

Department of Public Utilities



Environmental Justice Strategy

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Definitions

“Department” or “DPU” means the Massachusetts Department of Public Utilities.

“Division” means a branch of the Department that is responsible for the oversight of a specific Department function.

“Environmental Justice” is based on the principle that all people have a right to be protected from environmental hazards and to live in and enjoy a clean and healthful environment regardless of race, color, national origin, income, or English language proficiency. Environmental justice is the equal protection and meaningful involvement of all people and communities with respect to the development, implementation, and enforcement of energy, climate change, and environmental laws, regulations, and policies and the equitable distribution of energy and environmental benefits and burdens.

“Environmental Justice (“EJ”) Population” means: (1) a Neighborhood that meets one or more of the following criteria: (a) the annual median household income is not more than 65 percent of the statewide annual median household income; (b) minorities comprise 40 percent or more of the population; (c) 25 percent or more of households lack English language proficiency; or (d) minorities comprise 25 percent or more of the population and the annual median household income of the municipality in which the neighborhood is located does not exceed 150 percent of the statewide annual median household income; or (2) a geographic portion of a neighborhood designated by the Secretary of EEA as an EJ population in accordance with the law.

“Hearing Officer” means an attorney designated by the Commission, pursuant to G.L. c. 25, § 4, to preside over a Department proceeding.

“Limited English Proficiency” means a person who does not speak English as a primary language and who has a limited ability to read, speak, write, or understand English.

“Neighborhood” means a census block group as defined by the United States Census Bureau, excluding people who live in college dormitories and people who are under formally authorized, supervised care or custody, including federal, state or county prisons.



Mission Statement

The Department of Public Utilities is an adjudicatory agency overseen by a three-member Commission. The Department is responsible for the oversight of investor-owned electric power, natural gas, and water utilities in the Commonwealth. In addition, the Department is charged with developing alternatives to traditional regulation, monitoring service quality, regulating transportation and gas pipeline safety, and the siting of certain energy facilities.

The mission of the DPU is to ensure that consumers' rights are protected, and that utility companies are providing the most reliable service at the lowest possible cost. The DPU oversees the public safety from transportation and gas pipeline-related accidents, and the energy facilities siting process. The Department seeks to promote safety, security, reliability of service, affordability, equity, and greenhouse gas emission reductions.

Statement of Authority

Secretariat Environmental Justice Strategy ("EJ Strategy") Requirements from EEA EJ Policy

The EEA EJ Policy requires all EEA Agencies to develop individual EJ Strategies tailored to their individual missions. The Department's EJ Strategy is structured in a manner that ensures the equal protection and meaningful involvement of all people and communities with respect to the development, implementation, and enforcement of energy, climate change, and environmental laws, regulations, and policies and the equitable distribution of energy and environmental benefits and burdens regardless of race, color, national origin, income, class, handicap, gender identity, sexual orientation, ethnicity or ancestry, religious belief or English language proficiency.

Also, in addition to the EJ Strategy, each EEA agency is required to create a Public Involvement and Community Engagement Plan that outlines its efforts to enhance public participation opportunities for agency activities that potentially affect EJ populations. The Department intends this document to serve as both its EJ Strategy and Public Involvement Plan until the Public Involvement Plan is developed.

Department EJ Strategy

The Department's EJ Strategy establishes practices and principles, consistent with statutes and regulations, to promote EJ considerations across the Department's proceedings involving EJ communities. As described in detail below, the Department will:

- Finalize a policy on enhanced notice procedures within the next twelve months to increase awareness of and public participation in Department proceedings;
- Include more plain language in its notices designed to inform the public about proceedings before the Department;



- Establish standards for petitioners before the Department to file plain language summaries of their proposals;
- Require the distribution companies to provide bill impact analyses on EJ populations in base distribution rate proceedings;
- Require the distribution companies to track and report on EJ-related performance metrics and post these on the Department website;
- Summarize public comments in Department orders;
- Assign staff to act as EJ liaison and EJ point-of-contact to handle inquiries regarding engagement with EJ communities and language access;
- Provide more educational materials on its website; and
- Promote staff training on language access and EJ matters.

Public Outreach

Strengthen Community/Public Outreach. The Department opened a proceeding to develop strategies to enhance public access to Department hearings and proceedings (D.P.U. 21-50). The Department will incorporate the policies developed through the D.P.U. 21-50 proceeding into the EJ Strategy. In addition, the Department will assign a staff person to act as a point-of-contact to help the public learn about participating in Department proceedings and access filings and records. The staff person acting as a point-of-contact for inquiries regarding engagement with EJ populations and language access.

Department EJ Website. The Department will maintain a webpage designed for EJ populations. The EJ webpage will contain information useful for EJ populations, including, but not limited to:

- Contact information for the Department's EJ point-of-contact;
- A link to the EEA EJ Policy;
- A link to EEA's EJ website;
- A link to the Department's Language Access Plan;
- A link to EEA's Title VI Non-Discrimination Complaint Form;
- Information for non-English speakers and persons with limited English proficiency about requesting interpretation and translation services;
- Translations of vital documents relative to consumers' rights; and
- A non-exhaustive list of useful links on the Department's website to help customers navigate their energy bills. Such links may include information on energy incentive programs and arrearage management programs.

Language Access Plan. The Department is also committed to ensuring that persons with limited English proficiency are provided with the opportunity for meaningful involvement and



participation in Department proceedings in accordance with legal requirements, as set out in the Executive Office of Administration and Finance Administrative Bulletin #16, as revised on March 20, 2015. The Department's Language Access Plan describes the Department's language access services, policies, and procedures and is accessible on its website at: <https://www.mass.gov/doc/2018-dpu-language-access-plan/download>.

Department EJ Analyses

Consistent with applicable law and the Department's scope of authority, the Department will continue to conduct analyses of agency actions that may have an impact on EJ populations, assess strategies to address EJ concerns, and promote the equitable distribution of energy and environmental benefits and burdens.

At the outset of Department proceedings, Hearing Officers will identify whether the proceeding impacts a neighborhood with an EJ population. This process will involve, among other things, a review of geographic information systems data provided by EEA to determine if the affected community or communities meet the criteria for an EJ population. If an EJ population is identified as being impacted by the proposal, the assigned Hearing Officer will notify the EJ point-of-contact, the case supervisor, and the Chief of Staff. The Hearing Officer will provide notice regarding the proceeding in accordance with this EJ Strategy.

Department EJ Team

The Department Chief of Staff will establish an EJ Team comprising the EJ point-of-contact and representatives selected by the Chief of Staff and Commission. The EJ Team will meet regularly to review Department EJ-related practices and will, no less than every three years, review and update the EJ Strategy.

Metrics

The Department will create and track the following metrics:

- Participation in public hearings;
- EJ webpage statistics;
- Requests for interpretation by a participant at a public hearing;
- Percent of requests for interpretation fulfilled; and
- Number of proceedings that specifically impact an EJ neighborhood, and how notice was provided in each instance.

Trainings/Shared Resources

The Department will hold annual staff trainings on the Department's language access and EJ policies. These trainings will include:



- The Department's procedures for requesting interpretation and document translation services;
- The Department's procedures for requesting to work with staff volunteer interpreters; and
- How to successfully use the Department's assisted listening and interpretation equipment.

Department staff will also participate in any required trainings hosted by EEA. Staff will be encouraged, as practicable, to participate in EEA trainings related to:

- The use of available state mapping and screening tools in order to identify EJ Neighborhoods and assess project impacts in these areas;
- The definition, practices, and goals of stakeholder engagement; and
- The concept of Environmental Justice Principles.

Diversity and Hiring Practices

The Department acknowledges the importance of having an agency workforce that reflects the racial, ethnic, and socioeconomic diversity of the residents of Massachusetts, including the key role that such a workforce plays in advancing equitable decisions regarding environmental and energy permitting, siting, regulatory development, policy and law enforcement, and other matters relevant to the Department's jurisdiction. The Department commits to implementing all EEA directives with regard to equitable hiring practices.

Enforcement of this EEA EJ Strategy

The Department has a designated EJ point-of-contact named below to answer questions regarding this Strategy or any other EJ-related matter.

Agency EJ Point-of-Contact

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