthly bill decrease of about 40% for a typical residential customer. In May, the Department approved reductions in electric basic service rates for Eversource customers. On average, the reductions resulted in a monthly bill decrease of about 18.6% and 22.9% for a typical residential customer in Eversource-West and Eversource-East service territories, respectively. In June, the Department approved a similar reduction for Unitil customers, resulting in a monthly bill decrease of about 0.5% for a typical residential customer.

Throughout 2023, the Department maintained its oversight responsibilities, including investigating consumer complaints, conducting field inspections, running background checks for Transportation Network Company drivers, and holding public hearings. The Rail Transit Safety Division achieved noteworthy successes, resolving seven of 20 required corrective actions issued by the Federal Transit Administration. The Pipeline Safety Division received a perfect score of 100 from the United States Department of Transportation's Pipeline and Hazardous Materials Safety Administration ("PHMSA") in its annual audit of the Pipeline Safety Program, a significant improvement during the period following the 2018 Merrimack Valley incident.

The Commissioners were also involved in several working groups or committees formed at the direction of the legislature or in response to executive orders. Chair Van Nostrand was a member of the gas system enhancement plan ("GSEP") working group, which was convened pursuant to Section 68 of Chapter 179 of the Acts of 2022 ("2022 Clean Energy Act"). Chair Van Nostrand, along with Jason Marshall, Deputy Secretary & Special Counsel at the Executive Office of Energy & Environmental Affairs, co-chaired the Clean Energy Transmission Working Group, which was convened pursuant to Section 71 of the 2022 Clean Energy Act. Commissioner Rubin serves on the Electric Vehicle Infrastructure Coordinating Council, which was established pursuant to Section 81 of the 2022 Clean Energy Act to implement an electric vehicle charging infrastructure deployment plan. Commissioner Rubin also represents the Department on the staff working group supporting the Commission on Clean Energy Infrastructure Siting and Permitting, which was convened pursuant to Executive Order No. 620, issued by Governor Maura Healey on September 26, 2023. Finally, Chair Van Nostrand joined members of the Joint Committee on Telecommunications, Utilities, and Energy in Pittsfield for a hearing related to the Department's role in setting rates for the EDCs. In this hearing, the Chair affirmed the Department's vital rate-setting role and commitment to ensuring all investments made by EDCs are prudently incurred.

The Department is pleased to submit this Annual Report pursuant to G.L. c. 25, § 2. The Annual Report that follows summarizes the responsibilities of the various Divisions within the Department, provides information regarding the day-to-day functions of the agency, and outlines the major activities and accomplishments of 2023.

## CONSUMER DIVISION

### Overview

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The Consumer Division is the Department's primary link with utility customers. The Consumer Division works to ensure that customers, utilities, and the public receive fair and equitable treatment through education, complaint resolution, and evaluation of utility compliance with consumer protection rules and policies. The Consumer Division educates the public and utilities about customer rights and responsibilities, investigates and resolves disputes between customers and utilities, and evaluates utilities' compliance with the Commonwealth's statutes, Department regulations, orders, and the utilities' terms and conditions for service. The Consumer Division conducts informal hearings as appropriate to try to resolve customer complaints against their respective utility companies.

### Responsibilities

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#### Investigation and Resolution of Customer Complaints

The Consumer Division is available to assist customers in resolving problems they are having with their utility providers. Most complaints are made by phone, but are also received by mail, email, and via the Department's website. The majority of the complaints concern billing disputes, credit issues, or poor quality of service allegations. In those cases when the utility company is found to be at fault, the Consumer Division will order the company to correct the problem and make any necessary bill adjustments. In 2023, the Consumer Division received 8,446 total complaints from consumers that resulted in 4,469 referrals and 3,977 cases being investigated and utilities directed to make \$502,784.67 in adjustments to return funds to customers.

If a customer or utility company is not satisfied with the resolution of a complaint filed with the Consumer Division with respect to residential billing and service termination issues, either party may request an informal hearing. An informal hearing for a residential complaint is conducted by a Consumer Division Hearing Officer. Parties may appeal the Hearing Officer's decision to the Department's Commission.

#### Utility Monitoring

The Consumer Division collects extensive data about the quality of service that utility customers receive. This data is used to generate monthly reports, which include cases, inquiries, and bill adjustment amounts and their percentage increase or decrease in the previous 12-month average. The reports compare companies using measures such as the number of residential complaints per 1,000 customers and the total number of complaints per month. The Consumer Division reviews

complaints against third party suppliers to evaluate whether to grant energy supply licenses and renewals.<sup>1</sup>

To ensure compliance with Department regulations and policies, Consumer Division staff review documents pertaining to billing, protections from shutoffs, policies on abatements, and other areas of consumer protection. The Consumer Division also reviews utility billing materials and notices. The Consumer Division reviews bill format changes, bill inserts and notices – including rate change notices – as well as informational letters sent to customers. The Consumer Division may recommend changes to notices, where necessary, to ensure that customers are provided clear and accurate information.

### **Municipal Aggregation**

Massachusetts General Law c. 164, § 134 authorizes municipalities to aggregate the electrical load of customers within their borders to procure competitive supply of electricity. The Director of the Consumer Division participates in reviewing the implementation of aggregation plans and notices to customers to ensure appropriate customer education and outreach.

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<sup>1</sup> Massachusetts customers may choose to obtain electric and gas supply from a competitive supplier other than from their local distribution utility. The Department annually certifies the suppliers and agents selling this competitive supply.

## DIVISION OF REGIONAL AND FEDERAL AFFAIRS

### Overview

The Division of Regional and Federal Affairs (“DRFA”) is responsible for overseeing the Department’s involvement and coordination with regional and federal stakeholders on critical energy issues. DRFA actively monitors ISO-NE transmission planning, operations, and administration of competitive wholesale markets, and actively engages in ISO-NE’s stakeholder processes, including monitoring and participating in the ISO-NE Planning Advisory Committee and various New England Power Pool (“NEPOOL”) technical committees (i.e., Markets Committee, Reliability Committee, Transmission Committee, Participants Committee, and other working groups). DRFA also participates in national and regional policy groups, including the National Association of Regulatory Utility Commissioners (“NARUC”), the Eastern Interconnection States’ Planning Council (“EISPC”), the New England Conference of Public Utility Commissioners (“NECPUC”), and the New England States Committee on Electricity (“NESCOE”). Finally, DRFA monitors, oversees, and actively engages in proceedings before the Federal Energy Regulatory Commission (“FERC”), as well as other federal agencies that relate to system reliability and/or issues with cost implications for Massachusetts electric and gas consumers.

### Legal Proceedings

Over the course of 2023, DRFA has been involved in matters before the federal courts and FERC, representing Massachusetts’ view on issues affecting system reliability, clean energy development, and consumer costs. The following is a sampling of DRFA activities in these matters:

- Successfully opposed a petition that sought to have FERC start an enforcement action against Massachusetts State Agencies’ implementation of the Public Utility Regulatory Policies Act (“PURPA”);
- Filed post-forum comments on FERC’s 2023 New England Winter Gas Electric Forum regarding the Everett Marine Terminal (“EMT”);
- Drafted, edited, and coordinated an answer filed by NECPUC to support a rehearing request related to implementation of FERC Order 2222;
- Supported and contributed to NESCOE’s comments on a range of FERC issues, including:
  - FERC’s rulemaking on Backstop Transmission Siting (Docket No. RM22-7);
  - FERC’s proceeding on Transmission Planning and Cost Management (Docket No. AD22-8-000); and
  - ISO-NE’s Filing to Enable Storage as a Transmission-Only Asset (Docket Nos. ER23-739 and ER23-743).
- Followed appeals of relevant FERC orders underway in Federal courts;
- Monitored FERC’s monthly open meetings;

- Monitored FERC technical conferences on a broad range of issues including gas-electric coordination, transmission planning and cost management, transmission planning requirements for extreme weather, and electric reliability standards; and
- Participated in FERC-state briefings on key FERC orders.

## Transmission

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Bulk power transmission continued to command DRFA's attention in 2023. At the federal level, FERC issued Order 2023 (Docket No. RM22-14) containing new policies and rules addressing wholesale generator interconnection. Order 2023 requires transmission providers ("TPs") to:

- Revise/update the pro forma generator interconnection procedures and agreements to increase the speed and efficiency of interconnection queue processing by requiring TPs to adopt a first-ready (as opposed to first come), first-served cluster study process and to impose more stringent financial commitments and readiness requirements for interconnection customers to remain in the queue;
- Eliminate the "reasonable efforts" standard for completing interconnection studies, implement an affected systems study process, and offer an optional resource solicitation study process;
- Incorporate technological advancements into the interconnection process by requiring TPs to allow more than one resource to co-locate on a shared site behind a single point of interconnection and share a single interconnection request, and allowing interconnection customers to add a generating facility to an existing interconnection request under certain circumstances without automatically losing their queue position; and
- Ensure that non-synchronous resources are better able to support reliability by updating modeling and performance requirements to require non-synchronous generators to continue providing power and voltage support during grid disturbances.

Order 2023 directs ISO-NE to make a compliance filing with FERC implementing many changes to ISO-NE's existing tariff interconnection processes and rules. ISO-NE is developing its compliance filing and expects to file it with FERC in 2024. DRFA actively participated in review of ISO-NE's proposed compliance filing throughout 2023.

In 2023, DRFA participated in several other efforts to reform transmission planning processes in New England, including the following:

- As noted in the 2021 DPU Annual Report, in response to the NESCOE Vision Statement in 2022, ISO-NE completed a stakeholder process and filed with FERC for approval to revise its tariff to permit ISO-NE to implement a state-led, proactive scenario-based planning process for longer-term analysis of state mandates and policies as a routine regional transmission planning practice (i.e., the Phase 1 tariff change). FERC approved the Phase 1 tariff change in February 2022. Using this new tariff mechanism, ISO-NE, in coordination with NESCOE, undertook a comprehensive long-term regional transmission planning study to inform all stakeholders of the amount and type of transmission infrastructure needed to cost-effectively integrate clean energy resources and distributed energy resources ("DERs") across the region to meet New England states' energy policy requirements and goals (the "2050 Transmission Study"). ISO-NE completed the 2050

Transmission Study in 2023. The Study identifies long-term regional transmission needs, possible solutions to identified high likelihood transmission needs, and high-level cost estimates. The New England states, working together through NESCOE, then turned their attention to work with ISO-NE to develop a Phase 2 tariff process that will allow the states to act upon proposed solutions that ISO-NE may identify via Phase 1 planning studies such as the 2050 Transmission Study. The Phase 2 tariff process defines a project selection and cost allocation process that would be included in ISO-NE's FERC approved tariff. The states have been actively working with ISO-NE and other stakeholders to develop this process and prepare the tariff language for a FERC filing in early 2024.

- The states, again working through NESCOE, initiated a process designed to reform the process by which New England transmission owners ("TOs") undertake asset condition projects which are upgrades or replacement of existing transmission facilities to address reliability needs. The number and cost of these asset condition projects has grown significantly over time and the existing process provides insufficient opportunity for states and other stakeholders to review and meaningfully participate in their planning and oversight. The states through NESCOE have requested the TOs to provide greater information and justification for asset condition project need, selected solutions and cost oversight. The TOs are in the process of implementing important reforms to the existing asset condition project process.
- The Clean Energy Transmission Working Group ("CETWG") was established as part of the requirements of [Section 71 of Chapter 179 of the Acts of 2022](#) ("2022 Clean Energy Act") to assess and report to the general court on any necessary transmission infrastructure upgrades that may be required to support the deployment of clean energy projects that may interconnect into the Commonwealth for the benefit of residents of the Commonwealth and the region, including but not limited to offshore wind projects. The 2022 Clean Energy Act designated the Chair of the Department and the Commissioner of the Department of Energy Resources to serve as co-Chairs of the CETWG. DRFA staff supported the CETWG in many areas, including developing bylaws and voting protocols, identifying and organizing topical areas for investigation, preparing public meeting agendas and meeting materials, developing the legislative report outline, working with members to prepare initial drafts of report chapters, and preparing drafts and final versions of the report. The CETWG delivered its final report to the legislature in late December 2023.

## Other Matters

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In 2023, DRFA participated actively in several efforts to reform regional wholesale markets to ensure that they appropriately incentivize the economic entry of new clean energy resources while ensuring system reliability in a future grid featuring new energy technologies and changing consumer demands driven by state energy and environmental laws and policies. Market reform examples include: (1) the Resource Capacity Accreditation project by which ISO-NE will revise its methodology to assess, measure, and plan for the adequacy of the capacity resources it buys through the forward capacity market; (2) consideration of moving from a three-year forward to a prompt (spot) and/or seasonal capacity market; and (3) finalization of a new Day-Ahead

Ancillary Services Market that will allow ISO-NE to procure ancillary service capabilities needed for it to respond quickly to fluctuations in net load during the operating day. In these areas, DRFA worked with EEA and NESCOE staff to review analyses, develop Massachusetts' positions, work with other states to identify common 6-state positions, and prepare proposals and/or comments in regional stakeholder technical meetings designed to influence wholesale market rule changes in line with state interests.

DRFA also actively participated in ISO-NE, NEPOOL, and NESCOE projects that have the potential to impact the cost and reliability of electricity for Massachusetts consumers, with a particular focus on efforts directed towards mitigating New England's winter season energy adequacy risk. For example, in June, FERC convened a second New England Winter Gas-Electric Forum ("Forum") in Portland, Maine "to discuss possible solutions to the electricity and natural gas challenges facing the New England Region." After the Forum, DRFA worked in conjunction with the other New England states to develop NESCOE's comments to FERC. As mentioned above, DRFA also worked with the Department's Legal and Gas Divisions to develop and file comments with the FERC addressing the potential need for the Commonwealth's gas utilities to contract for services from EMT. The Department's comments provided: (1) a brief background and recent Department actions regarding EMT; (2) a summary of responses from Massachusetts local distribution companies ("LDCs") to the Department's information requests; and (3) potential next steps. DRFA continues to participate in the Department's investigation of EMT-related matters with the LDCs.



## ELECTRIC POWER DIVISION

### Overview

The Electric Power Division (“EPD”) provides technical support to the Department in the regulation of the Commonwealth’s four investor-owned electric distribution companies (“EDCs”): Fitchburg Gas and Electric Light Company, d/b/a Unitil; Massachusetts Electric Company (“MECo”) and Nantucket Electric Company (“Nantucket Electric”), each d/b/a National Grid;<sup>2</sup> and NSTAR Electric Company (“NSTAR Electric”), d/b/a Eversource Energy (“Eversource”).

The EPD’s primary mission is to ensure that the regulated electric utilities provide their customers with the most reliable service at the lowest possible cost. The EPD also oversees and implements initiatives that encourage clean and renewable energy and is responsible for the development and implementation of the policies and rules resulting from the enactment of the 2008 Green Communities Act (“GCA”), the 2008 Global Warming Solutions Act (“GWSA”), the 2021 Next-Generation Roadmap for Massachusetts Climate Policy Act (“2021 Climate Act”), the 2022 Clean Energy Act, and other energy and climate related legislation.<sup>3</sup> EPD’s responsibilities fall into three general categories:

1. The provision of electric supply to customers, including competitive supply, municipal aggregation, and basic service;
2. Initiatives, programs, and activities aimed at achieving a more efficient, modernized, and environmentally sustainable electricity system including energy efficiency; distributed generation including renewables and storage, net metering, and interconnection; grid modernization; and electric vehicle charging infrastructure; and
3. Electric distribution system reliability and safety, including storm and emergency response, service quality, and vegetation management.

In addition to these specific categories, EPD staff work with other Department Divisions on larger cases such as distribution company rate cases and merger proposals.

### Electric Supply

Prior to the enactment of Chapter 164 of the Acts of 1997, *An Act Relative to Restructuring the Electric Utility Industry in the Commonwealth, Regulating the Provision of Electricity and Other Services, and Promoting Enhanced Consumer Protections Therein* (the “Electric Restructuring Act”), customers had no choice but to purchase both the delivery and supply components of their

<sup>2</sup> MECo and Nantucket Electric frequently make joint filings.

<sup>3</sup> An Act Relative to Green Communities, Chapter 169 of the Acts of 2008; An Act Establishing the Global Warming Solutions Act, Chapter 298 of the Acts of 2008; An Act Creating a Next-Generation Roadmap for Massachusetts Climate Policy, Chapter 8 of the Acts of 2021; and An Act Driving Clean Energy and Offshore Wind, Chapter 179 of the Acts of 2022; respectively.



electric service from their EDC. The Electric Restructuring Act introduced competition in the Massachusetts electric industry by giving consumers the option to purchase the supply component of their electric service from a competitive retail supplier or through a municipal aggregation program, or to continue receiving electricity procured by their EDC as “basic service.”

## Competitive Power Supply

The Department grants licenses to entities qualified to serve as competitive suppliers<sup>4</sup> and electricity brokers<sup>5</sup> (jointly referred to as competitive supply companies) in the restructured industry. EPD staff reviews license applications to determine whether the applicant has demonstrated, among other things, the financial and technical capability to provide the applicable services. As of year-end 2023, there are 68 licensed competitive suppliers and 267 licensed electricity brokers in Massachusetts.

The Department launched Energy Switch Massachusetts<sup>6</sup> in October of 2016. Energy Switch Massachusetts is an interactive online tool that provides product information to residential and small business electricity consumers seeking to purchase their electric supply from the competitive market. The website allows licensed competitive suppliers to list multiple products to allow consumers to select the energy supply product that best meets their needs. Shoppers can compare products based on price, length of contract, renewable energy resource content, and additional products and services. As of year-end 2023, there are 18 competitive suppliers who have elected to participate on the website to actively market at least one residential product to consumers.

On July 6, 2017, the Department issued its Order in Investigation by the Department of Public Utilities on its own Motion to Establish Interim Guidelines for Competitive Supply Formal Investigations and Proceedings, D.P.U. 16-156A, including interim guidelines, that established the procedures by which it would investigate the performance of competitive supply companies pursuant to our authority under G.L. c. 164, § 1F and 220 CMR 11.07. The interim guidelines provide for both informal reviews (through which a competitive supply company may agree to enter an informal remedial plan with the Department’s Delegated Commissioner<sup>7</sup> to address the issue underlying the complaint) and formal public adjudicatory proceedings (through which the Department may take licensure action, impose civil penalties, execute a remedial plan, or a combination of the three).

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<sup>4</sup> Competitive suppliers are entities that procure electricity from generation facilities at the wholesale level and sell the electricity to consumers at retail cost.

<sup>5</sup> Electricity brokers are entities that facilitate or arrange for the sale of electricity to customers, acting as intermediaries between competitive suppliers and customers.

<sup>6</sup> <http://www.energyswitchma.gov/>

<sup>7</sup> The Delegated Commissioner refers to the commissioner whom the Chairman – with authorization from the Commission – delegates the authority to, among other things, initiate an Informal Review to investigate a competitive supplier’s conduct. D.P.U. 16-156-A, Att. A, Competitive Supply Interim Guidelines, Section 2(2) (2017).

On October 18, 2023, the Department issued an Order in D.P.U. 20-48 approving a settlement with Palmco Power MA, LLC d/b/a Indra Energy regarding a Notice of Probable Violation for deceptive telemarketing.

During 2023, the Delegated Commissioner entered into two agreements with competitive suppliers:

1. The Delegated Commissioner had concerns with one competitive supplier regarding door-to-door marketing activities. The competitive supplier agreed to donate \$5,250 to a charity.
2. The Delegated Commissioner had concerns with one competitive supplier regarding noncompliance with certain notification requirements. The competitive supplier agreed to donate \$15,150 to a charity.

In August 2018, the Attorney General issued a report (updated four times, most recently in May 2023) regarding pricing and marketing concerns in the competitive residential supply market in Massachusetts. As a result of this report and legislative inquiries about it, the Department initiated an investigation into the competitive supply market on January 18, 2019, which is being addressed in phases and is ongoing.<sup>8</sup> The Department announced that it seeks to work with stakeholders to examine initiatives that would:

1. Increase customer awareness of the electric competitive supply market and the value these markets can provide, thus allowing customers to make well-informed decisions;
2. Improve the Department's ability to oversee and investigate competitive suppliers' marketing practices; and
3. Improve the operational efficiency of the electric competitive supply market to optimize the value that the market provides to customers.

## **Municipal Aggregation**

The Electric Restructuring Act also included provisions that allow a municipality (or group of municipalities) to aggregate the electrical load of customers located within its municipal boundary for the purpose of purchasing competitive power supply. A municipality that seeks to implement a "municipal aggregation" plan must receive Department approval before it can select a supplier to serve customers. To help customers better understand their available supply options, a majority of municipal aggregations are also listed on the Department's Energy Switch Massachusetts website.

The number of customers served by municipal aggregations in the Commonwealth has grown substantially, particularly in the last decade. According to data from the Massachusetts Department of Energy Resources ("DOER"),<sup>9</sup> as of September 2023, 47% of residential, 34% of low income and 40% of small commercial and industrial ("C&I") customers are supplied from

<sup>8</sup> Investigation by the Department of Public Utilities on its own Motion into Initiatives to Promote and Protect Consumer Interests in the Retail Electric Competitive Supply Market, D.P.U. 19-07 (2019).

<sup>9</sup> <https://www.mass.gov/info-details/electric-gas-customer-choice-data>

municipal aggregation programs. Between 1999 and 2021, the Department received 262 petitions from municipalities to establish or amend municipal aggregation programs, with 250 of the petitions received since the beginning of 2013. As of December 31, 2023, the Department has approved municipal aggregation plans for 184 municipalities and is currently reviewing another 13 new plans, four relaunched plans, and 16 amended plans (the municipalities that have filed amended plans are currently operating programs). In 2023, the Department received three new petitions. There are 113 municipalities remaining in the Commonwealth that are eligible to establish a municipal aggregation program (*i.e.*, those not served by a municipal electric company that have not already submitted a plan to the Department) but have not done so yet.

## Basic Service

Basic service, formerly known as “default service,” is the retail power supply service that each EDC provides to those customers who choose to not receive such service from the competitive market or a municipal aggregation. Each EDC procures power supply for its basic service customers from the wholesale electricity markets through competitive solicitation processes.

For its residential and small C&I customers, each EDC issues a Request for Proposals (“RFP”) for basic service supply on a semiannual basis. Each solicitation procures fifty percent of the company’s basic service supply requirement for these customers for a twelve-month term. Accordingly, at any point in time, basic service rates for residential and small C&I customers are based on the winning bid prices from the two most recent solicitations. As a result, the fixed basic service rate that an EDC assesses to its residential and small C&I customers typically changes every six months.

For its medium and large C&I customers, a distribution company issues an RFP solicitation for basic service supply on a quarterly basis. Each solicitation procures 100% of the company’s basic service supply requirement for these customers for a three-month term. As a result, the fixed basic service rate that an EDC assesses to its larger C&I customers typically changes every three months.

In addition to procuring power supply for its basic service customers, each EDC (as well as all other licensed retail electricity suppliers) must comply with the state’s various portfolio standard programs.<sup>10</sup> These programs require that certain percentages of the electricity they supply to customers come from renewable and clean energy resources. Compliance with these programs is documented through the purchase and retirement of certificates (or through making Alternative Compliance Payments) generated by qualified renewable and clean energy resources. These

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<sup>10</sup> These include the Renewable Energy Portfolio Standard (“RPS”) Class I program, the RPS Solar Carveout (“SREC”) program, the RPS Solar Carve-out II (“SREC II”) program, the RPS Class II Renewable program, the RPS Class II Waste-to-energy program, the Alternative Energy Portfolio Standard (“APS”), and the Clean Peak Energy Standard (“CPS”) programs administered by DOER, as well as the Clean Energy Standard (“CES”) and CES for Existing Resources (“CES-E”) administered by the Massachusetts Department of Environmental Protection (“MassDEP”).

certificates must be procured in an amount equal to a certain percentage of retail sales to customers, or the obligation must be satisfied through Alternative Compliance Payments.<sup>11</sup>

EPD staff reviews each company's solicitations to ensure that they comply with the Department's rules and regulations and are sufficiently competitive such that the results of the solicitations are consistent with prevailing market conditions.

Wholesale market conditions resulted in failed procurements during 2022 for some of the required basic service solicitations. Consequently, the EDCs filed alternative supply proposals with the Department that allowed for the companies to "self supply." This means that the EDCs purchase hourly energy directly from Independent System Operator New England, Inc. ("ISO-NE") and pass through the costs via existing rate reconciliation mechanisms. The basic service rates are estimated rates at the time the consumer purchases electricity. The Department approved several alternative procurement plans in 2022, including for large C&I customers in Eversource East and National Grid and for residential and small commercial customers in Until's service territory.

On January 4, 2023, the Department opened an investigation (D.P.U. 23-50) to consider potential changes to basic service procurement and pricing due to the failed procurements in 2022. On September 1, 2023, the Department issued Order D.P.U. 23-50-A that changed the procurement and pricing schedules for Eversource and National Grid such that the new procurement and pricing period separates the most expensive months of January and February.

The number of residential electric customers in arrears decreased by 1.5% compared to the same time last year while the number of low-income electric customers increased by 5.7% compared to the same time last year.

## Energy Efficiency

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Massachusetts EDCs have administered and implemented ratepayer-funded energy efficiency ("EE") programs for more than 20 years. Since the passage of the GCA in 2008, gas companies also submit energy efficiency plans to the Department for approval every three years. The EPD reviews the proposed plans to ensure that, among other things:

- The programs are delivered cost-effectively, capturing all available energy efficiency opportunities;
- Administrative costs are minimized to the fullest extent practicable;
- Competitive procurement processes are used to the fullest extent practicable; and
- A minimum of 10% of the electric energy efficiency budget is allocated toward low-income spending, while also being mindful of rate and bill impacts on consumers.

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<sup>11</sup> For example, the RPS Class I requirement in 2023 is that 22% of all retail sales be matched with RPS Class I renewable energy certificates ("RECs") generated by qualified renewable facilities.

On January 31, 2022, the Department approved the 2022--2024 Three-Year- Energy Efficiency Plan for all electric and gas Program Administrators (“PAs”), with modifications.<sup>12</sup> The 2022-2024 Three-Year Plans emphasize strategic electrification, improve equitable access to EE programs by reducing barriers to participation for customers that historically have yet to participate in these programs, and are designed to contribute their share of GHG emissions reductions to achieve the Commonwealth’s aggressive 2030 GHG emissions reduction targets and continue progress towards net--zero emissions by 2050. In 2023, the Department worked on various routine EE-related dockets, such as reviewing prior term reports, annual reports, review of mid-term modification filings, and cost recovery matters. In addition, the Department approved a proposal from the Cape Light Compact JPE to implement a Cape and Vineyard Electrification Offering pursuant to Section 87A of the 2022 Clean Energy Act, in which the Legislature allowed for the PAs to submit proposed low- and moderate-income whole building efficiency, electrification, and GHG reduction offerings to a limited number of participants.<sup>13</sup>

## **Renewable Energy and Storage, Net Metering, and the Interconnection of Distributed Generation**

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### **Introduction**

The GCA and subsequent legislation<sup>14</sup> include provisions on the following policies related to renewable and other distributed energy resources:

- Net metering;
- Customer incentive programs for distributed generation;
- Utility-owned solar;
- Long-term contracts for renewable and clean energy; and
- Interconnection of distributed generation.

### **Net Metering and the Solar Massachusetts Renewable Target (“SMART”) Program**

Net metering refers to the process of measuring and compensating or crediting customers the difference between customer-owned excess electric generation that is exported back to the grid and the electricity purchased by the customer from the distribution company. While net

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<sup>12</sup> D.P.U. 21-120 through D.P.U. 21-129.

<sup>13</sup> Cape Light Compact JPE, D.P.U. 22-137 (2023).

<sup>14</sup> This includes (1) An Act Making Appropriations for the Fiscal Years 2010 and 2011 to Provide for Supplementing Certain Existing Appropriations and for Certain Other Activities and Projects, Chapter 359 of the Acts of 2010; (2) An Act Relative to Competitively Priced Electricity in the Commonwealth, Chapter 209 of the Acts of 2012; (3) An Act Relative to Credit for Thermal Energy Generated with Renewable Fuels, Chapter 251 of the Acts of 2014; (4) An Act Relative to Solar Energy, Chapter 75 of the Acts of 2016; (5) An Act to Promote Energy Diversity, Chapter 188 of the Acts of 2016; (6) An Act to Advance Clean Energy, Chapter 227 of the Acts of 2018; (7) 2021 Climate Act, Chapter 8 of the Acts of 2021; and (8) 2022 Clean Energy Act, Chapter 176 of the Acts of 2022.

metering has existed in some form in Massachusetts since the early 1980s, section 78 of the GCA required the Department to adopt rules and regulations necessary to implement new provisions relating to net metering that substantially expanded the eligibility criteria. The 2021 Climate Act and the 2022 Clean Energy Act also directed the Department to modify some of the net metering rules and regulations.

In addition to further modifying the Commonwealth's net metering rules, Chapter 75 of the Acts of 2016, An Act Relative to Solar Energy, also directed DOER to adopt rules and regulations to establish a new solar incentive program, SMART, and permitted the program to be implemented through the establishment of a tariff. The Department approved the program through the issuance of D.P.U. 17-140-A on September 26, 2018.

Regarding net metering and SMART in 2023, the EPD:

- Continued the operation of a net metering system of assurance;<sup>15</sup>
- Continued work on a rulemaking (D.P.U. 21--100) to implement provisions related to net metering in the 2021 Climate Act;
- Opened a policy investigation (D.P.U. 23-20) to implement revisions to the Department's Single Parcel Rule directed by the 2022 Clean Energy Act;
- Began internal process for a forthcoming rulemaking to implement the provisions of the 2022 Clean Energy Act that require revisions to the net metering regulations;
- Began a review of one petition for an exception from the net metering regulations;
- Continued review of the second phase of changes to the model SMART tariff proposed by the EDCs in a joint petition related to DOER's 2020 program review and rulemaking;
- Reviewed eight applications for Public ID Numbers and 16 blanket exceptions to the net metering rules; and
- Responded to many stakeholder inquiries related to net metering and the SMART program implementation.

## Utility-Owned Solar

In accordance with G.L. c. 164, § 1A(f), the EDCs may construct, own, and operate solar generation facilities and seek approval for cost recovery for those facilities from the Department, subject to certain limitations. In 2016, the Department granted petitions filed by each of the EDCs for approval of their respective programs to construct, own, and operate solar generation facilities, subject to company-specific capacity and program cost caps.<sup>16</sup> Since program approval, the Department individually reviews and approves the final capital costs of each facility constructed under the approved programs before the costs can be recovered from

<sup>15</sup> The website is available at [www.massACA.org](http://www.massACA.org).

<sup>16</sup> The relevant dockets approving each EDC's utility-owned solar programs are: D.P.U. 09-05 and D.P.U. 13-50 (Western Massachusetts Electric Company); D.P.U. 09-38, D.P.U. 14-01, D.P.U. 15-134 and D.P.U. 16-104 (National Grid); D.P.U. 16-05 (Eversource); and D.P.U. 16-148 (Unitil).



ratepayers. The statute sets a 35 MW solar generating capacity limit for each company. Under the Department-approved programs, each EDC has constructed the following:

- National Grid owns and operates approximately 30 MW of solar capacity, across 30 facilities commencing operation between 2010 and 2021, with three facilities paired with storage;
- Eversource owns and operates approximately 70 MW of solar capacity, across 22 facilities commencing operation in 2010 and 2019;<sup>17</sup> and
- Unitil owns and operates one approximately 1.3 MW solar facility, made commencing operation in 2017.

Annually, the Department also reviews reconciliation filings for rate factors allowing recovery of costs associated with each EDC's utility-owned solar program. The costs of the program are offset in part by revenues from the sale of energy, forward capacity market credits, and the sale of RECs.

Section 77 of the 2021 Climate Act permits the EDCs to construct additional solar facilities, within certain parameters. Among other specifications, facilities constructed pursuant to Section 77 must: (1) be constructed on EDC-owned land within municipalities at high risk from the effects of climate change, with a preference for participation by municipalities with environmental justice populations; and (2) be paired, where feasible, with energy storage designed to improve climate adaptation and resiliency or contribute to the Commonwealth meeting its carbon emission limits. Section 77 does not allow an EDC to construct, own, or operate new facilities equaling more than ten percent of the total installed MW capacity of solar generation facilities in the Commonwealth as of July 31, 2020.<sup>18</sup> The Department is currently reviewing two proposals from Eversource: one proposal for two solar-plus-storage facilities on gas operating company-owned land in Brockton (1.89 MW) and Lawrence (1.02 MW), and one proposal for a solar-plus-storage facility on electric operating company-owned land in Yarmouth (2.1 MW).<sup>19</sup>

## Long-Term Contracts for Renewable Energy

Under Section 83 of the GCA, the EDCs were required, after consultation with DOER, to solicit proposals from developers of renewable energy projects and to execute long-term power purchase agreements ("PPAs") for energy and/or RECs to facilitate the development, financing, and construction of these projects, subject to the approval of the PPAs by the Department. The

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<sup>17</sup> This includes 3 facilities with 8 MW of capacity constructed by Western Massachusetts Electric Company.

<sup>18</sup> This results in an installed capacity cap of approximately 286 MW per EDC.

<sup>19</sup> Petition of NSTAR Electric Company d/b/a Eversource Energy for Approval of a Proposed Solar Facility in Yarmouth, Massachusetts Pursuant to St. 2021, c. 8, § 77, D.P.U. 22-64 and Petition of Eversource Gas Company of Massachusetts d/b/a Eversource Energy for Approval of Proposed Solar Facilities in Brockton and Lawrence, Massachusetts Pursuant to St. 2021, c. 8, § 77, D.P.U. 22-65.

Department approved approximately 150 MW of generation for new renewable energy projects for five PPAs submitted by the EDCs in 2011.<sup>20</sup>

Since then, subsequent legislation was enacted to expand the long-term PPA construct and target specific types of renewable energy:

#### Section 83A

Under Section 36 of Chapter 209 of the Acts of 2012, An Act Relative to Competitively Priced Electricity in the Commonwealth, a new and expanded version of Section 83 was enacted – Section 83A – which increases the number of solicitations the EDCs are required to conduct. Section 83A requires each EDC to jointly solicit proposals for long-term contracts of 10 to 20 years in duration from renewable energy developers at least twice during the period from January 1, 2013 through December 31, 2016. If the proposals received are reasonable, each EDC must enter into cost-effective long-term contracts to facilitate the financing of renewable energy generation. On February 26, 2014, the Department approved 12 long-term contracts for three wind energy projects.<sup>21</sup> On June 15, 2018, the Department approved 10 long-term contracts for the procurement of renewable energy and RECs from 10 individual renewable energy projects.<sup>22</sup>

#### Section 83C (Offshore Wind)

Under Section 83C of Chapter 188 of the Acts of 2016, An Act to Promote Energy Diversity (“Energy Diversity Act”), the EDCs are required to jointly and competitively solicit proposals for offshore wind energy generation in Massachusetts and enter into cost-effective long-term contracts equal to approximately 1,600 MW of aggregate nameplate capacity no later than June 30, 2027. Under Chapter 227 of the Acts of 2018, An Act to Advance Clean Energy, the EDCs were required to procure up to 1,600 MW of additional offshore wind energy generation capacity. In 2021, under Section 91 of the 2021 Climate Act,<sup>23</sup> the Legislature increased the total mandatory offshore wind procurements to 5,600 MW.

- On April 12, 2019, in D.P.U. 18-76/18-77/18-78, the Department approved a long-term contract between the EDCs and Vineyard Wind for 800 MW of offshore wind energy generation capacity to be developed in two 400 MW phases (Round I 83C PPAs). On October 21, 2021, the Department approved amendments that extend the critical milestones of the Vineyard Wind contracts.
- On November 5, 2020, in D.P.U. 20-16/20-17/20-18, the Department approved a long-term contract between the EDCs and SouthCoast Wind (f/k/a Mayflower Wind) for 804 MW of offshore wind energy generation capacity to be developed in two

<sup>20</sup> For more information on the PPAs approved by the Department under Section 83, please see D.P.U. 11-05/06/07, D.P.U. 11-12, D.P.U. 11-30.

<sup>21</sup> See D.P.U. 13-146/147/148/149. One of the approved projects was subsequently terminated.

<sup>22</sup> The projects include both wind and solar renewable energy projects. See D.P.U. 17-117/17-118/17-119/17-120.

<sup>23</sup> Also, Sections 69 and 72 of Chapter 24 of the Acts of 2021, An Act Making Appropriations for the Fiscal Year 2022.



approximately 400 MW phases (Round II 83C PPAs). On May 25, 2022, the EDCs submitted the first amendments to the SouthCoast Wind PPAs to move the interconnection and delivery point from Barnstable on Cape Cod to Brayton Point. The Department approved the first PPA contract amendments on December 30, 2022. On August 29, 2023, the EDCs filed the second PPA contract amendments, effectively terminating and releasing SouthCoast Wind from the obligations under the long-term contracts. On September 29, 2023, the Department approved the second contract amendments to the SouthCoast Wind PPAs.<sup>24</sup>

- On May 25, 2022, in D.P.U. 22-70/22-71/22-72, the EDCs filed two long-term offshore wind contracts for approval, including a 1,200 MW contract with Commonwealth Wind and a 405 MW contract with Mayflower Wind, for a total of 1,605 MW of offshore wind generation (Round III 83C PPAs). On December 30, 2022, the Department approved the contracts. On July 13, 2023, the EDCs filed the first contract amendment to the PPA signed with Commonwealth Wind, effectively terminating and releasing Commonwealth Wind from the obligations under the long-term contracts. On August 23, 2023, the Department approved the first contract amendment to the Commonwealth Wind PPAs.<sup>25</sup> On August 29, 2023, the EDCs filed the first contract amendment to the PPAs signed with SouthCoast Wind, effectively terminating and releasing SouthCoast Wind from the obligations under the long-term contracts. On September 29, 2023, the Department approved the first contract amendment to the SouthCoast Wind PPA.<sup>26</sup>
- On May 2, 2023, DOER and the EDCs filed a petition with the Department for approval of an RFP for the fourth solicitation of offshore wind long-term wind energy contracts. DOER and the EDCs seek to procure at least 400 MW and up to 3,600 MW of offshore wind in this solicitation. The RFP allows bidders to provide bids of 200 MW up to 2,400 MW. DOER and the Executive Office of Housing and Economic Development, in consultation with the Independent Evaluator, will select the winning bids.<sup>27</sup> The Department approved the RFP on August 23, 2023. DOER expects to submit the winning bids to the fourth solicitation of long-term offshore wind contracts to the Department for approval by November 2024.

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<sup>24</sup> As a result, SouthCoast Wind will pay the EDCs termination payments that will be credited to the EDCs' customers as follows: \$12,032,350 to Eversource customers; \$10,189,850 to National Grid customers; and \$217,800 to Unitil customers.

<sup>25</sup> As a result, Commonwealth Wind will pay the EDCs termination payments that will be credited to the EDCs' customers as follows: \$25,900,800 to Eversource customers; \$21,619,200 to National Grid customers; and \$480,000 to Unitil customers.

<sup>26</sup> As a result, SouthCoast Wind will pay the EDCs termination payments that will be credited to the EDCs' customers as follows: \$11,678,700 to Eversource customers; \$9,890,100 to National Grid customers; and \$211,200 to Unitil customers.

<sup>27</sup> This will be the first solicitation in which the EDCs will not be a part of the team selecting the winning bids; they will now only provide technical advice.

### Section 83D (Hydroelectric)

Section 83D of the Energy Diversity Act allows the EDCs to solicit proposals and enter into contracts for clean energy generation for an annual amount of electricity equal to approximately 9,450,000 MWh by December 31, 2022.<sup>28</sup>

- On June 25, 2019, in D.P.U. 18-64/18-65/18-66, the Department approved a long-term contract for hydroelectric generation between the EDCs and H.Q. Energy Services (U.S.) Inc., an affiliate of Hydro-Quebec and a transmission service agreement between the EDCs and Central Maine Power Company. The EDCs have filed up to three amendments to the PPAs and/or the transmission service agreement to address transmission delays.

### **Interconnection of Distribution Generation**

Interconnection is the process by which distributed generation (“DG”) is electrically integrated into the electric power system (“EPS”). In May 2019, in response to increasing interconnection requests and DG saturation on the Commonwealth’s distribution system, the Department opened an investigation (D.P.U. 19-55) into the interconnection of DG to ensure an efficient and effective interconnection process that will foster continued growth of DG while ensuring a safe and reliable EPS. In 2022, the Department issued an Order directing the DG and Clean Energy Ombudsperson (“DG Ombudsperson”) to facilitate establishment of an Energy Storage Interconnection Review Group (“ESIRG”).<sup>29</sup> The ESIRG was established in April 2022 and continues to meet regularly.<sup>30</sup> In 2023, the Department issued an Order directing the Ombudsperson to facilitate a stakeholder collaboration to establish an interconnection implementation review group (“IIRG”).<sup>31</sup> The IIRG works in parallel and in coordination with the Massachusetts Technical Standards Review Group (“TSRG”).

Through its investigation in D.P.U. 19-55, the Department identified an imminent issue of high interconnection costs for almost a gigawatt of DG seeking to interconnect to the EPS. As a result, the Department solicited proposals from stakeholders for alternative methodologies to allocate interconnection related costs among DG customers. In February 2020, the Department received six proposals from the EDCs, the Attorney General, and DG Stakeholders. In response, the Department opened a new investigation, D.P.U. 20-75, into (1) distributed energy resource planning, and (2) assignment and recovery of costs for the interconnection of DG. As part of this investigation, the Department developed and released its own proposal, D.P.U. 20-75, Att. A (“Department’s Methodology”), for public comment. Following public comment, several rounds of information requests and a technical conference, the Department issued an Order in

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<sup>28</sup> Clean energy generation is defined as (1) firm service hydroelectric generation; (2) new RPS Class I eligible resources; and (3) new RPS Class I eligible resources firmed up with firm service hydroelectric generation.

<sup>29</sup> Order Establishing Energy Storage Interconnection Review Group, D.P.U. 19-55-E (2022).

<sup>30</sup> <https://ngus.force.com/s/article/Energy-Storage-Interconnection-Review-Group>

<sup>31</sup> Order Establishing Interconnection Implementation Review Group, D.P.U. 19-55-F (2023).

November 2021, establishing a provisional program for planning and funding essential upgrades to the EPS to foster timely and cost-effective development and interconnection of DG.

The provisional framework allows the EDCs to file certain EPS infrastructure upgrade proposals, known as capital investment projects (“CIPs”), with the Department that limit the interconnection costs allocated to each DG facility. Under the provisional design, customers will help fund the initial construction of the EPS upgrades but will be reimbursed in part over time from fees charged to future DG facilities that are able to interconnect due to the prior upgrades. This new pathway should help facilitate an equitable allocation of costs and remove barriers to the Commonwealth’s progress to a clean energy future. The Department received eight CIP proposals in 2022 and three CIP proposals in 2023. The Department issued its first Order in the provisional program on December 30, 2022, approving the CIP proposal filed by Eversource for the Marion-Fairhaven Group -Study.<sup>32</sup> The CIP will cost an estimated \$119 million, of which \$54 million will be borne by DG facilities, at a cost of \$385 per kW of installed capacity. The remaining \$65 million will be borne by ratepayers and is expected to increase rates by 0.1% to 0.2%, or 24¢ per month for the average residential customer using 516 kWh per month across all Eversource territories. The CIP will enable 141 MW of DG projects. The Department intends to issue Orders addressing the remaining ten CIP proposals as soon as practicable.

The 2022 Clean Energy Act established a new process and requirements for long-term electric system planning, including a directive for the EDCs to submit Electric Sector Modernization Plans (“ESMPs”) with input, review, and recommendations from the Grid Modernization Advisory Council.<sup>33</sup> The 2022 Clean Energy Act effectively establishes a statutory, long-term system planning requirement to facilitate development of renewable energy and distributed energy resources within the Commonwealth and to accommodate their integration into the EPS.<sup>34</sup> The EDCs will finalize and file their ESMPs with the Department no later than January 29, 2024.

In addition to its investigations, the DG Ombudsperson and Department staff:

- Respond to stakeholder inquiries, concerns and complaints related to DG interconnection;
- Facilitate and review the “good faith negotiation” of parties involved in interconnection disputes pursuant to the process set forth in the DG Interconnection Tariff and offer independent problem solving;

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<sup>32</sup> NSTAR Electric's Marion-Fairhaven Capital Investment Project Proposal, D.P.U. 22-47 (2022).

<sup>33</sup> In addition, the 2022 Clean Energy Act required the EDCs to submit an electric rate tariff with the Department, which addresses operational parameters, to apply to energy storage systems interconnected to their distribution system. On October 31, 2023, the EDCs submitted their respective tariffs for review before the Department.

<sup>34</sup> As a result of the 2022 Clean Energy Act requirements, the Department found that its continued investigation of long-term system planning program in D.P.U. 20-75 was moot. Accordingly, the Department suspended its investigation and closed the proceeding. Order Closing Investigation of Long-Term System Planning Program, D.P.U. 20-75-C (2022).

- Attend and participate in the TSRG, an ongoing effort to address various interconnection-related technical challenges (the Department’s Ombudsperson is an *ex officio* member of the TSRG);
- Work with stakeholders and the EDCs to identify and resolve issues related to DG interconnection not appropriate for resolution through docketed matters; and
- Work with stakeholders, other government agencies, and external organizations to explore innovative efficiencies for the interconnection of DG and implement relevant provisions of legislation.

Finally, DG saturation on the Commonwealth’s distribution system has led to an increased need for transmission-level impact studies for DG facilities smaller than five MW. In response, the Department continues to work closely with the EDCs, transmission owners, and ISO-NE to ensure efficient processing of transmission-level infrastructure impact studies as well as ensuring transparency of information to stakeholders.

### Utility-Owned Storage

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In May 2018, the Department preauthorized the first two utility-scale storage demonstration projects in the Commonwealth.<sup>35</sup> In September 2022, Eversource commissioned the storage demonstration project in the Outer Cape. The capacity of the Outer Cape project is 25 MW/38 megawatt hours (“MWh”), and the project can provide back-up power by islanding to customers served by a single distribution line. The Department established a set of performance metrics for the storage project in 2019 and expects annual performance reports from Eversource starting in 2023. In May 2021, the Department issued an Order (D.P.U. 20-69-A) providing guidance on future utility-scale energy storage proposals. Additional utility--owned storage investments are expected in the future.

### Grid Modernization

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The Department’s vision for grid modernization is a cleaner, more efficient and reliable electric grid that would empower customers to manage and reduce their energy costs. The Department has also established three grid modernization objectives:

1. Optimizing system performance;
2. Optimizing system demand; and
3. Facilitating and integrating distributed energy resources.

In May 2018, the Department issued an Order (D.P.U. 15-120/D.P.U. 15-121/D.P.U. 15-122) pre-authorizing the EDCs to make \$220 million in grid-facing grid modernization investments in the 2018--2020 term. In 2020, the Department extended that term by one year, and in early 2021, the Department preauthorized Eversource to make an additional \$56 million in continued investments for the extended term. In April 2022, the EDCs submitted term reports and related performance data for the Department’s prudence review and final cost recovery. Throughout

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<sup>35</sup> In implementing these projects, Eversource decided in May 2021 to cancel the project on Martha’s Vineyard as the result of the final phase of its feasibility study.

2023, the Department investigated the prudence of the EDCs' implementation of their grid modernization plans in D.P.U. 22-40/22-41/22-42. The Department intends to issue the relevant Orders as soon as practicable.

The Department reviewed and adjudicated new grid-facing grid modernization investment proposals and customer-facing grid modernization investment proposals (i.e., advanced metering infrastructure ("AMI") implementation plans) from the EDCs. On October 7, 2022, the Department issued an Order (D.P.U. 21-80-A/D.P.U. 21-81-A/D.P.U. 21-82-A) preauthorizing continuing grid-facing grid modernization investments of \$473 million for the term of 2022--2025.<sup>36</sup>

On November 30, 2022, the Department issued an Order (D.P.U. 21-80-B/D.P.U. 21-81-B/D.P.U. 21-82-B) preauthorizing certain new grid-facing and customer-facing investments and preliminarily approving certain customer-facing investments, for a total of \$1.2 billion (\$80 million for new grid-facing investments, \$937 million for core AMI investments, and \$232 million for preliminary approval of supporting AMI investments).<sup>37</sup> The Department set term limits on these investments to ensure the deployment is on schedule and benefits to customers can be realized as early as possible. The EDCs will implement technologies that will dynamically manage and operate distributed energy resources interconnected to the grid system and deploy new-generation AMI meters in the next few years. The AMI Stakeholder Group established by the Order convened ten times in 2023 to discuss issues related to AMI deployment strategies, data access, customer education and engagement, and TVR design. The group will develop a joint proposal for Department review, which will include both consensus recommendations and remaining outstanding issues.

Additionally, the Department convened a two-day technical conference in June 2023 to discuss grid modernization performance metrics. On November 9, 2023, the Department issued a hearing officer memorandum to the EDCs directing revisions to the EDCs' grid-facing and customer-facing performance metrics, including those with equity implications, to be submitted as part of the EDCs' annual grid modernization reports. On December 11, 2023, the EDCs filed revised performance metrics, and Department staff is currently reviewing these revisions.

## **Electric Vehicle Charging Infrastructure**

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Between 2018 and 2021, the Department approved multiple electric vehicle ("EV") charging infrastructure programs by Eversource and National Grid for a total of \$96 million, enabling deployment of Level 2 and direct current fast charging EV charging stations in public and workplace sites and multi-unit dwellings, as well as implementation of off-peak charging rebates for residential customers. The Department continued its annual prudence reviews of National Grid's Phase I and Phase II EV charging programs and Eversource's Phase I EV program in 2023.

On December 30, 2022, the Department approved the EDCs' coordinated EV charging infrastructure plans with a total investment of \$471 million, which included funding for EV

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<sup>36</sup> D.P.U. 21-80-A/D.P.U. 21-81-A/D.P.U. 21-82-A.

<sup>37</sup> D.P.U. 21-80-B/D.P.U. 21-81-B/D.P.U. 21-82-B.

charging infrastructure and charging equipment, along with demand charge alternative rates and Until's residential EV time-of-use rate.<sup>38</sup> The Department convened two technical conferences where stakeholders worked to develop performance metrics that will be used to assess the progress and impact of these newly approved EV charging infrastructure programs. On November 11, 2023, the EDCs filed a revised performance metrics proposal and data reporting template, and after staff review, the Department stamp approved all these filings on December 15.

The 2022 Clean Energy Act required the EDCs to submit an EV time-of-use rate to the Department by August 11, 2023. In August, Eversource and National Grid filed their EV time-of-use rates with the Department.<sup>39</sup> The Act also established an electric vehicle infrastructure coordinating council, on which Commissioner Rubin has served with technical support from staff.

## **Distribution System Reliability and Safety**

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EPD is responsible for ensuring that the Massachusetts EDCs provide their customers with safe and reliable electric service. EPD discharges this responsibility through three primary tools. First, the Department requires the EDCs to submit periodic reports on issues related to distribution system reliability, safety, and service quality, some of which are described below. Second, the Department requires that the EDCs maintain an electric customer power outage reporting website, which allows the Department to access real time information regarding significant power outages that occur on their distribution systems. Third, the Department reviews the EDCs' annual service quality reports to determine if a penalty is warranted for failure to meet reliability benchmarks. Finally, EPD staff actively participates in meetings and forums with state, regional, and federal agencies and authorities in matters relating to electric system operation, safety, and reliability (e.g., ISO-NE's Reliability Committee and Planning Advisory Committee) as well as those relating to electric grid system reliability and reliability standards development (e.g., ISO-NE, FERC, North American Electric Reliability Corporation, Northeast Power Coordinating Council).

## **Reporting Requirements**

The Department requires each EDC to periodically file reports on issues related to electric distribution system safety, service quality, and reliability. The Department reviews these reports and meets with the companies, as necessary, to ensure that the companies' actions are consistent with Department requirements. Some of the periodic reports filed with the Department are described below.

## **Annual Planning and Reliability Report**

The annual planning and reliability report includes an analysis of each EDC's distribution system, including:

- A ten-year load growth forecast capable of identifying high-growth areas/zones;

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<sup>38</sup> D.P.U. 21-90/D.P.U. 21-91/D.P.U. 21-92.

<sup>39</sup> D.P.U. 23-84/D.P.U. 23-85.



- A description of the company’s transmission and distribution design and planning criteria and an explanation of how those criteria are applied;
- A distribution system operating study focused on contingency analysis and management;
- An update to corrective actions and significant capital investments planned for the next five years;
- A Resiliency Report, pursuant to G.L. c. 164, § 146, will be filed with each Company’s 2023 Annual Reliability Report; and
- Heat Maps, as part of the Resiliency Report, indicating highly loaded and highly constrained areas as well as outage vulnerability.

### **Annual Emergency Response Plans and Activities**

The annual emergency response plans (“ERPs”) detail the EDCs’ plans to respond to any emergency event such as hurricanes or snowstorms. The EDCs are required to file their ERPs annually, including actions taken to prepare for an emergency event.<sup>40</sup> The ERPs are established pursuant to 220 CMR 19.00, “Standards of Performance for Emergency Preparation and Restoration of Service” for Electric Distribution and Gas Companies and “Emergency Response Plan Guidelines” for the EDCs.

In addition, the Department serves as the lead agency for Emergency Support Function 12 (Energy). This includes closely monitoring weather conditions for storm events (e.g., blizzards, tropical storms, high wind events, etc.), coordinating with the EDCs regarding plans and preparations in response to such storm events, providing staff to the Massachusetts Emergency Management Agency (“MEMA”) during storm activations (if needed), coordinating/liasing with the EDCs for restoration of electric service, and communicating system conditions and preparing briefings to senior administration leadership. In 2023, the most significant storm occurred on March 13, 2023, named winter storm Sage. Electric distribution customer outages peaked at approximately 79,000 statewide, with restoration deemed substantially complete (i.e., EDCs resumed normal operations) on March 16, 2023.

Lastly, the Department reviews the prudence and appropriateness of emergency response and storm restoration costs incurred by the EDCs. This action is performed when an EDC petitions the Department for recovery of such costs. The Department can also open an investigation into an EDC’s emergency response actions in the event the Department has a reason to believe that a company performed poorly during the planning or restoration stages.

### **Quarterly Significant Outage or Interruptions Report**

The quarterly significant outage or interruptions report summarizes all significant outages that occurred in a company’s electric system, within the reporting quarter, including the actions taken or planned to mitigate the outage causes.

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<sup>40</sup> EDCs’ filed their 2022 ERPs (D.P.U. 22-ERP-08/D.P.U. 22-ERP-09/D.P.U. 22-ERP-10) in May 2022.

## **Quarterly Stray Voltage and Manhole Safety Report**

The quarterly stray voltage and manhole safety report describes each company's practices regarding stray voltage and manhole issues, including systematic testing/inspection and corrective actions performed consistent with the approved distribution safety plans. In addition, the EDCs are required to report on the nature of the stray voltage and manhole incidents as soon as they occur, including corrective actions. The Department continues to track those corrective actions and related activities.

## **Semi-Annual Double Pole Reports**

The semi-annual double pole report details the companies' efforts to address the double pole issue, including removal of poles and transfer of wires owned by various attachers. (The term "double pole" refers to the situation when a replacement utility pole is built alongside the pole to be replaced for the purpose of transferring the electric, telephone, cable, or other wires from one pole to the other.) The double pole reports are filed pursuant to the Department's regulations relative to reducing the number of double utility poles in the Commonwealth, as required by Chapter 46 of the Acts of 2003. The source of the double pole data comes from a pole lifecycle management system ("PLM") database jointly developed by the utilities. The Department continues to monitor the semiannual double pole reports. The Department also monitors settlement agreements between the utilities and Verizon for pole ownership and cost sharing. In 2023, the Department continues providing support to the Department of Telecommunications and Cable's ("DTC's") adjudication of a complaint between a telecommunications provider and National Grid and Verizon, D.T.C. 22-4.

## **Reporting of Outage Events**

Each EDC is required to maintain, on a real-time basis, information regarding planned and unplanned outages that occur on its distribution system. Each company's outage report can be accessed by Department staff via a secure internet-based Outage Reporting Protocol ("ORP") system. The ORP information includes, for example:

- The location of the outage;
- Number of customers affected;
- Number of circuits affected or out of service;
- Likely cause;
- Any bodily injury; and
- Whether a critical facility, such as a hospital, is involved.

EPD staff monitors the ORP data and responds to reports of significant and/or frequent interruptions to customers and when a reliability trend is observed. In addition, each company annually files a report of all customer outages that occurred on its system in the prior year.

## **Service Quality Performance Reports**

The Department requires that each EDC submit an annual service quality report that details how the company has performed with respect to standards established in the Department's service quality guidelines. The Department issued D.P.U. 12-120-D on December 18, 2015, amending



the guidelines to use ten-year (1996-2005), company specific, historic averages as a benchmark to evaluate outage frequency and duration, which continues to be used today. A major component of these guidelines relates to companies' performance regarding the frequency and duration of outages during the previous year, both on a systemwide and circuit-specific level, and performance relating to service appointments met, customer billing, and other customer related complaints. EPD staff reviews each EDC's service quality report to evaluate performance. An EDC can incur a penalty of up to 2.5% of its distribution and transmission revenue if its service quality performance degrades in comparison to historic benchmark performance levels.

The Department most recently approved the 2021 Service Quality Reports of the EDCs in February 2023.<sup>41</sup> In its Order approving the 2021 Service Quality Reports, the Department penalized Nantucket Electric Company d/b/a National Grid \$7,923 for its performance in one reliability metric and directed Nantucket Electric Company to refund that penalty money to customers, which it did. The other EDCs incurred no penalties for their 2021 performance. The Department also addressed the impact of the COVID-19 pandemic in its 2021 Service Quality Report Order, acknowledging that the EDCs' performance in some customer service-related metrics was artificially low, which could impact the still-developing benchmarks for those metrics, and allowed the EDCs to substitute a historical average of the previous five years in place of the 2021 actual performance. The Department remains committed to improving service quality over time and driving companies to invest in technological improvements that improve reliability, customer satisfaction, and public safety.

## Vegetation Management

The Department oversees the full-scale base and pilot vegetation management programs implemented by the EDCs to trim trees and other vegetation near electric utility lines. The base vegetation management program requirements for the EDCs were established in the D.P.U. 11-85/11-119 series of Orders. For base vegetation management, each circuit is trimmed to certain specifications on a four-to-five-year cycle (*i.e.*, ~25% of all circuit miles each year) regardless of vegetation clearance or overhang. Additionally, mid-cycle pruning is performed where needed. Hazard and risk trees are removed in coordination with the cycle pruning schedule, with additional off-cycle profiling for risk and hazard trees based on reliability. Per the D.P.U. 11-85/11-119 series of Orders, all removed trees are tracked and reported to the DPU. Most of the pruning and tree removal work is completed by contractors with oversight performed by company arborists. The EDCs also have more aggressive vegetation management pilot programs (*e.g.*, Resiliency Tree Work ("RTW") Pilot Program). These programs are add-on/expansions of the EDCs' base vegetation management program and support reliability performance and enhanced distribution system resiliency. Both the base vegetation management programs and the pilot programs are reviewed by EPD staff for approval through their annual compliance filings, cost recovery filings, and electric distribution rate cases.

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<sup>41</sup> D.P.U. 22-SQ-10 through 22-SQ-13.

## ENERGY FACILITIES SITING BOARD AND DEPARTMENT SITING DIVISION

### Overview

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The Energy Facilities Siting Board (“Siting Board”) is an independent nine-member board charged with reviewing proposed energy facilities defined by statute so as to provide “a reliable energy supply for the Commonwealth with a minimum impact on the environment at the lowest possible cost.” The Siting Board’s primary function is to review, and where appropriate, issue approvals (with conditions) for construction, zoning exemptions, eminent domain, certificates, and other siting-related determinations necessary for the construction and operation of major energy infrastructure in Massachusetts. Such facilities include large power plants, electric transmission lines, intrastate natural gas and oil pipelines, and storage facilities for natural gas (over 25,000 gallons) and fuel oil (over 500,000 barrels). Under its certificate authority, the Siting Board may override various regulatory or legal impediments to the construction of energy facilities that were previously approved by the Siting Board by issuing and/or altering the terms of other permits and approvals normally overseen by other state and local regulatory agencies.

Administratively, the Siting Board is located within the Department, although by statute it is not subject to the Department’s supervision or control. The Siting Board is supported by the staff of the Department’s Siting Division. The Board is composed of:

- The Secretary of Energy and Environmental Affairs, who is the Chair of the Board;
- Two Commissioners of the Department of Public Utilities;
- The Secretary of Economic Development;
- The Commissioner of the Department of Environmental Protection;
- The Commissioner of the Department of Energy Resources; and
- Three public members appointed by the Governor for a term coterminous with that of the Governor.

The Department has its own statutory jurisdiction regarding the siting of energy facilities that pre-dates the establishment of the Energy Facilities Siting Council in 1973 (the predecessor agency of the Energy Facilities Siting Board). The Department’s siting authority may be adjudicated in Department-only cases by Siting Board staff, or – if there is a related Siting Board case – consolidated with the Siting Board case and assigned to the Siting Board for review and decision.

In support of its dual Siting Board and Department functions, the Siting Division staff:

- Adjudicates petitions to construct major energy infrastructure;
- Adjudicates petitions for issuance of state and local permits, licenses, or other approvals pursuant to the Siting Board’s Certificate authority;
- Adjudicates petitions by public service corporations for exemptions from local zoning requirements;
- Adjudicates petitions by utility companies for eminent domain approval and

- access to land for survey purposes in connection with proposed electric transmission and gas pipeline facilities;
- Represents the Commonwealth in proceedings before FERC with respect to interstate natural gas facilities to be sited in Massachusetts; and
- Oversees compliance with Siting Board and the Department decisions through ongoing oversight, and the issuance of orders and civil penalties for violation of Siting Board requirements.

A list of Siting Board decisions and Department Siting Division orders from 2023 is attached as Appendix 1.

## **Siting Board Responsibilities**

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### **Overview**

The Siting Board reviews petitions to construct major new energy infrastructure, including power plants, electric transmission lines, intrastate natural gas pipelines, and natural gas and fuel oil storage facilities, per G.L. c. 164, §§ 69G-S. Siting Board review is conducted by means of a formal adjudicatory proceeding in accordance with G.L. c. 30A. Final decisions of the Siting Board are appealable directly to the Massachusetts Supreme Judicial Court.

The Siting Board's review of most types of energy infrastructure encompasses: the need for the facility and its energy reliability benefits; alternative means of meeting that need; alternative sites or routes for the facility; environmental impacts and potential mitigation measures; and project costs. In addition, the Board reviews the consistency of the proposed facility with certain policies of the Commonwealth, including health, environmental protection, environmental justice, language access, energy policies, and resource use and development policies. Since restructuring of the electric utility industry in 1997, however, the Board's review of generating facilities no longer includes need or cost. The Siting Board's environmental reviews typically cover a broad range of issues, including:

- Potential impacts of a project on air quality, climate change, land use, wetlands and water resources, noise, traffic, visual impacts, flora and fauna habitat areas, magnetic fields, public health, and safety;
- Impact minimization and mitigation measures; and
- The feasibility and cost of mitigation.

Siting Board decisions represent a balancing of cost, local and regional environmental impacts, and the benefits of the project in terms of contributing to a reliable energy supply. Currently, the Siting Board has open cases regarding the review of transmission facilities, and natural gas pipeline and storage facilities.

Additionally, on July 1, 2021, the Siting Board opened a Notice of Inquiry ("NOI") to examine procedural enhancements to increase public awareness of and participation in its proceedings. Specifically, the Siting Board is exploring measures to increase both the visibility of its public notices and promote equitable and meaningful public and stakeholder involvement throughout its proceedings. The Siting Board has docketed this inquiry as EFSB 21-01. As part of the NOI, the Siting Board intends to develop an environmental justice strategy, consistent with the Executive Office of Energy and Environmental Affairs'

Environmental Justice Policy, that will enhance meaningful involvement in Siting Board matters for all people and communities with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies, including climate change policies, and the equitable distributions of energy and environmental benefits and burdens. In August 2022, a joint roundtable with the Department was held with regard to the NOI and the Department's companion NOI, D.P.U. 21-50. Further action on the proceeding is expected in 2024, including the issuance of the Siting Board's draft Language Access Plan for public comment followed by a Board vote.

On September 26, 2023, the Governor signed Executive Order No. 620 establishing a Commission on Clean Energy Infrastructure Siting and Permitting ("CEISP"). The mandate of the CEISP shall be to advise the Governor on: (1) accelerating the responsible deployment of clean energy infrastructure through siting and permitting reform in a manner consistent with applicable legal requirements and the Clean Energy and Climate Plan; (2) facilitating community input into the siting and permitting of clean energy infrastructure; and (3) ensuring that the benefits of the clean energy transition are shared equitably among all residents of the Commonwealth. The Commission, with the assistance of an Interagency Siting and Permitting Task Force, is required to produce a report by March 31, 2024 conveying its recommendations to the Governor. Siting Board and Department staff supports the work of the CEISP as part of the Interagency Siting and Permitting Task Force. Further action is expected in the first half of 2024.

The Clean Energy Transmission Working Group ("CETWG") was established as part of the requirements of Section 71 of the 2022 Clean Energy Act to assess and report to the general court on any necessary transmission infrastructure upgrades that may be required to support the deployment of clean energy projects, including offshore wind projects. The 2022 Clean Energy Act designates 17 members to serve on the CETWG and requires the CETWG to submit a final report, along with recommendations for legislative and regulatory actions at the state, regional, and federal level, no later than December 31, 2023, to the clerks of the House of Representatives and Senate and the chairs of the Joint Committee on Telecommunications, Utilities and Energy. In support of the CETWG, the Siting Division provided information and analysis on the siting of energy facilities in Massachusetts, and the regulatory context and challenges in so doing.

On December 21, 2023, the Siting Board issued a Delegation Order in EFSB 23-03, which delegates to the Secretary, as Chair of the Siting Board, the authority to sign an Informal Resolution Agreement with U.S. Department of Transportation. In the Agreement, the Siting Board agrees to a number of specific actions to avoid discriminatory practices in its proceedings. These steps include establishing a Language Access Policy and a Public Participation Plan as part of the Board's EFSB 21-01 public participation proceeding.

### **Federal Licensing Proceedings**

The Siting Board represents the Commonwealth in proceedings before FERC with respect to the construction of energy facilities in Massachusetts. The Siting Board was not active in any FERC proceedings during 2023.

## Permit Override Authority

Through the granting of a Certificate of Environmental Impact and Public Interest (“Certificate”), the Siting Board has the authority to override a state or local ordinance, permit requirement, license, or other “burdensome condition or limitation” that would unduly delay or prevent construction of an energy facility approved by the Siting Board, per G.L. c. 164, §§ 69K-69O. A facility developer may also apply for a Certificate if it determines there are inconsistencies among resource use permits issued by state or local agencies. The Siting Board did not conduct any Certificate proceedings during 2023.

### East Eagle Substation

On February 16, 2022, Eversource filed a petition for a Certificate of Environmental Impact and Public Interest requesting the Siting Board issue 14 state and local permits required for construction and operation of the East Eagle Substation, docketed as EFSB 22-01. The Substation was approved in 2017 as part of the Mystic-East Eagle-Chelsea Reliability Project in Eversource Energy, EFSB-14-04/D.P.U. 14-153/14-154 (2017), and relocation of the Substation was approved in 2021 in EFSB-14-04A/D.P.U. 14-153A/14-154A. On November 30, 2022, the Siting Board issued a Final Decision approving the Certificate, with conditions. On December 29, 2022, Conservation Law Foundation (“CLF”) and GreenRoots, Inc. (“GreenRoots”) filed a Motion for Amendment of the Certificate issued by the Siting Board (“Motion to Amend”). CLF/GreenRoots noted that the Motion to Amend was filed pursuant to 980 CMR 6.05(4) which provides that any party to a Certificate proceeding may file a motion to amend a Certificate within 30 days after the granting of the Certificate. On January 3, 2023, the Board heard oral argument on the Motion to Amend, deliberated and voted to deny the Motion to Amend the Certificate, and required staff to consider the principles from the Motion to Amend in the pending Notice of Inquiry proceeding, EFSB 21-01. On December 19, 2022, intervenors CLF and Boston Residents Group appealed the Final Decision to the Supreme Judicial Court. The Court issued an order on December 5, 2023, setting the briefing schedule for the appeal for 2024, though the Court is considering a motion to extend the briefing schedule.

## Enforcement

The Siting Board is authorized to levy a civil penalty when an applicant has violated any order of the Board, per G.L. c. 164, § 69H. The maximum fine is \$1,000 per day per violation, with a maximum civil penalty of \$200,000 for any related series of violations. The Siting Board did not levy any civil penalties in 2023.

## Siting Board Regulations

The regulations of the Siting Board are contained in 980 CMR 1.00 through 12.00. In 2023, no new regulations were promulgated nor were any rescinded or modified. The Siting Board is in the process of performing an assessment of its regulations to determine whether to rescind, revise, or retain its current regulations.

## Battery Energy Storage Systems

### Cranberry Point Energy Storage

On August 27, 2021, Cranberry Point Energy Storage, LLC (“Cranberry Point”) filed a



petition with the Siting Board seeking approval to construct a 150 MW/300 MWh battery energy storage system (“BESS”) and ancillary electrical equipment to be located in the Town of Carver (“Siting Board Petition”), docketed as EFSB 21-02. Cranberry Point filed its petition under the Siting Board’s generating facility statute, G.L. c. 164, § 69J¼. On May 11, 2022, Cranberry Point filed a petition with the Department seeking a comprehensive exemption from the operation of the Zoning Bylaws for the Town of Carver (“Zoning Petition”), docketed as D.P.U. 22-59. On June 1, 2022, the Department referred the Zoning Petition to the Siting Board, which consolidated the two petitions for review. On May 11, 2023, the Siting Board issued a Final Decision dismissing the Siting Board Petition for lack of subject matter jurisdiction and returned the Zoning Petition to the Department for determination. See below in the Department Zoning Exemption Review section for the Department zoning exemption order.

#### Medway Grid

On February 25, 2022, Medway Grid, LLC filed petitions with the Siting Board and Department seeking approval to construct a 250 MW/500 MWh BESS in the Town of Medway, docketed as EFSB 22-02/D.P.U. 22-18/22-19. Medway Grid filed its petition under the Siting Board’s generating facility statute, G.L. c. 164, § 69J¼. The Department petitions sought certain individual exemptions and a comprehensive exemption from the Town of Medway Zoning Bylaws; and approval to construct an underground transmission line in connection with the Project. On May 11, 2023, the Siting Board issued a Final Decision dismissing the Siting Board Petition for lack of subject matter jurisdiction and returned the Zoning Petition and transmission petition to the Department for determination. See below in the Department Zoning Exemption Review section for the Department zoning exemption and transmission line order.

#### Wendell Energy Storage

On January 27, 2023, Wendell Energy Storage 1, LLC filed petitions with the Siting Board and Department seeking approval to construct a 105 MW BESS in the Town of Wendell. Wendell Energy filed its petition under the Siting Board’s generating facility statute, G.L. c. 164, § 69J¼. The Siting Board petition and the Department Petition regarding individual and comprehensive zoning exemptions from the Town of Wendell Zoning Bylaws were consolidated as EFSB 23-01/D.P.U. 23-05. On August 11, 2023, subsequent to the Siting Board’s Decision on its lack of subject matter jurisdiction over BESS, the Company filed a motion to dismiss EFSB 23-01, which was granted on August 17, 2023.

### **Review of Transmission Facilities**

#### East Eagle Substation

On December 23, 2014, NSTAR Electric Company d/b/a Eversource Energy filed with the Siting Board and the Department for approval to construct two new 115 kV underground transmission lines in Chelsea, Everett, and East Boston; to build a new substation in East Boston; and to modify existing substations in Chelsea and Everett. EFSB 14-04/D.P.U. 14-153/14-154. On November 15, 2018, Eversource submitted a proposed project change filing, notifying the Siting Board that the Company and the City of Boston had completed a land swap, and that the proposed location of the new substation would be moved approximately 190 feet west, to the opposite (west) side of the City parcel. On February 26,

2021, the Siting Board issued a final decision, approving the change of location for the substation. EFSB 14-04A/D.P.U. 14-153A/14-154A. On August 31, 2021, Eversource filed a Community Benefits Agreement between it and two community organizations in East Boston, in compliance with the Siting Board's Final Decision. On March 17, 2021, intervenor GreenRoots appealed the Final Decision to the Supreme Judicial Court. The Supreme Judicial Court issued a decision affirming the Siting Board's decision on November 4, 2022.

On February 16, 2022, the Company filed for a Certificate of Environmental Impact and Public Interest requesting the EFSB issue 14 state and local permits required for construction and operation of the Substation, which was docketed as EFSB 22-01. See Permit Override Authority section above for details on the Certificate phase and subsequent appeal of the Certificate decision.

#### Bourne/West Barnstable Transmission Line

On November 8, 2019, NSTAR Electric Company d/b/a Eversource Energy filed consolidated petitions for approval to construct and for zoning exemptions for an approximately 12.5-mile overhead 115 kV electric transmission line in the Towns of Bourne, Sandwich, and Barnstable, docketed as EFSB 19-06/D.P.U. 19-142/19-143. On December 16, 2022, the Siting Board issued a Final Decision approving the Project as a 345-kV-capable transmission line, with conditions. On February 28, 2023, the Company filed a proposed project change to enable the operation of the line at 345 kV to interconnect the Park City Wind Project described below. The Company also filed a petition with the Department requesting individual and comprehensive zoning exemptions from the Zoning Ordinance of the Town of Barnstable in connection with the Company's proposed modifications to its existing West Barnstable Substation to allow the line to operate at 345 kV ("Zoning Petition"), docketed as D.P.U. 23-22. On September 27, 2023, the Department issued an order referring the Zoning Petition to the Siting Board for consolidation as EFSB 19-06A/D.P.U. 19-142A/19-143A/23-22. The Siting Board conducted a hybrid public comment hearing in Barnstable in November 2023. Evidentiary hearings will be conducted in 2024.

#### Park City Wind

On May 28, 2020, Park City Wind LLC (f/k/a Vineyard Wind LLC) filed three related petitions with the Siting Board and the Department in connection with Park City Wind's proposal to construct and operate approximately 27 miles of an underground onshore and subsea offshore 275 kV electric transmission line; a new substation in the Town of Barnstable; and an approximately 0.7-mile 345 kV underground transmission line between the New Onshore Substation and the existing West Barnstable Substation, docketed as EFSB 20-01/D.P.U. 20-56/20-57. On December 15, 2023, the Siting Board issued a Final Decision approving the Project with conditions. Subsequently, intervenor Jacqueline Johnson appealed the decision to the Supreme Judicial Court.

#### Commonwealth Wind

On November 1, 2022, Commonwealth Wind, LLC filed three related petitions with the Siting Board and Department for approval to construct and operate approximately 29.7 miles of underground onshore and subsea offshore 275 kV electric transmission line; a new substation in the Town of Barnstable; and an approximately 0.5-mile 345 kV underground transmission line between the New Onshore Substation and the existing West Barnstable Substation,

docketed as EFSB 22-06/D.P.U. 22-105/22-106. A public comment hearing and evidentiary hearings will be conducted in 2024.

#### SouthCoast Wind - Falmouth

On November 17, 2021, SouthCoast Wind Energy LLC filed three related petitions with the Siting Board and Department in connection with a proposal to construct and operate approximately 27.5 miles of offshore and onshore, underground electric transmission lines with a nominal voltage between 200 and 345 kV; a new onshore substation in the Town of Falmouth; and an approximately 2.1-mile 345 kV transmission line between the new onshore substation and the Eversource's existing Falmouth Tap Substation, docketed as EFSB 21-03/D.P.U. 21-142/21-143. At the request of the Company, the procedural schedule is on hold. Throughout 2023, the Company submitted reports updating the status of the Project.

#### SouthCoast Wind - Brayton Point

On May 27, 2022, SouthCoast Wind LLC filed three related petitions with the Siting Board and Department for approval to construct approximately 2.7 miles of high voltage direct current ("HVDC") export cables at approximately 320 kV offshore in Massachusetts state waters, making landfall at Brayton Point, and continuing onshore at Brayton Point in the Town of Somerset, along with a new HVDC converter substation, and approximately 0.2 miles of high voltage alternating current underground transmission lines at approximately 345 kV onshore in the Town of Somerset, Massachusetts, docketed as EFSB 22-04/D.P.U. 22-67/22-68. The Siting Board concluded evidentiary hearings in August 2023, and briefing is complete. The Siting Board anticipates issuing a final decision in 2024.

#### Acushnet/Fall River Transmission Line

On December 22, 2021, NSTAR Electric Company d/b/a Eversource Energy and New England Power Company d/b/a National Grid filed two related petitions with the Siting Board and the Department for approval to construct an approximately 12.1-mile predominately overhead 115 kV electric transmission line in the municipalities of Fall River, Freetown, Dartmouth, New Bedford, and Acushnet, docketed as EFSB 21-04/D.P.U. 21-149. The Siting Board concluded evidentiary hearings in December 2023. The Siting Board anticipates issuing a final decision in 2024.

#### Greater Cambridge Reliability Program - Transmission Line and Substation

On March 10, 2022, NSTAR Electric Company d/b/a Eversource Energy filed two related petitions with the Siting Board and Department for approval to construct, operate and maintain:

1. Eight new 115 kV underground transmission lines that will be housed in a total of five new duct banks, totaling approximately 8.3 miles, in portions of Cambridge, Somerville and the Allston/Brighton area of Boston;
2. A new 115/14-kV substation, which will be located in an underground vault on a property between Broadway and Binney Streets in Cambridge; and
3. Modifications to certain existing substation facilities in Cambridge, Somerville, and Allston/Brighton.

The filing was docketed as EFSB 22-03/D.P.U. 22-21. The Siting Board conducted an initial



remote public comment hearing in June 2022. On September 9, 2022, Eversource filed a motion for a proposed supplemental notice of adjudication for an additional proposed alternative route to be include as part of the Company's proposed Project. The Siting Board conducted a second remote public comment hearing in November 2022. The Siting Board concluded evidentiary hearings in November 2023. On December 19, 2023, the Siting Board granted the Company's request to issue a second supplemental notice to certain abutters in Cambridge and Somerville. The Siting Board anticipates issuing a final decision in 2024.

#### Sterling to Vernon Transmission Line

On May 1, 2023, New England Power Company d/b/a National Grid filed two related petitions with the Siting Board and the Department for approval to construct a new double circuit overhead transmission line in Warwick, Royalston, Winchendon, Gardner, Westminster, Fitchburg, Leominster and Sterling, and two associated tap lines in Athol, Royalston and Gardner to replace the Company's existing 69 kV double circuit transmission lines, docketed as EFSB 23-02/D.P.U. 23-45. The line extends approximately 53.5 miles from Vernon Substation in Vermont to Pratts Junction Substation in Sterling, Massachusetts; the length of the lines in Massachusetts is approximately 47 miles. A public comment hearing and evidentiary hearings will be conducted in 2024.

### **Review of Natural Gas Pipelines and Storage Facilities**

#### Ashland/Hopkinton - Hopkinton-Ashland Transfer Line Replacement Project

On June 11, 2018, NSTAR Gas Company d/b/a Eversource Energy, filed a petition pursuant to G.L. c. 164, § 69J for approval to replace 3.71 miles of 6-inch diameter pipe with a new 12-inch diameter pipe in the Towns of Ashland and Hopkinton, docketed as EFSB 18-02. The case is pending at this time.

#### Northeast Energy Center – Charlton

On August 31, 2018, Northeast Energy Center LLC filed two related petitions for approval to construct a natural gas liquefaction, storage, and truck-loading facility and associated infrastructure in the Town of Charlton, docketed as EFSB 18-04/D.P.U. 18-96. On October 22, 2021, the Siting Board issued a Final Decision approving the Project, with conditions.

On September 15, 2022, Northeast Energy Center filed a Notice of Proposed Project Change, which proposes to use a single, larger generator, capable of converting boil-off gas to electricity when the Facility's gas liquefaction system is not in operation, instead of the Siting Board-approved design of two gas-fired electric generators each capable of converting boil-off gas. On September 7, 2023, the Siting Division concluded that the proposed change did not substantially alter the Board's prior approval.

#### Springfield-Longmeadow – Western Massachusetts Gas Reliability Project

On May 26, 2022, Eversource Gas Company of Massachusetts d/b/a Eversource Energy filed two related petitions for approval to construct, operate, and maintain a new Point of Delivery ("POD") in Longmeadow, and a new natural gas pipeline from the proposed POD in Longmeadow to Eversource's Bliss Street Regulator Station in Springfield, docketed as EFSB 22-05/D.P.U. 22-69. The Company's proposed Project includes:

1. Installation of POD equipment at and adjacent to the Tennessee Gas Pipeline Company

meter station to be constructed in Longmeadow;

2. Installation of approximately 5.3 miles of new 16-inch pipeline with a normal operating pressure of approximately 200 pounds per square inch gauge, in Longmeadow and Springfield; and
3. Upgrades at the existing Bliss Street Regulator Station to connect the Project to the existing distribution system serving the Greater Springfield Area.

The Siting Board conducted a remote public comment hearing on December 14, 2022. The case is pending at this time.

#### Holyoke Gas and Electric Department

On December 7, 2022, Holyoke Gas & Electric Department filed a petition for approval to construct, operate, and maintain an additional new 70,000 gallon liquefied natural gas (“LNG”) storage tank at its existing West Holyoke LNG storage facility. The filing was docketed as EFSB 22-07. The Siting Board concluded evidentiary hearings in November 2023.

### **Department Siting Division Responsibilities**

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In addition to supporting the Siting Board, the Siting Division – composed of attorneys and technical analysts – handles a variety of land use cases for the Department including petitions for zoning exemptions, authority to exercise eminent domain and conduct utility surveys, and permission to construct transmission lines.

#### **Electric Transmission Facilities**

G.L. c. 164, § 72 requires electric companies to obtain Department approval prior to the construction or alteration of transmission lines. To receive such approval, the electric company must show that the proposed project is needed and that it serves “the public convenience and is consistent with the public interest.” The Siting Division typically adjudicates these petitions on behalf of the Department. Each transmission facility submitted for Siting Board approval under G.L. c. 164, § 69J also requires G.L. c. 164, § 72 approval by the Department, administered by the Siting Board in consolidated proceedings.

#### Carver, Plympton, and Kingston Transmission Line

On June 5, 2020, NSTAR Electric Company d/b/a Eversource Energy filed a petition with the Department seeking approval to construct a new eight-mile-long, predominantly overhead 115 kV transmission line in the Towns of Carver, Plympton, and Kingston, docketed as D.P.U. 20-67. A remote public comment hearing was held on October 27, 2020 and evidentiary hearings were held in March 2021. On May 6, 2022, the Department issued an Order granting the petition, with conditions. On April 11, 2023, in connection with the original approval, the Company filed a petition with the Department seeking grants of location across certain public ways in Kingston, docketed as D.P.U. 23-32. On October 17, 2023, the Company filed a notice of withdrawal of its petition for grants of location.

#### Somerset-Fall River Transmission Line

On August 5, 2022, New England Power Company d/b/a National Grid filed a petition with

the Department seeking approval to separate a 1.85-mile segment of its existing N12 and M13 115 kV overhead transmission lines, currently installed on double circuit steel lattice towers, onto two distinct sets of structures in the Towns of Somerset and Fall River, docketed as D.P.U. 22-95. The Siting Board conducted a remote public comment hearing in March 2023. Evidentiary hearings are scheduled for early 2024.

### **Eminent Domain and Survey Access**

On behalf of the Department, the Siting Division adjudicates petitions by electric, natural gas, water, and railroad companies for the right to exercise the power of eminent domain to meet their public service obligations, per G.L. c. 164, §§ 72, 72A; G.L. c. 160, § 83. To grant eminent domain, the Department must determine that the project is necessary for the purpose alleged, will serve the public convenience, and is consistent with the public interest. No eminent domain petitions were filed with or reviewed by the Siting Division during 2023.

### **Zoning Exemption Review**

State law authorizes the Department to exempt public service corporations from compliance with specific municipal zoning ordinances or by-laws if it determines that the present or proposed use of the land or structure is reasonably necessary for the convenience or welfare of the public, per G.L. c. 40A, § 3. The Siting Division adjudicates these cases for the Department. The Department currently has several cases open for zoning exemptions.

#### **Cranberry Point Energy Storage**

On May 11, 2023, the Siting Board issued a Final Decision dismissing Cranberry Point's Siting Board Petition for lack of subject matter jurisdiction and returned Cranberry Point's Zoning Petition to the Department for determination. On June 30, 2023, the Department issued an Order approving the comprehensive zoning exemption with conditions.

#### **Medway Grid**

On May 11, 2023, the Siting Board issued a Final Decision dismissing Medway Grid's Siting Board Petition for lack of subject matter jurisdiction and returned the Zoning Petition and transmission line petition to the Department for determination. On June 30, 2023, the Department issued an Order approving Medway Grid's zoning exemption and transmission line request, with conditions.

#### **K Street Substation, Boston**

On May 23, 2019, the Department issued its Final Order approving, with conditions, a request by NSTAR Electric Company d/b/a Eversource Energy for individual and comprehensive zoning exemptions from the operation of the Boston Zoning Code. Eversource Energy, D.P.U. 17-147 (2019). On February 18, 2022, Eversource filed a Notice of Project Change regarding modifications to the previously approved Security Fence. On October 31, 2022, the Director concluded that the proposed project change does not alter in any substantive way either the assumptions or conclusions reached by the Department in its analysis of the project's impacts in the original proceeding. Additional compliance activities regarding landscaping conditions and tree removal mitigation measures occurred in 2023.

## LEGAL DIVISION

### Overview

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The Legal Division staff serves as legal and policy advisor to the Commission and provides legal support to all Divisions of the Department.

### Legal Division Responsibilities

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During 2023, the Legal Division participated in numerous dockets and initiatives, resulting in the issuance of 604 Orders. A list of the Department's 2023 Orders is attached as Appendix 2.

Some of the more notable dockets and initiatives included:

- Issuance of an Order into the role of natural gas distribution companies in the achievement of the Commonwealth's 2050 climate goals.
- Continued investigation of opportunities to enhance public awareness of and equitable participation in Department proceedings.
- Ongoing investigation of six utility rate cases (two electric, one gas, three water).
- Continued efforts to quantify and reduce the public safety risks and environmental emissions associated with aged gas infrastructure.
- Continued investigation and issuance of Orders addressing investments necessary to modernize the electric grid and deploy advanced metering technologies to enhance reliability and enable time varying rates.
- Issuance of an Order approving new rates for an electric utility company following a ten-month investigation.
- Continued implementation of net metering regulations including initiation of investigations into energy storage paired with net metering facilities and participation of net metering in the ISO-NE Forward-Capacity Market.
- Continued investigation into modifications to the net metering single parcel rule to implement provisions of the 2022 Clean Energy Act.
- Continued investigation into revisions to electric companies' Solar Massachusetts Renewable Target Tariff.
- Continued review and approval of multiple municipal aggregation plans.
- Review and approval of several forecast and supply plans for natural gas distribution companies.

### Types of Proceedings

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#### Formal Adjudications

The Legal Division's primary duty is presiding over adjudicatory proceedings conducted under the Massachusetts Administrative Procedure Act (G.L. c. 30A) and the Department's procedural regulations (220 CMR 1.00). Adjudications are the formal determination of parties' rights through a quasi-judicial process. All parties – both the party filing the action and any intervenors – are entitled to due process safeguards, meaning that the parties are entitled to

adequate notice and the opportunity to be heard. Parties to the action have the right to present evidence, cross examine witnesses, and receive a written decision from the Department. Pursuant to G.L. c. 25, § 4, the Chair of the Department may delegate authority to an attorney from the Legal Division, known as the Hearing Officer, to preside over Department adjudications.

Adjudicatory proceedings vary in complexity and include a wide range of subjects, such as reviews of:

- Rates
- Contracts for the purchase of electric power and natural gas
- Long-term contracts for renewable energy
- Long-range forecast and supply plans
- Grid modernization and electric sector modernization plans
- Energy efficiency plans
- Service quality plans
- Financial transactions (e.g., stock, bond, and security issuances)
- Proposed utility mergers
- Storm investigations
- Emergency response plans
- Municipal aggregation plans
- Proposed energy facility construction and siting (e.g., electric generation facilities and transmission lines)
- Billing disputes between residential consumers and utilities

In conducting a formal adjudicatory proceeding, the Department generally holds two types of hearings: a public hearing and an evidentiary hearing.

Public hearings afford members of the public the opportunity to learn more about a petition, offer input about a pending case, and comment on the practices of the utility. Utility customers and other interested persons are a valuable source of information to the Department in developing an evidentiary record.

Public hearings are publicized throughout the petitioning utility's service territory. Public hearings are typically conducted in the Department's Boston offices or virtually (as described below). In certain types of cases, public hearings are held in a utility's service territory. Public hearings are transcribed by a stenographer.

Evidentiary hearings afford the Department and intervenors the opportunity to question company witnesses. In many cases, the Attorney General of the Commonwealth is an intervenor. Other intervenors may include public interest organizations, the Department of Energy Resources, and local consumer, business, or neighborhood groups. Sometimes intervenors put on a direct case with witnesses of their own. While the adjudicatory process does not require adherence to all formal rules of evidence, the evidentiary hearing process follows many rules of civil procedure as set forth in the Department's procedural regulations at 220 CMR 1.00.

Evidentiary hearings are conducted in a courtroom setting in the Department's Boston offices or virtually (as described below). Evidentiary hearings are transcribed by a stenographer. The hearings are presided over by the Hearing Officer, with the active participation of the Department's technical staff. Technical staff participate by questioning witnesses to ensure that the evidentiary record is accurate and complete. At the conclusion of the evidentiary hearings, the company and intervenors typically present arguments in briefs.

Based on the evidence in the record, the Department issues a final Order at the conclusion of each adjudicatory proceeding. Pursuant to G.L. c. 25, § 5, the Department's final Order is appealable directly to the Massachusetts Supreme Judicial Court.

In response to the challenges of COVID-19, the Department adapted its adjudicatory process to allow for safe, remote participation by stakeholders and parties. In addition to expanding public comment and discovery periods in lieu of hearings, the Department developed protocols for virtual hearings and has conducted numerous virtual evidentiary and public hearings. The Department continues to apply this adapted process, where permitted by law.

### **Requests for Advisory Rulings**

The Department is sometimes called upon to issue advisory rulings with respect to the applicability of any statute or regulation enforced or administered by the Department. The Department has discretion to decline a request for an advisory ruling, per G.L. 30A, § 8 and 220 CMR 2.08. In calendar year 2023, the Department did not issue any advisory rulings.

### **Notice of Inquiry Proceedings**

The Department issues an NOI when the agency desires public input on a particular issue. Thus, NOIs are Department-initiated investigations that are neither formal adjudications nor rulemakings. The goal of the NOI is to encourage broad input into the development of public policy. The Department derives authority to issue an NOI from G.L. c. 164, § 76.

Participants in an NOI proceeding file comments and may provide sworn testimony. However, participants normally are not subject to cross-examination and do not have appeal rights. The Order issued at the close of the investigation is usually a general policy statement with guidelines for future actions by utilities or the Department. The policy established through the NOI may be further developed in the future through company-specific adjudications.

In 2023, the Department opened four NOI proceedings:

- D.P.U. 23-20 (Net Metering Revision to Single Parcel Rule)
- D.P.U. 23-33 (Enhanced Procedures for Reporting by Transportation Network Companies of Complaints by Drivers and Riders)
- D.P.U. 23-50 (Provision of Basic Service)
- D.P.U. 23-67 (Establishing Guidelines for Municipal Aggregation Proceedings)



In addition, the Department continued the following NOI proceedings:

- D.P.U. 18-152 (Review and Revision of the Standard of Review and Filing Requirements for Gas Special Contracts Filed Pursuant to G.L. c. 164, § 94)
- D.P.U. 19-07 (Retail Electric Competitive Supply Market)
- D.P.U. 19-55 (Distributed Generation Interconnection)
- D.P.U. 20-58 (COVID-19 State of Emergency)
- D.P.U. 20-80 (Role of Local Gas Distribution Companies in Meeting Commonwealth's Target 2050 Climate Goals)
- D.P.U. 21-50 (Procedures for Enhancing Public Awareness of and Participation in Department Proceedings)

## Rulemakings

The Department conducts rulemakings pursuant to G.L. c. 30A, §§ 2-5 and 220 CMR 2.00, to adopt, amend, or repeal regulations pertaining to the activities of all industries the Department is charged by statute with regulating. A rulemaking proceeding may involve simple procedural regulations or may address complex regulatory issues. The Department is required to provide public notice of a proposed rulemaking and to allow an opportunity for public comment. After consideration of the public comment, the Department may issue final regulations. The Department's proposed amended regulations are accompanied by an Order describing the reasons for promulgating the regulations. Any final regulation must be published in the Code of Massachusetts Regulations.

In 2023, the Department opened two rulemaking proceedings:

- D.P.U. 23-145, to amend 220 CMR 272.00, Rates for the Towing of Motor Vehicles
- D.P.U. 23-148, to amend 220 CMR 99.00, Dig Safe Regulations

In 2023, the Department continued three rulemaking proceedings:

- D.P.U. 17-54, to amend 220 CMR 8.00 pursuant to §§ 201, 210 of Title II of the Public Utility Regulatory Policies Act of 1978
- D.P.U. 21-100, to amend 220 CMR 18.00, Net Metering
- D.P.U. 22-100, to amend 220 CMR 101.00, Massachusetts Gas Distribution Code and 220 CMR 100.00, Massachusetts Natural Gas Pipeline Safety Code

## Public Records

While not docketed proceedings, the Department's Legal Division staff serves as the records access officers to determine what documents should be disclosed and what documents are exempt pursuant to public records law, G.L. c. 66, § 10.

During 2023, the Department responded to over 223 public records requests. In addition, the Department continued to take all necessary steps to comply with the Public Records Improvement Act ("Act"), St. 2016, c. 121. The Act is intended to enhance transparency and responsiveness of state government in complying with public records requests.

## NATURAL GAS DIVISION

### Overview

The Natural Gas Division (“Gas Division”) provides technical support to the Department in the regulation of the state’s six investor-owned natural gas companies, also called local distribution companies (“LDCs”):

- The Berkshire Gas Company;
- Boston Gas Company d/b/a National Grid (“National Grid”);
- Eversource Gas Company of Massachusetts, d/b/a Eversource Energy, formerly known as Bay State Gas Company d/b/a Columbia Gas of Massachusetts (“EGMA”);
- Fitchburg Gas & Electric Light Company d/b/a Unitil;
- Liberty Utilities (New England Natural Gas Company) Corp. d/b/a Liberty Utilities; and
- NSTAR Gas Company d/b/a Eversource Energy (“NSTAR Gas”).

In total, these companies serve approximately 1.706 million gas customers and have combined operating revenues of approximately \$3.9 billion.

The Gas Division has the authority and responsibility to:

- Review LDCs’ forecast and supply plans;
- Review LDCs’ long-term gas supply contracts;
- Review LDCs’ gas expansion plans;
- Review nontariff contracts for the sale and transportation of natural gas;
- Review the appropriateness and accuracy of LDC filings made pursuant to the Cost of Gas Adjustment Clause (“CGAC”) and the Local Distribution Adjustment Clause (“LDAC”);
- Review LDCs’ energy efficiency filings;
- Review LDCs’ service quality filings;
- License gas suppliers and retail agents;
- Assist the Rates and Revenue Requirements Division in base distribution rate, merger, and gas system enhancement plan filings; and
- Review and, where appropriate, intervene in federal regulatory proceedings and activities that affect the interests of gas consumers in the Commonwealth.

### Forecast and Supply Plans<sup>42</sup>

In Massachusetts, the LDCs under the Department’s jurisdiction have the obligation to plan for and procure gas supplies for all of their firm customers. Pursuant to G.L. c. 164, § 69I, the LDCs

<sup>42</sup> Pursuant to G.L. c. 164, § 69I, the Department must prepare and file with the general court an annual report detailing the substance of all forecast and supply plans filed pursuant to this section, any and all actions taken by the Department pursuant to

must submit a five-year forecast and supply plan to the Department for approval every two years. In its review of the forecast component, the Gas Division determines whether the company has accurately projected the gas requirements of the company’s service area. A forecast must contain accurate and complete historical data and employ reasonable statistical projection methods. In its review of the supply plan, the Gas Division must determine whether the plan is adequate to meet projected customer demand under a range of contingencies.

### Substance of Forecast and Supply Plans Filed

During 2023, the Gas Division issued Orders on forecast and supply plans for The Berkshire Gas Company, Boston Gas Company, Liberty Utilities and NSTAR Gas Company. The Gas Division is currently reviewing forecast and supply plans for two gas companies, with Orders for both due in 2024. Below is a table compiled from the information presented to the Department in each of the above-named companies’ forecast and supply plan. The table indicates expected demand and the types of resources for which the LDC has contracted to meet this demand:

Company	Order Date	Design Year <sup>43</sup>	Requirements (MMBTu)	Available Supplies
<b>Berkshire Gas, D.P.U. 22-148</b>	11/13/2023	2026/27	7,395,000	Pipeline gas, Storage, liquefied natural gas (“LNG”), Propane, and city-gate purchases
<b>Boston Gas, D.P.U. 22-149</b>	10/31/2023	2026/27	166,898,092	Pipeline gas, Storage, LNG, Propane, and city-gate purchases
<b>Liberty Utilities, D.P.U. 22-129</b>	11/13/2023	2026/27	7,236,416	Pipeline gas, Storage, LNG, Propane, and city-gate purchases
<b>NSTAR Gas, D.P.U. 22-86</b>	7/20/2023	2025/26	70,675,000	Pipeline gas, Storage, LNG, Propane, and city-gate purchases

### Reliability of Gas Supply

Massachusetts LDCs currently control several types of natural gas resources:

- interstate pipeline capacity (“pipeline”);
- upstream storage;
- gas commodity; and
- LNG.

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implementing the provisions of this section, and an analysis of the reliability and the diversity of the natural gas systems in Massachusetts.

<sup>43</sup>

The years indicate the November through October forecast period.

The pipeline capacity serves to transport gas from domestic production areas and market hubs, the Canadian border and upstream storage areas, to the Commonwealth's LDCs. Upstream storage refers to subsurface facilities used for storing natural gas that has been transported from its production location during the summer for use during the winter. Gas commodity contracts are contracts the LDCs have entered into for the purchase of natural gas commodity in vapor form and LNG contracts refer to contracts that the LDCs have entered into with the two primary facilities in the northeast, primarily the Everett LNG Terminal (formerly Engie) in Everett, operated by Exelon Generation ("Constellation LNG") and – to a lesser extent – National Grid's facility in Providence, Rhode Island, for the delivery of liquefied natural gas to refill local storage facilities.

The majority of gas supply (also referred to as "commodity") contracts are short term with a duration of between one to five years. The ability to rely on a hub-based futures market such as the New York Mercantile Exchange ("NYMEX") and an abundance of sources of supply allow the jurisdictional LDCs to enter into these short-term contracts. Such contracts allow Massachusetts LDCs to:

- Benefit from the availability of new supplies from areas such as the Marcellus Shale gas basin in the Appalachian region (Eastern Ohio, Western Pennsylvania, West Virginia); and
- Diversify their supply portfolios and respond to the availability of new resources, thereby reducing the risk associated with production interruptions in a specific area.

Massachusetts LDCs receive gas from the Marcellus Shale, Texas, Louisiana, and Canada. These supplies are enough to meet demand during the greater portion of the year. During the colder winters, and as a result of the limited availability of pipeline capacity to transport natural gas, Massachusetts LDCs also rely on city-gate purchases (spot purchases) of commodity. These spot purchases, priced at a high premium, are entered with marketers that have secured pipeline capacity, and can command a significant margin.

As mentioned above, the pricing of all supply contracts is based on market indices such as the Henry Hub, Intercontinental Exchange, or the NYMEX. To meet specific-day increased customer demand during the winter peaking months (December through February) when there are no available pipeline resources, LDCs also rely on LNG and propane-air. Two LDCs use company-owned facilities to liquefy natural gas during the summer months for delivery during the coldest days of the year. NSTAR Gas relies on its affiliate Hopkinton LNG, located in Hopkinton, MA. Similarly, Eversource Gas Company of Massachusetts relies on its own facilities to liquefy gas during the summer months. Propane air, although readily available from a multitude of vendors, is not used as extensively due to pricing and engineering considerations.

There are three major pipelines that deliver gas to Massachusetts:

1. Tennessee Gas Pipeline Company ("Tennessee"), a subsidiary of Kinder Morgan;
2. Algonquin Gas Transmission Company ("Algonquin"), a subsidiary of Enbridge; and
3. The Joint Facilities of Portland Natural Gas Transmission System ("PNGTS") and Maritimes and Northeast Pipeline ("M&N").

The M&N Pipeline, which extends from Westbrook, Maine to Dracut, Massachusetts, is jointly owned by the two pipeline companies that feed into it and it is used to deliver Canadian gas supplies or domestic commodity being rerouted to the region via Canada. The Iroquois pipeline – a partnership of TransCanada Pipeline, Dominion, and Iberdrola – delivers Canadian natural gas indirectly via its interconnections with Tennessee in Wright, New York and Algonquin in Brookfield, Connecticut. In addition to the M&N and Iroquois pipelines, several pipelines, such as Texas Eastern, Boundary, CNG, and Penn-York, deliver natural gas to Tennessee and Algonquin.

In addition, natural gas from northwestern Colorado now flows to Massachusetts via the new Rockies Express Pipeline (“REX”) that stretches over 1,600 miles eastwards. REX gas is picked up by the Texas Eastern Pipeline outside of Massachusetts and transferred to the Algonquin pipeline in southern New York.

This year’s approved and pending forecast and supply plans indicate that the LDCs have adequate supplies to meet demand during design-year conditions. That is, if Massachusetts experiences a winter that is significantly colder than average, these LDCs can use a combination of pipeline gas, upstream storage gas, LNG, propane, and delivered supplies to meet the higher-than-usual demand. The procurement of these gas supplies is also assured because the LDCs and the suppliers of delivered supplies have primary delivery rights to transport these supplies to their distribution systems.

### **Diversity of Gas Supplies**

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As discussed above, gas flowing into Massachusetts comes from a variety of production areas, including Eastern Ohio, Western Pennsylvania, West Virginia, Texas, Louisiana, and Canada. Natural gas from Western Canada currently arrives through the TransCanada Pipeline at two delivery points at the Canadian border: upstate New York (the Iroquois pipeline) and New Hampshire (“PNGTS”). The M&N pipeline can also be used to transport, if necessary, regasified LNG from Repsol’s facility in Saint John, New Brunswick. On November 15, 2021, Repsol completed the acquisition of 100% ownership of the Canaport LNG facility which has now been renamed Saint John LNG.

To meet the increasing demand during the winter peaking months, LDCs rely on upstream storage gas and additional supplies such as LNG, propane/air mix and delivered supplies. Most of the LNG used in Massachusetts during 2023 was imported from Trinidad, with a small fraction imported from Jamaica. Imported LNG arrives in Massachusetts in liquid form and is either stored in Constellation LNG’s terminal in Everett, or vaporized and injected into Algonquin Gas’s HubLine via Excelebrate Energy’s Northeast Gateway Deepwater Port 13 miles offshore. Based on the November 15, 2023, report from the U.S. Department of Energy (“USDOE”), however, the Northeast Gateway had not received any product in 2023 through September.

According to the USDOE, the Constellation LNG terminal received 10.5 billion cubic feet (“Bcf”) of natural gas for the period January 2023 through September 2023. As mentioned above, the offshore facility did not receive any volumes. In comparison, the region imported

16.7 Bcf for the period January 1, 2022 through September 30, 2022. This represents a decrease of 6.2 Bcf compared to the previous year.

In terms of pricing, using the NYMEX price reference, the price of natural gas, in contrast to 2022, has remained relatively low. The highest point was reached on January 5, 2023 when the monthly spot price was \$3.78 per MMBtu. It should be noted that in real terms the price of natural gas remains well below what the market has experienced since 2004. In regard to “Gas in Storage” – which is essential to support demand during the peak winter period – the EIA reports that as of November 10, 2023, gas in storage was 3.833 trillion cubic feet (“Tcf”). This volume is 203 Bcf, or about 5.6%, above the 5-year average, as shown in the chart, below by the EIA.

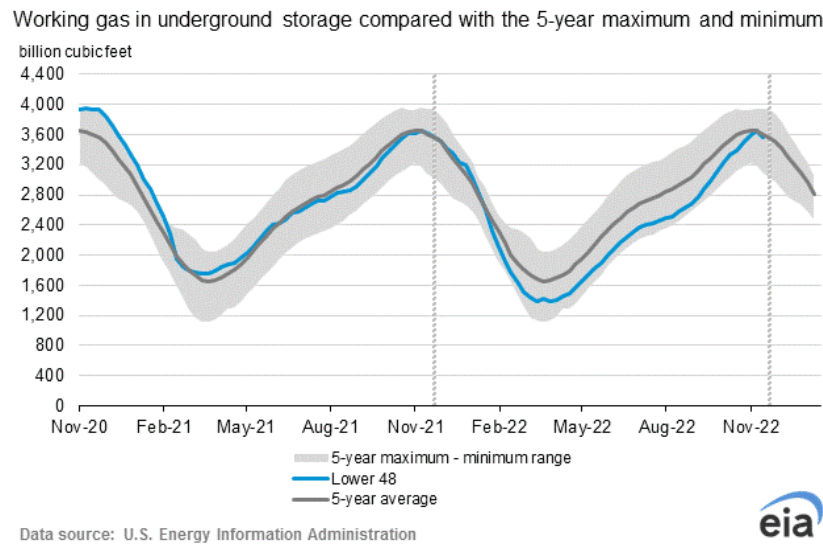


Figure 1—US GAS STORAGE INVENTORY (Source: EIA)

The EIA reports that spot prices for delivery to New England on November 20, 2023 were \$3.53/MMBtu. The EIA further reports that for November 21, 2022, the Henry Hub spot price was \$6.23/MMBtu. However, it should be noted that the spot price changes on a daily and even



hourly basis, as it is affected by a number of factors such as weather, drilling activity, power generation demand, pipeline events, and even geopolitical (in)stability.

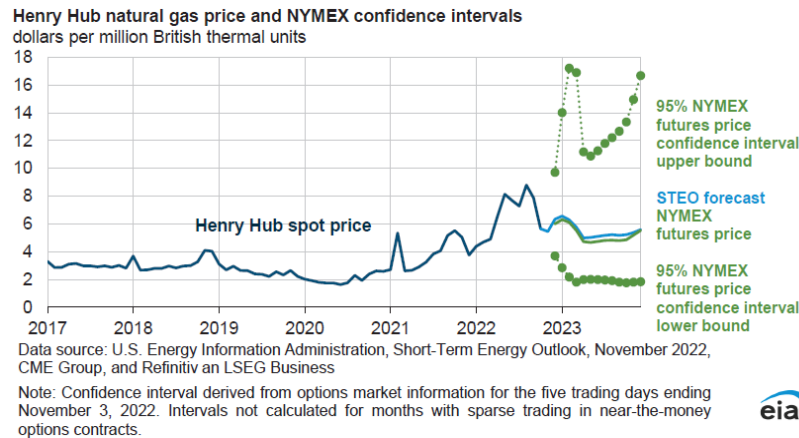


Figure 2- Henry Hub natural gas price and NYMEX confidence intervals (Source: EIA)

## Long-term Gas Supply Contracts

LDCs must submit all supply contracts with terms longer than one year to the Department for review and approval as required under G.L. c. 164, § 94A. Long-term supply contracts include both gas commodity (the natural gas itself) and capacity (the space on the pipeline required to transport the natural gas from the production areas to the LDC's distribution system). In evaluating a gas company's proposed contract for commodity or capacity, the Gas Division examines whether the acquisition of the resource would be consistent with the public interest. To do so, the Gas Division determines whether the LDC has shown that the acquisition would be consistent with the company's portfolio objectives and would compare favorably to the range of options reasonably available to the company and its customers.

During 2023, the Gas Division reviewed two long-term supply contracts.

## Non-Tariff Contracts

Large commercial and industrial gas customers that are capable of burning alternative fuels, such as oil or coal, sometimes find that the Department-approved distribution tariffs of their specific LDC are not competitive with these alternative-fuel options. To retain these customers and assure a continued stream of revenue, LDCs may offer the customers nontariff contracts, subject to Department approval. In its review,<sup>44</sup> Gas Division staff ensures that:

<sup>44</sup> The Department is conducting an investigation into the standard of review and the filing requirements for gas special contracts filed pursuant to G.L. c. 164, § 94. In opening the investigation, the Department stated that it would investigate the existing standard of review for gas special contracts filed pursuant to Section 94 and establish uniform filing requirements for gas special contracts. The Department received comments from various stakeholders, including the LDCs and the Attorney General. The investigation is currently pending.

- The customer is capable of burning an alternative fuel;
- The price charged under the contract exceeds the marginal cost of providing this service; and
- The company's existing ratepayers are not responsible for any of the costs associated with providing the specified service.

In 2023, the Gas Division reviewed 35 non-tariff contracts.

### Requests for Cost Adjustments

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Department regulations allow costs incurred by gas companies for the purchase, storage, and interstate transportation of gas ("gas supply costs") to be recovered through the cost of gas adjustment factor filing. These filings are semi-annual due to the fact that the market price for gas fluctuates seasonally. The Gas Division reviews these filings to ensure accounting accuracy and prudent company practices and approves new factors for effect on May 1<sup>st</sup> and November 1<sup>st</sup> of each year. In 2001, the Department amended its regulations to require gas companies to make interim filings when projected collections of gas supply costs change by more than five percent. These adjustments help reduce the impact on customers' bills when there are significant changes in gas supply costs.

Similarly, the Department allows gas companies to recover – on a fully-reconciling basis – a variety of costs that have been determined to be distribution-related but are not included in base distribution rates.<sup>45</sup> The charge used to recover all these costs is referred to as the Local Distribution Adjustment Factor ("LDAF"). Examples of recoverable expenses include the costs of energy efficiency programs, costs related to gas system enhancement investments and costs related to geothermal demonstration pilot programs. LDCs can also recover costs associated with federal and state mandated cleanups of past contamination at sites polluted by wastes from gas manufacturing plants. Although most gas manufacturing plants in Massachusetts ceased operations by the early 1950s, their waste continues to present environmental hazards. The Gas Division reviews all company requests for adjustments via the LDAF to ensure accounting accuracy and prudent company practices.

During 2023, the Gas Division reviewed 30 cost adjustment requests and seven LDAF requests.

### Energy Efficiency

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Since 1992, the Department has required LDCs to develop energy efficiency plans that bring cost savings to consumers and reduce the overall need for gas. Since the passing of the Green Communities Act in 2008, LDCs submit energy efficiency plans to the Department for approval every three years. The Gas Division reviews the plans to ensure that:

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<sup>45</sup> Base distribution rates are designed to recover distribution-related costs (i.e., the costs to operate the LDC), including plant and equipment, labor, taxes, interest on borrowed funds, return on investment, billing, metering, and customer service.

- LDCs are delivering programs cost-effectively, capturing all available energy efficiency opportunities, while also being mindful of rate and bill impacts on consumers;
- Administrative costs have been minimized to the fullest extent practicable;
- Competitive procurement processes have been used to the fullest extent practicable; and
- A minimum of 20 percent of the gas energy efficiency budget is allocated toward low-income energy-efficiency spending.

The Department approved the 2022-2024 Three-year Energy Efficiency Plans, with modifications, on January 31, 2022, which was within the 90-day period prescribed by statute. LDCs plan to spend \$1.25 billion over the three-year period to save approximately 1.15 billion lifetime therms and achieve \$3.8 billion in total benefits. The approved plans include behavioral offerings, weatherization (e.g., energy audits, attic/wall insulation, and air sealing), and rebates for thermostats, faucet aerators, and the installation of high efficiency heating equipment. New offerings in this plan include rebates for the installation of heat pumps to partially, or fully, displace gas heating equipment with the requirement that customers weatherize the home first. The companies recover all energy efficiency-related costs via the energy efficiency surcharge in the LDAF which goes into effect each year on November 1.<sup>46</sup>

In 2023, all LDCs filed mid-term modifications to their 2022-2024 Three-Year Energy Efficiency Plans. Unitil, Liberty, and Berkshire filed their proposals in mid-2023 and are requesting increases to their budgets due to overspending in the first year of their plans. National Grid, EGMA, and NSTAR Gas filed their midterm modifications in December 2023 and are requesting various changes to their program budgets in both the residential and commercial & industrial sectors. The Department is currently reviewing these proposals.

LDCs submit annual informational filings that track spending and savings. Upon completion of a three-year term, the companies submit term report filings for Department review of spending and approval of final cost recovery. The 2019-2021 term reports were filed with the Department on August 1, 2022. In 2023, the Gas Division reviewed 10 energy efficiency filings.

### **Cooperation with the Rates and Revenue Requirements Division**

The Gas Division works closely with the Department's Rates and Revenue Requirements Division to review various rate case filings, gas system enhancement plan ("GSEP") expenditures, long-term debt issuance, and merger and acquisition petitions. In traditional rate cases, Gas Division staff is responsible for reviewing the terms and conditions of distribution service, the allocation of local production and storage costs, weather normalization, gas related cash working capital, marginal costs, and the treatment of revenues from off tariff contracts. In 2023, the Gas Division participated in the Department's review of two rates-related filings.

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<sup>46</sup> In addition, if a company modifies its existing three-year plan, it must file a midterm modification for approval with the Department.

## Service Quality

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In June 2001, the Department issued an Order finalizing service quality standards for all electric and gas distribution companies. In 2015, the Department approved revised service quality standards for gas companies. The revised guidelines established new performance criteria for penalties and reporting in customer service, billing, customer satisfaction, staffing levels, safety, and reliability. Pursuant to this Order, the LDCs filed company-specific service quality plans for review, which the Department approved in 2017. Each gas company annually files a service quality report in March, comparing its actual performance against the service quality standards established by the Department. The Gas Division is responsible for the review of all gas service quality plans to ensure that the companies maintain a minimum quality of service. During 2023, the Gas Division reviewed seven service quality plans.

## Future of Gas, D.P.U. 20-80

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On December 6, 2023, the Department issued an order in D.P.U. 20-80, a proceeding commenced by the Department in 2020 to examine the role of gas local distribution companies as the Commonwealth achieves its target 2050 climate goals (commonly referred to as the “future of gas” proceeding).

In its Order 20-80-B, the Department enunciated regulatory principles and a framework intended to set forth its role and that of the Massachusetts LDCs in helping the Commonwealth achieve its target of net zero GHG emissions by 2050. Global Warming Solutions Act, St. 2008, c. 298 (“GWSA”); Executive Office of Energy and Environmental Affairs Determination of Statewide Emissions Limit for 2050 (April 22, 2020). In the Order, the Department expressed its intention to enable the Commonwealth to move into its clean energy future while simultaneously safeguarding ratepayer interests and maintaining affordability for customers; ensuring safe, reliable, and cost-effective natural gas service; minimizing the burden on low- and moderate-income households as the transition proceeds; and facilitating a just workforce and energy infrastructure transition.

The Department reviewed eight potential decarbonization “pathways” to achieving the target of a 90 percent gross reduction in GHG emissions by 2050 as compared to 1990 levels, as well as interim GHG emissions reductions targets of 50 percent by 2030 and 75 percent by 2040. The decarbonization pathways are designed to reflect different futures for the LDCs and their customers, ranging from ongoing use of the LDCs’ distribution networks to 100 percent decommissioning of gas distribution infrastructure in the Commonwealth. The Department made no findings as to a preferred pathway or technology; rather, it expressed its intention to create and promote a regulatory framework that is flexible, protects consumers, promotes equity, and provides for fair consideration of the current and future technologies and commercial applications required to meet the Commonwealth’s clean energy objectives.

The Department considered six regulatory design recommendations intended to facilitate the Commonwealth’s transition: (1) support customer adoption of and conversion to electrified and decarbonized heating technologies; (2) blend renewable gas supply into gas resource portfolios;

(3) pilot and deploy innovative electrification and decarbonized technologies; (4) manage gas embedded infrastructure investments and cost recovery; (5) evaluate and enable customer affordability; and (6) develop LDC transition plans and chart future progress. As described in Order 20-80-B, the Department made specific findings about each of these regulatory design recommendations.

As to supporting customer adoption of and conversion to electrified and decarbonized heating technologies, the Department found that to achieve the Commonwealth's climate targets, there must be a significant increase in the use of electrified and decarbonized heating technologies. The Department and LDCs can play a pivotal role by enhancing incentives and expanding the Mass Save energy efficiency programs to facilitate customer use of heat pumps. The Department also addressed the critical need to minimize costs for customers, including through pursuit of outside funding sources, and prioritizing workforce development to enable a just transition framework for gas industry workers as well as customers.

The Department rejected the recommendation to change its current gas supply procurement policy to support the addition of renewable natural gas ("RNG") to LDC supply portfolios due to concerns regarding the costs and availability of RNG as well as its status as zero-emissions fuel. The Department expressed support for customers having the option to be able to purchase RNG from their LDC or a supplier at full cost to the customer.

Given the critical importance of significantly decarbonizing the heating sector, the Department considered the proposal that the LDCs pilot and deploy the following four technologies: (1) networked geothermal; (2) targeted electrification; (3) hybrid heating systems; and (4) renewable hydrogen. As detailed in the Order, the Department views networked geothermal projects as those with the most potential to reduce GHG emissions and expresses support for targeted electrification as well.

The Department sought to dissuade gas customer expansion and to align rate design with the Commonwealth's climate objectives. To achieve this, the Department directed gas utilities to revise their per-customer revenue decoupling mechanism to a decoupling approach based on total revenues. Removing the incentive to add new customers aligns the LDCs' rate design with climate objectives and GHG reductions. The Department also directed all LDCs to conduct a comprehensive review that includes a forecast of the potential magnitude of stranded investments, and to identify the impacts of accelerated depreciation proposals, as well as potential alternatives to accelerated depreciation.

The Department found that consideration of non-gas pipe alternatives ("NPAs"), defined broadly to include electrification, thermal networked systems, targeted energy efficiency and demand response, and behavior change and market transformation, is necessary to minimize investments in the gas pipeline system that may be stranded costs in the future as decarbonization measures are implemented. Going forward, the Department stated that as part of future cost recovery proposals, LDCs will bear the burden of demonstrating that NPAs were adequately considered and found to be non-viable or cost prohibitive to receive full cost recovery.

The Department concluded that the standards for investments to serve new customers must be examined. The Department therefore directed the LDCs to begin reviewing existing tariffs, policies, and practices related to new service connections to determine: (1) the number of *de facto* free extension allowances; (2) whether current models and policies accurately reflect the anticipated income and timeframe over which the capital investments will be recovered; and (3) whether existing state policies are inconsistent with current practices by incentivizing new customers to join the gas distribution system and allowing LDCs to extend their systems through plant additions. Further, in reviewing future applications for new service, the Department will examine the appropriateness of the existing standard that there be no adverse impacts on existing natural gas customers in the context of a broader climate mandate.

The Department observed that there are numerous concerns regarding affordability for customers, including the upfront costs required for customers to convert appliances and heating systems from natural gas to electricity, and also higher rates for customers who remain on the system. Cost shifting between migrating and nonmigrating customers and between rate classes, and potential disproportionate impacts on low-income customers and customers from environmental justice populations, present equity challenges as well.

Finally, the Department found that the clean energy transition will require coordinated planning between LDCs and electric distribution companies, monitoring progress through LDC reporting, and aligning existing Department practices with climate targets. To that end, the Department ordered LDCs to submit individual Climate Compliance Plans to the Department every five years beginning in 2025, and to propose climate compliance performance metrics in their upcoming performance-based regulation filings, ensuring a proactive approach to achieving climate targets.

## Geothermal Pilot Plans

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The Department has approved two geothermal demonstration pilot projects that are anticipated to deliver cost-effective benefits to customers. Geothermal technologies take advantage of the relatively stable temperature of the ground to provide heating and cooling. Networked geothermal specifically uses a closed loop of underground heat exchanging pipes that circulate water and/or antifreeze solution underground to absorb the soil's heat in the winter and mitigate total demand. The system transfers energy to in-house heat pumps, which warm the building's air in the winter. In reviewing and approving a proposed demonstration project, the Department considers the following:

- Consistency of the proposed demonstration program with applicable laws, policies, and precedent;
- Reasonableness of the size, scope, and scale of the proposed project in relation to the likely benefits to be achieved;
- Adequacy of the proposed performance metrics and evaluation plans; and
- Bill impacts to customers.



On October 30, 2020, the Department approved a networked geothermal demonstration project proposed by NSTAR Gas Company to evaluate the technology in a mixed use, dense urban environment. The project will last three years, with a projected cost of \$14.1 million. NSTAR Gas selected a project site in Framingham that will serve 23 residential gas customers, six residential customers currently served by delivered fuels, ten Framingham Housing Authority buildings currently heated by electric resistance, and five commercial buildings. Construction of geothermal infrastructure commenced in May 2023, with a goal of the loop being in operation at some point during the 2023-2024 heating season.

On December 15, 2021, the Department approved a networked geothermal demonstration proposal from National Grid. The project is expected to last five years and the company plans to target 185 gas customers at four project sites with a budget of \$15.6 million. National Grid selected a site in Lowell after screening fourteen site configurations across seven municipalities, with a goal of the system being operational prior to the 2024-2025 heating season. The Lowell geothermal network is expected to serve 43 gas customers, including two UMass-Lowell administrative buildings, a Lowell Housing Authority residential building, a commercial building with multiple tenants, and surrounding single-family and multi-family residential buildings.

The Gas Division reviewed three filings related to these geothermal pilots in 2023. The companies continue to submit updates and reports related to project construction and communication with customers.

### **Licensing of Gas Suppliers and Retail Agents**

Over the last several years, the Gas Division has worked to promote competition in the local gas distribution industry through the “unbundling” of rates. The Gas Division has brought about regulatory changes that provide gas customers with opportunities to participate in a competitive gas market, while maintaining traditional consumer protections. Massachusetts customers may choose a gas supplier other than the LDC serving the customers’ neighborhood. This allows customers to comparison shop and negotiate for the best value in gas commodity from competitive suppliers. The price charged by these competitive suppliers for natural gas, however, is not regulated. Instead, competitive gas suppliers set their own prices, just like the sellers of most goods and services in the marketplace.

Gas suppliers and retail agents wishing to sell natural gas to Massachusetts retail customers must be certified by the Department annually. The Gas Division reviews the applications for these licenses and conducts interviews with the applicants. Staff determines whether the applicants have the technical ability to procure and deliver natural gas and whether they are familiar with the Department’s rules and the gas industry in general. The Gas Division also evaluates documentation of the applicant’s financial capability, such as the level of capitalization or corporate backing, to provide the proposed services.

In 2023, the Gas Division reviewed 20 Gas Supplier and Retail Agent license applications and the Department approved 173 licenses. The approved licenses include the following:

- One new Gas Supplier license;
- 27 Gas Supplier license renewals;

- 19 new Gas Retail Agent licenses; and
- 146 Gas Retail Agent license renewals.

## **Additional Gas Division Activities**

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### **Cybersecurity**

Over the last several years, the Gas Division has worked to ensure that LDCs have developed robust cybersecurity programs that help minimize the risk of a cyber-attack that could potentially affect the delivery of natural gas to Massachusetts consumers. In accordance with the Department's policy regarding cybersecurity, Gas Division and Legal Division staff meet annually with the LDCs pursuant to Department policy established in July 2016. Gas Division staff met with all LDCs in 2023.

### **Gas Expansion Plans**

Pursuant to Section 3 of Chapter 149 of the Acts of 2014, the Department is authorized to approve programs for gas distribution companies that are designed to increase the availability, affordability, and feasibility of natural gas service for new customers. Such programs may include, among other things, financing programs for customers' natural gas connection costs, provided, however, that the programs do not unreasonably burden existing natural gas customers. The Gas Division did not review any gas expansion plans in 2023.

### **Participation in Federal Policy Making**

Over the past decade, actions taken by FERC, the U.S. Department of Energy, and Congress have dramatically changed federal regulation of the natural gas industry. These changes directly affect the interests of Massachusetts customers who are served by federally regulated pipelines and LNG import terminals. Gas Division staff work with DRFA, other state agencies, and regional organizations to stay informed regarding current federal statutory and regulatory proposals, and to develop policy positions on issues that may affect the Commonwealth's interests. Further, to the extent possible, Gas Division staff assists federal agencies, like the USDOE, in projects relating to natural gas.

### **Public Information and Review of Consumer Complaints**

Gas Division staff provide information and assistance daily to consumers, government officials, marketers, regulated companies, consultants, and financial analysts. In addition, Gas Division staff assisted the Department's Consumer Division in addressing gas related consumer issues.

## **2023 Gas Division Accomplishments**

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In summary, during 2023, the Gas Division reviewed:

- 6 forecast and supply plan filings;
- 2 long-term gas supply contracts;
- 35 non-tariff contracts for the sale and transportation of natural gas (firm service, quasi-firm service);

- 30 gas adjustment factor filings pursuant to the CGAC;
- 7 cost recovery filings pursuant to the LDAC;
- 10 energy efficiency filings;
- 2 rates-related filings;
- 7 service quality reports;
- 3 geothermal demonstration project filings; and
- 173 licenses for gas suppliers and gas retail agents.

## PIPELINE SAFETY DIVISION

### Overview

The Pipeline Safety Division is responsible for technical and safety oversight of six investor-owned natural gas companies and four municipal gas departments. It oversees the intrastate transmission facilities of four additional operators. As a certified agent of the U.S. Department of Transportation (“USDOT”), the Pipeline Safety Division enforces federal and state safety regulations pertaining to natural gas distribution pipelines within the Commonwealth. The Pipeline Safety Division also enforces the Department’s pipeline safety regulations and the Commonwealth’s Damage Prevention program. The Damage Prevention program oversees the enforcement of the Commonwealth’s Dig Safe laws. The Dig Safe statute and regulation require companies and individuals performing excavation work to notify the Dig Safe Call Center to ensure safe excavation around underground facilities. The Pipeline Safety Division is also responsible for oversight of steam distribution companies in the Commonwealth. Finally, the Pipeline Safety Division tests gas meters and witnesses the testing of electric meters in response to consumer complaints.

The Pipeline Safety Division’s authority over technical and safety issues requires the Division to:

- Inspect gas facilities for compliance with federal and state pipeline safety regulations concerning design, construction, operation, maintenance, emergency response, plant security, and enforce violations of such regulations;
- Investigate and determine the cause of gas-related incidents and recommend actions to minimize recurrences;
- Develop and revise regulations applicable to the gas industry to enhance the protection of life and property, and to further public safety;
- Enforce the Dig Safe law by investigating alleged violations and assessing civil penalties;
- Examine and investigate a steam distribution company’s safety performance and investigate steam release incidents;
- Inspect and test gas meters for accuracy and safety before the meters are installed at consumers’ premises;
- Assist in resolving consumer complaints regarding the accuracy of electric and gas meters;
- Ensure that natural gas distribution operators restore public streets and roads after excavating; and
- Ensure that natural gas operators safely and promptly restore natural gas service following outages.

### Pipeline Safety Division Responsibilities

Natural gas is considered a hazardous fuel by both the state and federal governments. Massachusetts has over 21,840.27 miles of gas mains and thirteen operators, with 19 liquefied

natural gas (“LNG”) plants and six liquefied propane gas (“LPG”) air plants. These facilities serve over 1.4 million customers.

In addition, there are approximately 30.7 miles of intrastate gas transmission lines in Massachusetts. 9.8 jurisdictional miles are offshore transmission piping, which is currently in the decommissioning process. The increased use of natural gas to generate electricity has resulted in the construction of new intrastate transmission pipelines to connect power plants directly to interstate gas transmission lines. As intrastate facilities, these pipelines fall under the jurisdiction of the Pipeline Safety Division, whose public utility engineers inspect their design, construction, operations, and maintenance procedures. Such pipelines typically operate at pressures higher than local gas distribution pressures.

To protect consumers and the general public from the potential hazards involved in the transmission, distribution, production, storage, and use of natural gas, LNG, and LPG, both the USDOT and the Department regulate these facilities. In addition to enforcing the Department’s regulations, the Pipeline Safety Division acts as an agent for the USDOT in the enforcement of federal regulations regarding intrastate pipelines and facilities.

In 2023, the Division opened rulemakings into two separate regulations. The Division opened an investigation into 220 CMR 100.00, Massachusetts Gas Distribution Code and 220 CMR 101.00, Massachusetts Natural Gas Pipeline Safety Code, to incorporate directives from the Section 81 of the 2021 Climate Act and recommendations from the statewide Dynamic Risk audit and the National Transportation Safety Board after the Merrimack Valley incident.<sup>47</sup> A public hearing was held on February 1, 2023, with subsequent technical sessions with stakeholders.

Separately, the Division opened a rulemaking related to 220 CMR 99.00, Procedures for the Determination and Enforcement of Violations of Safety Codes Pertaining to Damage Prevention. This change was to ensure the regulation complied with the new mandates of the 2021 Climate Act, which increased the civil penalties for violations related to natural gas pipeline facilities. A public hearing will be held in early January 2024.

### **Pipeline Safety Division Gas Facility Inspections and Enforcement Actions**

The Pipeline Safety Division’s Public Utility Engineers inspect jurisdictional gas facilities, pipelines, meter stations, regulator stations, dispatch centers, LNG plants, and LPG air plants for compliance with federal and state safety regulations. If the Pipeline Safety Division determines that a probable violation has occurred or is occurring, the Pipeline Safety Division issues a Warning Letter to the alleged violator, advising them to correct the probable violation or be subject to an enforcement action. The Pipeline Safety Division may also issue a Letter of Concern for minor infractions.

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<sup>47</sup> On September 13, 2018, excessive pressure in natural gas lines resulted in a series of explosions and fires to occur in as many as 40 homes in the towns of Lawrence, Andover, and North Andover, all within the Merrimack Valley.

If the Pipeline Safety Division has reason to believe that a violation has occurred or is occurring, it may issue a Notice of Probable Violation (“NOPV”), thereby commencing an enforcement action. The NOPV will include a Consent Order that proposes the action(s) to be taken by the respondent to correct the violation and the civil penalty to be paid. The respondent may agree to the Consent Order and pay the civil penalty, thereby resolving the case, or may request an informal review conference with the Pipeline Safety Division. Following an informal review conference and any further investigation, if necessary, the Pipeline Safety Division issues a written decision. If the respondent disputes the written decision, it may request an adjudicatory hearing before the Department.

These remedial actions may include civil penalties when the Department determines that a natural gas operator did not comply with federal or state pipeline safety regulations. The penalties cannot exceed \$500,000 per violation or \$10,000,000 for any related series of violations.

In 2023, Public Utilities Engineers performed approximately 2,994 pipeline safety inspections. These inspections included both field activities and mandated program reviews. The Division conducted several months of inspections of a new LNG plant and new transmission line in Charlton, MA. The LNG plant is the first new plant in Massachusetts in over 20 years. The new LNG and related transmission facilities are owned and operated by Northeast Energy Center and are expected to be fully commissioned by December 2023 or early 2024.

The Division also continued its comprehensive investigation into all the master meter operators, identifying operators who had not been in compliance with the regulations, including many who were unaware they were operating as a master meter. The goal of the master meter inspections and subsequent enforcement is to ensure safe operation and maintenance of pipes that had historically not been maintained. To date, master meter operators have either entered into a Consent Order to bring their facilities into compliance or been issued a Remedial order mandating compliance.

The Pipeline Safety Division issued 31 NOPVs, assessing a total of \$2,595,000. These revenues are not retained by the Department but instead are deposited into the Commonwealth’s General Fund.

### **Investigation of Natural Gas Incidents**

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When a gas related incident occurs that results in personal injury or significant property damage, the Pipeline Safety Division’s engineers investigate to determine:

- The cause and origin;
- Whether the pipeline operator is in violation of federal or state safety regulations; and
- What actions the operator must take to prevent or eliminate a recurrence.

During 2023, there were three incidents.

- March 6, 2023, fire on customer appliance at 20 Townsend St, Pepperell.
- March 25, 2023, car struck gas riser at 1086 Montgomery Street, Chicopee.



- November 4, 2023, house explosion at 126 Prince Street, Needham.

### **Intrastate LNG/LPG Facilities**

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LNG and LPG plants are important parts of the gas supply system in Massachusetts. Particularly in the winter months, LNG and LPG plants provide a significant source of gas during peak demand times. Ensuring the safe and effective operation of these plants has always been a priority for the Pipeline Safety Division.

The Pipeline Safety Division comprehensively inspects each LNG and LPG plant once every three and five years, respectively. The Pipeline Safety Division is responsible not only for the safety and reliability of these plants, but also for their security, which the Pipeline Safety Division continually monitors through onsite inspections, reviews of procedures, and reviews of operating and maintenance records. As noted above, this year the Pipeline Safety Division also conducted inspections related to a new LNG plant in Charlton.

### **Damage Prevention Program**

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Massachusetts' Dig Safe law requires any person who proposes to excavate in a public way or on private property to pre-mark the excavation site and notify the Dig Safe Call Center of the intent to excavate. The Dig Safe Call Center then contacts all operators of underground gas pipelines, electric utilities, telecommunication utilities, and cable television utilities in the area of the excavation. These operators must mark the locations of their facilities in advance of the excavation to minimize the risk of potential damage by the excavation. The excavator must take adequate precautions to prevent damage to the facilities while digging.

Any person aware of possible violations of Dig Safe procedures should report them to the Pipeline Safety Division's Damage Prevention Program. Utility operators are mandated by regulation to report possible Dig Safe violations. The Division investigates the reports, issues NOPVs with Consent Orders where warranted, conducts informal reviews (either through conferences with the respondents or written submissions), and performs field inspections as necessary. Where the Pipeline Safety Division has reason to believe that a violation has occurred or is occurring, it issues a written decision and may impose a civil penalty. A respondent disputing the written decision may request an adjudicatory hearing before the Department.

In 2023, the Division received reports of approximately 1,421 incidents involving possible violations. The Division issued 852 NOPVs and assessed \$14,341,500 in civil penalties. These revenues are not retained by the Department but instead are deposited into the Commonwealth's General Fund. In addition to penalties, the Division hosts quarterly first-time offender training to ensure excavators have knowledge of the laws, the Division's enforcement, and best practices. This year, the Division hosted the training quarterly, reaching nearly 327 different contractors. The Damage Prevention program also issued a Remedial Order to 136 excavators who failed to respond to the Division's Notices of Probable Violation. The Remedial Order is posted to the Department's File Room.

The Pipeline Safety Division has dedicated three Pipeline Utility Engineers to focus on damage prevention in addition to their other pipeline inspection duties. These engineers are responsible for responding to any report of a damaged pipeline involving the release of gas. They are also proactively conducting site visits to drive change and awareness to damage prevention. Overall, this oversight has continued the trend of lowering the state damage rate every year. In 2022, the total damage rate per thousand tickets was 1.76. For 2023, the total damage rate per thousand tickets declined to 1.66.

## **Steam Distribution**

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State regulations for steam distribution companies apply to every steam distribution company operating a plant, equipment, or facilities for the manufacture, production, transmission, furnishing, or distribution of steam to or for the public for compensation within the Commonwealth. The steam regulations prescribe minimum safety requirements for the design, fabrication, installation, inspection, testing, operation, and maintenance of steam facilities by steam distribution companies. The Department has the authority to conduct examinations and investigations into a steam distribution company's safety performance, and to levy fines against steam distribution companies for failure to comply with the regulations. At present, there is only one steam distribution company in the state, Vicinity Energy, operating in Boston and Cambridge.

In 2023, the Pipeline Safety Division conducted 150 field inspections of steam distribution facilities. The Division also worked to streamline the format and content of the Annual Steam Safety Report ("ASSR") to capture more accurate leak reporting data within the Boston and Cambridge steam distribution systems. Additionally, the Pipeline Safety Division continues its jurisdictional assessments of all steam entities state-wide. This assessment is part of a multi-year steam program assessment and compliance review.

## **Gas Meter Testing**

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State law requires that the Pipeline Safety Division test each natural gas meter for volumetric accuracy and leakage once every seven years, or when the meter is removed from service. Gas companies and municipal gas departments ("operators") typically remove meters to be tested and replace them with previously approved meters. Operators then deliver meters to their meter shops, where one of the Pipeline Safety Division's compliance officers tests them to ensure that they are not leaking and that they are accurate, thereby ensuring that consumers are paying for the correct amount of gas. In 2023, the Pipeline Safety Division assessed \$2,908,690 in meter testing fees from operators. These revenues are not retained by the Department but instead are deposited into the Commonwealth's General Fund.

## **Consumer Complaints Regarding Meters**

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The Pipeline Safety Division assists the Department's Consumer Division in addressing consumer complaints pertaining to both electric and gas meters. For electric meters, a Pipeline Safety Division staff member observes while the meter in question is tested for accuracy. For gas meters, a Pipeline Safety Division compliance officer removes and tests the meter in question using calibrated meter testing equipment.

## **Restoration of the Public Way after Utility Openings**

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In response to complaints from municipalities and the industry about the lack of repairs made to public roads after utility work is completed, the Department promulgated street restoration standards in 1998. The regulations set standards for soil compaction, paving, and other activities affecting road condition.

## **Partnership with Industry**

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The Division also worked with utilities and the Dig Safe Call Center to conduct training sessions for excavators. The sessions provide excavators with information about underground utility lines and precautions to take when excavating near those lines. Programs such as Managing Underground Safety Training are an important tool for preventing damage to underground pipelines and cables.

## **Precedent, Policies, and Practice**

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The Department is a national leader in gas pipeline safety. The Pipeline Safety Division's actions in response to violations of the pipeline safety regulations have gained the recognition of USDOT and other pipeline safety organizations across the United States. With more LNG plants than any other state, the Commonwealth's LNG safety regulations are among the most stringent in the country.

Massachusetts has continued to address the important issue of replacement or abandonment of aging pipe consisting of unprotected bare steel, cast iron, or unprotected coated steel. The Department's regulations require pipeline operators to prioritize and replace segments of unprotected bare steel and cast-iron pipe in accordance with Department-developed criteria. In addition, companies must replace or abandon cast iron pipes, subject to specific criteria, when third party excavation occurs nearby.

In 2014, the Massachusetts State Legislature passed *An Act Relative to Natural Gas Leaks* ("Gas Leaks Act"). The Gas Leaks Act permits local distribution companies to submit to the Department annual plans to repair or replace aged natural gas infrastructure in the interest of public safety. On October 31 of each year since then, pursuant to the Gas Leaks Act, each gas distribution company submit GSEPs setting forth their proposals for replacing aged pipe during the upcoming construction year. The companies include timelines to replace all aged infrastructure on an accelerated basis, specifying annual replacement pace and program end dates. By April 30 of each following year, the Department issues an Order approving or amending each company's GSEP.

The GSEP Orders specify that operators of natural gas distribution systems use the Distribution Integrity Management Plan ("DIMP") to prioritize the replacement of aged pipelines. DIMP is contained in the USDOT's pipeline safety regulations. The Pipeline Safety Division reviews each operator's DIMP program for accuracy and compliance with 49 C.F.R. Part 192. The Pipeline Safety Division also reviews the proposed GSEPs to ensure that each operator's plan complies with its DIMP program.

As noted above, the 2021 Climate Act mandated changes to the regulations routinely used by the Division. As the state works to achieve its climate goals, the proposed updates to the regulations ensure that the current infrastructure operates in a safe and reliable manner for all citizens of the Commonwealth.

## **2023 Pipeline Safety Division Accomplishments**

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In summary, in 2023 the Pipeline Safety Division:

- Conducted natural gas facility inspections, resulting in the issuance of 31 NOPVs for violations of pipeline safety regulations and assessed gas pipeline operators a total of \$2,595,000 in civil penalties;
- Tested 267,682 meters of various sizes, resulting in the assessment of \$2,9088.690 in testing fees;
- Completed 3,254 pipeline safety inspections;
- Completed 150 steam inspections;
- Completed the following program reviews for all applicable operators:
  - Master Meters
  - LPG
  - Emergency Response Plans
- Participated in an update of the State Energy Security Plan submitted to the US Department of Energy as required by the 2021 Bipartisan Infrastructure Law and participated in the associated State Emergency Response Tabletop Exercise;
- Documented all common findings for DIMP and Drug and Alcohol and circulated to all gas operators for improved compliance with regulations;
- Monitored work plan agreements with four utilities to address meter exchanges that have fallen behind the mandated seven-year replacement schedule;
- Issued Consent Orders with Compliance Agreements or issued Remedial Orders for all Master Meter Operators;
- Conducted a comprehensive inspection of the design, construction, commissioning, procedures, and personnel training of a new LNG facility in Charlton;
- Completed 209 LPG inspections identifying 12 jurisdictional operators;
- Received approximately 1,421 reports of Dig Safe violations, issued 852 NOPVs for violations of the Dig Safe Law, and assessed \$14,341,500 in civil penalties from Dig Safe violators;
- Undertook rulemakings on two major regulations relating to pipeline safety 220 CMR 99.00 and 220 CMR 101; and
- Achieved further reductions in the total damage rate per thousand tickets (since 2018, the state has reduced the total damage rate per thousand tickets by 33%, from 2.47 to 1.66).

## RAIL TRANSIT SAFETY DIVISION

### Overview

The Commonwealth of Massachusetts has designated the DPU to serve as the State Safety Oversight Agency (“SSOA”) for the rail fixed guideway public transportation system. Pursuant to federal regulations (49 C.F.R. § 674), a state with a rail fixed guideway public transportation system has primary responsibility for overseeing the safety of the system and must establish a SSOA. In Massachusetts, the only rail fixed guideway public transportation system is the Massachusetts Bay Transportation Authority (“MBTA”). Pursuant to G.L. c. 161A, § 3(i), 49 C.F.R. § 674.7, and 220 CMR 151.02, the DPU is responsible for overseeing the implementation of MBTA’s compliance with its safety policies and standards.

In December 2022, the DPU established a new Division – the Rail Transit Safety Division – to perform all state safety oversight (“SSO”) activities. Designated staff in the Transportation Oversight Division, which previously housed the SSO program, were transferred to this new Division. Throughout 2023, the Rail Transit Safety Division has been led by a Director of Rail Transit Safety, an Assistant Director of Compliance and Engineering, and an Assistant Director of Safety Assurance. Overall, SSO staffing doubled in 2023 and now consists of compliance officers, engineers specializing in various aspects of rail infrastructure (track, electrical power, signals, vehicles), along with data analytics and legal staff. Contractor support is also available to ensure staffing levels remain adequate.

### Training and Certification of Rail Transit Staff

The Public Transportation Safety Certification Training Program (“PTSCTP”), established at 49 C.F.R. § 672, establishes a uniform curriculum for safety training that consists of minimum requirements for the technical proficiency of an SSO program. It also sets forth requirements for the certification and training of SSOA personnel and contractors who conduct safety audits and examinations of rail transit systems (“designated personnel”). Designated personnel must complete training requirements within three years of hire. Thereafter, refresher training must be completed every two years.

Designated staff within the DPU must complete specific training courses conducted by the Federal Transit Administration (“FTA”) and the USDOT’s Transportation Safety Institute (“TSI”). The DPU Technical Training Plan requires that its designated staff satisfy 22 mandated competency areas. Training is completed by a combination of in-person and virtual classroom training, as well as practical training in the field. Some courses are taken through the MBTA’s Learning Management System.

All new designated staff, regardless of prior experience, are required to complete *Rail Nomenclature* on the TSI website within one month of their start date. *Rail Nomenclature* is an e-learning offering that covers the basic terminology and components used in rail transit systems. Within three years of hire, designated staff must also complete the following seven training courses to obtain the required PTSCTP certification:

1. SMS Awareness – 1-hour course;
2. Safety Assurance – 2-hour course;
3. SMS Principles for Transit – 20-hour course;
4. Effectively Managing Transit Emergencies – 22-hour course;

5. Transit Rail System Safety – 36-hour course;
6. Transit Rail Incident Investigation – 36-hour course; and
7. SMS Principles for SSO Programs – 16-hour course.

## Accident Investigations

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49 C.F.R. § 674.35 permits an SSOA to assign the investigation of accidents and incidents to a rail transit agency. The DPU's regulations delegate investigation responsibility to the MBTA on DPU's behalf (MBTA is the rail transit agency in the state). While the MBTA conducts the investigation of accidents and incidents, the DPU observes and participates to ensure the investigation was done carefully and thoroughly. If DPU staff observe that an investigation is improperly or ineffectively conducted, the DPU can assume the supervision of an investigation. Within 2 hours of occurring, the MBTA must notify DPU of certain safety events, and within 48 hours of the safety event, the MBTA is required to issue a written notification to the DPU that provides preliminary investigative information. Depending on the type of safety event, the FTA and National Transportation Safety Board ("NTSB") may also be notified. DPU staff may issue document requests, review videotape, attend post incident fact findings or other after actions, and conduct interviews. These activities are all oriented toward collecting information about the incident and observing the MBTA's investigation process.

The DPU's staff observe the MBTA's investigation of an accident from beginning to end for the purpose of ensuring that the MBTA's investigation into the cause and circumstances of the incident is "sufficient and thorough." The DPU's engineering and compliance staff rotate "on call" duty to respond to safety events, begin observing the MBTA's investigation activities, and develop a preliminary understanding of the circumstances and causes of the incident. While on scene, DPU staff take notes, photos, and meet with MBTA personnel. The MBTA conducts various investigations, including holding fact-finding or after-action meetings, interviewing employees, reviewing video or audiotape, and testing vehicles or equipment. The DPU may attend and observe all activities to help inform the DPU's determination that an investigation is "sufficient and thorough" and that the root and contributory causes of the accident are properly identified.

Within 60 days of the safety event, the MBTA is required to issue a final report to the DPU. The final report describes the incident and identifies its root cause(s) and contributing factors. The DPU reviews the final report and evaluates whether the MBTA's description of the accident and identification of cause(s) match the DPU's observations and conclusions. The DPU may reject a final report if it does not meet a high threshold of quality and completeness; upon rejection, DPU will require MBTA to submit a revised report. The final report must be formally accepted by the DPU before an investigation is closed. Many final reports also include recommendations for Corrective Action Plans ("CAPs") to address the cause(s) of a safety event and prevent it from happening again.

## FTA Reportable Events and State Reportable Events

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The FTA has established definitions of three types of safety events: accidents, incidents, and occurrences, and two of those – accidents and incidents – generally must be reported by MBTA to the FTA and/or DPU within two hours. These are commonly referred to as "FTA Reportable."



An “accident” is an event that involves any of the following:

- Loss of life;
- Report of a serious injury to a person;
- Collision involving a rail transit vehicle;
- Runaway train;
- Evacuation for life safety reasons; or
- Any derailment of a rail transit vehicle, at any location, at any time, whatever the cause.

An “incident” involves any of the following: a personal injury that is not a serious injury; one or more injuries requiring medical transport; or damage to facilities, equipment, rolling stock, or infrastructure that disrupts the operations of a rail transit agency.

Additionally, the DPU has defined a group of incidents or occurrences that the MBTA must report to the DPU. These are commonly referred to as “State Reportable.”

As of November 23, 2023, the DPU observed and participated in 78 investigations initiated in 2023 by the MBTA, comprising 21 FTA Reportable events and 47 State Reportable events. These 78 investigations do not include investigations that the DPU began monitoring in 2022 or earlier and continued into 2023.

### **Participation in NTSB Investigations**

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The NTSB may assume jurisdiction over investigations of accidents at a rail property. In the event the NTSB assumes jurisdiction over such an investigation, the NTSB may request DPU’s assistance. At the onset of such an NTSB investigation, the DPU becomes a party to the investigation and DPU staff sign an agreement to keep all details of the investigation confidential. DPU staff assist by providing observations and notes, attending interviews, and providing knowledge about the operation of the MBTA rail system. NTSB issues a factual report at the conclusion of the investigation.

After review of the factual report, the DPU’s role and the role of all the other parties concludes. NTSB issues the final report on investigations with the NTSB’s findings and recommendations. Based on the NTSB’s recommendations, the MBTA may create CAPs and submit them to the DPU for review and acceptance.

### **Red Line Fatality at Broadway**

DPU-designated staff (who were at the time members of the Transportation Oversight Division) assisted the NTSB’s investigation into a fatality on the Red Line at Broadway Station on April 10, 2022. Consistent with procedure, DPU-designated staff immediately deployed to the scene of the accident. The morning following the accident, six designated staff attended the NTSB’s initial meeting to open an investigation. Two designated DPU staff members (one Engineer and one Compliance Officer) participated throughout the investigation, including observing interviews, an inspection of the subject car, reviewing videotape, and a reenactment of the incident. NTSB issued its factual report – RIR-23/07<sup>48</sup> – on June 12, 2023. Probable cause was noted as “a short circuit in the passenger door interlock circuit on the accident railcar that

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<sup>48</sup>

Available at [www.nts.gov/investigations/AccidentReports/Reports/RIR2307.pdf](http://www.nts.gov/investigations/AccidentReports/Reports/RIR2307.pdf).

enabled propulsion on train 1034 with the door obstructed by a passenger, causing the passenger to be dragged along the platform.”<sup>49</sup> DPU continues to monitor MBTA’s compliance with door procedures and maintenance inspection procedures during service inspections.

## Agency Safety Plan

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Federal regulations require rail fixed guideway public transportation systems, such as the MBTA, to have a Public Transportation Agency Safety Plan (“Agency Safety Plan” or “ASP”) that includes the processes and procedures to effectively manage safety risks. The ASP must include a plan for implementing a Safety Management System (“SMS”). The SSOA must review and verify the compliance of the ASP with FTA requirements. MBTA updated its ASP and presented it to the MBTA Board on August 24, 2023. After obtaining the MBTA Board’s approval of the ASP, the MBTA forwarded the ASP to DPU for review. The DPU approved the updated ASP on September 25, 2023.

The DPU is responsible for assessing the effectiveness of the ASP and conducts Risk-Monitoring Activities throughout the year to ensure compliance with the ASP. The DPU conducted over 700 Risk Monitoring Activities in 2023 (as of November 24, 2023), including:

- 492 field activities, including track walks, station/carhouse/yard inspections, speed audits of trolleys using LiDAR,<sup>50</sup> Operations Control Center (“OCC”) observations, and power system inspections throughout the MBTA system; and
- 258 personal protective equipment (“PPE”) checks, with 9 PPE violations identified and resolved with MBTA.

Additionally, the DPU completed over 100 document reviews in 2023 including reviews of MBTA responses to DPU information requests, audits of OCC radio logs, and reviews of MBTA preliminary reports and final investigative reports.

## Corrective Action Plans (“CAP”)

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A CAP is a plan that outlines steps and mitigations (or “corrective actions”) that will be taken to manage a hazard or safety issue. A CAP can have one or more corrective actions and includes a schedule outlining when each individual corrective action will be implemented and completed. The DPU tracks CAPs developed by the MBTA to ensure the approach and timelines to resolving the issue are acceptable and practicable. DPU may issue a directive to the MBTA to create a CAP if the MBTA does not do so itself.

As of November 24, 2023, MBTA has 21 open CAPs monitored by the DPU. The DPU meets regularly with MBTA Safety Department to discuss the MBTA’s progress in implementing these 21 open CAPs and associated required actions. Additionally, the FTA’s 2022 Safety Management Inspection (“SMI”) resulted in FTA issuing additional CAPs to the MBTA, which are also monitored by the DPU. DPU regularly attends meetings held by the FTA with the MBTA to monitor implementation of the SMI CAPs.

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<sup>49</sup> Available at [www.nts.gov/investigations/Pages/RRD22LR008.aspx](https://www.nts.gov/investigations/Pages/RRD22LR008.aspx).

<sup>50</sup> Laser Imaging, Detection, and Ranging.

## **Safety Management Inspection by Federal Transit Administration**

On April 14, 2022, the FTA notified the MBTA General Manager that the FTA’s Office of Transit Safety and Oversight would conduct an SMI of the MBTA’s transit operations and maintenance programs in response to multiple safety events. The letter also noted that the SMI would assess the effectiveness and role played by the DPU as the MBTA’s SSOA.

On June 15, 2022, the FTA issued a Special Directive (“SD”) 22-8 requiring the DPU to oversee the MBTA’s CAPs to address four immediate concerns identified in the SMI. Additionally, the DPU was directed to submit a CAP to the FTA describing how the DPU will monitor the MBTA’s implementation of the MBTA CAPs.

The FTA issued its SMI Final Report (“Report”) on August 31, 2022. The Report accompanied four Special Directives to the MBTA and one Special Directive to the DPU. SD 22-13, issued to the DPU, required four primary actions. For each finding, the DPU was required to create a CAP to address the FTA’s concerns.

Upon its creation in December 2022, the Rail Transit Safety Division took ownership of all DPU-assigned CAPs, including those related to the June 2022 SMI. Throughout 2023, the Rail Transit Safety Division made significant strides in addressing the SMI requirements, as outlined below:

### **SD 22-8: Required Actions to Address Findings from the SMI Conducted at the MBTA**

FTA directed the DPU in 2022 to create CAPs to oversee the following four special directives issued to MBTA:

- SD 22-4: Track Maintenance;
- SD 22-5: Vehicle Securement of Disabled Trains;
- SD 22-6: Operations Control Center; and
- SD 22-7: Lapsed Certifications.

The DPU in 2023 worked diligently to address CAPs related to these MBTA SDs. The DPU completed activities and submitted documentation to FTA to demonstrate completion of the FTA required actions. FTA informed the DPU in September 2023 that CAPs related to these four MBTA SDs can be closed.

SD 22-8 Findings 1-4 required the DPU to demonstrate effective oversight processes and coordination with FTA to oversee the SDs listed above. To comply with the findings, DPU:

- Reviewed and assessed the CAPs and other documentation received by the MBTA. The DPU provided documentation to FTA that demonstrates how the DPU assessed and determined the CAP or documentation was sufficient to address the finding;
- Identified any existing findings and associated CAPs the DPU had already issued to the MBTA and ensured that these findings and CAPs are deconflicted from the new findings issued under each FTA Special Directive 22-4, 22-5, 22-6, and 22-7;
- Provided to FTA an inspection and verification plan that outlines the processes and procedures the DPU will utilize to close each CAP;
- Provided to FTA a plan for the DPU to utilize its enforcement authority if MBTA fails to adequately address any approved CAPs; and

- Participated in the meetings FTA holds with MBTA covering each FTA Special Directive 22-4, 22-5, 22-6, and 22-7.

Also, in October 2023, FTA formally transferred the remaining 2019 SSO Triennial Audit<sup>51</sup> Findings (7 findings) to Special Directive 22-8. While this transfer formally closed the 2019 SSO Triennial Audit, FTA required DPU to develop new CAPs to address the open findings. DPU developed and submitted these CAPs to the FTA on time on August 11, 2023. The DPU continues to implement these CAPs including timely submissions to FTA. These submissions highlight the oversight processes put in place in 2023 and demonstrate DPU's continued effective oversight.

#### **SD 22-13: Finding 1**

As part of SD 22-13, Finding 1, the DPU was required to conduct a workload assessment and hire staff accordingly. Utilizing a tool created by the FTA, as required by the CAP, the DPU's consultant conducted the workload assessment. As a result of that assessment, the DPU's SSO program recruited aggressively in 2023 to meet the documented needs of the program.

At the time of the 2022 SMI, there were two Public Utilities Engineers, two Compliance Officers, one Auditor, and one Program Manager working as designated staff, along with contractor support. The Rail Transit Safety Division in 2023 expanded to over eighteen team members, including a Director of Rail Transit Safety, two Assistant Directors, four Public Utilities Engineers, seven Compliance officers, two attorneys, and a Data Analyst, with more growth expected in 2024.

The FTA verified that the DPU is now in compliance with the workload assessment and informed the DPU in August 2023 that the CAPs related to this SD finding can be closed.

#### **SD 22-13: Finding 2**

As part of SD 22-13, Finding 2, the DPU was directed to complete a legal assessment regarding its organizational independence from the MBTA. The DPU previously demonstrated its independence when FTA certified it as the SSOA, and again for the FTA's 2019 audit of the SSOA program. In 2023, the DPU submitted the updated legal assessment to the FTA. That assessment remains under FTA review.

#### **SD 22-13: Finding 3**

As part of SD 22-13, Finding 3, FTA directed the DPU to determine whether an assessment of the MBTA's fatigue management approach for rail transit officials and maintenance and engineering personnel is necessary and, if so, conduct the assessment. In 2023, the DPU's consultant conducted the assessment. FTA then required a forensic assessment of MBTA's hours-of-service compliance and fatigue management over an eighteen-month period. DPU worked with MBTA in 2023 to collect and analyze the voluminous data sets required to complete the analysis.

In parallel with this data evaluation exercise, the DPU worked to address the FTA's underlying concerns by directing MBTA to:

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<sup>51</sup> Under 49 C.F.R. § 659.7, the FTA conducts a triennial audit of SSOAs to ensure effective oversight of their respective RTAs.

- Increase its fatigue data collection and analysis efforts, including the hiring of personnel with data analysis expertise as needed;
- Regularly review and audit hours of service data, no less frequently than monthly;
- Require contractors performing safety-sensitive functions to meet MBTA medical fitness for duty standards; and
- Perform a hazard risk assessment regarding single track diversions during daylight hours.

In October 2023, the FTA informed the DPU that its “actions are comprehensive” and deferred the requirement to resubmit the Fatigue Management Assessment. Instead, the FTA now requires and the DPU complies with producing a monthly progress report that tracks fatigue management and hours of service audit progress by MBTA.

#### **SD 22-13: Finding 4**

The fourth and final action item from FTA – SD 22-13, Finding 4 – directed the DPU to improve its ability to address safety issues and concerns at the MBTA. DPU adopted and will lead oversight of all MBTA CAPs resulting from FTA Safety Directives and continues to track the implementation to hold MBTA accountable. The DPU plans to adopt oversight of Special Directives 22-9, 22-10, 22-11 and 22-12 under this finding. The DPU continues to conduct meetings, oversight, and verification associated with these MBTA special directives.

#### **MBTA and Enforcement Procedure**

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The DPU may issue orders directing the MBTA to take action as needed. The MBTA and DPU staff are most often able to work through the safety concern at issue and identify potential resolutions through creation of a CAP.

Another option for DPU is to issue a letter directive to the MBTA to address a risk or hazard requiring action. The letter directive may require immediate action and may be a first step in addressing a safety risk. A letter directive may also require the MBTA to create a CAP that sets out longer-term actions.

In 2023, the DPU issued numerous letter directives to the MBTA for a variety of issues that required immediate action. Examples of letter directives issued in 2023, are summarized below:

#### **February 16, 2023: Immediate Corrective Actions**

The DPU issued a letter directive on February 16, 2023, requiring the MBTA, following a safety incident, to:

- Implement any immediate or emergency corrective actions needed to ensure safety of the traveling public and employees;
- Report to DPU any immediate or emergency corrective actions taken for its approval; and
- Provide any immediate corrective actions that have been taken since the incident occurrence, in instances when the DPU informs the MBTA an immediate action should have been taken but was not.

DPU advised MBTA that it will review any immediate actions taken and provide approval or additional recommendations as part of the letter directive and review the effectiveness during the formal investigational process.

**March 7, 2023: Directives**

After a DPU track walk on the Red Line section of track between Ashmont and Savin Hill on March 6, 2023, the DPU issued six individual letter directives on March 7, 2023 to address the following issues:

**Third Rail Insulators on the Red Line**

DPU identified defects with third rail insulators, and issued a letter directive requiring the MBTA to:

- Replace and repair third rail insulators identified at the walk location within 24 hours;
- Conduct a visual inspection of all third rail insulators between Ashmont and Savin Hill within 48 hours and report any identified defects into MBTA's maintenance platform; and
- Ensure any red or priority 1 defects to third rail insulators are repaired within 72 hours between Ashmont and Savin Hill.

**Electrical Boxes on the Red Line**

DPU identified concerns with electrical boxes, and issued a letter directive requiring the MBTA to create a CAP to:

- Ensure the closure and securement of all communications and signals control boxes, access panels, and pump rooms between Ashmont and Savin Hill within 24 hours; and
- Ensure a system wide audit of communication and signals control boxes, access panels, and pump rooms to ensure each location is physically secured by access controls methods within 72 hours.

**Headlights**

DPU identified concerns with headlight usage in tunnels, and issued a letter directive requiring the MBTA to create a CAP with the following requirements:

- MBTA will issue a special order within 24 hours directing all motor persons operating MBTA equipment on the Red, Orange, Blue, and Green Lines to utilize headlights at all times while operating equipment within a tunnel;
- MBTA will reinforce within the special order the current MBTA rule book standards during operation; and
- MBTA will conduct a hazard risk analysis for use of headlights during full rail corridor operation and provide a report on their findings to the DPU.

**Personal-Protective Equipment**

DPU identified concerns with PPE, and issued a letter directive requiring the MBTA to create a CAP to, among other things:

- Provide the DPU with a written explanation as to why the MBTA Instructor assigned to the DPU's track walk did not have the proper PPE in accordance with MBTA's February 2022 PPE policy; and
- review the safety briefing form from March 6, 2023, and provide the DPU with a written review of any deficiencies identified within the safety briefing form.



A response to this letter directive was required within 72 hours.

#### Priority 1 Track Conditions

DPU identified concerns with track conditions, and issued a letter directive requiring the MBTA to take the following actions:

- Provide the DPU with a daily report of priority 1 (red) conditions that are listed as both open and pending action by MBTA Engineering & Maintenance (“E&M”) on the Red Line;
- Provide the DPU with notification of what corrective action was taken upon completion of any priority 1 (red) condition (on the Red Line);
- Report any new priority 1 (red) conditions identified by track inspections to the DPU for tracking; and
- Within 24 hours, provide the DPU with a CAP that will identify the actions needed and a strategy for hazard/risk analysis for prioritizing repair work.

#### Reporting of Overshooting Platform

DPU identified a concern regarding trains overshooting a platform that required an immediate corrective action, and issued a letter directive requiring the MBTA to take the following actions:

- Initiate an investigation into what contributing factors led to multiple trains “overshooting” the platform between March 3, 2023, and March 5, 2023, as reported by the MBTA Instructor assigned to the DPU on March 6, 2023; and
- Report the findings of the above investigation to the DPU in a formalized investigative report.

#### **March 24, 2023: Right of Way Access/Safety Stand Down**

The DPU issued a letter directive on March 24, 2023, following a DPU-led track walk along the Green Line with FTA representatives and MBTA staff between Riverside and Newton Highlights. The DPU observed two MBTA system repair persons walking too closely together along the track, in violation of MBTA right-of-way (“ROW”) safety procedure. The DPU contacted the OCC and determined that, while ROW permission had been granted to these individuals, OCC could not provide their specific locations – a violation of MBTA’s ROW rulebook. The DPU noted two near miss incidents had been reported in the ten days prior to the track walk involving ROW access and permissions.

Accordingly, the DPU issued a letter directive requiring MBTA to, among other actions:

- Conduct a safety stand down effective 12:01am on March 26, 2023, for all employees and contractors who will access the ROW;
- Hold safety briefings during the stand down to discuss the MBTA’s policies and procedures for accessing the ROW, including all necessary communications with the Operations Control Center (“OCC”);
- Prohibit MBTA employees and contractors from entering the ROW until they participate in the safety briefing;
- Allow MBTA employees and contractors to return to work only after they have completed the safety briefing;
- Continue the safety stand down until all MBTA employees and contractors with ROW access privileges have received the required safety briefing; and

- Notify the DPU and the FTA once all MBTA employees and contractors have completed the safety briefing.

### **March 29, 2023: Corrective Actions Update**

The DPU issued a letter directive on March 28, 2023, concerning the backlog of outstanding CAPs and overdue Corrective Actions from MBTA. The DPU directed MBTA to:

- Provide a status update on all open corrective actions by 5:00 PM on March 31, 2023.

### **March 28 and April 11, 2023: Investigative Reports and Follow Up**

The DPU issued a letter directive on March 28, 2023, concerning the number of investigative reports that are overdue for submission to the DPU. Although MBTA's response advised the DPU to expect 12 final reports on April 7, 2023, no reports were received.

Accordingly, on April 11, 2023, the DPU directed MBTA to provide the following for each overdue report identified in the DPU's March 28, 2023 directive letter:

- Summary of which investigative elements are required before the final report is complete;
- On Scene Sign-In Sheet;
- On-Scene Data Collection Checklists for: Safety, Rail Transportation, Vehicle Maintenance, Maintenance of Way, Signals, Power, and Hi-Rail;
- Employee Injury Investigation Package, if applicable; and
- Impound Checklist.

The DPU's directive required a response from MBTA by April 21, 2023.

### **April 13, 2023: E&M Safety Stand Down**

The DPU issued a letter directive on April 13, 2023, as a follow up to the March 24, 2023 letter directive that directed a safety stand down for all MBTA employees and contractors entering the ROW. Since the stand down, the DPU noted that MBTA reported two additional incidents during which E&M employees failed to adhere to the ROW procedures resulting in additional near misses and safety incidents.

Accordingly, the DPU directed MBTA to:

- Conduct an immediate safety stand down with all E&M employees prior to access to the ROW;
- Prohibit any E&M employee from accessing the ROW, except for the limited situations discussed below, until the workers complete the 4-hour in-person refresher class developed in consultation with the MBTA Safety Department and the MBTA Training School;
- Only allow E&M employees to enter the ROW prior to completion of the 4-hour refresher course in the event of:
  - An emergency;
  - To conduct safety-critical maintenance; and
  - To perform regulatory-required inspections and maintenance to ensure safety of the MBTA service and its passengers;

- Maintain a copy of the ROW training record within the training school, subject to the review and audit of the DPU; and
- Provide a copy of the safety flash or equivalent briefing to the DPU within 24 hours of issuance.

#### **May 11, 2023: Rulebook and Fatigue**

The DPU issued a letter directive on May 25, 2023, concerning revisions to the MBTA rulebook and impacts on fatigue. Previously, as part of the FTA's 2022 SMI, DPU prepared a report assessing MBTA's fatigue management approach. FTA was briefed on the DPU's report on May 8, 2023. DPU discovered following the briefing that the MBTA rulebook submitted to the FTA by MBTA on April 27, 2023 was different from the rulebook that was submitted to the DPU for comments on March 31, 2023. The April 27, 2023 submittal contained an allowance for E&M employees to work up to 40 hours of overtime within one work week.

Accordingly, the DPU directed MBTA to submit:

- A list of all E&M employees who exceeded 16 hours of overtime within a 24-hour period or 40 hours of overtime within one work week from June 2022 to May 11, 2023;
- explanations of why each violation occurred for each employee who exceeded the aforementioned criteria;
- A description of the process for developing and finalizing the changes reflected in the April 27, 2023 rulebook submittal;
- A full matrix of all changes to the rulebook between March 2023 and May 11, 2023;
- Any data including risk assessment on fatigue information that was used to support the change in the rulebook to allow 40 hours of overtime in a one-week period; and
- The most current copy of the rulebook.

Further, the DPU directed MBTA to provide any future changes to the rulebook and provide a copy of the changes to the rulebook within a matrix highlighting the changes.

#### **June 8, 2023: Green Line Speed Audit**

The DPU issued a letter directive on June 8, 2023, following DPU's speed audit in the spring of 2023. These audit activities uncovered incorrectly posted track speed signs between Riverside and Newton Highlands and between Riverside and Fenway on the Green Line. DPU informed MBTA Safety Department of the speed sign defects on March 22, 2023 immediately following the discovery. During the spring, the DPU continued to monitor Green Line operations between Riverside and Newton Highlands and between Riverside and Fenway, including interviews with motor persons operating the trolleys and their supervisors. DPU's follow up unannounced audit on May 30, 2023, between Riverside and Fenway found that the speed signs reported to MBTA on March 22, 2023, had not been changed.

Accordingly, the DPU directed MBTA Safety Department and E&M to take the following immediate actions by June 12, 2023:

- Conduct a full audit of the posted speed signs between Riverside and Fenway, and correct any speed sign locations that are not consistent with the current safe operating speed;
  - For any speed restrictions, ensure that an advance warning sign is placed in accordance with the current MBTA rule book, which states "the speed

- warning sign is located 400 feet, and not less than 350 feet, before the reduced speed area”; and
- Ensure a “resume speed sign” is placed in accordance with the MBTA rulebook;
- Provide the following to the DPU upon completion of the audit:
  - A log of all corrective actions that were taken because of this audit for comparison with the DPU’s findings;
  - Documentation for all Speed/Operational Restriction audits that have occurred within the last 90 days between Riverside and Fenway;
  - A full list of all speed restrictions between Riverside and Fenway; and
  - All open work orders and defects between Riverside and Fenway.

### **July 28, 2023: Standpipes**

The DPU issued a letter directive on July 28, 2023, following the standpipe failure at Charles MGH Station on July 17, 2023. During a safety incident on this date, the Boston Fire Department attempted to deliver water into the Charles MGH station via the standpipe system, but the standpipe system failed to operate when put into service.

Accordingly, the DPU required MBTA to create a CAP to:

- Conduct a hydrostatic and flow test for all dry standpipe systems across the transit system;
- Provide the DPU with a schedule for testing and provide a monthly status update to the DPU;
- Conduct hydrostatic testing and flow test of all standpipe systems on the MBTA system every five years;
- Submit hydrostatic and flow test reports to the DPU after completion;
- Add a signature verifying the full drainage of any dry standpipe system to MBTA testing documentation; and
- Conduct an annual visual inspection of all standpipe pressure-regulating devices, hose connections and nozzles, check valves, along with all hoses, hose storage devices, hose cabinets, and all piping in accordance with National Fire Protection Association standards.

### **August 3, 2023: Electrical Hazards**

The DPU issued a letter directive on August 3, 2023, following a serious injury on the Red Line involving two signal maintainers electrocuted by the third rail while splicing wire. The DPU noted that hazards identified in this event were similar to the hazards identified on March 28, 2022, when an MBTA Maintenance of Way (“MOW”) Department employee was shocked while working in close proximity to the third rail. Following the March 2022 event, MBTA created a CAP to address worker protection and electrical hazards associated with work on or near electrical conductors (like the third rail) by MOW employees. The DPU further noted that this CAP did not address the hazards associated with other MBTA departments that conduct work along the right of way.

Accordingly, the DPU required MBTA to take the following actions within 24 hours:

- Provide information on all immediate corrective actions that the MBTA has taken to ensure the safety of MBTA employees while working in third rail territory; and
- Create a corrective action plan that identifies the hazard associated with the August 2, 2023 incident and provide corrective actions to ensure the safety of MBTA employees in all departments that conduct work along the right of way.

### **September 7, 2023: Green Line Rules Violations**

The DPU issued a letter directive on September 7, 2023, following three rules violations (including one near miss) that occurred on the Green Line in less than 72 hours that were not promptly reported to the DPU. The DPU noted that MBTA's lack of timely reporting and failure to prevent a near miss on the Green Line is a continuation of a pattern of rules violations that DPU had observed in 2023.

Accordingly, the DPU required the MBTA Safety Department to take the following immediate actions:

- MBTA Safety Department must track and report each and every MBTA safety rules violation to the DPU, in accordance with state reporting requirements at 220 CMR 151; and
- MBTA Safety Department will develop a corrective action plan to track instances where individual employees fail to comply with the state reporting requirements;
  - The tracking of these violations will be accessible to the DPU upon request.

### **Observation and Attendance at MBTA Meetings**

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In addition to field observations, document reviews, and inspections, the DPU attends several MBTA committee meetings to assess the effectiveness of internal processes and structures. These include, but are not limited to, Safety Rules Compliance Program ("SRCP") meetings and Subway Accident Reduction Committee ("SARC") meetings on an ongoing basis.

In addition to joining SRCP and SARC meetings, the DPU meets regularly with the MBTA Safety Department regarding hazard tracking and hazard management. Hazard management involves identifying a hazard, assessing the level of risk, and determining what actions will be taken to control the risk or eliminate the hazard altogether. The MBTA is responsible for assessing and rating identified risks and ensuring they are being tracked. The risk rating assigned to a hazard is based on how severe and how often the hazard may occur. The DPU tracks and reviews the MBTA's identified hazards on a regular basis and may also identify additional hazards to the MBTA through DPU's own field observations and inspections. The DPU may also direct the MBTA to reassess a hazard rating and develop a formal corrective action plan as needed.

DPU staff also meet regularly with MBTA Safety Department and MBTA Department-specific corrective action owners to review the status of MBTA CAPs. As detailed in the section on accident investigations, DPU staff attend most, if not all, fact findings and after-action meetings following an accident or incident. DPU staff meets weekly (at a minimum) with the MBTA Safety Department staff and regularly with the General Manager.

## **RBI: Risk-Based Inspections**

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On October 21, 2022, the DPU received Special Directive 22-34 from the FTA, requiring the DPU to develop and implement a risk-based inspection (“RBI”) program in accordance with 49 U.S.C. § 5329(k) (FTA issued similar directives to each SSOA in the country). Throughout 2023, the DPU’s RBI Team worked to address the requirements of the special directive, with the following notable accomplishments:

- An interactive RBI data dashboard has been created, allowing the RBI Team to visualize and analyze MBTA incident and hazard trends and identify areas of safety risk;
- The dashboard also includes the ability to visualize incident and hazard trends using geographic information system technology with location “hotspots” indicating areas of safety risk;
- A nomination process for RBI activities has been developed for RBI Team members to propose activities to DPU management for review and approval on a quarterly basis;
- A companion RIDE – Research, Inspection, Determination, Enforcement – framework was developed, providing the RBI Team with a framework for all inspection activities and a methodology for proposing enforcement actions to DPU management including CAPs created as a result of RBI activities;
- A pilot activity to test the RBI Team’s dashboard and business processes was conducted in the fall of 2023; and
- A final report on the pilot was issued by the DPU to the MBTA Chief Safety Officer on December 12, 2023.

Additionally, the FTA invited representatives from the DPU to give a presentation on its RBI program development progress at the 2023 FTA Joint SSO and Rail Transit Agency (RTA) Workshop in St. Louis, Missouri to an audience of transit safety professionals representing the 31 national SSO programs.

The DPU will submit its full RBI program to the FTA for review and acceptance in the first half of 2024, ahead of FTA’s national October 2024 deadline.



## RATES AND REVENUE REQUIREMENTS DIVISION

### Overview

The Rates and Revenue Requirements Division (“Rates Division”) is responsible for providing the technical expertise to determine the appropriate levels of revenues to recover through rates and to determine the rate design for the four investor-owned electric distribution companies (“EDCs”), six investor-owned natural gas companies (also called local distribution companies or LDCs), and 16 investor-owned water companies conducting business in Massachusetts. The technical support provided by the Rates Division includes expertise in economics, finance, accounting, and public policy. The Rates Division also reviews a diverse range of additional filings including various municipal light plants’ annual depreciation increase requests and towing rate increase proposals. In addition, the Rates Division collaborates with the Electric Power Division by providing technical expertise on public policy programs such as electric grid modernization, review of long-term renewable energy contracts, net metering, electric vehicles, alternative rate designs, and performance metrics and incentives. The Rates Division also collaborates with the Gas Division with review of certain components of the LDAC filings and with public policy programs such as Geothermal Pilots.

The Rates Division collaborates with the Department’s Legal Division in developing the evidentiary record in adjudicatory proceedings concerning the rates, accounting, finances, tariffs, and terms & conditions of the investor-owned natural gas, electric, and water companies doing business in Massachusetts. The Department’s decisions in these proceedings are directly appealable to the Supreme Judicial Court under G.L. c. 25, § 5.

The regulation of the Commonwealth’s investor-owned natural gas, electric, and water utilities requires the Rates Division to:

- Review and investigate requests to change base distribution rates in accordance with G.L. c. 164, § 94, as well as review Offers of Settlement regarding base distribution rates;
- Analyze electric distribution company filings including the annual reconciliation of basic/default service, transmission, transition costs and revenues, grid modernization investments, interconnection cost allocations, electric vehicle program costs, residential assistance adjustments and programs, pension and PBOP costs, Attorney General consultant expenses, and net metering costs;
- Analyze annual adjustments to base distribution rates in compliance with revenue decoupling mechanisms (“RDM”) and performance-based ratemaking (“PBR”) mechanisms approved in base rate cases;
- Analyze adjustments to rates associated with capital expenditure (“Cap-Ex”) recovery filings;
- Analyze adjustments to LDC rates associated with the replacement or repair of leak prone mains and services in accordance with gas system enhancement plans (“GSEPs”);
- Analyze financing petitions (issuing securities);
- Analyze merger and acquisition proposals;
- Assist in determining the annual assessment of electric, gas, and water utilities;

- Analyze cost deferral requests and accounting matters;
- Analyze adjustments to rates and storm funds associated with storm cost recovery filings;
- Resolve disputes on the purchase of streetlights by municipalities from an electric distribution company, pursuant to G.L. c 164 § 34A;
- Assist other Divisions in implementing the provisions of the Green Communities Act of 2008, the Energy Act of 2012, the Energy Diversity Act of 2016, the Clean Energy Act of 2018, the 2021 Climate Act, 2022 Clean Energy Act, retail power supply markets, and service quality investigations where expertise in Rates and Revenue Requirements is needed;
- Provide information and assistance to the public, government agencies, press, private industries, and other government officials where expertise in rates is needed; and
- Provide technical support to the Department in the defense of decisions that are appealed to the Massachusetts Supreme Judicial Court.

Additionally, the Rates Division maintains tariff logs for the investor-owned electric distribution, natural gas, and water companies conducting business in Massachusetts, as well as the municipal light plants and water and fire districts in Massachusetts, and reviews annual return reports.

### **Review of Requests to Change Base Distribution Rates**

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The Rates Division investigates petitions to change base rates as follows:

- Reviewing the filings (both petitioning company and intervenor proposals);
- Reviewing public comments and attending public hearings;
- Participating in informal technical conferences;
- Issuing information requests to the petitioning company and intervenors;
- Drafting prehearing memoranda for the Commission;
- Cross examining the petitioning company and intervenor witnesses during evidentiary hearings;
- Developing the evidentiary record;
- Developing and discussing with the Commission various options for resolution of issues;
- Preparing draft Department Orders per the directives from the Commission; and
- Reviewing compliance filings.

Changes to base rates are typically based on historic test year cost-of-service regulation or performance-based ratemaking (“PBR”). The Department sets base rates using cost-of-service pricing principles where electric, gas, and water rates are based upon the cost to serve various classes of ratepayers. Under cost-of-service pricing, the Rates Division reviews the costs incurred by utility companies during an historic test year adjusted for known and measurable changes to determine the reasonableness of such costs and to determine whether they were prudently incurred. The categories of costs include the companies’ annual operation and maintenance expenses, depreciation, taxes, capital investments, cost of debt, and return on equity for shareholders. Appropriate annual expenses plus a return on rate base (*i.e.*, return on net capital investment and working capital) make up the company’s cost of service or the revenue requirement upon which rate structures must be designed to recover. Establishing base rates

under PBR typically requires a determination of cast-off rates (using traditional cost-of-service regulation), and then adjusting the rates each year going forward for the PBR term by economy-wide inflation minus a productivity offset, and a consumer dividend, with provisions for exogenous costs and earnings sharing.

Once the company's cost of service has been determined, a rate structure must be established that affords the company a reasonable opportunity to earn its allowed rate of return while meeting other policy goals. Rate structure is the level and pattern of prices that customers are charged for the use of utility services. A customer class rate structure is a function of the cost of serving that rate class and the design of rates calculated to recover that cost. In setting rates, the Department balances its goals for utility rate structure by taking into consideration multiple factors such as economic efficiency, continuity, fairness, earnings stability, and simplicity.

For water companies, the traditional review of rate cases through adjudicatory proceedings is not always cost effective because the administrative costs of preparing and litigating a rate case for a small water company can equal or exceed the rate relief sought. To streamline the regulatory process, the Department has created a Settlement Intervention Staff, or SIS, composed of Rates Division staff and Legal Division staff, that independently reviews rate requests and conducts off-the-record negotiations with water company officials and intervenors. The SIS does not have direct communication with the Commission regarding pending cases. Rather, the SIS and the other parties to the case may submit a proposed rate settlement to the Commission. An adjudicatory team composed of Rates Division and Legal Division staff review the proposed settlement and make recommendations to the Commission. The Commission may approve the settlement, return it to the settling parties with suggested modifications, or reject it with or without subsequent evidentiary hearings. To date, this process has saved the Department, water companies, and ratepayers considerable amounts of time, resources, and expenses.

The Department's regulatory authority over investor-owned water systems is in certain areas concurrent with that of the Massachusetts Department of Environmental Protection ("MassDEP"). In situations where crossover issues are involved, such as in water conservation and adequacy of service, Rates Division staff work with staff at the MassDEP to ensure that the provisions of the agencies' respective duties are implemented in a harmonious manner.

In 2023, the Rates Division reviewed and is investigating six base rate filings with Final Orders pending.

1. **Clark Shores Water Corporation ("CSWC"), D.P.U. 23-11:** On January 19, 2023, the Department issued an Order opening an investigation, pursuant to G.L. c. 165, §§ 2, 4, and G.L. c. 164, § 93, into the propriety of the rates charged by CSWC, the adequacy of CSWC's distribution system, and whether CSWC is in compliance with Massachusetts law and Department precedent. The Order directed CSWC to submit a filing to the Department documenting, among other things, the CSWC's current and proposed rates, written agreements governing the provision of water, a balance sheet, any Massachusetts Department of Environmental Protection approvals, the total capacity of the system, and CSWC's corporate structure, including copies of documents on file with the Massachusetts Secretary of State. On April 20, 2023, CSWC provided the requested

information to the Department. The Department is currently investigating the filing, as outlined above. The Department directed CSWC to maintain its current flat rates and not to implement any increases in such rates or other charges until the Department Orders otherwise.

2. **Whitinsville Water Company (“Whitinsville”), D.P.U. 23-64:** On July 14, 2023, Whitinsville filed a petition with the Department for a general increase in base distribution rates of \$1,759,218. The Department has suspended the date that the proposed rate increase will take effect until June 1, 2024, to investigate the propriety of the Company’s request. The proposed increase represents an overall increase of approximately 53 percent over Whitinsville’s currently effective rates. The proposed increase for customer classes will vary based on a monthly service charge by meter size plus a volumetric charge based on a customer’s water consumption. The Company last received a base distribution rate increase in Whitinsville Water Company, D.P.U. 17-108 (2018).
3. **Housatonic Water Works Company (“HWWC”), D.P.U. 23-65:** On June 23, 2023, HWWC filed a petition with the Department for approval of a general increase in rates. The Department has suspended the effective date of the proposed increase until June 1, 2024, to investigate HWWC’s request. HWWC seeks to increase its rates to generate \$808,808 in additional revenues. This proposal represents an increase of approximately 113 percent over current rates. HWWC also proposes to change its rules and regulations on private water mains, including that customers on private water mains must pay for the construction, installation, repair, operation, and maintenance of their private water mains and grant HWWC access to and operation of private water mains, as necessary. Further, HWWC proposes to change its rules and regulations on terms of payment, including that customers must grant HWWC access to property to read, replace, or repair meters; customers must pay all costs of collection; and HWWC may place a lien against property for amounts owed. HWWC proposes to increase both the fixed and volumetric charges for all metered customers and increase the plumbing fixture charges for all non-metered customers. HWWC last received a general increase in rates in June 2019 in Housatonic Water Works Company, D.P.U. 15-179.
4. **Fitchburg Gas and Electric Light Company (“Unitil (Electric)”), D.P.U. 23-80:** On August 17, 2023, Unitil (Electric) filed a petition with the Department for an increase in electric base distribution rates. The Department has suspended the effective date of the proposed rate increase until July 1, 2024, to investigate the propriety of the request. Unitil (Electric) seeks an overall increase to distribution revenues of \$4,101,776, which Unitil (Electric) states represents a 13.6 percent increase in distribution revenue. As part of its filing, Unitil (Electric) proposes to implement a performance-based ratemaking (“PBR”) plan, which would allow it to adjust its base distribution rates on an annual basis through the application of a revenue-cap mathematical formula, for a term of five years. Further, Unitil (Electric) proposes several individual performance metrics to gauge the

Company's progress on its PBR plan commitments. The Company also makes proposals regarding the recovery of costs related to the vegetation management and storm resiliency programs. Further, the Company makes proposals regarding the termination/modification of certain reconciling mechanisms, the recovery of certain capital investments made in 2023, and the treatment of grid modernization investments currently subject to review in Fitchburg Gas and Electric Light Company, D.P.U. 22-42. The filing also includes rate design proposals, including changes to the demand and customer charges, changes to outdoor lighting service, adoption of a residential heat-pump rate, changes to the current residential electric vehicle rate, and an adjustment to the low-income (Rate RD-2) discount. Until (Electric) was last granted an increase in base distribution rates through an approved settlement in Fitchburg Gas and Electric Light Company, D.P.U. 19-130/D.P.U. 19-131 (2020).

5. **Fitchburg Gas and Electric Light Company ("Unitil (Gas)"), D.P.U. 23-81:** On August 17, 2023, Unitil (Gas) filed a petition with the Department for an increase in gas base distribution rates. The Department has suspended the effective date of the proposed rate increase until July 1, 2024, to investigate the propriety of the Unitil (Gas) request. Unitil (Gas) seeks an overall increase to revenues of \$6,691,625, which Unitil (Gas) states represents a 23.5 percent increase in distribution revenue. As part of its filing, Unitil (Gas) proposes to implement a PBR plan that would allow the Company to adjust its base distribution rates on an annual basis through a mathematical formula using a revenue-per-customer benchmark, for a term of five years. Further, Unitil (Gas) proposes several individual performance metrics to gauge the Company's progress on its PBR commitments. The Company's filing also includes proposed adjustments to certain revenue and expense categories, as well as the recovery of certain capital investments made in 2023. Further, the Company makes rate design proposals, including changes to the demand and customer charges. Unitil (Gas) was last granted an increase in base distribution rates through an approved settlement in Fitchburg Gas and Electric Light Company, D.P.U. 19-130/D.P.U. 19-131 (2020).
6. **Massachusetts Electric Company ("MECo") and Nantucket Electric Company ("Nantucket Electric"), each doing business as National Grid ("National Grid"), D.P.U. 23-150:** On November 16, 2023, National Grid filed a petition with the Department for an increase in electric base distribution rates. The Department has suspended the effective date of the proposed rate increase until October 1, 2024, to investigate the propriety of National Grid's request. National Grid proposes an overall increase to distribution revenues of \$131,622,621, which represents an approximately 12.7 percent increase in distribution revenue. As part of its filing, National Grid proposes a Comprehensive Performance and Investment Plan ("CPI") that includes two main features. First, the Company seeks to implement a ratemaking PBR mechanism for O&M costs only, which would allow the Company to adjust its base distribution rates on an annual basis through the application of a revenue-cap mathematical formula for a term of five years. Second, as part of the proposed CPI Plan, the Company seeks to implement an Infrastructure, Safety, Reliability, and Electrification ("ISRE") reconciling

mechanism. According to National Grid, the ISRE reconciling mechanism would recover: (1) investments in core capital projects necessary to provide safe and reliable electric distribution service to customers; (2) investments in capital projects necessary to execute the electric sector modernization plan (“ESMP”); and (3) expenses that fall under the ESMP. As part of its filing, National Grid also proposes a series of incentives and penalties associated with its progress and performance under the PBR mechanism and ISRE reconciling mechanism. Further, National Grid proposes a set of scorecard metrics to enable tracking and transparency of its operating performance in additional areas. National Grid also makes several other proposals regarding the recovery of costs. National Grid’s filing also contains various rate design proposals, including an electrification pricing option for residential customers on rate class R-1 using high throughput technologies, such as electric heat pumps and at-home electric vehicle chargers; and a multi-tiered low-income discount based on income levels for customers on rate class R-2. National Grid was last granted an increase in base distribution rates in D.P.U. 18-150 (2019).

### **Review of Annual Performance-Based Ratemaking Adjustments**

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In addition to reviewing changes to base rates, the Rates Division is responsible for reviewing proposed annual PBR adjustments. PBR refers to the use of incentives and adjustments to rates based on a formula as a means of setting utility rates – in contrast to traditional rate-of-return rate making, which is based on a company’s cost of service. The PBR allows these companies to adjust their base distribution rates annually through the application of a revenue-cap formula that accounts for, among other factors, economy-wide inflation minus a productivity offset and consumer dividend and adjusted for the incremental cost of events beyond each company’s control that have a significant impact on its revenue requirement (*i.e.*, exogenous events). In 2023, the Rates Division was responsible for ensuring that the annual PBR adjustment filings from NSTAR Electric Company, Massachusetts Electric/Nantucket Electric Company, NSTAR Gas Company, and Boston Gas Company were in compliance with directives approved in each company’s last base rate proceedings.

### **Review of Electric Utility Annual Reconciliation Filings**

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As part of the continued implementation of the “Electric Restructuring Act,” the Department annually conducts a reconciliation (or true-up) and adjustment to the rate for each electric company’s transition, basic service, and transmission factors. Under the Electric Restructuring Act, each electric distribution company may collect:

- Those stranded or transition costs associated with divesting its generation business that it cannot mitigate;
- The costs it incurs to procure electric power to meet its basic service obligations; and
- The costs it incurs on behalf of its retail customers to provide transmission service.

In a true-up, the Rates Division evaluates the costs and revenues that each electric distribution company proposes to reconcile to determine if they meet the requirements of the Restructuring Act and its restructuring plan. Fitchburg Gas and Electric Light Company’s Electric Division



terminated its transition factor at the end of 2020. Transition factors for Massachusetts Electric/Nantucket Electric and NSTAR Electric are currently credited to ratepayers.

### **Review of Requests to Change Reconciling Rates**

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In addition to reviewing changes to base rates, the Rates Division is responsible for reviewing proposed rate changes to items for which the companies are allowed to collect their actual costs (i.e., where dollar-for-dollar recovery is intended). These items include Attorney General consultant costs, the pension and post-retirement benefit adjustment factors (“PAFs”), and the Residential Assistance Adjustment Factors (“RAAFs”). Further, the Department has approved, where appropriate, storm cost recovery adjustment factors to recover costs associated with major storms. The annual cable surcharge for Nantucket Electric is also a reconciling rate mechanism that is reviewed by the Rates Division.

Another reconciling factor is the revenue decoupling mechanism (“RDM”), which allows the electric and gas companies to reconcile the revenues collected from base distribution rates with the revenue requirement approved by the Department in the companies’ last base rate cases, pursuant to the revenue decoupling plan approved by the Department. RDM adjustments are filed annually for the electric distribution companies and semi-annually for the gas companies.

Further, for Fitchburg Gas and Electric Light’s Electric Division, the Department approved a Capital Expenditure, or CapEx Mechanism that allows the company to recover the revenue requirement associated with a pre-determined amount of its annual capital investment incurred since its prior rate case.

### **Gas System Enhancement Plans (“GSEPs”)**

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Rates Division staff played a primary role in the review of the 2022 GSEPs submitted pursuant to the Gas Leaks Act which allows for accelerated cost recovery through a separate rate factor. The 2022 GSEPs covered the 2023 construction year and were approved by the Department, with modifications, in April 2023. The GSEP reconciliation filings were made in May 2023 and approved in October 2023. Subsequent GSEP filings, which cover the 2024 construction year, were filed in October 2023, and are under review by the Rates Division staff.

During the 2022 GSEP construction year, the LDCs spent approximately \$561 million to replace 276 miles of leak-prone mains and 17,598 associated services.

In July 2022, the Massachusetts State Legislature passed An Act Driving Clean Energy and Offshore Wind, St. 2022, c. 179, which required the Department to convene a stakeholder working group to develop recommendations and legislative changes to align the GSEPs with statewide emission limits, as well as encourage development of geothermal systems. Rates Division staff have attended the meetings of the GSEP Working Group.

### **Review of Financing Requests**

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The Rates Division is also responsible for the review of financing petitions. Financing petitions include the issuance of debt or equity securities, as well as investment of funds or guaranteeing the indebtedness of other companies. The primary focus in such cases is to carry out statutory

mandates that require utilities to issue only those securities reasonably necessary for utility operations and to avoid overcapitalization. During 2023, the Rates Division evaluated and approved two financing petitions involving a total of \$100 million. As of the end of 2023, three financing petitions are pending for: Aquarion Water Company of Massachusetts in docket number D.P.U. 23-120, New England Natural Gas Company d/b/a Liberty in docket number D.P.U. 23-139, and NSTAR Electric Company d/b/a Eversource in docket number D.P.U. 23-142.

<b>2023 Capital Stock Issuances</b>		
<b>Company</b>	<b>Loans, Bonds or Notes</b>	<b>Final Order Date</b>
Fitchburg Gas and Electric Light Company d/b/a Unitil (D.P.U. 22-141)	\$90,000,000	2/27/23
Aquarion Water Company of Massachusetts (D.P.U. 23-46)	\$10,000,000	6/30/23

## **Mergers and Acquisitions**

Pursuant to G.L. c. 164, § 96, the Rates Division reviews all intrastate merger and acquisition proposals that are filed with the Department to determine if they are in the ratepayers' best interests. During 2023, the Department ruled on one acquisition: Aquarion Water Company's acquisition of Pinehills Water Company in D.P.U. 23-08. The Rates Division analyzes each proposal's effect on:

- Rates;
- Service quality;
- Net savings;
- Competition;
- The financial integrity of the post-merger entity;
- Fairness in the distribution of resulting benefits between shareholders and ratepayers;
- Societal effects such as job loss and economic development;
- Long-term strategies to ensure a reliable and cost-effective delivery system;
- Any anticipated disruption in service; and
- Other factors that may negatively affect customer service.

## **Coordination of Annual Assessments**

Pursuant to G.L. c. 25, § 18, electric and gas companies that do business in Massachusetts are subject to an annual assessment based on a percentage of their intrastate revenues. The Rates Division is responsible for gathering the revenue figures for the electric and gas utilities and assisting the Legal Division in preparing the annual assessment Orders.

## **Review of Utility Accounting Matters**

Utility companies are required to maintain their books in accordance with Department regulations. To maintain uniformity of accounting, utilities are required to submit questions

concerning the appropriate interpretation of the Department’s accounting regulations to the Department. The Rates Division also reviews requests involving accounting practices, including requests by companies to defer expenses on their books for later consideration of recovery in a base rate proceeding.

### **Review of Annual Returns filed with the Department**

The Rates Division requires all utilities in the Commonwealth to file an annual return with the Department. The Rates Division reviews these annual returns to make sure that there are no deficiencies. The Rates Division maintains files of these annual returns and posts them on the Department’s website. The number of operating utilities, private and municipal, under the jurisdiction of the Department and required to file annual returns for the year ending December 31, 2022 was as follows:

<b>Utilities Required to File Annual Returns</b>	
Gas Companies	7
Electric Companies	7
Water Companies	16
Municipal Light Plants	40
<b>Total</b>	<b>65</b>

The above returns were analyzed and checked by the Department for compliance with the rules of the Department and/or the Uniform System of Accounts and were amended, when necessary, after issuance of a deficiency notice to the reporting utilities and municipal light plants (“MLPs”). The number of utilities with remaining deficiencies and delinquencies are as follows:

<b>Deficient and Delinquent Annual Returns</b>	
Gas Companies	0
Electric Companies	0
Water Companies	5
Municipal Light Plants	3
<b>Total</b>	<b>8</b>

### **Review of Storm Funds**

The Department has approved storm funds and storm cost recovery factors for various electric distribution companies. The storm funds annually receive a Department-approved amount of funds that is recovered through base distribution rates and that may be used by the electric distribution company to recover its operation and maintenance costs associated with extraordinary storms that are incremental to the costs already collected in base rates and that are deferred for recovery to the storm fund. During 2023, the Rates Division continued its review of requests for cost recovery through the storm fund mechanisms of 87 storm-fund eligible events, and four exogenous storm cost events.

## Oversight of Municipal Utilities

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The Department's role in regulating MLPs is limited in comparison to the jurisdiction exercised over investor-owned utilities. MLP rates are set by public officials in the municipality acting under legislative mandate and therefore do not require the close scrutiny and measure of Department supervision that is authorized or required in the case of investor-owned utilities. For example, the Department does not have authority over MLP financing and does not have authority to suspend and investigate the rates of MLPs. The Department generally defers to the ratemaking authority and policies vested by statute in the municipality unless the rates are prohibited by statute or rise to the level of undue discrimination.

The Department's jurisdiction over MLPs can be summarized as follows:

- Requiring annual returns pursuant to G.L. c. 164, § 63;
- Requiring that accounting records be maintained in accordance with the Department's Uniform System of Accounts pursuant to G.L. c. 164, § 63;
- Requiring rate filings pursuant to G.L. c. 164, §§ 58, 59;
- Reviewing and approving changes in depreciation accrual rates from the statutory permitted three percent set forth in G.L. c. 164, § 57;
- Requiring compliance with the Department's billing and termination regulations in accordance with 220 CMR 25.00; and
- Hearing petitions from customers who have been denied service, pursuant to G.L. c. 164, § 60.

The following is a list of the MLPs with their percentages of earnings which, from returns filed in 2023 for the year ended December 31, 2022, appear to have violated the provisions of the statute requiring such plants to reduce their rates when they have earned a profit in excess of the eight percent allowed:

MLP	Percent
Holden	8.68% on gross plant
Taunton	15.07% on gross plant

In the case of Taunton, that MLP reported miscellaneous non-operating losses that reduced its return on overall operations below the eight percent statutory limit.

Nine MLPs (Ashburnham, Belmont, Boylston, Georgetown, Groton, Peabody, Shrewsbury, Templeton, and Westfield) reported net operating losses on the sales of electricity during 2022, and Wakefield reported a net operating loss on the sales of gas during that period. In several cases, the MLPs reported that they were able to partially offset these losses with net income from other sources, such as contract work and miscellaneous non-operating revenues.

## Review of Municipal Depreciation Requests

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Pursuant to G.L. c. 164, § 57, MLPs may include in their rates an annual provision for depreciation expense equal to three percent of depreciable plant (plant less land and land rights),

unless otherwise allowed by the Department. As MLPs rely on depreciation funds as a source of funds for plant improvements and expansions without resorting to outside financing, they may seek authorization to increase their depreciation rate for a particular year. During 2023, the Rates Division evaluated and approved seven requests for increases in municipal depreciation rates. As of the end of 2023, three requests for an increase in municipal depreciation rates were still pending.

### **Review of Customer Complaints**

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The Rates Division assists the Department's Consumer Division in the review of rate and billing disputes by residential customers and water quality complaints. In addition, because billing disputes by commercial and industrial customers are not generally handled by the Consumer Division, the Rates Division has at times provided informal assistance in resolving these billing disputes, primarily through review and interpretation of the applicable tariffs. The Rates Division staff periodically meets with Consumer Division staff to inform them of changes that result from the Department's directives in base distribution rate cases.

### **Public Information**

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Another important responsibility of the Rates Division is to provide timely and accurate information to the general public and elected officials regarding activities in the electric, gas, and water industries. This task requires working with other regulatory agencies, consumer groups, public interest groups, power suppliers, and utility companies to help them understand Department regulations and policies. The Rates Division also assists in the development of agency regulations to address the changing circumstances in the utility industry such as new utility business models, distributed energy resources, alternative ratemaking proposals, grid modernization initiatives, and new financial accounting standards. The Rates Division also works with the Department's Consumer Division to draft policy recommendations regarding consumer issues.

### **Summary of 2023 Rates Division Activities**

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During 2023, the Rates Division participated in approximately 140 or more docketed matters, including rate cases, Cap-Ex filings, financing requests, grid modernization factor filings and/or investigations, GSEPs, GRECs, pension and PBOP adjustment factor filings, annual performance-based ratemaking adjustment filings, revenue decoupling adjustment factor filings, SMART program filings, utility-owned solar program related filings, storm fund or storm cost recovery filings, annual electric true-ups reconciliation filings, vegetation management/resiliency tree work filings, municipal depreciation requests, exogenous property tax requests, capital investment project requests, and several other uncategorized filings.

## TRANSPORTATION NETWORK COMPANY DIVISION

### Overview

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Since its inception in 2016, the Transportation Network Company (“TNC”) Division has been a national leader in its regulation of rideshare companies and their drivers. Notably, the TNC Division is unique throughout the United States rideshare regulatory landscape in that it conducts a secondary background check of drivers and monitors their criminal activity continuously.

Generally, the TNC Division’s activities include the following:

- Conducting driver background checks;
- Suspending ineligible drivers;
- Processing driver appeals;
- Fielding driver inquiries;
- Performing compliance audits of TNCs;
- Conducting investigations into TNC business practices;
- Administering enforcement actions against TNCs; and
- Collecting and analyzing TNC data.

Additionally, in light of recent legislation, the TNC Division is creating requirements for TNCs to reduce greenhouse gas (“GHG”) emissions and increase the number of rides provided with fuel efficient and zero emission vehicles.

### Background Checks

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Prior to becoming a rideshare driver or returning to the road in Massachusetts, each applicant must undergo a two-part background check. First, a rideshare company performs a multi-state check of the applicant’s criminal and driving histories and – if the applicant meets the TNC Division’s suitability standard – the rideshare company forwards the applicant’s information to the TNC Division. Then, the TNC Division performs its own comprehensive Massachusetts-specific background check, obtaining Criminal Offender Record Information, Warrant Management System information, Sex Offender Registry Information, and Registry of Motor Vehicles’ driving history. Additionally, the TNC Division conducts a yearly background check on all drivers.

### Subsequent Activity Monitoring

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Although not required by statute, in 2019 the TNC Division embarked on an extensive coordinated effort with the Department of Criminal Justice Information Services (“DCJIS”) to engage in continuous monitoring of driver criminal activity. As a result of this effort, the TNC Division became the first – and remains the only – noncriminal justice agency in Massachusetts to conduct continuous criminal monitoring. This enables the TNC Division to receive daily alerts on new offenses and take appropriate action immediately.



## Application Processing

Since 2017, the TNC Division has conducted over 400,000 driver background checks. Below is an accounting of approvals and denials along with suspensions and revocations performed by the TNC Division in 2023, along with an accounting of appeals related data for the year:

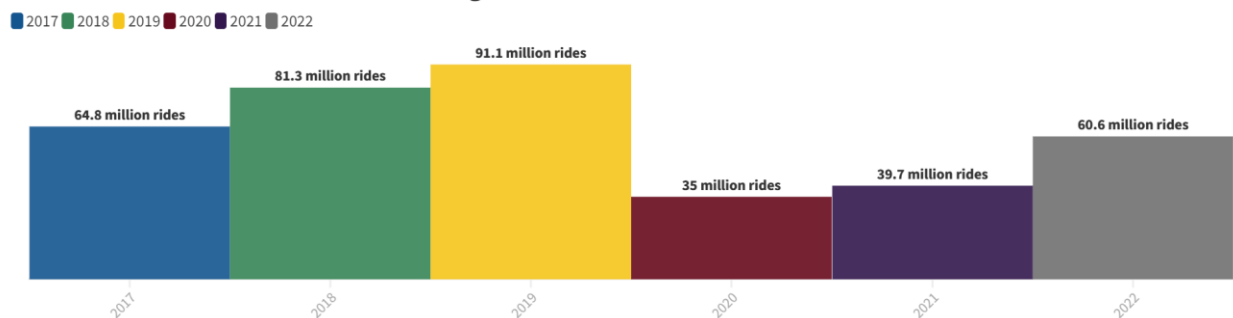
Driver Background Check Clearance Certificates January 1, 2023-December 31, 2023	
Approved Applications	159,116
Denied Applications	8,310
Revoked or Suspended Clearance Certificates	4,410

Driver Denial, Suspension, and Revocation Appeals January 1, 2023-December 31, 2023	
Appeals Docketed	1,332
Suitability Hearings Held	316

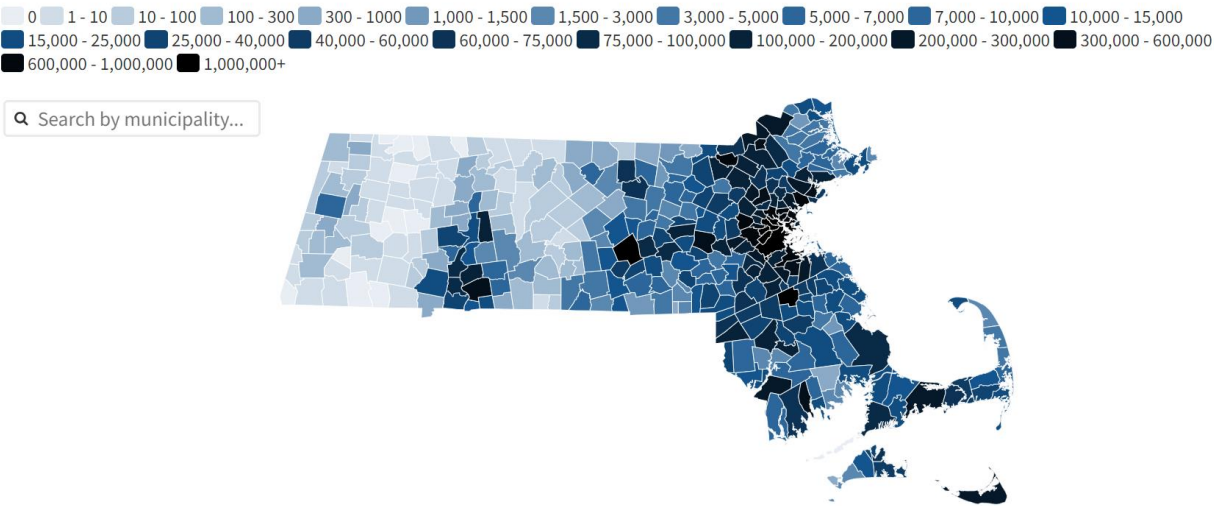
## Ride Data

Each year, the TNC Division receives aggregated ride data from Massachusetts rideshare companies and creates an interactive website – [mass.gov/rideshare](https://mass.gov/rideshare) – to report on the impact of rideshare on cities and towns. As a result of the COVID-19 pandemic, rideshare usage declined dramatically in 2020 and persisted in 2021. In 2022, ride volume experienced 53% year-over-year growth, reaching 60.6M rides and approaching 2017 volumes. The bar graph below provides yearly totals of rides since 2017, when the TNC Division began collecting this information:

Rideshare in Massachusetts - 2017 through 2022



2022 Rideshare Trips by City and Town



The 2022 recovery in ride volume was largely experienced in the eastern half of the Commonwealth, especially in the greater Boston area. Cape Cod counties, Worcester, and Springfield also exhibited notable ride volume growth. The above map represents ride volume, with the darker areas indicating higher ride volumes.

Transportation Infrastructure Enhancement Trust Fund

On February 1<sup>st</sup> of each year, rideshare companies submit \$0.20 for each ride during the preceding calendar year that commenced within Massachusetts. In 2023, the TNC Division collected \$12.1M as a result of the 60.6M rides that commenced in Massachusetts in 2022. Below is a table of the assessment totals since the TNC Division began collecting funds:

Trust Fund Report		
Year	Total Rides	Per-Ride Assessment Total
2022	60.6 million	\$12.1 million
2021	39.7 million	\$7.9 million
2020	35 million	\$7 million
2019	91.1 million	\$18.2 million
2018	81.3 million	\$16 million
2017	64.8 million	\$12.9 million

The funds received from the per-ride assessment are disbursed one half to the municipality in which the ride originated, and one half to the Commonwealth Transportation Fund. Annually, cities and towns must report to the TNC Division on their use of the funds, which are in turn published on the TNC Division’s website, [mass.gov/rideshare](https://mass.gov/rideshare).

## TRANSPORTATION OVERSIGHT DIVISION

### Overview

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The Transportation Oversight Division (“Division”) has three main areas of responsibility serving both consumer protection and critical public safety functions. First, the Division has oversight of intrastate passenger-for-hire common carriers transporting 10 or more people in a vehicle, such as a vehicle in charter service. Second, the Division has jurisdiction over certain tow company charges and sets the maximum tow rate and fees associated with involuntary tows. Third, the Division oversees household goods moving companies within the Commonwealth. The Division uses the Federal Motor Carrier Safety Administration’s (“FMCSA”) legal guidelines to determine if a common carrier meets the requirements to obtain a Department of Public Utilities Certificate.

Regulated common carriers are subject to fees for services such as licensing, inspection, and examination. These revenues are not retained by the Department but instead are deposited directly into the Commonwealth’s General Fund. During 2023, the Transportation Division generated approximately \$308,810 in revenues which were deposited into the General Fund.

### Unified Carrier Registration Plan

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The Transportation Oversight Division is designated to administer and manage Unified Carrier Registration (“UCR”) in the Commonwealth. Massachusetts is one of 41 states participating in the UCR program. The federal UCR Act requires interstate motor carriers to register and pay a fee to their home state; the fee is based on the fleet size operating in interstate commerce.

When the UCR program was enacted in 2005, Congress set a cap on the funds that each state could receive from the revenue collection. The Act requires that revenue is used for motor carrier safety programs, enforcement, or the administration of the UCR plan. The Massachusetts cap is \$2,282,887.00. Per the UCR Act, funds collected by any state above its cap amount revert to the UCR program. The Transportation Oversight Division has received the full cap amount each year since 2017. The funds are deposited into the UCR Trust account and support costs associated with the Transportation Oversight Division in overseeing 16,382 interstate motor carriers in the Commonwealth.

The Division provides full time telephone support to the interstate motor carriers domiciled within the State. The Division issues emails and post cards reminding carriers to register. The Division collects the fees on behalf of the UCR program. There are six brackets within which motor carrier fleets may be registered. Per the UCR Act, the Division is required to audit the highest two categories in the registration brackets and audit a percentage of the remaining four brackets as prescribed by the UCR Board of Directors. The State Police enforce the UCR program and may issue a fine for not registering. The Division is also required to audit up to 100 registration anomalies that occur yearly. The staffing for the program is one full time employee and the Transportation Oversight Assistant Director. The Division’s Assistant Director is currently Chair of the Unified Carrier Registration Board of Directors, as appointed by the Federal Secretary of Transportation.

## Licensing of Certain Common Carriers

Pursuant to G.L. c. 159B, § 3, and G.L. c. 159A, §§ 7, 11A, the Transportation Oversight Division licenses common carriers transporting people or property “for-hire.” This includes motor coaches, bus, livery, duck boats, sightseeing, tow companies, and household movers.

In 2023, the Transportation Oversight Division conducted 100 licensing hearings:

Licensing Hearings in 2023	
Bus/Livery Companies	47
Tow Companies	22
Household Movers	31
<b>Total Licensing Hearings</b>	<b>100</b>

## Inspections of Passenger For-Hire Companies and Transit Authorities

The Division is responsible for oversight of the safety of equipment and operations of all Massachusetts regional transit authorities and passenger for-hire bus/livery companies based in Massachusetts, including transit bus systems, motor coaches, and sightseeing vehicles. The Division has eight Bus Inspectors (one position to be backfilled in early 2024) who are certified by the FMCSA to conduct comprehensive commercial vehicle inspections in accordance with the applicable Code of Federal Regulation and the North American Standard of Inspection Procedures. In addition, each Division Inspector holds a certification specific to commercial vehicle passenger inspections. Division Inspectors must complete several annual vehicle inspections prescribed by FMCSA to maintain their federal certification. To the Division’s knowledge, no other State employees in the Commonwealth hold this level of federal vehicle inspection certification.

The Division works closely with the Massachusetts State Police Commercial Vehicle Enforcement Team, the designated lead agency in the Commonwealth to conduct inspections and audits on behalf of FMCSA. The Division has a Memorandum of Understanding with the State Police to partner in the oversight of passenger-for-hire commercial vehicle safety and enforcement. Division Bus Inspectors are called upon by the State Police or local law enforcement as subject matter experts to conduct vehicle post-crash inspections on passenger for hire vehicles.

As of November 30, 2023, Transportation Oversight Division Bus Inspectors performed 3,007 bus safety inspections:

Bus Safety Inspections (as of November 30, 2023)	
Bus, Duck Boats, Limo Inspections	2,109
Transit Bus Inspections	898
Vehicles Placed Out of Service	108
Compliance Reviews	30
<b>Total Bus Safety Inspections</b>	<b>3,007</b>

## Destination-Specific Bus Company Compliance Inspections

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Division Bus Inspectors, along with the Massachusetts State Police Commercial Vehicle Enforcement Team, perform Joint Passenger Carrier Compliance Inspections (“Compliance Inspection Program”) to check passenger-for-hire vehicles, motor coaches and drivers for safety and regulatory compliance. The random inspections are conducted at multiple locations throughout the Commonwealth at sites with a high frequency of subject vehicles. Locations include South Station, Logan Airport, Fan Pier, and Faneuil Hall. As of November 30, 2023, the Compliance Inspection Program generated citations totaling \$13,230.

Working with the State Police and FMCSA, a passenger-carrier, destination-specific vehicle and driver inspection schedule is created quarterly to reflect seasonal trends specific to various programs scheduled throughout the calendar year. The inspection locations and times are designed to prevent passenger disruption wherever possible. The compliance schedule includes two passenger-carrier compliance checks per month at various locations such as Logan Airport, Boston’s Seaport District, and the South Station Bus Terminal.

The Compliance Inspection Program is funded through the UCR program, which supports random inspections to ensure that passenger carriers are operating with the correct authority, proper insurance levels, safe drivers, and safe equipment. The Compliance Inspection Program directly increases the safety of commercial vehicles and drivers operating on the Commonwealth’s roadways. During the Compliance Inspection Program, there are often companies identified with no federal or state authority to operate as a for-hire passenger carrier. The Transportation Oversight Division issues a Cease & Desist order to companies identified without the proper authority to operate.

Destination Inspections with State Police	
Total Vehicle Inspections	358
Total Violations	362
Total Vehicles Placed Out of Service	37
Total Drivers Placed Out of Service	22
<b>Total Citation Fines Issued</b>	<b>\$35,120</b>

## Safety Analysis Investigations

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### Compliance Reviews

In a partnership with the FMCSA office in Burlington, MA, five Transportation Oversight Division Bus Inspectors have been federally certified to conduct comprehensive federal investigations of intrastate passenger-for-hire common carriers. Many of the common carriers authorized by the Division to conduct intrastate passenger for hire commerce also hold federal authority to operate interstate. In accordance with the code of federal regulations, FMCSA is required to conduct Safety Analysis Investigations (“SAI” or “CR”) on interstate common carriers every three years. The SAI is a program that audits the common carrier’s safety operations, driver files, driver medical certifications, driver records, driver hours of service logs, drug and alcohol testing programs, reasonable suspicion training, vehicle inspections and vehicle preventive maintenance programs. Division staff are required to conduct six SAIs per federal

fiscal year to maintain the certification. SAI audits could result in FMCSA suspending the common carrier's authorization to operate both interstate and intrastate; the common carrier is prohibited from operating until the safety issues are corrected. In addition, fines may be imposed by FMCSA ranging from a few thousand dollars to tens of thousands of dollars.

### Vehicle Decals and Permits

Vehicle specific decals and permits (for trucks and buses) are required to denote a licensed common carrier. In 2023, the Transportation Oversight Division issued decals and permits, collecting over \$112,904 in revenues that were deposited into the Commonwealth's General Fund.

### Motor Bus Certificates

For-hire vehicles with a capacity to carry 10 or more passengers are regulated by the Division. The drivers of Division-regulated vehicles are required to hold a motor bus certificate. The Division issues these certificates to Class B and Class C drivers who have obtained the passenger endorsement on their licenses. Non-commercial drivers with a license to operate 14-passenger vehicles are required to obtain a 14-passenger restricted motor bus certificate. The Division administers the 14-passenger restricted motor bus certificate on-road driver evaluation exams. The motor bus certificate is valid until a driver turns 70 years of age. After turning 70 years of age, drivers must provide updated Department of Transportation medical certificates to renew their certificate every six months.

Motor Bus Certificates Issued (New and Renewals)	
Motor Bus New & Renew Issued	862
14 Passenger Restricted Road Tests	294
<b>Total Certificates Issued</b>	<b>1,156</b>

### Tow and Moving Companies

In 2023, the Division conducted 96 audits of randomly selected tow companies to monitor compliance with the Department's towing regulations and rates published at 220 CMR 272. The audits identified various violations with respect to the rates charged for "involuntary tows," which include police and public authority-ordered tows (e.g., arrest, snow emergencies, street cleaning, etc.) as well as trespass tows. In 2023, four tow companies signed Consent Agreements and each paid a \$100.00 fine to resolve violations discovered during an audit. In addition to tow company audits, the Transportation Oversight Division investigates consumer tow complaints and moving company complaints, resulting in \$1,402.83 refunded to consumers from January to November 2023.

### Certification of Vehicles used for Transportation of Hazardous Waste

The Department of Environmental Protection ("DEP") requires all companies seeking authority to transport hazardous waste within the Commonwealth to obtain a Certificate of Compliance from the Transportation Oversight Division. The Division reviews each company's federal rating status and compliance with the federal UCR Program. If the company is in good standing with both the federal rating and the UCR Plan, the Division issues a Certificate of Compliance to the company and the DEP. Five companies sought a Certificate from the Division in 2023.



## APPENDIX 1: 2023 SITING BOARD DECISIONS AND SITING DIVISION'S DEPARTMENT ORDERS

- East Eagle Certificate - Motion to Amend Certificate, EFSB 22-01 (Ruling issued January 4, 2023)
- Cranberry Point Energy Storage LLC, EFSB 21-02/D.P.U. 22-59 (May 11, 2023)
- Medway Grid, EFSB 22-02/D.P.U. 22-18 & 22-19 (May 11, 2023)
- Wendell Energy Storage 1, LLC, EFSB 23-01 (August 17, 2023, Motion to Dismiss granted)
- Cranberry Point Energy Storage LLC, D.P.U. 22-59 (June 30, 2023)
- Medway Grid, D.P.U. 22-18/22-19 (June 30, 2023)
- Carver-Kingston, D.P.U. 23-32, (July 31, 2023, Notice of Withdrawal)
- Park City Wind, EFSB 20-01/D.P.U. 20-56/20-57 (December 15, 2023)

## APPENDIX 2: DEPARTMENT ORDERS ISSUED IN 2023

Docket #	Caption	Order Date
22-108	Petition of Fitchburg Gas and Electric Light Company d/b/a Unitil for Exogenous Cost Recovery.	1/3/2023
21-GC-31	Petition of Boston Gas Company d/b/a National Grid for approval of a Firm Transportation Service Agreement between National Grid and Salem State University, pursuant to G.L. c. 164, § 94 and 220 CMR 5.03.	1/4/2023
22-GC-32	Petition of Boston Gas Company d/b/a National Grid for approval of a Firm Transportation Service Agreement between National Grid and the Trustees of Boston University (East Campus), pursuant to G.L. c. 164, § 94 and 220 CMR 5.03.	1/4/2023
22-GC-33	Petition of Boston Gas Company d/b/a National Grid for approval of a Firm Transportation Service Agreement between National Grid and Massachusetts Port Authority, pursuant to G.L. c. 164, § 94 and 220 CMR 5.03.	1/4/2023
22-GC-34	Petition of Boston Gas Company d/b/a National Grid for approval of a Firm Transportation Service Agreement between National Grid and The Children's Hospital Corporation, pursuant to G.L. c. 164, § 94 and 220 CMR 5.03.	1/4/2023

22-GC-35	Petition of The Berkshire Gas Company for approval of the Fourth Amendment to a Firm Transportation Service Agreement between The Berkshire Gas Company and Crane & Company, Inc., pursuant to G.L. c. 164, § 94 and 220 CMR 5.03.	1/4/2023
22-GC-36	Petition of Boston Gas Company d/b/a National Grid for approval of a Firm Transportation Service Agreement between National Grid and Northeastern University, pursuant to G.L. c. 164, § 94 and 220 CMR 5.03.	1/4/2023
22-GC-37	Petition of Boston Gas Company d/b/a National Grid for approval of a Firm Transportation Service Agreement between National Grid and Aggregate Industries—Northeast Region, Inc., for service to a facility in Peabody, Massachusetts, pursuant to G.L. c. 164, § 94 and 220 CMR 5.03.	1/4/2023
22-20	Petition of The Berkshire Gas Company, pursuant to G.L. c. 164, s. 94 and 220 CMR 5.00, for approval of a rate settlement for base distribution rates effective January 1, 2023.	1/4/2023
23-50	Investigation by the Department of Public Utilities on its own Motion into the Provision of Basic Service.	1/4/2023
22-22-A	Petition of NSTAR Electric Company, doing business as Eversource Energy, pursuant to G.L. c. 164, § 94 and 220 CMR 5.00, for Approval of a General Increase in Base Distribution Rates for Electric Service and a Performance Based Ratemaking Plan.	1/5/2023
18-102-A	Petition of NSTAR Electric Company d/b/a Eversource Energy for approval by the Department of Public Utilities of the Company's 2018 Resiliency Tree Work Program Annual Compliance Filing.	1/5/2023
19-114-A	Petition of NSTAR Electric Company d/b/a Eversource Energy for approval by the Department of Public Utilities of the Company's 2019 Resiliency Tree Work Program Annual Compliance Filing.	1/5/2023
14-86	Joint Petition of the Department of Environmental Protection and the Department of Energy Resources requesting the Department of Public Utilities to adopt the avoided costs of complying with the Global Warming Solutions Act, using the marginal abatement cost curve method, in assessing the cost effectiveness of energy efficiency programs.	1/6/2023
22-157	Remedial Order - The Simon Companies	1/6/2023

22-158	Remedial Order - Jones Street	1/6/2023
22-166	Remedial Order - Churchill Forge	1/6/2023
22-SQ-01	Investigation by the Department of Public Utilities into Eversource Gas Company of Massachusetts d/b/a Eversource Energy's 2021 Service Quality Report filed pursuant to Service Quality Standards for Electric Distribution Companies and Local Gas Distribution Companies, D.P.U. 12-120-D (2015).	1/9/2023
22-SQ-02	Investigation by the Department of Public Utilities into The Berkshire Gas Company's 2021 Service Quality Report filed pursuant to Service Quality Standards for Electric Distribution Companies and Local Gas Distribution Companies, D.P.U. 12-120-D (2015).	1/9/2023
22-SQ-04	Investigation by the Department of Public Utilities into Fitchburg Gas and Electric Light Company d/b/a Unitil's 2021 Service Quality Report filed pursuant to Service Quality Standards for Electric Distribution Companies and Local Gas Distribution Companies, D.P.U. 12-120-D (2015).	1/9/2023
22-SQ-05	Investigation by the Department of Public Utilities into Boston Gas Company d/b/a National Grid's 2021 Service Quality Report filed pursuant to Service Quality Standards for Electric Distribution Companies and Local Gas Distribution Companies, D.P.U. 12-120-D (2015).	1/9/2023
22-SQ-06	Investigation by the Department of Public Utilities into former Colonial Gas Company d/b/a National Grid's 2021 Service Quality Report filed pursuant to Service Quality Standards for Electric Distribution Companies and Local Gas Distribution Companies, D.P.U. 12-120-D (2015).	1/9/2023
22-SQ-08	Investigation by the Department of Public Utilities into Liberty Utilities (New England Natural Gas Company) Corp. d/b/a Liberty Utilities 2021 Service Quality Report filed pursuant to Service Quality Standards for Electric Distribution Companies and Local Gas Distribution Companies, D.P.U. 12-120-D (2015).	1/9/2023
22-SQ-09	Investigation by the Department of Public Utilities into NSTAR Gas Company d/b/a Eversource Energy's 2021 Service Quality Report filed pursuant to Service Quality Standards for Electric Distribution Companies and Local Gas Distribution Companies, D.P.U. 12-120-D (2015).	1/9/2023

21-135-A	Petition of NSTAR Electric Company d/b/a Eversource Energy, pursuant to M.D.P.U. No. 66C, to the Department of Public Utilities Seeking to Recover Actual and Projected Costs Associated With its Solar Program.	1/9/2023
22-GC-22	Petition of Boston Gas Company d/b/a National Grid for approval of a Firm Transportation Service Agreement between National Grid and Trustees of Boston University, pursuant to G.L. c. 164, § 94 and 220 CMR 5.03.	1/9/2023
22-GC-23	Petition of Boston Gas Company d/b/a National Grid for approval of a Firm Transportation Service Agreement between National Grid and Aggregate Industries—Northeast Region, Inc., for service to a facility in Weymouth, Massachusetts, pursuant to G.L. c. 164, § 94 and 220 CMR 5.03.	1/9/2023
22-GC-24	Petition of Boston Gas Company d/b/a National Grid for approval of a Firm Transportation Service Agreement between National Grid and Lorusso Materials Corp., pursuant to G.L. c. 164, § 94 and 220 CMR 5.03.	1/9/2023
22-GC-29	Petition of Boston Gas Company d/b/a National Grid for approval of a Firm Transportation Service Agreement between National Grid and South Shore Hospital, Inc., pursuant to G.L. c. 164, § 94 and 220 CMR 5.03.	1/9/2023
22-GC-30	Petition of Boston Gas Company d/b/a National Grid for approval of the First Amendment to Firm Transportation Service Agreement between National Grid and MATEP, LLC, pursuant to G.L. c. 164, § 94 and 220 CMR 5.03.	1/9/2023
22-GC-38	Petition of Boston Gas Company d/b/a National Grid for approval of the Second Amendment to a Firm Transportation Service Agreement between National Grid and MATEP LLC, pursuant to G.L. c. 164, § 94 and 220 CMR 5.03.	1/9/2023
17-90-B	Petition of Aquarion Water Company of Massachusetts, Inc., pursuant to G.L. c. 164, § 94 and G.L. c. 165, § 2 for Approval of a General Rate Increase as set forth in M.D.P.U. No. 3.	1/10/2023
22-151	Petition of Fitchburg Gas and Electric Light Company d/b/a Unitil, for review and approval of its proposed Solar Massachusetts Renewable Target Factor Filing for rates to be effective January 1, 2023.	1/10/2023
22-148	Petition of The Berkshire Gas Company to the Department of Public Utilities pursuant to G.L. c. 164, § 69I, for Review and Approval of its Long-Range Forecast and Supply Plan for the split-years 2022/23 to 2026/27.	1/10/2023

22-GC-26	Petition of The Berkshire Gas Company for approval of the First Amendment to the Firm Transportation Service Agreement and Balancing Service Agreement between The Berkshire Gas Company and the Trustees of Amherst College, dated as of September 1, 2022, pursuant to G.L. c. 164, § 94 and 220 CMR 5.03.	1/11/2023
22-137	Petition of the Cape Light Compact JPE for Approval of a Strategic Electrification and Energy Optimization Demonstration Project Pursuant to St. 2022, c. 179, § 87A.	1/11/2023
21-109	Petition of Eversource Gas Company of Massachusetts d/b/a Eversource Regarding the Comprehensive Safety Assessment & Implementation Plan	1/12/2023
22-149	Petition of Boston Gas Company d/b/a National Grid to the Department of Public Utilities pursuant to G.L. c. 164, § 69I, for Review and Approval of its Long-Range Forecast and Supply Plan for the period of November 1, 2022, to October 31, 2027.	1/13/2023
22-108	Petition of Fitchburg Gas and Electric Light Company d/b/a Until for Exogenous Cost Recovery.	1/18/2023
23-20	Investigation by the Department of Public Utilities on its own Motion into Revisions to the Single Parcel Rule Pursuant to the Acts of 2022, c. 179, § 55.	1/18/2023
23-11	Investigation by the Department of Public Utilities, on its own motion, into the operations, practices, and rates of Clark Shores Water Corporation, pursuant to G.L. c. 165, §§ 2, 4, and G.L. c. 164, § 93.	1/19/2023
22-78	Petition of Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid, for Approval of Deferral of Major Storm Threshold Amounts for Calendar Year 2021.	1/19/2023
22-129	Petition of Liberty Utilities (New England Natural Gas Company) Corp. d/b/a Liberty for review and approval of its five-year Forecast and Supply Plan for its Fall River and North Attleboro Service Area and its Blackstone Service Area for the forecast period 2022/2023 through 2026/2027.	1/23/2023
21-67	Petition of Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid, for review and approval by the Department of Public Utilities of Proposed Electric Vehicle Program Factors.	1/24/2023

22-BSF-D4-A	Petition of Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid for Approval of Basic Service Rates for February 1, 2023 through April 30, 2023.	1/25/2023
22-PGAF-BERK	Petition of The Berkshire Gas Company pursuant to G.L. c. 164 and 220 CMR 6.04, 6.11 for approval of its 2022/23 peak local distribution adjustment factor and gas adjustment factor filings, effective November 1, 2022.	1/26/2023
22-PGAF-FGE	Petition of Fitchburg Gas and Electric Light Company d/b/a Unitil, pursuant to G.L. c. 164 and 220 CMR 6.04, 6.11 for approval of its 2022/23 peak local distribution adjustment factor and gas adjustment factor filings, effective November 1, 2022.	1/26/2023
22-PGAF-NSTAR	Petition of NSTAR Gas Company d/b/a Eversource Energy pursuant to G.L. c. 164 and 220 CMR 6.04, 6.11 for approval of its 2022/23 peak local distribution adjustment factor and gas adjustment factor filings, effective November 1, 2022.	1/26/2023
22-PGAF-GRID	Petition of Boston Gas Company d/b/a National Grid pursuant to G.L. c. 164 and 220 CMR 6.04, 6.11 for approval of its 2022/23 peak local distribution adjustment factor and gas adjustment factor filings, effective November 1, 2022.	1/26/2023
22-PGAF-LIB	Petition of Liberty Utilities (New England Natural Gas Company) Corp. d/b/a Liberty Utilities pursuant to G.L. c. 164 and 220 CMR 6.04, 6.11 for approval of its 2022/23 peak local distribution adjustment factor and gas adjustment factor filings, effective November 1, 2022.	1/27/2023
21-80	Petition of NSTAR Electric Company d/b/a Eversource Energy for approval of its Grid Modernization Plan for calendar years 2022 to 2025.	1/30/2023
21-80	Petition of NSTAR Electric Company d/b/a Eversource Energy for approval of its Grid Modernization Plan for calendar years 2022 to 2025.	1/30/2023
21-80	Petition of NSTAR Electric Company d/b/a Eversource Energy for approval of its Grid Modernization Plan for calendar years 2022 to 2025.	1/30/2023
21-81	Petition of Massachusetts Electric Company and Nantucket Electric Company each d/b/a National Grid for approval of its Grid Modernization Plan for calendar years 2022 to 2025.	1/30/2023
21-81	Petition of Massachusetts Electric Company and Nantucket Electric Company each d/b/a National Grid for approval of its Grid Modernization Plan for calendar years 2022 to 2025.	1/30/2023



21-81	Petition of Massachusetts Electric Company and Nantucket Electric Company each d/b/a National Grid for approval of its Grid Modernization Plan for calendar years 2022 to 2025.	1/30/2023
14-69	Petition of the Cape Light Compact for Continued Approval of its Municipal Aggregation Plan, pursuant to G.L. c. 164, § 134.	2/2/2023
13-131	Petition of the Town of Natick to the Department of Public Utilities for Approval of an Aggregation Plan, pursuant to G.L. c. 164, §134.	2/2/2023
16-131	Petition of the Town of Bellingham for Approval by the Department of Public Utilities of its Municipal Aggregation Plan, pursuant to G.L. c. 164, § 134.	2/2/2023
22-GREC-01	Petition of Fitchburg Gas and Electric Light Company d/b/a Unitil, pursuant to G.L. c. 164, § 145, for review and approval of the reconciliation of its 2021 Gas System Enhancement Plan and for review and approval of its Gas System Enhancement Reconciliation Adjustment Factors.	2/7/2023
22-151	Petition of Fitchburg Gas and Electric Light Company d/b/a Unitil, for review and approval of its proposed Solar Massachusetts Renewable Target Factor Filing for rates to be effective January 1, 2023.	2/8/2023
21-90	Petition of NSTAR Electric Company d/b/a Eversource Energy for approval of its Phase II Electric Vehicle Infrastructure Program and Electric Vehicle Demand Charge Alternative Proposal.	2/15/2023
21-91	Petition of Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid, for approval of its Phase III Electric Vehicle Market Development Program and Electric Vehicle Demand Charge Alternative Proposal.	2/15/2023
21-92	Petition of Fitchburg Gas and Electric Light Company d/b/a Unitil for approval of its Electric Vehicle Infrastructure Program, Electric Vehicle Demand Charge Alternative Proposal, and Residential Electric Vehicle Time-of-Use Rate Proposal.	2/15/2023
22-171	Petition of Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid, for approval of the Company's: (1) annual vegetation management factor compliance filing and cost recovery pursuant to the Company's Vegetation Management Pilot Provision tariff; (2) supplemental filing requesting to extend the term of the pilot until September 30, 2024; and (3) proposed revisions to its EVM Pilot tariff for	2/16/2023

	effect April 1, 2023, to reflect the requested pilot extension date and permit cost recovery for that period.	
22-143	Petition of NSTAR Electric Company d/b/a Eversource Energy for review and approval for recovery of approximately \$220.9 million in storm-related costs, including carrying charges, associated with Tropical Storm Henri and the October Nor'easter.	2/17/2023
23-BSF-B1	NSTAR Electric Company d/b/a Eversource Energy's Basic Service Filing for Western Massachusetts Electric Company.	2/21/2023
n/a	Commission approval of the the extension of the winter moratorium.	2/22/2023
22-SQ-10	Investigation by the Department of Public Utilities into Fitchburg Gas and Electric Light Company d/b/a Unitil's 2021 Service Quality Report filed pursuant to Service Quality Standards for Electric Distribution Companies and Local Gas Distribution Companies, D.P.U. 12-120-D (2015).	2/22/2023
22-SQ-11	Investigation by the Department of Public Utilities into Massachusetts Electric Company d/b/a National Grid's 2021 Service Quality Report filed pursuant to Service Quality Standards for Electric Distribution Companies and Local Gas Distribution Companies, D.P.U. 12-120-D (2015).	2/22/2023
22-SQ-12	Investigation by the Department of Public Utilities into Nantucket Electric Company d/b/a National Grid's 2021 Service Quality Report filed pursuant to Service Quality Standards for Electric Distribution Companies and Local Gas Distribution Companies, D.P.U. 12-120-D (2015).	2/22/2023
22-SQ-13	Investigation by the Department of Public Utilities into NSTAR Electric Company d/b/a Eversource Energy's 2021 Service Quality Report filed pursuant to Service Quality Standards for Electric Distribution Companies and Local Gas Distribution Companies, D.P.U. 12-120-D (2015).	2/22/2023
23-BSF-C1	NSTAR Electric Company d/b/a Eversource Energy's Basic Service Filing	2/22/2023

22-99	Petition of Liberty Utilities (New England Natural Gas Company) Corp. d/b/a Liberty Utilities for approval of its annual pension adjustment factor reconciliation filing for effect November 1, 2022.	2/23/2023
22-92	Petition of The Berkshire Gas Company for approval of their annual pension adjustment factor reconciliation filing for effect November 1, 2022.	2/23/2023
23-03	Petition of Massachusetts Electric Company and Nantucket Electric Company each d/b/a National Grid, for approval of its annual Pension/PBOP Adjustment Factors for effect March 1, 2023.	2/23/2023
22-171	Petition of Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid, for approval of the Company's: (1) annual vegetation management factor compliance filing and cost recovery pursuant to the Company's Vegetation Management Pilot Provision tariff; (2) supplemental filing requesting to extend the term of the pilot until September 30, 2024; and (3) proposed revisions to its EVM Pilot tariff for effect April 1, 2023, to reflect the requested pilot extension date and permit cost recovery for that period.	2/27/2023
23-07	Petition of Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid, to the Department of Public Utilities for approval of its annual reconciliation filing for recovery of costs through its Solar Cost Adjustment Provision Tariff.	2/27/2023
22-141	Petition of Fitchburg Gas and Electric Light Company d/b/a Unitil for authorization and approval to issue long-term debt in the principal amount of up to \$90,000,000, pursuant to G.L. c. 164, § 14; and for an exemption from the competitive solicitation and advertising requirements of G.L. c. 164, § 15.	2/27/2023
22-PGAF-GRID	Petition of Boston Gas Company d/b/a National Grid pursuant to G.L. c. 164 and 220 CMR 6.04, 6.11 for approval of its 2022/23 peak local distribution adjustment factor and gas adjustment factor filings, effective November 1, 2022.	2/27/2023
22-PGAF-EGMA	Petition of Eversource Gas Company of Massachusetts d/b/a Eversource Energy pursuant to G.L. c. 164 and 220 CMR 6.04, 6.11 for approval of its 2022/23 peak local distribution adjustment factor and gas adjustment factor filings, effective November 1, 2022.	2/27/2023
22-15	Inquiry by the Department of Public Utilities, on its own motion, into revisions to the Model Terms and Conditions related to gas supplier service approved in Natural Gas Unbundling, D.T.E. 98-32-D (2000).	2/27/2023

22-15	Inquiry by the Department of Public Utilities, on its own motion, into revisions to the Model Terms and Conditions related to gas supplier service approved in Natural Gas Unbundling, D.T.E. 98-32-D (2000).	2/27/2023
22-15	Inquiry by the Department of Public Utilities, on its own motion, into revisions to the Model Terms and Conditions related to gas supplier service approved in Natural Gas Unbundling, D.T.E. 98-32-D (2000).	2/27/2023
22-15	Inquiry by the Department of Public Utilities, on its own motion, into revisions to the Model Terms and Conditions related to gas supplier service approved in Natural Gas Unbundling, D.T.E. 98-32-D (2000).	2/27/2023
22-15	Inquiry by the Department of Public Utilities, on its own motion, into revisions to the Model Terms and Conditions related to gas supplier service approved in Natural Gas Unbundling, D.T.E. 98-32-D (2000).	2/27/2023
22-15	Inquiry by the Department of Public Utilities, on its own motion, into revisions to the Model Terms and Conditions related to gas supplier service approved in Natural Gas Unbundling, D.T.E. 98-32-D (2000).	2/27/2023
23-02	Petition of Massachusetts Electric Company and Nantucket Electric Company each d/b/a National Grid for approval of their annual Revenue Decoupling Adjustment Factors for effect March 1, 2023.	2/28/2023
23-01	Petition of Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid, for approval of their 2022 electric reconciliation filing effective March 1, 2023, pursuant to G.L. c. 164, §§ 1A(a) through 1H and 220 CMR 11.03(4)(e).	2/28/2023
23-01	Summary Tariffs	2/28/2023
23-01	Summary Tariffs	2/28/2023
23-08	Joint Petition of Aquarion Water Company of Massachusetts and Pinehills Water Company for approval by the Department of Public Utilities, pursuant to G.L. c. 164, § 96 and G.L. 165, § 2, of the purchase and sale of assets and transfer of franchise.	3/1/2023
23-BSF-C1	NSTAR Electric Company d/b/a Eversource Energy's Basic Service Filing	3/1/2023

22-141	Petition of Fitchburg Gas and Electric Light Company d/b/a Unitil for authorization and approval to issue long-term debt in the principal amount of up to \$90,000,000, pursuant to G.L. c. 164, §14; and for an exemption from the competitive solicitation and advertising requirements of G.L. c. 164, § 15.	3/6/2023
23-50	Investigation by the Department of Public Utilities on its own Motion into the Provision of Basic Service	3/9/2023
20-16-B	Petition of NSTAR Electric Company, d/b/a Eversource Energy for approval by the Department of Public Utilities of two long-term contracts for procurement of Offshore Wind Energy Generation, pursuant to Section 83C of An Act Relative to Green Communities, St. 2008, c. 169, as amended by St. 2016, c. 188, § 12.	3/13/2023
20-17-B	Petition of Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid for approval by the Department of Public Utilities of two long-term contracts for procurement of Offshore Wind Energy Generation, pursuant to Section 83C of An Act Relative to Green Communities, St. 2008, c. 169, as amended by St. 2016, c. 188, § 12.	3/13/2023
20-18-B	Petition of Fitchburg Gas and Electric Light Company, d/b/a Unitil for approval by the Department of Public Utilities of two long-term contracts for procurement of Offshore Wind Energy Generation, pursuant to Section 83C of An Act Relative to Green Communities, St. 2008, c. 169, as amended by St. 2016, c. 188, § 12.	3/13/2023
22-70	Petition of NSTAR Electric Company d/b/a Eversource Energy for approval by the Department of Public Utilities of two long-term contracts for procurement of offshore wind energy generation, pursuant to St. 2008, c. 169, § 83, as amended by St. 2016, c. 188, § 12; St. 2021, c. 8 § 91 et seq.; and St. 2021, c. 24, §§ 69, 72; and 220 CMR 23.00.	3/13/2023
22-71	Petition of Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid for approval by the Department of Public Utilities of two long-term contracts for procurement of offshore wind energy generation, pursuant to St. 2008, c. 169, § 83, as amended by St. 2016, c. 188, § 12; St. 2021, c. 8 § 91 et seq.; and St. 2021, c. 24, §§ 69, 72; and 220 CMR 23.00.	3/13/2023
22-72	Petition of Fitchburg Gas and Electric Light Company, d/b/a Unitil for approval by the Department of Public Utilities of two long-term contracts for procurement of offshore wind energy generation, pursuant to St. 2008, c. 169, § 83, as amended by St. 2016, c. 188, § 12; St. 2021, c. 8 § 91 et seq.; and St. 2021, c. 24, §§ 69, 72; and 220 CMR 23.00.	3/13/2023

22-ERP-02	Petition of The Berkshire Gas Company for approval of its 2022 annual gas Emergency Response Plan filed pursuant to G.L. c. 164, § 85B and 220 CMR 19.04(1).	3/14/2023
21-90	Petition of NSTAR Electric Company d/b/a Eversource Energy for approval of its Phase II Electric Vehicle Infrastructure Program and Electric Vehicle Demand Charge Alternative Proposal.	3/15/2023
21-91	Petition of Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid, for approval of its Phase III Electric Vehicle Market Development Program and Electric Vehicle Demand Charge Alternative Proposal.	3/15/2023
21-92	Petition of Fitchburg Gas and Electric Light Company d/b/a Unilt for approval of its Electric Vehicle Infrastructure Program, Electric Vehicle Demand Charge Alternative Proposal, and Residential Electric Vehicle Time-of-Use Rate Proposal.	3/15/2023
23-BSF-D1	Basic Service Filing of Massachusetts Electric Company and Nantucket Electric Company d/b/a National Grid	3/21/2023
23-ASMT-01	General Assessment of the Department of Public Utilities pursuant to G.L. c. 25, § 18, for fiscal year 2023.	3/22/2023
23-ASMT-02	Electric Trust Assessment of the Department of Public Utilities pursuant to G.L. c. 25, § 12O and G.L. c. 25, § 18, for fiscal year 2023.	3/22/2023
23-ASMT-03	Storm Trust Fund Assessment of the Department of Public Utilities pursuant to G.L. c. 25, § 12P, and G.L. c. 25, § 18, for fiscal year 2023.	3/22/2023
23-ASMT-04	Steam Distribution Company Assessment of the Department of Public Utilities pursuant to G.L. c. 25, §18A, for Fiscal Year 2023.	3/22/2023
22-GC-39	Petition of Boston Gas Company d/b/a National Grid for approval of a Firm Transportation Service Agreement between National Grid and MATEP LLC, pursuant to G.L. c. 164, § 94 and 220 CMR 5.03.	3/23/2023
22-GC-40	Petition of Boston Gas Company d/b/a National Grid for approval of a Firm Transportation Service Agreement between National Grid and Concrete Block Insulating Systems, Inc., pursuant to G.L. c. 164, § 94 and 220 CMR 5.03.	3/23/2023



22-GC-41	Petition of Boston Gas Company d/b/a National Grid for approval of a Firm Transportation Service Agreement between National Grid and Aggregate Industries - Northeast Region, Inc., for service to a facility in Dennis, Massachusetts, pursuant to G.L. c. 164, § 94 and 220 CMR 5.03.	3/23/2023
22-GC-42	Petition of Boston Gas Company d/b/a National Grid for approval by the Department of Public Utilities of a Firm Transportation Service Agreement between National Grid and SEMASS Partnership, pursuant to G.L. c. 164, § 94 and 220 CMR 5.03.	3/23/2023
23-25	Petition of Fitchburg Gas and Electric Light Company d/b/a Unitil to the Department of Public Utilities pursuant to G.L. c. 164, § 69I, for approval of its Long-Range Forecast and Supply Plan for the forecast period November 1, 2022, through October 31, 2027.	3/24/2023
23-11	Investigation by the Department of Public Utilities, on its own motion, into the operations, practices, and rates of Clark Shores Water Corporation, pursuant to G.L. c. 165, §§ 2, 4, and G.L. c. 164, § 93.	3/28/2023
22-171	Petition of Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid, for approval of the Company's: (1) annual vegetation management factor compliance filing and cost recovery pursuant to the Company's Vegetation Management Pilot Provision tariff; (2) supplemental filing requesting to extend the term of the pilot until September 30, 2024; and (3) proposed revisions to its EVM Pilot tariff for effect April 1, 2023, to reflect the requested pilot extension date and permit cost recovery for that period.	3/29/2023
18-153	Petition of Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid, for recovery of incremental operations and maintenance expenses associated with qualifying weather events that occurred between 2013 and 2016.	3/30/2023
18-102-B	Petition of NSTAR Electric Company d/b/a Eversource Energy for approval by the Department of Public Utilities of the Company's 2018 Resiliency Tree Work Program Annual Compliance Filing.	3/31/2023
19-114-B	Petition of NSTAR Electric Company d/b/a Eversource Energy for approval by the Department of Public Utilities of the Company's 2019 Resiliency Tree Work Program Annual Compliance Filing.	3/31/2023
22-AD-01	Adjudicatory hearing in the matter of the complaint of Jillian Layne relative to rates and charges by NSTAR Electric Company, d/b/a Eversource Energy.	3/31/2023

21-144	Petition of Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid, for approval of the Company's annual vegetation management factor compliance filing and cost recovery pursuant to the Company's Vegetation Management Pilot Provision tariff.	4/3/2023
21-115	Petition of Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid, for review and approval of their proposed Solar Massachusetts Renewable Target Factor Filing for rates to be effective January 1, 2022.	4/4/2023
22-170	Petition of Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid, for approval by the Department of Public Utilities of the Company's Monson-Palmer-Longmeadow (East) Capital Investment Project proposal under the Provisional Program established by the Department in Provisional System Planning Program, D.P.U. 20-75-B (2021).	4/4/2023
23-06	Petition of Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid, for approval by the Department of Public Utilities of the Company's Gardner-Winchendon Capital Investment Project proposal under the Provisional Program established by the Department in Provisional System Planning Program, D.P.U. 20-75-B (2021).	4/4/2023
23-09	Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid (National Grid), enclosed for filing in the above docket is National Grid's Barre-Athol Capital Investment Project (CIP) proposal under the Provisional Program established by the Department in its Order on Provisional System Planning Program, D.P.U. 20-75-B (Nov. 24, 2021).	4/4/2023
23-12	Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid (National Grid), submits National Grid's Spencer-Rutland Capital Investment Project (CIP) proposal under the Provisional Program established by the Department in its Order on Provisional System Planning Program, D.P.U. 20-75-B	4/4/2023
22-47	Petition of NSTAR Electric Company d/b/a Eversource Energy for approval by the Department of Public Utilities of the Company's Marion-Fairhaven capital investment project proposal under the Provisional Program established by the Department in Provisional System Planning Program, D.P.U. 20-75-B (2021).	4/5/2023
n/a	Letter order revoking the Net Metering Public ID Number of Shelburne Housing Authority	4/6/2023

21-120-D	Petition of The Berkshire Gas Company, pursuant to G.L. c. 25, § 21, for approval by the Department of Public Utilities of its Three-Year Energy Efficiency Plan for 2022 through 2024.	4/6/2023
21-121-D	Petition of Eversource Gas Company of Massachusetts, d/b/a Eversource Energy, pursuant to G.L. c. 25, § 21, for approval by the Department of Public Utilities of its Three-Year Energy Efficiency Plan for 2022 through 2024.	4/6/2023
21-122-D	Petition of Fitchburg Gas and Electric Light Company, d/b/a Unil (Gas Division), pursuant to G.L. c. 25, § 21, for approval by the Department of Public Utilities of its Three-Year Energy Efficiency Plan for 2022 through 2024.	4/6/2023
21-123-D	Petition of Liberty Utilities (New England Natural Gas Company) Corp., d/b/a Liberty Utilities, pursuant to G.L. c. 25, § 21, for approval by the Department of Public Utilities of its Three-Year Energy Efficiency Plan for 2022 through 2024.	4/6/2023
21-124-D	Petition of Boston Gas Company, d/b/a National Grid, pursuant to G.L. c. 25, § 21, for approval by the Department of Public Utilities of its Three-Year Energy Efficiency Plan for 2022 through 2024.	4/6/2023
21-125-D	Petition of NSTAR Gas Company, d/b/a Eversource Energy, pursuant to G.L. c. 25, § 21, for approval by the Department of Public Utilities of its Three-Year Energy Efficiency Plan for 2022 through 2024.	4/6/2023
21-126-D	Petition of the towns of Aquinnah, Barnstable, Bourne, Brewster, Chatham, Chilmark, Dennis, Eastham, Edgartown, Falmouth, Harwich, Mashpee, Oak Bluffs, Orleans, Provincetown, Sandwich, Tisbury, Truro, Wellfleet, West Tisbury, and Yarmouth, and Dukes County, acting together as the Cape Light Compact JPE, pursuant to G.L. c. 25, § 21, for approval by the Department of Public Utilities of its Three-Year Energy Efficiency Plan for 2022 through 2024.	4/6/2023
21-127-D	Petition of Fitchburg Gas and Electric Light Company, d/b/a Unil (Electric Division), pursuant to G.L. c. 25, § 21, for approval by the Department of Public Utilities of its Three-Year Energy Efficiency Plan for 2022 through 2024.	4/6/2023
21-128-E	Petition of Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid, pursuant to G.L. c. 25, § 21, for approval by the Department of Public Utilities of its Three-Year Energy Efficiency Plan for 2022 through 2024.	4/6/2023

21-129-E	Petition of NSTAR Electric Company, d/b/a Eversource Energy, pursuant to G.L. c. 25, § 21, for approval by the Department of Public Utilities of its Three-Year Energy Efficiency Plan for 2022 through 2024.	4/6/2023
22-137	Petition of the Cape Light Compact JPE for Approval of a Strategic Electrification and Energy Optimization Demonstration Project Pursuant to St. 2022, c. 179, § 87A.	4/6/2023
22-63	Petition of Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid, for review and approval by the Department of Public Utilities of Proposed Electric Vehicle Program Factors.	4/7/2023
21-90	Petition of NSTAR Electric Company d/b/a Eversource Energy for approval of its Phase II Electric Vehicle Infrastructure Program and Electric Vehicle Demand Charge Alternative Proposal.	4/7/2023
21-91	Petition of Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid, for approval of its Phase III Electric Vehicle Market Development Program and Electric Vehicle Demand Charge Alternative Proposal.	4/7/2023
21-92	Petition of Fitchburg Gas and Electric Light Company d/b/a Until for approval of its Electric Vehicle Infrastructure Program, Electric Vehicle Demand Charge Alternative Proposal, and Residential Electric Vehicle Time-of-Use Rate Proposal.	4/7/2023
21-82	Petition of Fitchburg Gas and Electric Light Company d/b/a Until for approval of its Grid Modernization Plan for calendar years 2022 to 2025.	4/7/2023
23-21	Petition of Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid, for review and approval of their basic service administrative cost factors for effect May 1, 2023.	4/21/2023
23-14	Petition of The Berkshire Gas Company for approval of its Revenue Decoupling Adjustment Factors for the 2023 Off-Peak Period, May 1, 2023, through October 31, 2023.	4/26/2023
23-15	Petition of NSTAR Gas Company d/b/a Eversource Energy for approval of its Revenue Decoupling Adjustment Factors for the 2023 Off-Peak Period, May 1, 2023, through October 31, 2023.	4/26/2023
23-17	Petition of Boston Gas Company d/b/a National Grid, for approval of their Revenue Decoupling Adjustment Factors for the 2023 Off-Peak Period, May 1, 2023 through October 31, 2023.	4/26/2023

23-18	Petition of Fitchburg Gas and Electric Light Company d/b/a Util for approval of its Revenue Decoupling Adjustment Factors for the 2023 Off-Peak Period, May 1, 2023, through October 31, 2023.	4/26/2023
23-19	Petition of Liberty Utilities (New England Natural Gas Company) Corp. d/b/a Liberty for approval of its Revenue Decoupling Adjustment Factors for the 2023 Off-Peak Period, May 1, 2023, through October 31, 2023.	4/26/2023
23-26	Petition of Massachusetts Electric Company and Nantucket Electric Company, each doing business as National Grid, for Approval of their 2023 Energy Efficiency Reconciling Factors for effect May 1, 2023.	4/27/2023
23-16	Petition of Eversource Gas Company of Massachusetts d/b/a Eversource Energy for approval of its Revenue Decoupling Adjustment Factors for the 2023 Off-Peak Period, May 1, 2023, through October 31, 2023.	4/27/2023
23-28	Petition of Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid, for approval by the Department of Public Utilities of its Grid Modernization Program Factors for effect May 1, 2023.	4/27/2023
23-28	Petition of Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid, for approval by the Department of Public Utilities of its Grid Modernization Program Factors for effect May 1, 2023.	4/27/2023
23-28	Petition of Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid, for approval by the Department of Public Utilities of its Grid Modernization Program Factors for effect May 1, 2023.	4/27/2023
23-OGAF-BERK	Petition of The Berkshire Gas Company for approval of its off-peak gas adjustment factor filing effective May 1, 2023, pursuant to 220 CMR 6.00.	4/27/2023
23-OGAF-EGMA	Petition of Eversource Gas Company of Massachusetts d/b/a Eversource Energy for approval of its off-peak gas adjustment factor filing effective May 1, 2023, pursuant to 220 CMR 6.00.	4/27/2023
23-OGAF-FGE	Petition of Fitchburg Gas and Electric Light Company d/b/a Util for approval of its off-peak gas adjustment factor filing effective May 1, 2023, pursuant to 220 CMR 6.00.	4/27/2023
23-OGAF-GRID	Petition of Boston Gas Company d/b/a National Grid for approval of its off-peak gas adjustment factor filing effective May 1, 2023, pursuant to 220 CMR 6.00.	4/27/2023

23-OGAF-LIB	Petition of Liberty Utilities (New England Natural Gas Company) Corp. d/b/a Liberty for approval of its off-peak gas adjustment factor filing effective May 1, 2023, pursuant to 220 CMR 6.00.	4/27/2023
23-OGAF-NSTAR	Petition of NSTAR Gas Company d/b/a Eversource Energy for approval of its off-peak gas adjustment factor filing effective May 1, 2023, pursuant to 220 CMR 6.00.	4/27/2023
22-GSEP-01	Petition of Fitchburg Gas and Electric Light Company d/b/a Unutil for approval of its 2023 Gas System Enhancement Plan, pursuant to G.L. c. 164, § 145, for rates effective May 1, 2023.	4/28/2023
22-GSEP-02	Petition of The Berkshire Gas Company for Approval of its 2023 Gas System Enhancement Plan, pursuant to G.L. c. 164, § 145, for rates effective May 1, 2023.	4/28/2023
22-GSEP-03	Petition of Boston Gas Company d/b/a National Grid for Approval of its 2023 Gas System Enhancement Plan, pursuant to G.L. c. 164, § 145, for rates effective May 1, 2023.	4/28/2023
22-GSEP-04	Petition of Liberty Utilities (New England Natural Gas Company) Corp., d/b/a Liberty for Approval of its 2023 Gas System Enhancement Plan, pursuant to G.L. c. 164, § 145, for rates effective May 1, 2023.	4/28/2023
22-GSEP-05	Petition of Eversource Gas Company of Massachusetts d/b/a Eversource Energy for Approval of its 2023 Gas System Enhancement Plan, pursuant to G.L. c. 164, § 145, for rates effective May 1, 2023.	4/28/2023
22-GSEP-06	Petition of NSTAR Gas Company d/b/a Eversource Energy for approval of its 2023 Gas System Enhancement Plan, pursuant to G.L. c. 164, § 145, for rates effective May 1, 2023.	4/28/2023
22-POR-01	Petition of Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid pursuant to the Companies' Tariffs M.D.P.U. Nos. 1420 and 1421, § 8B, for review and approval by the Department of Public Utilities of the Companies' Standard Complete Billing Percentages for effect May 1, 2022, under the Company's Purchase of Receivables Program.	4/28/2023
22-POR-02	Petition of NSTAR Electric Company d/b/a Eversource Energy pursuant to § 8B.2.b of the Company's Terms and Conditions - Competitive Suppliers and Competitive Renewable Energy Attribute Suppliers for review and approval by the Department of Public Utilities of the Company's Standard Complete Billing Percentages for effect May 1, 2022, under the Company's Purchase of Receivables Program.	4/28/2023



23-POR-01	Petition of Massachusetts Electric Company and Nantucket Electric Company each d/b/a National Grid pursuant to the Company's Tariffs M.D.P.U. Nos. 1420 and 1421, § 8B, for review and approval by the Department of Public Utilities of the Companies' Standard Complete Billing Percentages for effect May 1, 2023, under the Companies' Purchase of Receivables Program.	4/28/2023
23-POR-02	Petition of NSTAR Electric Company d/b/a Eversource Energy pursuant to the Company's Tariffs M.D.P.U. Nos. 4 and 5, § 8B.2.b for review and approval by the Department of Public Utilities of the Company's Standard Complete Billing Percentages for effect May 1, 2023, under the Company's Purchase of Receivables Program.	4/28/2023
22-SQ-12	Investigation by the Department of Public Utilities into Nantucket Electric Company d/b/a National Grid's 2021 Service Quality Report filed pursuant to Service Quality Standards for Electric Distribution Companies and Local Gas Distribution Companies, D.P.U. 12-120-D (2015).	5/15/2023
22-138	Petition of Boston Gas Company, Massachusetts Electric Company, and Nantucket Electric Company each d/b/a National Grid for approval of a Property Tax Exogenous Event.	5/17/2023
22-163	Petition of Ipswich Electric Light Department for authorization and approval to increase its depreciation rate to four percent for the calendar year 2022.	5/19/2023
23-BSF-B2	Basic Service Filing for NSTAR Electric Company d/b/a Eversource Energy for the Western/Central Massachusetts service territory.	5/19/2023
22-GSEP-02	Petition of The Berkshire Gas Company for Approval of its 2023 Gas System Enhancement Plan, pursuant to G.L. c. 164, § 145, and for rates effective May 1, 2023.	5/19/2023
23-BSF-C2	NSTAR Electric Company d/b/a Eversource Energy Basic Service supply for its Eastern Massachusetts service territory.	5/26/2023
23-34	Petition of Fitchburg Gas and Electric Light Company, d/b/a Unitil, to the Department of Public Utilities for approval of its annual reconciliation filing for recovery of costs through its Solar Cost Adjustment tariff, M.D.P.U. No. 396.	5/30/2023
22-34-A	Petition of Fitchburg Gas and Electric Light Company, d/b/a Unitil, to the Department of Public Utilities for approval of its annual reconciliation filing for recovery of costs through its Solar Cost Adjustment tariff, M.D.P.U. No. 368.	5/30/2023

23-OGAF-EGMA	Petition of Eversource Gas Company of Massachusetts d/b/a Eversource Energy pursuant to G.L. c. 164 and 220 CMR 6.00 for approval of its 2022 off-peak gas adjustment factor filing, effective May 1, 2023.	5/31/2023
23-OGAF-NSTAR	Petition of NSTAR Gas Company d/b/a Eversource Energy pursuant to G.L. c. 164 and 220 CMR 6.00 for approval of its 2022 off-peak gas adjustment factor filing, effective May 1, 2023.	5/31/2023
23-OGAF-GRID	Petition of Boston Gas Company d/b/a National Grid pursuant to G.L. c. 164 and 220 CMR 6.00 for approval of its 2022 off-peak gas adjustment factor filing, effective May 1, 2023.	5/31/2023
23-35	Petition of Fitchburg Gas and Electric Light Company d/b/a Until for Approval of its 2023 Energy Efficiency Reconciling Factors for effect June 1, 2023.	5/31/2023
23-38	Petition of Fitchburg Gas and Electric Light Company d/b/a Until for approval by the Department of Public Utilities of its Grid Modernization Program Factors	5/31/2023
23-BSF-A2	Petition of Fitchburg Gas and Electric Light Company d/b/a Until for Approval of Basic Service Rates for August 1, 2023 through January 31, 2024.	6/1/2023
21-90	Petition of NSTAR Electric Company d/b/a Eversource Energy for approval of its Phase II Electric Vehicle Infrastructure Program and Electric Vehicle Demand Charge Alternative Proposal.	6/1/2023
23-GREC-01	Petition of Fitchburg Gas and Electric Light Company's d/b/a Until pursuant to G.L. c. 164, § 145, for review and approval of the reconciliation of its 2022 Gas System Enhancement Plan and Gas System Enhancement Reconciliation Adjustment Factors.	6/2/2023
23-GREC-02	Petition of The Berkshire Gas Company pursuant to G.L. c. 164, § 145, pursuant to G.L. c. 164, § 145, for review and approval of the reconciliation of its 2022 Gas System Enhancement Plan and Gas System Enhancement Reconciliation Adjustment Factors.	6/2/2023
23-GREC-03	Petition of Boston Gas Company d/b/a National Grid pursuant to G.L. c. 164, § 145, for review and approval of the reconciliation of its 2022 Gas System Enhancement Plan and its Gas System Enhancement Reconciliation Adjustment Factors.	6/2/2023
23-GREC-04	Petition of Liberty Utilities (New England Natural Gas Company) Corp. d/b/a Liberty Utilities, pursuant to G.L. c. 164, § 145, for review and approval of the reconciliation of its 2022 Gas System Enhancement Plan and of its Gas System Enhancement Reconciliation Adjustment Factors.	6/2/2023

23-GREC-05	Petition of Eversource Gas Company of Massachusetts d/b/a Eversource Energy, pursuant to G.L. c. 164, § 145, for review and approval of the reconciliation of its 2022 Gas System Enhancement Plan and its Gas System Enhancement Reconciliation Adjustment Factors.	6/2/2023
23-GREC-06	Petition of NSTAR Gas Company, d/b/a Eversource Energy, pursuant to G.L. c. 164, § 145, for review and approval of the reconciliation of its 2022 Gas System Enhancement Plan and its Gas System Enhancement Reconciliation Adjustment Factor.	6/2/2023
22-GSEP-03	Petition of Boston Gas Company d/b/a National Grid for Approval of 2023 Gas System Enhancement Plans, pursuant to G.L. c. 164, § 145, and for rates effective May 1, 2023.	6/5/2023
19-55-F	Inquiry by the Department of Public Utilities on its own Motion into Distributed Generation Interconnection.	6/6/2023
n/a	NSTAR Electric Planned Changes to Billing System	6/7/2023
22-147	Petition of Fitchburg Gas and Electric Light Company Energy d/b/a Unitil (electric division) for approval of its annual Revenue Decoupling Adjustment Factors for effect January 1, 2023.	6/8/2023
22-130	Petition of NSTAR Electric Company d/b/a Eversource Energy for approval of its annual Revenue Decoupling Adjustment Factors for effect January 1, 2023.	6/12/2023
23-BSF-A2	Petition of Fitchburg Gas and Electric Light Company d/b/a Unitil for Approval of Basic Service Rates for August 1, 2023 through January 31, 2024.	6/15/2023
23-08	Joint Petition of Aquarion Water Company of Massachusetts and Pinehills Water Company for approval by the Department of Public Utilities, pursuant to G.L. c. 164, § 96 and G.L. 165, § 2, of the purchase and sale of assets and transfer of franchise.	6/15/2023
21-91	Petition of Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid, for approval of its Phase III Electric Vehicle Market Development Program and Electric Vehicle Demand Charge Alternative Proposal.	6/22/2023
21-92	Petition of Fitchburg Gas and Electric Light Company d/b/a Unitil for approval of its Electric Vehicle Infrastructure Program, Electric Vehicle Demand Charge Alternative Proposal, and Residential Electric Vehicle Time-of-Use Rate Proposal.	6/22/2023

23-BSF-D2	Basic Service Filing of Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid, for the period August 1, 2023 through October 31, 2023.	6/27/2023
22-57-A	Petition of Hopkinton LNG Corporation d/b/a Eversource Energy for approval of its annual demand charge, effective November 1, 2022, pursuant to the gas service agreement between Eversource Gas Company of Massachusetts d/b/a Eversource Energy and Hopkinton LNG Corporation.	6/29/2023
22-58-A	Petition of Hopkinton LNG Corporation d/b/a Eversource Energy for approval of the demand charge, effective November 1, 2022, developed pursuant to the gas service agreement between NSTAR Gas Company d/b/a Eversource Energy and Hopkinton LNG Corporation.	6/29/2023
19-56	Petition of the Town of Burlington for approval by the Department of Public Utilities of a municipal aggregation plan pursuant to G.L. c. 164, § 134.	6/29/2023
19-63	Petition of the Town of North Brookfield for approval by the Department of Public Utilities of a municipal aggregation plan pursuant to G.L. c. 164, § 134.	6/29/2023
19-111	Petition of the Town of Mendon for approval by the Department of Public Utilities of a municipal aggregation plan pursuant to G.L. c. 164, § 134.	6/29/2023
23-OGAF-BERK	Petition of The Berkshire Gas Company pursuant to G.L. c. 164 and 220 CMR 6.00 for approval of its 2022 off-peak gas adjustment factor filing, effective May 1, 2023.	6/29/2023
23-OGAF-GRID	Petition of Boston Gas Company d/b/a National Grid pursuant to G.L. c. 164 and 220 CMR 6.00 for approval of its 2022 off-peak gas adjustment factor filing, effective May 1, 2023.	6/29/2023
23-40	Petition of the towns of Aquinnah, Barnstable, Bourne, Brewster, Chatham, Chilmark, Dennis, Eastham, Edgartown, Falmouth, Harwich, Mashpee, Oak Bluffs, Orleans, Provincetown, Sandwich, Tisbury, Truro, Wellfleet, West Tisbury and Yarmouth, and Dukes County, organized and operating collectively as Cape Light Compact JPE, for approval of revised 2023 Energy Efficiency Reconciling Factors for effect July 1, 2023.	6/30/2023
23-41	Petition of NSTAR Electric Company d/b/a Eversource Energy for Approval of its 2023 Energy Efficiency Reconciling Factors for effect July 1, 2023.	6/30/2023

23-GG	2022 Annual Onsite Generation Facilities Report to the Legislature	6/30/2023
23-44	Petition of Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid, for review and approval by the Department of Public Utilities of Proposed Electric Vehicle Program Factors.	6/30/2023
23-44	Petition of Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid, for review and approval by the Department of Public Utilities of Proposed Electric Vehicle Program Factors for effect July 1, 2023.	6/30/2023
22-136-A	Petition of Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid, for review and approval of their proposed Solar Massachusetts Renewable Target Factor Filing for rates to be effective January 1, 2023.	6/30/2023
23-62	Petition of Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid, for approval of an Interim Adjustment to its Solar Massachusetts Renewable Target Factor.	6/30/2023
23-46	Petition of Aquarion Water Company of Massachusetts, Inc., for Authorization and Approval to Incur Long-Term Indebtedness in the Principal Amount Not to Exceed \$10 Million, pursuant to G.L. c. 165, § 2 and G.L. c. 164, § 14.	6/30/2023
22-18	Petition of Medway Grid, LLC, pursuant to G.L. c. 164, § 72 and G.L. c. 40A, § 3, for approval to construct and operate a 345 kilovolt interconnection between an electric substation to be constructed to serve a proposed Battery Energy Storage System and the Eversource West Medway Substation, and for exemptions from the zoning bylaws of the Town of Medway, Massachusetts, in connection with construction of said Battery Energy Storage System and adjacent substation.	6/30/2023
22-19	Petition of Medway Grid, LLC, pursuant to G.L. c. 164, § 72 and G.L. c. 40A, § 3, for approval to construct and operate a 345 kilovolt interconnection between an electric substation to be constructed to serve a proposed Battery Energy Storage System and the Eversource West Medway Substation, and for exemptions from the zoning bylaws of the Town of Medway, Massachusetts, in connection with construction of said Battery Energy Storage System and adjacent substation.	6/30/2023

22-40	Investigation by the Department of Public Utilities into NSTAR Electric Company d/b/a Eversource Energy's 2018-2021 Grid Modernization Plan and Final Prudence Review of the Associated Costs.	6/30/2023
23-49	Petition of NSTAR Electric Company d/b/a Eversource Energy for approval of its Grid Modernization Program Factors.	6/30/2023
23-49	Petition of NSTAR Electric Company d/b/a Eversource Energy for approval of its Grid Modernization Program Factors.	7/6/2023
23-49	Petition of NSTAR Electric Company d/b/a Eversource Energy for approval of its Grid Modernization Program Factors.	7/6/2023
23-24	Petition of Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid for: (1) recovery of incremental operations and maintenance expenses associated with nine (9) qualifying storm events that occurred between February 1, 2021 through November 12, 2021; and (2) extension of the storm fund recovery factor.	7/10/2023
23-BSF-A2	Petition of Fitchburg Gas and Electric Light Company d/b/a Until for Approval of Basic Service Rates for August 1, 2023 through January 31, 2024.	7/10/2023
22-03-A	Petition of Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid, to the Department of Public Utilities for approval of its annual reconciliation filing for recovery of costs through its Solar Cost Adjustment Provision Tariff, M.D.P.U. No. 1474.	7/13/2023
22-16-A	Petition of Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid, to the Department of Public Utilities for approval of recovery of costs associated with one Solar Phase III generation facility located in Northbridge, Massachusetts, constructed pursuant to Massachusetts Electric Company and Nantucket Electric Company, D.P.U. 16-104, and in accordance with the Solar Cost Adjustment Provision, M.D.P.U. No. 1474.	7/13/2023
21-104-A	Petition of Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid, to the Department of Public Utilities for approval of recovery of costs associated with Solar Phase III generation facilities located in Northborough and Worcester, Massachusetts, constructed pursuant to Massachusetts Electric Company and Nantucket Electric Company, D.P.U. 16-104, and in accordance with the Solar Cost Adjustment Provision, M.D.P.U. No. 1458.	7/13/2023



20-61-A	Petition of Massachusetts Electric Company, d/b/a National Grid, for authorization and approval to (1) to issue long-term debt in the principal amount of up to \$1.1 billion, pursuant to G.L. c. 164, § 14; (2) for an exemption from the competitive solicitation and advertising requirements of G.L. c. 164, § 15; and (3) for an exemption from the par value requirements of G.L. c. 164, § 15A.	7/17/2023
22-86	Petition of NSTAR Gas Company d/b/a Eversource Energy for review and approval of its five-year Forecast and Supply Plan for the period November 1, 2021 through October 31, 2026.	7/20/2023
23-64	Petition of Whitinsville Water Company, pursuant to G.L. c. 164, § 94, G.L. c. 165, § 2, and 220 CMR 5.00, for Approval of a General Rate Increase as set forth in M.D.P.U. No. 30 and M.D.P.U. No. 31.	7/21/2023
23-BSF-D2	Basic Service Filing of Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid, for the period August 1, 2023 through October 31, 2023.	7/24/2023
23-GC-01	Petition of Boston Gas Company d/b/a National Grid for approval of a 365 Day Firm Transportation Agreement between National Grid and New England Baptist Hospital, pursuant to G.L. c. 164, § 94 and 220 CMR 5.03	7/26/2023
23-GC-02	Petition of Boston Gas Company d/b/a National Grid for approval of a Firm Transportation Service Agreement between National Grid and Brandeis University pursuant to G.L. c. 164, § 94 and 220 CMR 5.03.	7/26/2023
23-GC-03	Petition of Boston Gas d/b/a National Grid for approval of a Firm Transportation Service Agreement between National Grid and The Massachusetts Bay Transportation Authority pursuant to G.L. c. 164, § 94 and 220 CMR 5.03	7/26/2023
23-GC-04	Petition of Boston Gas Company d/b/a National Grid for approval of a Firm Transportation Service Agreement between National Grid and North Shore Medical Center pursuant to G.L. c. 164, § 94 and 220 CMR 5.03.	7/26/2023
22-82	Petition of Fitchburg Gas and Electric Light Company d/b/a Unitil requesting approval by the Department of Public Utilities of its Capital Investment Report for Calendar Year 2021 and Capital Cost Adjustment Factors.	7/26/2023
23-65	Petition of Housatonic Water Works Company, pursuant to G.L. c. 164, § 94, G.L. c. 165, § 2, and 220 CMR 5.00 for Approval of a General Rate Increase as set forth in M.D.P.U. No. 19 and M.D.P.U. No. 20.	7/26/2023

23-39	Petition of Wakefield Municipal Gas & Light Department for authorization and approval to increase its depreciation rate to five percent for the calendar year 2023.	7/26/2023
22-152	Petition of Mansfield Municipal Electric Department for authorization and approval to increase its depreciation rate to five percent for the calendar year 2023.	7/26/2023
23-OGAF-NSTAR	Petition of NSTAR Gas Company d/b/a Eversource Energy pursuant to G.L. c. 164 and 220 CMR 6.00 for approval of its 2022 off-peak gas adjustment factor filing, effective May 1, 2023.	7/28/2023
23-GC-05	Petition of Boston Gas Company d/b/a National Grid for approval of a Firm Transportation Service Agreement between National Grid and Newton-Wellesley Hospital pursuant to G.L. c. 164, § 94 and 220 CMR 5.03.	8/1/2023
23-GC-06	Petition of Boston Gas Company d/b/a National Grid for approval of a Firm Transportation Service Agreement between National Grid and Brigham and Women’s Faulkner Hospital pursuant to G.L. c. 164, § 94 and 220 CMR 5.03.	8/1/2023
23-GC-07	Petition of Boston Gas Company d/b/a National Grid for approval of a Firm Transportation Service Agreement between National Grid and McLean Hospital pursuant to G.L. c. 164, § 94 and 220 CMR 5.03.	8/1/2023
23-51	Petition of the Massachusetts Office of the Attorney General (“AGO”) to the Department of Public Utilities for approval the AGO’s request to retain an expert or consultant to assist in the AGO’s participation in the development, review, and adjudication of the 2025–2027 Three Year Energy Efficiency Plan, to be filed with the Department by the Massachusetts Program Administrators on or before October 31, 2024. See G.L. c. 25, § 21(d).	8/2/2023
23-67	Investigation by the Department of Public Utilities on its own Motion into Establishing Guidelines for Municipal Aggregation Proceedings.	8/15/2023
23-BSF-B3	NSTAR Electric Company d/b/a Eversource Energy Basic Service Rates Filing (Western Massachusetts).	8/18/2023
23-10	In the matter of various Respondents concerning compliance with the Dig Safe Law, G.L. c. 82, §§ 40-40E or the Dig Safe Regulations, 220 CMR 99.00.	8/18/2023
23-10-1	Remedial Order - A & G Construction	8/18/2023

23-10-2	Remedial Order- A Blade of Grass	8/18/2023
23-10-3	Remedial Order - A Chaves Incorporated	8/18/2023
23-10-4	Remedial Order - Accurate Lawn Sprinklers Inc.	8/18/2023
23-10-5	Remedial Order - Advanced Earth Works	8/18/2023
23-10-6	Remedial Order - Affordable Irrigation	8/18/2023
23-10-7	Remedial Order - Alpha Smart Builders	8/18/2023
23-10-8	Remedial Order - American Site Corporation	8/18/2023
23-10-9	Remedial Order - Armindo S. Paiva	8/18/2023
23-10-10	Remedial Order - ASE Asphalt Solutions Enterprises	8/18/2023
23-10-11	Remedial Order - AT Construction	8/18/2023
23-10-12	Remedial Order - Azores Construction & Landscaping Design LLC	8/18/2023
23-10-13	Remedial Order - Bannon Custom Builders	8/18/2023
23-10-14	Remedial Order - Barrows Excavating	8/18/2023
23-10-15	Remedial Order - Barrows Excavating	8/18/2023
23-10-16	Remedial Order - Barrows Excavating	8/18/2023

23-10-17	Remedial Order - Bento Construction Inc.	8/18/2023
23-10-18	Remedial Order - Berkshire Rooter	8/18/2023
23-10-19	Remedial Order - Bottoni Construction	8/18/2023
23-10-20	Remedial Order - Bruno LLC	8/18/2023
23-10-21	Remedial Order - Camelot Special Events	8/18/2023
23-10-22	Remedial Order - Campbell's Construction Group	8/18/2023
23-10-23	Remedial Order - CCLP	8/18/2023
23-10-24	Remedial Order - Communications Construction Group LLC	8/18/2023
23-10-25	Remedial Order - Copper Moon Landscape and Design	8/18/2023
23-10-26	Remedial Order - Corbett Excavating	8/18/2023
23-10-27	Remedial Order - CTR Field	8/18/2023
23-10-28	Remedial Order - D & D Construction	8/18/2023
23-10-29	Remedial Order - D & S Partners	8/18/2023
23-10-30	Remedial Order - D. Whitmore Excavating LLC	8/18/2023
23-10-31	Remedial Order - DA Welch Excavating	8/18/2023

23-10-32	Remedial Order - Dan Kelleher	8/18/2023
23-10-33	Remedial Order - Davis & Sons	8/18/2023
23-10-34	Remedial Order - DCCI Excavation	8/18/2023
23-10-35	Remedial Order - Dellarose Construction	8/18/2023
23-10-36	Remedial Order - Do All Construction	8/18/2023
23-10-37	Remedial Order - Down to Earth Construction	8/18/2023
23-10-38	Remedial Order - Driscoll Landscaping	8/18/2023
23-10-39	Remedial Order - East Side Excavation	8/18/2023
23-10-40	Remedial Order - EKE Electric	8/18/2023
23-10-41	Remedial Order - Exquisite Victorians	8/18/2023
23-10-42	Remedial Order - FHT Home Services	8/18/2023
23-10-43	Remedial Order - FLM Construction	8/18/2023
23-10-44	Remedial Order - FP Reilly & Sons	8/18/2023
23-10-45	Remedial Order - Fraser Company	8/18/2023
23-10-46	Remedial Order - G K Development	8/18/2023

23-10-47	Remedial Order - GCS Outdoor Property Services	8/18/2023
23-10-48	Remedial Order - GEG Construction	8/18/2023
23-10-49	Remedial Order - Gorca Construction	8/18/2023
23-10-50	Remedial Order - Graci Enterprises	8/18/2023
23-10-51	Remedial Order - Greener Group	8/18/2023
23-10-52	Remedial Order -Ground Care Landscaping LLC	8/18/2023
23-10-53	Remedial Order - GRP Paving & Construction	8/18/2023
23-10-54	Remedial Order - GW Equipment Company	8/18/2023
23-10-55	Remedial Order - H & J Fencing Corp.	8/18/2023
23-10-56	Remedial Order - H.F. Halligan Construction	8/18/2023
23-10-57	Remedial Order - Home Vestors	8/18/2023
23-10-58	Remedial Order - Hub Construction & Maintenance Co	8/18/2023
23-10-59	Remedial Order - Hub Masonry	8/18/2023
23-10-60	Remedial Order - Hub Restoration	8/18/2023
23-10-61	Remedial Order - Icon West	8/18/2023



23-10-62	Remedial Order - JF Excavation Corporation	8/18/2023
23-10-63	Remedial Order - JHS Landscaping Construction	8/18/2023
23-10-64	Remedial Order - JJ's Landscape	8/18/2023
23-10-65	Remedial Order - JMB Septic Services	8/18/2023
23-10-66	Remedial Order - Jneto Corporation	8/18/2023
23-10-67	Remedial Order - JS Lawncare	8/18/2023
23-10-68	Remedial Order - K & F Construction	8/18/2023
23-10-69	Remedial Order - K Riley & Sons	8/18/2023
23-10-70	Remedial Order - KCEC LLC	8/18/2023
23-10-71	Remedial Order - Ken Melanson	8/18/2023
23-10-72	Remedial Order - KT Fenton Masonry Inc.	8/18/2023
23-10-73	Remedial Order - L&C Fence Company Inc. d/b/a Landmark Fence	8/18/2023
23-10-74	Remedial Order - Lafrance Equipment Services LLC	8/18/2023
23-10-75	Remedial Order - Larusso Corporation	8/18/2023
23-10-76	Remedial Order - Lawns by Juan	8/18/2023

23-10-77	Remedial Order - LDS Construction	8/18/2023
23-10-78	Remedial Order - Locust Street Signs	8/18/2023
23-10-79	Remedial Order - LS Services	8/18/2023
23-10-80	Remedial Order - M L Landscape & Construction	8/18/2023
23-10-81	Remedial Order - M. DiStasio Excavation	8/18/2023
23-10-82	Remedial Order - M.W. & Son	8/18/2023
23-10-83	Remedial Order - Men At Work Landscaping	8/18/2023
23-10-84	Remedial Order - Mendez Masonry & Construction	8/18/2023
23-10-85	Remedial Order - Methuen Construction Company Inc.	8/18/2023
23-10-86	Remedial Order - Miller's Paving & Asphalt	8/18/2023
23-10-87	Remedial Order - Monroy's Carpenters Inc.	8/18/2023
23-10-88	Remedial Order - Murray Construction	8/18/2023
23-10-89	Remedial Order - MVS Landscape & Design	8/18/2023
23-10-90	Remedial Order - National Landscape & Masonry	8/18/2023
23-10-91	Remedial Order - Nick Costa Tree Service	8/18/2023

23-10-92	Remedial Order - North Shore Masonry Services	8/18/2023
23-10-93	Remedial Order - Out On a Limb Landscaping, Inc.	8/18/2023
23-10-94	Remedial Order - P & G Utilities	8/18/2023
23-10-95	Remedial Order - Pacella Enterprises Inc.	8/18/2023
23-10-96	Remedial Order - Paul F. Young Co, Inc.	8/18/2023
23-10-97	Remedial Order - Perfection Fence Corporation	8/18/2023
23-10-98	Remedial Order - Pierre Masonry	8/18/2023
23-10-99	Remedial Order - PLM Contracting, Inc.	8/18/2023
23-10-100	Remedial Order - Ponch Excavating, LLC	8/18/2023
23-10-101	Remedial Order - R & L Masonry	8/18/2023
23-10-102	Remedial Order - R Cabrera Landscaping	8/18/2023
23-10-103	Remedial Order - R. DeGrande Excavating	8/18/2023
23-10-104	Remedial Order - Rahalls Landscaping	8/18/2023
23-10-105	Remedial Order - Reading Asphalt Co.	8/18/2023
23-10-106	Remedial Order - Richard Sores	8/18/2023

23-10-107	Remedial Order - Riteway Construction, Inc.	8/18/2023
23-10-108	Remedial Order - Riverstone Landscape	8/18/2023
23-10-109	Remedial Order - Riverview Constructors	8/18/2023
23-10-110	Remedial Order - Robert's Landscape Design & Construction Inc.	8/18/2023
23-10-111	Remedial Order - Rony's Landscaping	8/18/2023
23-10-112	Remedial Order - Ryan Properties	8/18/2023
23-10-113	Remedial Order - SalCorp Landscaping & Construction	8/18/2023
23-10-114	Remedial Order - Saltmarsh Industries	8/18/2023
23-10-115	Remedial Order - Sanitary Septic and Sewer Cleaning Service Inc.	8/18/2023
23-10-116	Remedial Order - Sasa's Tree Care	8/18/2023
23-10-117	Remedial Order - Scarlett Tree Service	8/18/2023
23-10-118	Remedial Order - Silver City Home Improvement	8/18/2023
23-10-119	Remedial Order - Southeastern Regional Vocational High School	8/18/2023
23-10-120	Remedial Order - Step By Step Home Improvement Corp.	8/18/2023
23-10-121	Remedial Order - Sterling Services	8/18/2023

23-10-122	Remedial Order - Stonevibes Construction Landscaping Inc.	8/18/2023
23-10-123	Remedial Order - Strawberry Hill Landscaping	8/18/2023
23-10-124	Remedial Order - TBR Excavating	8/18/2023
23-10-125	Remedial Order - TCE LLC	8/18/2023
23-10-126	Remedial Order - TCS Paving	8/18/2023
23-10-127	Remedial Order - The Pros Incorporated	8/18/2023
23-10-128	Remedial Order - Tim Zanelli Excavating LLC	8/18/2023
23-10-129	Remedial Order - Towne Tree & Landscaping, Inc.	8/18/2023
23-10-130	Remedial Order - Urban Irrigation	8/18/2023
23-10-131	Remedial Order - Vequetini Landscaping and Construction	8/18/2023
23-10-132	Remedial Order - WAM General Contractor	8/18/2023
23-10-133	Remedial Order - Whit General Contractor	8/18/2023
23-10-134	Remedial Order - Wow That Looks Good Landscaping	8/18/2023
23-GC-22	Petition of Fitchburg Gas and Electric Light Company d/b/a Unitil for approval of a Firm Transportation Service between Unitil and the Newark Group.	8/18/2023

23-48	Petition of Hingham Municipal Lighting Plant for authorization and approval to increase its depreciation rate to five percent for the calendar years 2022 and 2023.	8/21/2023
23-80	Petition of Fitchburg Gas and Electric Light Company d/b/a Unitil (Electric Division), pursuant to G.L. c. 164, § 94 and 220 CMR 5.00, for Approval of a General Increase in Base Distribution Rates for Electric Service and a Performance-Based Ratemaking Plan.	8/23/2023
23-81	Petition of Fitchburg Gas and Electric Light Company d/b/a Unitil (Gas Division), pursuant to G.L. c. 164, § 94 and 220 CMR 5.00, for Approval of a General Increase in Base Distribution Rates for Gas Service and a Performance-Based Ratemaking Plan.	8/23/2023
22-70	Petition of NSTAR Electric Company d/b/a Eversource Energy for approval by the Department of Public Utilities of two long-term contracts for procurement of offshore wind energy generation, pursuant to St. 2008, c. 169, § 83, as amended by St. 2016, c. 188, § 12; St. 2021, c. 8 § 91 et seq.; and St. 2021, c. 24, §§ 69, 72; and 220 CMR 23.00.	8/23/2023
22-71	Petition of Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid for approval by the Department of Public Utilities of two long-term contracts for procurement of offshore wind energy generation, pursuant to St. 2008, c. 169, § 83, as amended by St. 2016, c. 188, § 12; St. 2021, c. 8 § 91 et seq.; and St. 2021, c. 24, §§ 69, 72; and 220 CMR 23.00.	8/23/2023
22-72	Petition of Fitchburg Gas and Electric Light Company d/b/a Unitil for approval by the Department of Public Utilities of two long-term contracts for procurement of offshore wind energy generation, pursuant to St. 2008, c. 169, § 83, as amended by St. 2016, c. 188, § 12; St. 2021, c. 8 § 91 et seq.; and St. 2021, c. 24, §§ 69, 72; and 220 CMR 23.00.	8/23/2023
23-42	Joint Petition of the Massachusetts Department of Energy Resources, Fitchburg Gas and Electric Light Company d/b/a Unitil, Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid, and NSTAR Electric Company d/b/a Eversource Energy for approval of a proposed timetable and method for the solicitation and execution of long-term contracts for offshore wind energy generation, pursuant to Section 83C of An Act Relative to Green Communities, St. 2008, c. 169, as amended.	8/23/2023
23-BSF-C3	Petition of NSTAR Electric Company d/b/a Eversource Energy for Approval of an Alternative Basic Service Procurement Plan.	8/24/2023



23-57	Boston Gas Company d/b/a National Grid's first annual report on its Geothermal Demonstration Program.	8/24/2023
23-08	Joint Petition of Aquarion Water Company of Massachusetts and Pinehills Water Company for approval by the Department of Public Utilities, pursuant to G.L. c. 164, § 96 and G.L. 165, § 2, of the purchase and sale of assets and transfer of franchise.	8/24/2023
22-57	Petition of Hopkinton LNG Corporation d/b/a Eversource Energy for approval of its annual demand charge, effective November 1, 2022, pursuant to the gas service agreement between Eversource Gas Company of Massachusetts d/b/a Eversource Energy and Hopkinton LNG Corporation.	8/25/2023
22-131	Petition of NSTAR Electric Company d/b/a Eversource Energy for approval of its 2022 electric reconciliation filing effective January 1, 2023, pursuant to G.L. c. 164, §§ 1A(a) through 1H and 220 CMR 11.03(4)(e).	8/28/2023
23-43	Petition of Harbor Electric Energy Company for approval by the Department of Public Utilities of its Capacity and Support Charge True-Up Adjustment for 2022.	8/29/2023
23-43	Petition of Harbor Electric Energy Company for approval by the Department of Public Utilities of its Capacity and Support Charge True-Up Adjustment for 2022.	8/29/2023
23-OGAF-NSTAR	Petition of NSTAR Gas Company d/b/a Eversource Energy pursuant to G.L. c. 164 and 220 CMR 6.00 for approval of its 2022 off-peak gas adjustment factor filing, effective May 1, 2023.	8/31/2023
23-OGAF-GRID	Petition of Boston Gas Company d/b/a National Grid pursuant to G.L. c. 164 and 220 CMR 6.00 for approval of its 2022 off-peak gas adjustment factor filing, effective May 1, 2023.	8/31/2023
23-50	Investigation by the Department of Public Utilities on its own Motion into the Provision of Basic Service	9/1/2023
23-23	Petition of the Energy Efficiency Advisory Council for approval by the Department of Public Utilities of the Council's 2023 budget.	9/7/2023
23-GC-15	Petition of The Berkshire Gas Company for approval of a Firm Transportation Service Agreement between the Company and Specialty Minerals, Inc., pursuant to G.L. c. 164, § 94 and 220 CMR 5.03.	9/11/2023

23-GC-24	Petition of The Berkshire Gas Company for approval by the Department of Public Utilities of a Firm Transportation Agreement between Berkshire Gas Company and The Trustees of Amherst College, pursuant to G.L. c. 164, § 94 and 220 CMR 5.03.	9/11/2023
22-146	Petition of Fitchburg Gas and Electric Light Company d/b/a Unitil for approval of its 2022 electric reconciliation filing effective January 1, 2023, pursuant to G.L. c. 164, §§ 1A(a) through 1H and 220 CMR 11.03(4)(e).	9/14/2023
23-GC-11	Petition of Boston Gas Company d/b/a National Grid for approval of a Firm Transportation Service Agreement between National Grid and Simmons University, pursuant to G.L. c. 164, § 94 and 220 CMR 5.03.	9/14/2023
23-GC-12	Petition of Boston Gas Company d/b/a National Grid for approval of a Firm Transportation Service Agreement between National Grid and Chelsea Sandwich, LLC, pursuant to G.L. c. 164, § 94 and 220 CMR 5.03.	9/14/2023
20-99	Petition of the Town of Weston for approval by the Department of Public Utilities of a municipal aggregation plan pursuant to G.L. c. 164, § 134.	9/15/2023
21-27	Petition of the City of Chelsea for approval by the Department of Public Utilities of a municipal aggregation plan pursuant to G.L. c. 164, § 134.	9/15/2023
21-36	Petition of the City of Beverly for approval by the Department of Public Utilities of a municipal aggregation plan pursuant to G.L. c. 164, § 134.	9/15/2023
21-55	Petition of the Town of Sherborn for approval by the Department of Public Utilities of a municipal aggregation plan pursuant to G.L. c. 164, § 134.	9/15/2023
21-27	Petition of the City of Chelsea for approval by the Department of Public Utilities of a municipal aggregation plan pursuant to G.L. c. 164, § 134.	9/15/2023
21-36	Petition of the City of Beverly for approval by the Department of Public Utilities of a municipal aggregation plan pursuant to G.L. c. 164, § 134.	9/15/2023
21-55	Petition of the Town of Sherborn for approval by the Department of Public Utilities of a municipal aggregation plan pursuant to G.L. c. 164, § 134.	9/15/2023

23-01	Petition of Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid, for approval of its 2022 electric reconciliation filing effective March 1, 2023, pursuant to G.L. c. 164, §§ 1A(a) through 1H and 220 CMR 11.03(4)(e).	9/19/2023
22-127	Petition of Statewide Towing Association, Inc. d/b/a Statewide Towing Association of Massachusetts for Emergency Rulemaking to amend the maximum rates for the towing of motor vehicles pursuant to G.L. c. 159B, § 6B and 220 CMR 272.00.	9/20/2023
22-124	Petition of Fitchburg Gas and Electric Light Company d/b/a Until for review and approval of its basic service costs adder rate adjustment for effect December 1, 2022.	9/22/2023
22-90	Petition of Eversource Gas Company of Massachusetts d/b/a Eversource Energy for approval of their annual pension adjustment factor reconciliation filing for effect November 1, 2022.	9/25/2023
22-145	Petition of NSTAR Electric Company and NSTAR Gas Company each d/b/a Eversource Energy, for approval of their annual Pension/PBOP Adjustment Factors for effect January 1, 2023.	9/25/2023
22-104	Petition of Massachusetts Municipal Wholesale Electric Company for authorization and approval to issue revenue bonds, notes, or other evidences of indebtedness in an amount not to exceed \$32,000,000 pursuant to St. 1975, c. 775, §§ 5(p), 9, 11, and 17.	9/25/2023
23-BSF-D3	Basic Service Filing of Massachusetts Electric Company and Nantucket Electric Company d/b/a National Grid, for the period November 1, 2023 through July 31, 2024 for Residential and Small Commercial Customers and November 1, 2023 through January 31, 2024 for Industrial Customers.	9/26/2023
23-80	Petition of Fitchburg Gas and Electric Light Company d/b/a Until (Electric Division), pursuant to G.L. c. 164, § 94 and 220 CMR 5.00, for Approval of a General Increase in Base Distribution Rates for Electric Service and a Performance-Based Ratemaking Plan.	9/28/2023
23-81	Petition of Fitchburg Gas and Electric Light Company d/b/a Until (Gas Division), pursuant to G.L. c. 164, § 94 and 220 CMR 5.00, for Approval of a General Increase in Base Distribution Rates for Gas Service and a Performance-Based Ratemaking Plan.	9/28/2023
23-GC-08	Petition of Boston Gas Company d/b/a National Grid, pursuant to G.L. c. 164, § 94 and 220 CMR 5.03, for approval of a 365-Day Transportation Agreement between National Grid and Wellesley College.	9/28/2023

23-GC-09	Petition of Boston Gas d/b/a National Grid for approval of a Firm Transportation Service Agreement between National Grid and The Gillette Company, dated February 10, 2023, pursuant to G.L. c. 164, §94 and 220 CMR 5.03.	9/28/2023
23-GC-10	Petition of Boston Gas Company d/b/a National Grid for approval of a Firm Transportation Service Agreement between National Grid and Northeast Hospital Corporation, pursuant to G.L. c. 164, § 94 and 220 CMR 5.03.	9/28/2023
23-55	Petition of Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid, for review and approval of a Performance-Based Ratemaking Plan for effect October 1, 2023.	9/28/2023
23-56	Petition of Boston Gas Company d/b/a National Grid for review and approval of a Performance-Based Ratemaking Plan for effect October 1, 2023.	9/28/2023
23-56	Petition of Boston Gas Company d/b/a National Grid for review and approval of a Performance-Based Ratemaking Plan for effect October 1, 2023.	9/29/2023
20-16	Petition of NSTAR Electric Company d/b/a Eversource Energy for approval by the Department of Public Utilities of two long-term contracts for procurement of Offshore Wind Energy Generation, pursuant to Section 83C of An Act Relative to Green Communities, St. 2008, c. 169, as amended by St. 2016, c. 188, § 12.	9/29/2023
20-17	Petition of Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid for approval by the Department of Public Utilities of two long-term contracts for procurement of Offshore Wind Energy Generation, pursuant to Section 83C of An Act Relative to Green Communities, St. 2008, c. 169, as amended by St. 2016, c. 188, § 12.	9/29/2023
20-18	Petition of Fitchburg Gas and Electric Light Company d/b/a Unitil for approval by the Department of Public Utilities of two long-term contracts for procurement of Offshore Wind Energy Generation, pursuant to Section 83C of An Act Relative to Green Communities, St. 2008, c. 169, as amended by St. 2016, c. 188, § 12.	9/29/2023
22-70	Petition of NSTAR Electric Company d/b/a Eversource Energy for approval by the Department of Public Utilities of two long-term contracts for procurement of offshore wind energy generation, pursuant to St. 2008, c. 169, § 83, as amended by St. 2016, c. 188, § 12; St. 2021, c. 8 § 91 et seq.; and St. 2021, c. 24, §§ 69, 72; and 220 CMR 23.00.	9/29/2023

22-71	Petition of Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid for approval by the Department of Public Utilities of two long-term contracts for procurement of offshore wind energy generation, pursuant to St. 2008, c. 169, § 83, as amended by St. 2016, c. 188, § 12; St. 2021, c. 8 § 91 et seq.; and St. 2021, c. 24, §§ 69, 72; and 220 CMR 23.00.	9/29/2023
22-72	Petition of Fitchburg Gas and Electric Light Company d/b/a Unitil for approval by the Department of Public Utilities of two long-term contracts for procurement of offshore wind energy generation, pursuant to St. 2008, c. 169, § 83, as amended by St. 2016, c. 188, § 12; St. 2021, c. 8 § 91 et seq.; and St. 2021, c. 24, §§ 69, 72; and 220 CMR 23.00.	9/29/2023
23-08	Joint Petition of Aquarion Water Company of Massachusetts and Pinehills Water Company for approval by the Department of Public Utilities, pursuant to G.L. c. 164, § 96 and G.L. 165, § 2, of the purchase and sale of assets and transfer of franchise.	10/4/2023
22-93	Petition of Boston Gas Company d/b/a National Grid, pursuant to M.D.P.U. No. 60.1, for Approval of Calendar Year 2021 Gas Business Enablement Program Costs and Gas Business Enablement Factors.	10/13/2023
23-64	Petition of Whitinsville Water Company, pursuant to G.L. c. 164, § 94, G.L. c. 165, § 2, and 220 CMR 5.00, for Approval of a General Increase in Base Distribution Rates.	10/13/2023
23-95	Petition of Fitchburg Gas and Electric Light Company d/b/a Unitil for approval of its proposed Distribution Rates and Revenue Decoupling Adjustment Mechanism Tariff for effect on November 1, 2023.	10/16/2023
24-10	Petition of NSTAR Electric Company d/b/a Eversource Energy, pursuant to G.L. c. 164, § 92B, for approval by the Department of Public Utilities of its Electric Sector Modernization Plan.	10/18/2023
24-11	Petition of Massachusetts Electric Company and Nantucket Electric Company d/b/a National Grid, pursuant to G.L. c. 164, § 92B, for approval by the Department of Public Utilities of its Electric Sector Modernization Plan.	10/18/2023
24-12	Petition of Fitchburg Gas and Electric Light Company d/b/a Unitil, pursuant to G.L. c. 164, § 92B, for approval by the Department of Public Utilities of its Electric Sector Modernization Plan.	10/18/2023

20-48	Department of Public Utilities' Notice of Probable Violation to Palmco Power MA, LLC d/b/a Indra Energy, pursuant to G.L. c. 30A, 220 CMR 11.07, 14.06(5), and Order Establishing Final Interim Guidelines for Competitive Supply Investigations and Proceedings, D.P.U. 16-156-A (2017).	10/18/2023
22-GC-33	Petition of The Berkshire Gas Company for approval of a Firm Transportation Service Agreement between the Company and Crane & Company, Inc., pursuant to G.L. c. 164, § 94 and 220 CMR 5.03.	10/18/2023
11-54	Petition of the Attorney General of the Commonwealth of Massachusetts to the Department of Public Utilities, pursuant to G.L. c. 164, § 93, requesting a review of the price of gas provided by New England Gas Company related to environmental response costs.	10/18/2023
23-BSF-D3	Basic Service Filing of Massachusetts Electric Company and Nantucket Electric Company d/b/a National Grid, for the period November 1, 2023 through July 31, 2024 for Residential and Small Commercial Customers and November 1, 2023 through January 31, 2024 for Industrial Customers.	10/19/2023
23-GC-15	Petition of The Berkshire Gas Company for approval of a Firm Transportation Service Agreement between The Berkshire Gas Company and Specialty Minerals, Inc., pursuant to G.L. c. 164, § 94 and 220 CMR 5.03.	10/19/2023
23-GC-22	Petition of Fitchburg Gas and Electric Light Company d/b/a Unitil for approval of a Firm Transportation Service Agreement between Unitil and The Newark Group, Inc., pursuant to G.L. c. 164, § 94 and 220 CMR 5.03.	10/19/2023
23-GC-24	Petition of The Berkshire Gas Company for approval of a Firm Transportation Service Agreement between The Berkshire Gas Company and The Trustees of Amherst College, pursuant to G.L. c. 164, § 94 and 220 CMR 5.03.	10/19/2023
23-86	Petition of NSTAR Gas Company d/b/a Eversource Energy for approval by the Department of Public Utilities of its Geothermal Energy Provision Cost Recovery Filing.	10/19/2023
23-47	Petition of Hopkinton LNG Corporation d/b/a Eversource Energy for approval of the demand charge, effective November 1, 2023, developed pursuant to the gas service agreement between NSTAR Gas Company d/b/a Eversource Energy and Hopkinton LNG Corporation.	10/23/2023
20-29	Petition of NSTAR Electric Company d/b/a Eversource Energy for review by the Department of Public Utilities of its annual storm reserve adjustment factor filing pursuant to its storm reserve adjustment mechanism tariff, M.D.P.U. No. 65E.	10/24/2023



22-154	In the matter of Beacon Communities, LLC concerning compliance with 49 CFR Part 192.	10/26/2023
23-GC-13	Petition of Boston Gas Company d/b/a National Grid for approval of a Firm Transportation Service Agreement between National Grid and Holcim-NER, Inc. f/k/a Aggregate Industries-Hyannis, pursuant to G.L. c. 164, § 94 and 220 CMR 5.03.	10/27/2023
23-GC-14	Petition of Boston Gas Company d/b/a National Grid for approval of a Firm Transportation Service Agreement between National Grid and Holcim-NER, Inc. f/k/a Aggregate Industries-Saugus, pursuant to G.L. c. 164, § 94 and 220 CMR 5.03.	10/27/2023
23-GC-16	Petition of Boston Gas Company d/b/a National Grid for approval of a Firm Transportation Service Agreement between National Grid and Trustees of Boston University, pursuant to G.L. 164, § 94 and 220 CMR 5.03.	10/27/2023
23-PGAF-BERK	Petition of The Berkshire Gas Company pursuant to G.L. c. 164 and 220 CMR 6.00, 6.11 for approval of its 2023/24 local distribution adjustment factor and peak gas adjustment factor filings, for effect November 1, 2023.	10/30/2023
23-PGAF-EGMA	Petition of Eversource Gas Company of Massachusetts d/b/a Eversource Energy pursuant to G.L. c. 164 and 220 CMR 6.04, 6.11 for approval of its 2023/24 local distribution adjustment factor and peak gas adjustment factor filings, for effect November 1, 2023.	10/30/2023
23-PGAF-FGE	Petition of Fitchburg Gas and Electric Light Company d/b/a Unatil, pursuant to G.L. c. 164 and 220 CMR 6.00, 6.11 for approval of its 2023/24 local distribution adjustment factor and peak gas adjustment factor filings, for effect November 1, 2023.	10/30/2023
23-PGAF-GRID	Petition of Boston Gas Company d/b/a National Grid pursuant to G.L. c. 164 and 220 CMR 6.00, 6.11 for approval of its 2023/24 local distribution adjustment factor and peak gas adjustment factor filings, effective November 1, 2023.	10/30/2023
23-PGAF-LIB	Petition of Liberty Utilities (New England Natural Gas Company) Corp. d/b/a Liberty pursuant to G.L. c. 164 and 220 CMR 6.04, 6.11 for approval of its 2023/24 local distribution adjustment factor and peak gas adjustment factor filings, for effect November 1, 2023.	10/30/2023
23-PGAF-NSTAR	Petition of NSTAR Gas Company d/b/a Eversource Energy pursuant to G.L. c. 164 and 220 CMR 6.04, 6.11 for approval of its 2023/24 local distribution adjustment factor and peak gas adjustment factor filings, for effect November 1, 2023.	10/30/2023



23-47	Petition of Hopkinton LNG Corporation d/b/a Eversource Energy for approval of its annual demand charge, effective November 1, 2023, pursuant to the gas service agreement between NSTAR Gas Company d/b/a Eversource Energy and Hopkinton LNG Corporation.	10/30/2023
23-78	Petition of Boston Gas Company d/b/a National Grid for approval of its Revenue Decoupling Adjustment Factors for the 2023 Peak Period, November 1, 2023, through April 30, 2024.	10/30/2023
23-94	Petition of NSTAR Gas Company d/b/a Eversource Energy, for review and approval by the Department of Public Utilities of the Company's Third Annual performance-based ratemaking adjustment for effect November 1, 2023.	10/30/2023
22-155-A	In the matter of Trinity Management, LLC concerning compliance with 49 CFR Part 192.	10/30/2023
22-162-A	In the matter of The Dolben Company concerning compliance with 49 CFR Part 192.	10/30/2023
22-169-A	In the matter of POAH Communities concerning compliance with 49 CFR Part 192.	10/30/2023
23-97	Petition of Eversource Gas Company of Massachusetts d/b/a Eversource Energy for approval by the Department of Public Utilities of the Company's exogenous property tax amortization and rate reconciliation filing.	10/31/2023
23-68	Petition of Eversource Gas Company of Massachusetts d/b/a Eversource Energy for approval of its Revenue Decoupling Adjustment Factors for the 2023 Peak Period, November 1, 2023, through April 30, 2024.	10/31/2023
23-69	Petition of NSTAR Gas Company d/b/a Eversource Energy for approval of its Revenue Decoupling Adjustment Factors for the 2023 Peak Period, November 1, 2023, through April 30, 2024.	10/31/2023
23-74	Petition of The Berkshire Gas Company for approval of its Revenue Decoupling Adjustment Factors for the 2023 Peak Period, November 1, 2023, through April 30, 2024.	10/31/2023
23-77	Petition of Fitchburg Gas and Electric Light Company d/b/a Unitil for approval of its Revenue Decoupling Adjustment Factors for the 2023 Peak Period, November 1, 2023, through April 30, 2024.	10/31/2023

23-82	Petition of Liberty Utilities (New England Natural Gas Company) Corp., d/b/a Liberty Utilities for approval of its Revenue Decoupling Adjustment Factors for the 2023 Peak Period, November 1, 2023, through April 30, 2024.	10/31/2023
23-GREC-01	Petition of Fitchburg Gas and Electric Light Company d/b/a Unitil, pursuant to G.L. c. 164, § 145, for Approval of the Reconciliation of its 2022 Gas System Enhancement Plan and for Review and Approval of its Gas System Enhancement Reconciliation Adjustment Factors.	10/31/2023
23-GREC-02	Petition of The Berkshire Gas Company, pursuant to G.L. c. 164, § 145, for review and approval of the reconciliation of its 2022 Gas System Enhancement Plan and for review and approval of its Gas System Enhancement Reconciliation Adjustment Factors.	10/31/2023
23-GREC-03	Petition of Boston Gas Company d/b/a National Grid, pursuant to G.L. c. 164, § 145, for review and approval of the reconciliation of its 2022 Gas System Enhancement Plan and for review and approval of its Gas System Enhancement Reconciliation Adjustment Factors.	10/31/2023
23-GREC-04	Petition of Liberty Utilities (New England Natural Gas Company) Corp. d/b/a Liberty, pursuant to G.L. c. 164, § 145, for Approval of the Reconciliation of its 2022 Gas System Enhancement Plan and Review and Approval of its Gas System Enhancement Reconciliation Adjustment Factors.	10/31/2023
23-GREC-05	Petition of Eversource Gas Company of Massachusetts d/b/a Eversource Energy, pursuant to G.L. c. 164, § 145, for Review and Approval of the Reconciliation of its 2022 Gas System Enhancement Plan and for Review and Approval of its Gas System Enhancement Reconciliation Adjustment Factors.	10/31/2023
23-GREC-06	Petition of NSTAR Gas Company d/b/a Eversource Energy, pursuant to G.L. c. 164, § 145, for Approval of the Reconciliation of its 2022 Gas System Enhancement Plan and Review and Approval of its Gas System Enhancement Reconciliation Adjustment Factors.	10/31/2023
22-149	Petition of Boston Gas Company d/b/a National Grid for review and approval of its five-year Forecast and Supply Plan for the period November 1, 2022 through October 31, 2027.	10/31/2023
23-148	Investigation of the Department of Public Utilities, on its own motion, instituting a rulemaking pursuant to G.L. c. 30A, § 2, and 220 CMR 2.00, to amend 220 CMR 99.00: Procedures for the Determination and Enforcement of Violations of Safety Codes Pertaining to Damage Prevention.	11/6/2023

n/a	Department Does Not Require Paper Copies Following COVID-19	11/6/2023
23-24	Petition of Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid for: (1) recovery of incremental operations and maintenance expenses associated with nine (9) qualifying storm events that occurred between February 1, 2021 through November 12, 2021; and (2) extension of the storm fund replenishment factor.	11/7/2023
23-POR-04	Petition of Fitchburg Gas and Electric Light Company d/b/a Unitol pursuant to the Company's Tariff M.D.P.U. No. 314, § 8B for review and approval by the Department of Public Utilities of the Company's Standard Complete Billing Percentages for effect December 1, 2023, under the Company's Purchase of Receivables Program.	11/9/2023
23-GC-17	Petition of Boston Gas Company d/b/a National Grid for approval of a Firm Transportation Service Agreement between National Grid and Baker Commodities, Inc., pursuant to G.L. c. 164, § 94 and 220 CMR 5.03.	11/9/2023
23-GC-18	Petition of Boston Gas Company d/b/a National Grid for approval of a Firm Transportation Service Agreement between National Grid and Trustees of Boston College, pursuant to G.L. c. 164, § 94 and 220 CMR 5.03.	11/9/2023
23-GC-19	Petition of Boston Gas Company d/b/a National Grid for approval of a Firm Transportation Service Agreement between National Grid and Rousselot Peabody, Inc., pursuant to G.L. c. 164, § 94 and 220 CMR 5.03.	11/9/2023
23-88	NSTAR Electric Company d/b/a Eversource Energy Electric Vehicle Program Tariff Compliance Filing.	11/9/2023
22-129	Petition of Liberty Utilities (New England Natural Gas Company) Corp. d/b/a Liberty for review and approval of its five-year Forecast and Supply Plan for its Fall River and North Attleboro Service Areas for the forecast period November 1, 2022 through October 31, 2027.	11/13/2023
22-148	Petition of The Berkshire Gas Company to the Department of Public Utilities pursuant to G.L. c. 164, § 69I, for Review and Approval of its Long-Range Forecast and Supply Plan for the five-year forecast period November 1, 2022, through October 31, 2027.	11/13/2023
23-59	Petition of Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid, for Approval of Deferral of Major Storm Threshold Amounts for Calendar Year 2022.	11/13/2023

23-GC-20	Petition of Boston Gas Company d/b/a National Grid for approval of a Firm Transportation Service Agreement between National Grid and HOLCIM—NER, Inc., f/k/a Aggregate Industries—Northeast Region, Inc., pursuant to G.L. c. 164, § 94 and 220 CMR 5.03.	11/14/2023
23-GC-21	Petition of Boston Gas Company d/b/a National Grid for approval of a Firm Transportation Service Agreement between National Grid and Lorusso Materials Corp., pursuant to G.L. c. 164, § 94 and 220 CMR 5.03.	11/14/2023
23-GC-23	Petition of Boston Gas Company d/b/a National Grid for approval of a Firm Transportation Service Agreement between National Grid and The First Church of Christ, Scientist, pursuant to G.L. c. 164, § 94 and 220 CMR 5.03.	11/14/2023
18-54-A	Order of Delegation granting authority to the Director of the Department of Public Utilities' Electric Power Division to issue certain types of net metering decisions.	11/14/2023
20-02-A	Order of Delegation for Electric Competitive Supply and Electricity Broker Renewal Applications.	11/14/2023
22-93	Petition of Boston Gas Company d/b/a National Grid, pursuant to M.D.P.U. No. 60.1, for Approval of Calendar Year 2021 Gas Business Enablement Program Costs and Gas Business Enablement Factors.	11/16/2023
23-150	Petition of Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid, pursuant to G.L. c. 164, § 94 and 220 CMR 5.00, for Approval of a General Increase in Base Distribution Rates for Electric Service and a Performance-Based Ratemaking Plan.	11/17/2023
23-105	Massachusetts Clean Energy Center Request for Fiscal Year 2024 Funding Pursuant to G.L. c. 25, § 19(d).	11/20/2023
18-54-A/20-02-A	Commission memorandum regarding Delegation of Authority to Assistant Division Director, Electric Power Division	11/21/2023
23-ERP-08	Petition of Fitchburg Gas and Electric Light Company d/b/a Until for approval of its 2023 annual electric Emergency Response Plan filed pursuant to G.L. c. 164, § 85B and 220 CMR 19.04(1).	11/21/2023
23-ERP-09	Petition of Massachusetts Electric Company and Nantucket Electric Company d/b/a National Grid for approval of its 2023 annual electric Emergency Response Plan filed pursuant to G.L. c. 164, § 85B and 220 CMR 19.04(1).	11/21/2023

23-ERP-10	Petition of NSTAR Electric Company d/b/a Eversource Energy for approval of its 2023 annual electric Emergency Response Plan filed pursuant to G.L. c. 164, § 85B and 220 CMR 19.04(1).	11/21/2023
22-ERP-10	Petition of NSTAR Electric Company d/b/a Eversource Energy for approval of its 2022 annual electric Emergency Response Plan filed pursuant to G.L. c. 164, § 85B and 220 CMR 19.04(1).	11/21/2023
23-128	Petition of Fitchburg Gas and Electric Light Company d/b/a Until for approval of its residential electric vehicle time-of-use rates for the winter period, December 1, 2023 through May 31, 2024.	11/21/2023
23-128	Petition of Fitchburg Gas and Electric Light Company d/b/a Until for approval of its residential electric vehicle time-of-use rates for the winter period, December 1, 2023 through May 31, 2024.	11/21/2023
23-48-A	Petition of Hingham Municipal Lighting Plant for authorization and approval to increase its depreciation rate to five percent for the calendar years 2022 and 2023.	11/21/2023
22-142	Petition by NSTAR Electric Company d/b/a Eversource Energy for Approval of its Annual Storm Cost Recovery Adjustment Factors	11/21/2023
23-BSF-B4	Basic Service Filing of NSTAR Electric Company d/b/a Eversource Energy	11/21/2023
23-BSF-C4	Basic Service Filing of NSTAR Electric Company d/b/a Eversource Energy	11/27/2023
23-101	Petition of The Berkshire Gas Company for Approval of Acquisition of Firm LNG Service Agreements from UGI Energy Services, LLC and Northeast Energy Center LLC, pursuant to G.L. c. 164, § 94A.	11/27/2023
23-GC-25	Petition of Boston Gas Company d/b/a National Grid for approval of a Firm Transportation Service Agreement between National Grid and South Shore Hospital, Inc., pursuant to G.L. c. 164, § 94 and 220 CMR 5.03.	11/27/2023
23-GC-26	Petition of Boston Gas Company d/b/a National Grid for approval of a Firm Transportation Service Agreement between National Grid and Trustees of Boston University, pursuant to G.L. c. 164, § 94 and 220 CMR 5.03.	11/27/2023
23-GC-27	Petition of Boston Gas Company d/b/a National Grid for approval of a Firm Transportation Service Agreement between National Grid and Massachusetts Port Authority, pursuant to G.L. c. 164, § 94 and 220 CMR 5.03.	11/27/2023

19-113	Petition of Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid, for recovery of incremental operations and maintenance expenses associated with Tropical Storm Philippe, Winter Storm Riley, and Winter Storm Quinn.	11/27/2023
23-24	Petition of Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid for: (1) recovery of incremental operations and maintenance expenses associated with nine (9) qualifying storm events that occurred between February 1, 2021 through November 12, 2021; and (2) extension of the storm fund replenishment factor.	11/29/2023
23-GC-28	Petition of Boston Gas Company d/b/a National Grid for approval of a Firm Transportation Service Agreement between National Grid and The Children's Hospital Corporation, pursuant to G.L. c. 164, § 94 and 220 CMR 5.03.	12/1/2023
23-GC-29	Petition of Boston Gas Company d/b/a National Grid for approval of a Firm Transportation Service Agreement between National Grid and Salem State University, pursuant to G.L. c. 164, § 94A and 220 CMR 5.03.	12/1/2023
23-GC-30	Petition of Boston Gas Company d/b/a National Grid for approval of a Firm Transportation Service Agreement between National Grid and Northeastern University, pursuant to G.L. c. 164, § 94A and 220 CMR 5.03.	12/1/2023
20-80	Investigation by the Department of Public Utilities on its own Motion into the role of gas local distribution companies as the Commonwealth achieves its target 2050 climate goals.	12/6/2023
23-GSEP-01	Petition of Fitchburg Gas and Electric Light Company d/b/a Unitil for Approval of its 2024 Gas System Enhancement Plan, pursuant to G.L. c. 164, § 145, for rates effective May 1, 2024.	12/7/2023
23-GSEP-02	Petition of The Berkshire Gas Company for Approval of its 2024 Gas System Enhancement Plan, pursuant to G.L. c. 164, § 145, and for rates effective May 1, 2024.	12/7/2023
23-GSEP-03	Petition of Boston Gas Company d/b/a National Grid for Approval of 2024 Gas System Enhancement Plans, pursuant to G.L. c. 164, § 145, and for rates effective May 1, 2024.	12/7/2023
23-GSEP-04	Petition of Liberty Utilities (New England Natural Gas Company) Corp. for Approval of its 2024 Gas System Enhancement Plan, pursuant to G.L. c. 164, § 145, for rates effective May 1, 2024.	12/7/2023
23-GSEP-05	Petition of Eversource Gas Company of Massachusetts d/b/a Eversource Energy for Approval of its 2024 Gas System	12/7/2023

	Enhancement Plan, pursuant to G.L. c. 164, § 145, for rates effective May 1, 2024.	
23-GSEP-06	Petition of NSTAR Gas Company d/b/a Eversource Energy for Approval of its 2024 Gas System Enhancement Plan, pursuant to G.L. c. 164, § 145, for rates effective May 1, 2024.	12/7/2023
23-BSF-A4	Basic Service Filing for Fitchburg Gas and Electric Light Company d/b/a Unitil	12/7/2023
23-16	Petition of Eversource Gas Company of Massachusetts d/b/a Eversource Energy for approval of its Revenue Decoupling Adjustment Factors for the 2023 Off-Peak Period, May 1, 2023, through October 31, 2023.	12/8/2023
23-CS-01	Application of Tomorrow Energy Corp. for a Competitive Supplier license in the Commonwealth of Massachusetts.	12/8/2023
23-145	Investigation by the Department of Public Utilities, on its own motion, commencing a rulemaking pursuant to G.L. c. 30A, § 2; G.L. c. 159B, § 6B; and 220 CMR 2.00 to amend Rates for the Towing of Motor Vehicles at 220 CMR 272.00.	12/11/2023
23-84	Petition of NSTAR Electric Company d/b/a Eversource Energy for Approval to Offer Optional Electric Vehicle Time-of-Use Rates.	12/11/2023
23-85	Petition of Massachusetts Electric Company and Nantucket Electric Company each d/b/a National Grid for Approval to offer Optional Electric Vehicle Time-of-Use Rates	12/11/2023
22-132	Petition of NSTAR Electric Company d/b/a Eversource Energy, pursuant to M.D.P.U. No. 66C, seeking to recover actual and projected costs associated with its Solar Program.	12/11/2023
22-133	Petition of NSTAR Electric Company d/b/a Eversource Energy to the Department of Public Utilities to recover investment and ongoing maintenance costs associated with its Solar Expansion Program pursuant to M.D.P.U. No. 67C and NSTAR Electric Company and Western Massachusetts Electric Company, D.P.U. 16-105 (2016).	12/11/2023
23-98	Petition of the Grid Modernization Advisory Council for approval by the Department of Public Utilities of the Council's budgets for Calendar Years 2023 and 2024.	12/11/2023



23-102	Petition of NSTAR Electric Company d/b/a Eversource Energy for approval by the Department of Public Utilities of a single-user modification to the pro-forma Landowner Consent Agreement that is an Exhibit to the Interconnection Service Agreement under the Company's Standards For Interconnection of Distributed Generation Tariff.	12/11/2023
23-ERP-02	Petition of The Berkshire Gas Company for approval of its 2023 annual gas Emergency Response Plan filed pursuant to G.L. c. 164, § 85B and 220 CMR 19.04(1).	12/14/2023
23-ERP-04	Petition of Fitchburg Gas and Electric Light Company d/b/a Unutil for approval of its 2023 annual gas Emergency Response Plan filed pursuant to G.L. c. 164, § 85B and 220 CMR 19.04(1).	12/14/2023
23-ERP-05	Petition of Boston Gas Company d/b/a National Grid for approval of its 2023 annual gas Emergency Response Plan filed pursuant to G.L. c. 164, § 85B and 220 CMR 19.04(1).	12/14/2023
23-ERP-06	Petition of Liberty Utilities for approval of its 2023 annual gas Emergency Response Plan filed pursuant to G.L. c. 164, § 85B and 220 CMR 19.04(1).	12/14/2023
23-ERP-07	Petition of NSTAR Gas Company and Eversource Gas Company of Massachusetts each d/b/a Eversource Energy for approval of its 2023 annual gas Emergency Response Plan filed pursuant to G.L. c. 164, § 85B and 220 CMR 19.04(1).	12/14/2023
23-89	Petition of Marblehead Municipal Light Department for authorization and approval to increase its depreciation rate to five percent for the calendar year 2023.	12/15/2023
23-103	Petition of Middleborough Gas and Electric Department for approval by the Department of Public Utilities to continue to use a rate of depreciation of five percent for the calendar years 2023 and 2024.	12/15/2023
21-05	Petition of the City of Quincy for approval by the Department of Public Utilities of a municipal aggregation plan pursuant to G.L. c. 164, § 134.	12/15/2023
21-77	Petition of the Town of Andover for approval by the Department of Public Utilities of a municipal aggregation plan pursuant to G.L. c. 164, § 134.	12/15/2023
23-AD-01	Adjudicatory hearing in the matter of the complaint of Peter Bondini relative to rates and charges provided by The Berkshire Gas Company.	12/15/2023
22-153	Petition of the City of Malden for approval by the Department of Public Utilities of a municipal aggregation plan pursuant to G.L. c. 164, § 134.	12/18/2023

23-121	Petition of Harbor Electric Energy Company for approval by the Department of Public Utilities of its 2024 Capacity and Support Charge, for effect January 1, 2024.	12/18/2023
23-114	Petition of NSTAR Electric Company d/b/a Eversource Energy, pursuant to M.D.P.U. No. 66E, seeking to recover actual and projected costs associated with its Solar Program.	12/18/2023
23-116	Petition of NSTAR Electric Company d/b/a Eversource Energy pursuant to M.D.P.U. No. 67F to reconcile prior period investment and maintenance costs and market credits for net proceeds associated with its Solar Expansion Program.	12/18/2023
23-136	Petition of Fitchburg Gas and Electric Light Company d/b/a Unitil for review and approval of the eligibility for recovery of storm preparation and response costs associated with storm events that occurred in November 2020 through March 14, 2023 and of its storm reserve adjustment factors for effect in calendar year 2024.	12/19/2023
22-109	Petition of the Town of Medfield for approval by the Department of Public Utilities of a municipal aggregation plan pursuant to G.L. c. 164, § 134.	12/22/2023
22-128	Petition of the Town of Boxford for approval by the Department of Public Utilities of a municipal aggregation plan pursuant to G.L. c. 164, § 134.	12/22/2023
23-25	Petition of Fitchburg Gas and Electric Light Company d/b/a Unitil to the Department of Public Utilities pursuant to G.L. c. 164, § 69I, for approval of its Long-Range Forecast and Supply Plan for the forecast period November 1, 2022, through October 31, 2027.	12/22/2023
23-BSF-D4	Basic Service Filing of Massachusetts Electric Company and Nantucket Electric Company d/b/a National Grid for the period February 1, 2024 through April 30, 2024 for Industrial Customers.	12/22/2023
23-63	Petition of Fitchburg Gas and Electric Light Company d/b/a Unitil requesting approval by the Department of Public Utilities of its Capital Investment Report for Calendar Year 2022 and Capital Cost Adjustment Factors for effect January 1, 2024.	12/22/2023
23-124	Petition by NSTAR Electric Company d/b/a Eversource Energy for approval by the Department of Public Utilities of its annual Storm Cost Recovery Adjustment Factor.	12/22/2023

23-96	Petition by NSTAR Electric Company d/b/a Eversource Energy for Approval by the Department of Public Utilities of the Company's 2023 Resiliency Tree Work Program Annual Compliance Filing.	12/26/2023
23-132	Petition of Fitchburg Gas and Electric Light Company d/b/a Until for approval by the Department of Public Utilities of the Company's exogenous property tax amortization and rate reconciliation filing.	12/26/2023
23-92	Petition of NSTAR Electric Company d/b/a Eversource Energy for approval by the Department of Public Utilities of its Annual Performance Based Ratemaking Adjustment, for effect January 1, 2024.	12/26/2023
23-109	Petition of NSTAR Electric Company d/b/a Eversource Energy for approval of its annual Revenue Decoupling Adjustment Factors for effect January 1, 2024.	12/27/2023
23-130	Petition of Fitchburg Gas and Electric Light Company Energy d/b/a Until (electric division) for approval of its annual Revenue Decoupling Adjustment Factors for effect January 1, 2024.	12/27/2023
23-135	Petition of the Towns of Aquinnah, Barnstable, Bourne, Brewster, Chatham, Chilmark, Dennis, Edgartown, Eastham, Falmouth, Harwich, Mashpee, Oak Bluffs, Orleans, Provincetown, Sandwich, Tisbury, Truro, West Tisbury, Wellfleet and Yarmouth, and Dukes County organized and operating collectively as Cape Light Compact JPE, for Approval of its 2024 Energy Efficiency Reconciling Factors, for effect January 1, 2024.	12/27/2023
21-120	Department's approval of the Program Administrators' Notice of Discontinuance of Certain Commercial and Industrial Lighting Measures Offered via the Turnkey Pathway.	12/27/2023
21-121	Department's approval of the Program Administrators' Notice of Discontinuance of Certain Commercial and Industrial Lighting Measures Offered via the Turnkey Pathway.	12/27/2023
21-122	Department's approval of the Program Administrators' Notice of Discontinuance of Certain Commercial and Industrial Lighting Measures Offered via the Turnkey Pathway.	12/27/2023
21-123	Department's approval of the Program Administrators' Notice of Discontinuance of Certain Commercial and Industrial Lighting Measures Offered via the Turnkey Pathway.	12/27/2023
21-124	Department's approval of the Program Administrators' Notice of Discontinuance of Certain Commercial and Industrial Lighting Measures Offered via the Turnkey Pathway.	12/27/2023

21-125	Department's approval of the Program Administrators' Notice of Discontinuance of Certain Commercial and Industrial Lighting Measures Offered via the Turnkey Pathway.	12/27/2023
21-126	Department's approval of the Program Administrators' Notice of Discontinuance of Certain Commercial and Industrial Lighting Measures Offered via the Turnkey Pathway.	12/27/2023
21-127	Department's approval of the Program Administrators' Notice of Discontinuance of Certain Commercial and Industrial Lighting Measures Offered via the Turnkey Pathway.	12/27/2023
21-128	Department's approval of the Program Administrators' Notice of Discontinuance of Certain Commercial and Industrial Lighting Measures Offered via the Turnkey Pathway.	12/27/2023
21-129	Department's approval of the Program Administrators' Notice of Discontinuance of Certain Commercial and Industrial Lighting Measures Offered via the Turnkey Pathway.	12/27/2023
23-GC-31	Petition of Boston Gas Company d/b/a National Grid for approval of a Firm Transportation Service Agreement between National Grid and Vicinity Energy Boston, Inc., for a facility on Scotia Street in Boston, pursuant to G.L. c. 164, § 94 and 220 CMR 5.03.	12/27/2023
23-GC-32	Petition of Boston Gas Company d/b/a National Grid for approval of a Firm Transportation Service Agreement between National Grid and Vicinity Energy Boston, Inc., for a facility on Kneeland Street in Boston, pursuant to G.L. c. 164, § 94 and 220 CMR 5.03.	12/27/2023
23-GC-33	Petition of The Berkshire Gas Company for approval of a Firm Transportation Service Agreement between The Berkshire Gas Company and Crane & Company, Inc., pursuant to G.L. c. 164, § 94 and 220 CMR 5.03.	12/27/2023
23-GC-34	Petition of Boston Gas Company d/b/a National Grid for approval of a Firm Transportation Service Agreement between National Grid and Aggregate Industries—Northeast Region, Inc., for service to a facility in Peabody, Massachusetts, pursuant to G.L. c. 164, § 94 and 220 CMR 5.03.	12/27/2023
20-99	Petition of the Town of Weston for approval by the Department of Public Utilities of a municipal aggregation plan pursuant to G.L. c. 164, § 134.	12/27/2023
21-27	Petition of the City of Chelsea for approval by the Department of Public Utilities of a municipal aggregation plan pursuant to G.L. c. 164, § 134.	12/27/2023

21-36	Petition of the City of Beverly for approval by the Department of Public Utilities of a municipal aggregation plan pursuant to G.L. c. 164, § 134.	12/27/2023
21-55	Petition of the Town of Sherborn for approval by the Department of Public Utilities of a municipal aggregation plan pursuant to G.L. c. 164, § 134.	12/27/2023
23-PGAF-LIB	Petition of Liberty Utilities (New England Natural Gas Company) Corp. d/b/a Liberty Utilities pursuant to G.L. c. 164 and 220 CMR 6.04, 6.11 for approval of its 2023/24 peak local distribution adjustment factor and gas adjustment factor filings, effective November 1, 2023.	12/28/2023
23-PGAF-LIB	Petition of Liberty Utilities (New England Natural Gas Company) Corp. d/b/a Liberty Utilities pursuant to G.L. c. 164 and 220 CMR 6.04, 6.11 for approval of its 2023/24 peak local distribution adjustment factor and gas adjustment factor filings, effective November 1, 2023.	12/28/2023
23-PGAF-NSTAR	Petition of NSTAR Gas Company d/b/a Eversource Energy pursuant to G.L. c. 164 and 220 CMR 6.04, 6.11 for approval of its 2023/24 peak local distribution adjustment factor and gas adjustment factor filings, effective November 1, 2023.	12/28/2023
23-PGAF-EGMA	Petition of Eversource Gas Company of Massachusetts d/b/a Eversource Energy pursuant to G.L. c. 164 and 220 CMR 6.04, 6.11 for approval of its 2023/24 peak local distribution adjustment factor and gas adjustment factor filings, effective November 1, 2023.	12/28/2023
23-129	Petition of NSTAR Electric Company and NSTAR Gas Company each d/b/a Eversource Energy, for approval of their annual Pension/PBOP Adjustment Factors for effect January 1, 2024.	12/28/2023
23-76	Petition of Fitchburg Gas and Electric Light Company d/b/a Until for approval of its annual gas division and electric division adjustment factor reconciliation filing for effect November 1, 2023 (gas) and January 1, 2024 (electric).	12/28/2023
23-03	Petition of Massachusetts Electric Company and Nantucket Electric Company each d/b/a National Grid, for approval of their annual Pension/PBOP Adjustment Factors for effect March 1, 2023.	12/28/2023
22-139	Petition of the Town of Hanson for approval by the Department of Public Utilities of a municipal aggregation plan pursuant to G.L. c. 164, § 134.	12/28/2023
22-158	Petition of the Town of Belchertown for approval by the Department of Public Utilities of a municipal aggregation plan pursuant to G.L. c. 164, § 134.	12/28/2023

23-112	Petition of Massachusetts Electric Company and Nantucket Electric Company, each d/b/a National Grid, for review and approval of its proposed Solar Massachusetts Renewable Target Factor Filing for rates to be effective January 1, 2024.	12/29/2023
23-118	Petition of NSTAR Electric Company d/b/a Eversource Energy for review and approval of its Solar Massachusetts Renewable Target Factor Filing for rates to be effective January 1, 2024.	12/29/2023
23-134	Petition of Fitchburg Gas and Electric Light Company d/b/a Unitil for review and approval of its proposed Solar Massachusetts Renewable Target Factor Filing for rates to be effective January 1, 2024.	12/29/2023
23-111	Petition of NSTAR Electric Company d/b/a Eversource Energy for approval of its 2023 electric reconciliation filing effective January 1, 2024, pursuant to G.L. c. 164, §§ 1A(a) through 1H and 220 CMR 11.03(4)(e).	12/29/2023
23-111	Petition of NSTAR Electric Company d/b/a Eversource Energy for approval of its 2023 electric reconciliation filing effective January 1, 2024, pursuant to G.L. c. 164, §§ 1A(a) through 1H and 220 CMR 11.03(4)(e).	12/29/2023
23-111	Petition of NSTAR Electric Company d/b/a Eversource Energy for approval of its 2023 electric reconciliation filing effective January 1, 2024, pursuant to G.L. c. 164, §§ 1A(a) through 1H and 220 CMR 11.03(4)(e).	12/29/2023
22-20	Petition of The Berkshire Gas Company, pursuant to G.L. c. 164, s. 94 and 220 CMR 5.00, for approval of a rate settlement for base distribution rates effective January 1, 2023.	12/29/2023
23-137	Petition of Fitchburg Gas and Electric Light Company d/b/a Unitil for approval of its 2023 electric reconciliation filing effective January 1, 2024, pursuant to G.L. c. 164, §§ 1A(a) through 1H and 220 CMR 11.03(4)(e).	12/29/2023
23-137	Petition of Fitchburg Gas and Electric Light Company d/b/a Unitil for approval of its 2023 electric reconciliation filing effective January 1, 2024, pursuant to G.L. c. 164, §§ 1A(a) through 1H and 220 CMR 11.03(4)(e).	12/29/2023
23-137	Petition of Fitchburg Gas and Electric Light Company d/b/a Unitil for approval of its 2023 electric reconciliation filing effective January 1, 2024, pursuant to G.L. c. 164, §§ 1A(a) through 1H and 220 CMR 11.03(4)(e).	12/29/2023
23-143	Petition of The Berkshire Gas Company for Approval of Gas Supply Contracts Pursuant to G.L. c. 164, § 94A.	12/29/2023

22-172	Petition of the Town of Wayland for approval by the Department of Public Utilities of a municipal aggregation plan pursuant to G.L. c. 164, § 134.	12/29/2023
23-27	Petition of the Town of Canton for approval by the Department of Public Utilities of a municipal aggregation plan pursuant to G.L. c. 164, § 134.	12/29/2023