

May 12, 2026

BY ELECTRONIC MAIL ONLY (dpu.efiling@mass.gov, dtc.efiling@mass.gov, kerri.phillips@mass.gov, scott.seigal@mass.gov, william.bendetson@mass.gov, and kevin.roberts@mass.gov)

Kerri DeYoung Phillips and Scott Seigal, Hearing Officers
Department of Public Utilities
One South Station, 3rd Floor
Boston, MA 02110

William Bendetson and Kevin Roberts, Hearing Officers
Department of Telecommunications and Cable
1000 Washington Street, Suite 600
Boston, MA 02118

RE: Proposed Amendments to 220 CMR 45.00: D.P.U. 26-10/D.T.C. 26-1, D.P.U. 25-10/D.T.C. 25 Comments from the Town of Nantucket

Dear Officers DeYoung Phillips, Seigal, Bendetson, and Roberts:

This firm represents the Town of Nantucket, Massachusetts (Town). Please accept this letter as the Town's written comments on the Department of Public Utilities' (DPU) and the Department of Telecommunications and Cable's (DTC and collectively, Departments) joint notice regarding proposed revisions to the shared regulations, 220 CMR 45.00 et seq., regarding pole attachment, duct, conduit, and right-of-way complaint and enforcement procedures, as well as the draft amended and restated Memorandum of Agreement (MOA).¹

At the outset, the Town of Nantucket reiterates its general support for the utility and regulatory upgrades being undertaken in the Commonwealth. That process, however, must occur while operating an electric grid and related infrastructure that is safe for users of Nantucket's streets and rights-of-way. This letter provides comments on and expresses the Town's ongoing concerns regarding the growing double pole issue in the Town, along with the unsecured and unsafe wires protruding into sidewalks and roadways without any sense of urgency for removal, incorporating by reference the comments raised in the Town's letter dated March 18, 2025, attached to this letter as **Exhibit A**, which concerns are not fully addressed in the proposed regulations.

¹ See DPU and DTC, Notice of Public Hearing and Request for Comments, dated March 6, 2026, available at <https://www.mass.gov/doc/dpu-26-10dtc-26-1-notice/download>.



Hearing Officers DeYoung Phillips, Seigal,
Bendetson, and Roberts
May 12, 2026
Page 2

The Town greatly appreciates the opportunity to raise these issues and provide input on how Nantucket can best align with the Commonwealth's upgrades to utility infrastructure and enforcement procedures, while addressing the Town's specific needs.

I. STATUTORY AND REGULATORY FRAMEWORK

As the DPU and DTC know, the Departments share jurisdiction over utility pole, conduit access, and double pole matters pursuant to G.L. c. 164, § 34B (governing double poles), G.L. c. 166, § 25A (governing pole attachments and conduits), 220 CMR 45.00 *et seq.* (the agencies' pole attachment, duct, conduit, and right-of-way (ROW) complaint and enforcement regulations), and a 2008 Memorandum of Agreement entered into by the agencies to facilitate shared jurisdiction, as amended and extended.

On March 6, 2026, the Departments jointly opened a proposed rulemaking, seeking comment on proposed revisions to the shared regulations, 220 CMR 45.00: Pole Attachment, Duct, Conduit and Right-of-Way Complaint and Enforcement Procedures.² The Departments also seek comment on a draft Amended and Restated Memorandum of Agreement (MOA) and potential, non-binding alternative dispute resolution (ADR) provisions that can be implemented by the Departments. The Town's comments are set forth below.

II. COMMENTS ON THE PROPOSED REGULATIONS

A. The Significant Public Safety Hazards Arising from the Lack of Enforcement of Double Poles and Untimely Removal Must be Addressed by the Regulations.

In its initial comment letter in connection with the 2025 public hearings, the Town and numerous other Massachusetts communities emphasized the significant public safety concerns that arise when utility work is being done or after it has been completed due to the relative lack of clarity with respect to who is responsible for completing the removal of double poles and finishing the work, due to the shared nature of most utility poles. The Town reiterates the serious and ongoing safety concerns of double poles and related public way conditions during and after utility attachments, replacements, upgrades, and other work is conducted, and urges the Departments to incorporate and address such safety concerns, or enforcement relative to same, in the final regulations.

² Department of Public Utilities and Department of Telecommunications and Cable, Order Instituting Joint Rulemaking and Further Inquiry on Memorandum of Agreement, available online at <https://fileservice.eea.comacloud.net/V3.1.0/FileService.Api/file/afjcfhibj?z5m9YnkXU47pWxYEnEtDTukscRIU61vLBdTqRKhs2NCPeSxI+blU344Kxhm+qpOeg0hKFj9M9l/xQR8+/8GqPvdGgrFe6XR6ngIfa80wd3rxFD8G4j981M2Rna9aVTXA>.

Hearing Officers DeYoung Phillips, Seigal,
Bendetson, and Roberts
May 12, 2026
Page 3

Specifically, the Town is currently aware of at least 24 double poles in the Town that appear to be noncompliant with G.L. c. 164, § 34B. See National Grid's December 1, 2025 Semi-Annual Double Pole Report filed in D.P.U. Docket No. 03-87. As demonstrated by a sample of photographs concerning safety issues in Nantucket, copies of which are attached hereto as **Exhibit B**, the untimely removal of double poles, lack of enforcement thereof, and insufficient processes to document compliance and complaint issues is of significant concern to the Town because the Town has recently observed:

- flimsy metal poles which are poorly secured and maintained with electric tape;
- dangling wires in the street and on sidewalks with live power lines close to pedestrians and children who may attempt to swing on them;
- damage to the roadways, bricks, sidewalks, and other related infrastructure that occurs during the process, creating a significant safety hazard for members of the public; and,
- damage which creates potential cost issues for the Town in the event the utilities do not remedy the damaged infrastructure and public rights-of-way issues, with no assistance from the Departments in enforcing the violations of the governing statute relative to the timely removal of double poles.

After certain utility work is completed, for example, the Department of Public Works (DPW) Director will follow up (including at the Town's monthly utility meetings) with respect to a pending issue with representatives from National Grid and Verizon. In response, it often appears unclear whether Verizon is waiting on National Grid, or National Grid is waiting on Verizon, and who ultimately will take responsibility for completing the task or following through to remediate the situation after the installation is completed on jointly-owned poles. The Town is not typically invited to review the quality or safety of any finished work on utility poles and conduits, but the DPW becomes involved when there is abandoned infrastructure and safety issues on public ROWs due to a lack of coordination or follow up among the responsible parties.

These untimely response issues can and have led to public safety concerns which linger until the party responsible completes the work. Double poles are almost never removed in a timely manner and will remain while the Town is waiting on the parties to coordinate among themselves. It appears that one utility initiates the work, while the other utilities lag in undertaking their portion of the work on the poles, due to the joint ownership and responsibilities. Dangling and unsecured wires will also linger, causing public safety hazards following pole work. Abandoned boxes and wires are generally left on or near poles, leading to impassable sidewalks and similar safety. See **Exhibit B**.

Hearing Officers DeYoung Phillips, Seigal,
Bendetson, and Roberts
May 12, 2026
Page 4

The Town thus reiterates the serious and ongoing safety concerns regarding the untimely removal of double poles in violation of G.L. c. 164, § 34B. While the Town understands that the Departments have “decline[d] in this rulemaking to consider the implementation of regulations involving municipal enforcement of double pole violations, as suggested by the Massachusetts Municipal Association in its letter dated March 18, 2025 as being beyond its statutory or jurisdictional authority,³ and appreciates the multi-decade effort that the Departments have undertaken on the double pole issue, including through the semi-annual double pole reports produced by utilities pursuant to D.T.E. 03-87,⁴ the Town respectfully submits that the proposed regulations must do more to address this issue.

Even if the Departments believe that there is no municipal authority over double pole enforcement,⁵ it remains plain that the Departments certainly have jurisdiction—and an obligation—to enforce G.L. c. 164, § 34B governing the timely and safe removal of double poles. See Boston Edison Company v. Town of Bedford, 444 Mass. 775, 781-783 (2005) (“the Legislature’s comprehensive delegation of regulatory authority to the department ... on the double pole issue ... demonstrate the Legislature’s intent that the department enforce § 34B on a Statewide basis in the absence of specific contrary legislation). As indicated by numerous Massachusetts communities, enforcement of the significant public safety hazards caused by the lack of enforcement of § 34B on a Statewide basis is required through these regulations.

However, where (1) D.T.E. 03-87 does not establish an ongoing process for stakeholders and (2) the periodic utility reporting does not allow for stakeholder feedback, further revisions are needed. For these reasons, the Town requests the Departments establish: (1) a more detailed and comprehensive process for reporting on double poles, including an accounting of NJUNS accuracy; and (2) a mechanism to ensure that cities and towns can provide formal feedback on double poles in their municipalities. **In order to mitigate the safety concerns presented by double poles, a more regular inventory of double poles and their conditions must be made publicly available in a simple and accessible format and include a defined mechanism for municipal feedback and departmental enforcement.**

³ See DPU and DTC, Order Instituting Joint Rulemaking and Further Inquiry on Memorandum of Agreement, n.16, dated March 6, 2026, available at: <https://www.mass.gov/doc/dpu-26-10dpu-25-10-adtc-26-1dte-25-1-a-order-opening-rulemaking/download>.

⁴ The Town notes that the Report of the Department of Telecommunications and Energy relative to reducing the number of double utility poles within the Commonwealth, pursuant to St.2003, c.46, §100, posted at <https://www.mass.gov/info-details/double-poles> contains a broken link and does not allow the public to access the Report.

⁵ Although existing case law preempts a municipality from imposing local fines on pole owners, see Boston Edison Company v. Town of Bedford, 444 Mass. 775, 781-783 (2005) (finding that the comprehensive nature of Chapter 164 preempted municipalities from “imposing a fine on pole owners or otherwise” from enforcing G.L. c. 164, § 34B), municipalities are authorized pursuant to G.L. c. 86, § 7 to “cause the removal from public ways and places of unused poles, wires, structures or other appliances, at the expense of the owners thereof (emphasis added).” Id.

In short, it is well within the jurisdiction and authority of the Departments, through these regulations, to regulate the timely removal and enforcement of double poles, including with respect to including municipalities in the process to ensure accurate data and reporting with respect to ongoing safety concerns, and the Town strongly urges the Departments to do so. Accord G.L. c. 164, § 34B; Boston Edison Company, supra.

Proposed Revision to Rulemaking

To that end, the Town respectfully requests that annual pole attachment application reports contain the specific locations and addresses of double poles remaining, as well as the timelines relative to such work being completed, to facilitate public transparency and accountability following successful attachment. The Town understands that the proposed new section, 45.17: Annual Information Filings and Website Postings, is consistent with best practices adopted by neighboring states and advances the Departments' goal to better facilitate and monitor pole attachment and conduit access applications in the Commonwealth by establishing new annual reporting and website posting requirements for electric distribution utilities and telephone utilities that own utility poles. The Town further understands that the Departments request input and comment on the details and data points to be included in the utilities' informational-only annual filings and website postings. Accordingly, the Town suggests the following amendment to 220 CMR 45.17(1)(a)(3)(2)(h):

(h) the number of poles requiring replacement and replaced as a result of the request, and the number, street addresses, and conditions of double poles remaining; and

As noted, part of the challenge for the Town is tracking what double poles exist across the various informational reports. When there is an expansion of the use of double poles by way of new connections 220 CMR 45.17, the Town and public should be able to see the street addresses of all double poles that were a part of the new connection but not fixed. This would also assist the Departments and the companies in tracking outstanding tasks for further follow up.

Further, the Town suggests the following addition to 220 CMR 45.17(2):

(e) a list of the street addresses of all double poles in each municipality in the utility's service territory and the proposed timeline for removal.

The Town also suggests a formal complaint and reporting mechanism for cities and towns to directly notify the Departments regarding public safety issues posed by utility work following a secure attachment or other upgrade, and a procedure by which the Departments can ensure that one or more of the shared owners complete the work or else be fined by the Departments relative to

same. Despite the passage of over two decades since DPU's comprehensive 2003 report on double poles, the lack of timely removal of double poles continues to plague cities and towns such that adequate regulatory thresholds are required to compel their timely replacement and removal.

Finally, the Town emphasizes comments made in the Massachusetts Municipal Association's ("MMA") March 18, 2025 public comment letter⁶ regarding this issue filed in D.P.U. 25-10/D.T.C. 25-1, and specifically echoes the MMA's comments that more efficient use of NJUNS for double pole management is an opportunity to utilize an existing resource to solve this ongoing safety issue. Specifically, the Town agrees with the MMA's statements that municipalities would 1) welcome access to all double pole information in NJUNS, not just poles on which they have attachments and 2) better use NJUNS if the database was fully utilized by attachers and pole owner(s) themselves.

B. Notification and Conferencing Requirements for New Attachments.

The Town commends the Departments on the proposed inclusion in 220 CMR 45.00 of new requirements compelling applicants to notify and coordinate with appropriate government authorities prior to making attachment. Specifically, the Town appreciates 220 CMR 45.07(1)(a)'s proposed requirement that new licensees provide advance written notice to any appropriate government authority that will be affected by the attachment. Further, the Town supports 220 CMR 45.07(2)'s proposed requirement that new licensees, utilities, and existing licensees in the communications space must meet-and-confer and engage in good faith discussions with the appropriate government authority regarding the mechanics and timing of the attachment.

The Town encourages the Departments to explore whether 1) such requirements should extend to attachments beyond the communications space and 2) such notice and meet-and-confer requirements should extend to small and regular orders in addition to mid-sized, large, and very large ones.

C. Pole-Mounted Electric Vehicle Supply Equipment (EVSE)

The Town supports the explicit inclusion of electric vehicle supply equipment (EVSE) in the proposed regulations. Specifically, the Town agrees with the inclusion of 1) EVSE attachments within the definition of Licensee as well as 2) EVSE attachments in the simple versus complex make-ready categorization, as provided in the proposed 220 CMR 45.02.

⁶ Available online at <https://fileservice.eea.comacloud.net/V3.1.0/FileService.Api/file//iidcgcje?k/dgbRAkeEJLsZ67ZCXQ68EmiDhMBXK0ednWT8WFP5Ok9v9pxUxyG6LkaCeWBSiqbmMINqhcSkxPf0qUr1gASPKrYE1qejvebf677PtCVStUdHoHpEGELGLGjR+ZpYgt>.



Hearing Officers DeYoung Phillips, Seigal,
Bendetson, and Roberts
May 12, 2026
Page 7

The Town appreciates the inclusion of EVSE attachments as a defined metric in certain information filings required pursuant to the proposed 220 CMR 45.17. The Town strongly supports having the option to allow or install pole-mounted EVSE. We urge the Departments to encourage prioritization of strategic siting of pole-mounted EVSE to include locations with adequate road width and existing street parking. Additionally, the Town should maintain permitting authority over EVSE, with timely and accurate notice of plans for electric vehicle charging sites and maintaining the ability to modify such plans to ensure installation does not interfere with essential infrastructure, safety concerns, traffic, site lines, and fire prevention.

III. PROPOSED MEMORANDUM OF AGREEMENT

The Town also respectfully requests that the Draft Restated and Amended Memorandum of Understanding Between the DPU and DTC be amended to include an investigation by the two agencies of formally incorporating cities and towns into D.T.C. 03-87 and creating a public, easy-to-use, and accountable mechanism where utilities list all double poles by address in a municipality and a municipality can report double poles missing from the list. Accordingly, the Town respectfully suggests the inclusion of a new ¶ 5 in the Memorandum:

5. The DPU and DTC agree to explore whether the current process of (a) semi-annual double pole reporting in D.T.C. 03-87 and (b) double pole tracking and management in NJUNS are sufficient to remedy the ongoing double pole issue throughout the Commonwealth and whether such processes adequately include cities and towns as stakeholders within one (1) year from the date of execution.

Cities and towns, along with the public, need accessible, simple lists of where double poles exist in their municipality, the safety hazards and conditions associated therewith, the timelines for removal as required by G.L. c. 164, § 34B, and the ability to submit revisions to the list or request enforcement of double pole violations. The Town urges the Departments to commit to exploring such a possibility through the Memorandum.

IV. CONCLUSION

The Town thanks the Departments for this opportunity to provide comments regarding the regulatory upgrades and enforcement procedures for double poles and related issues.

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Hearing Officers DeYoung Phillips, Seigal,
Bendetson, and Roberts
May 12, 2026
Page 8

Thank you kindly for your attention to these critical issues.

Very truly yours,



Devan C. Braun

cc: Town Manager
Select Board
DPW Director
Energy Coordinator
Real Estate Specialist
Senator Julian Cyr (Julian.Cyr@masenate.gov)
Representative Thomas Moakley (Thomas.Moakley@mahouse.gov)
Massachusetts Municipal Association Legislative Analyst (anunez@mma.org)

EXHIBIT A

March 18, 2025

BY ELECTRONIC MAIL ONLY (dpu.efiling@mass.gov; kerri.phillips@mass.gov; scott.seigal@mass.gov; dtc.efiling@mass.gov; william.bendetson@mass.gov)

Mr. Mark D. Marini, Secretary
Department of Public Utilities
One South Station, 3d Floor
Boston, Massachusetts 02110

Ms. Shonda D. Green, Secretary
Department of Telecommunications and Cable
1000 Washington Street, Suite 600
Boston, Massachusetts 02118

Re: Inquiry on Pole Attachments and Conduit Access on Public Rights of Way,
D.P.U. 25-10/D.T.C. 25-1 – Comments from the Town of Nantucket

To Whom it May Concern:

This firm represents the Town of Nantucket, Massachusetts (Town). Please accept this letter as the Town's written comments on the Department of Public Utilities' (DPU) and the Department of Telecommunications and Cable's (DTC) joint inquiry exploring utility pole attachment, conduit access, double pole, and related considerations applicable to utility work conducted on public rights of way in the Town as the Commonwealth facilitates its clean energy transition and electrification and modernization of the grid.¹

At the outset, the Town of Nantucket notes its support for the clean energy transition being undertaken in the Commonwealth. This letter provides comments on and expresses the Town's ongoing concerns regarding the Commonwealth's grid modernization planning and its implications for the Town's energy future, as Nantucket faces unique challenges as the Commonwealth's most remote community with critical concerns related to the reliability and resiliency of our grid infrastructure, the growing demand for electricity, and the associated cost burden on local ratepayers as the Commonwealth plans its electrification and clean energy transition. The Town appreciates the opportunity to raise these issues and provide input on how Nantucket can best align with the Commonwealth's decarbonization goals while addressing the Town's specific needs.

I. BACKGROUND

To facilitate the clean energy transition in the Commonwealth, substantial electric distribution infrastructure investments are planned, including the deployment of rights of way (ROW) and pole-mounted electric vehicle supply equipment (EVSE) to contribute to electrification options, as well as broadband infrastructure expansion and upgrades. These investments will require access and upgrades to utility poles and underground ducts and conduits, the substantial majority of which are jointly owned by National Grid—the

¹ See DPU and DTC, Notice of Inquiry and Request for Comments, dated January 17, 2025, available at <https://www.mass.gov/doc/dpu-25-10dte-25-1-notice-of-inquiry-and-request-for-comments/download>.

Town's primary electric distribution company (EDC)— and Verizon in Nantucket,² but which are located on and under public ROWs in Town.

Additionally, as it concerns Nantucket's current infrastructure and capacity, the Town notes that its peak demand is growing at five times the Massachusetts statewide average, raising concerns about the island's grid infrastructure and capacity.³ By way of background, electric service is currently delivered to Nantucket via two undersea cables from the mainland grid. These cables run approximately 30 miles from Cape Cod to the National Grid substation on Candle Street in Nantucket's historic downtown.⁴ The first cable, installed in 1996, connects to Harwich, Massachusetts and has a capacity of 36 MW at a cost of \$27 million. The second, installed in 2006, connects to Hyannis, Massachusetts and has a capacity of 38 MW at a cost of \$41 million. Both cables are classified as distribution assets of Nantucket Electric Company, a subsidiary of National Grid, with all costs borne solely by island ratepayers.

The island's peak load of 55MW has already exceeded the capacity of its one undersea cable, the 6MW Tesla Battery Energy Storage System (BESS), and a 10 MW turbine generator installed in 2019. As such, discussions are occurring with National Grid about a third undersea cable to maintain appropriate levels of reliability in future years. A third cable, if deemed necessary, would likely follow the same cost structure, placing a significant financial burden on island ratepayers.

Nantucket also faces a natural "reverse capacity limit" which restricts the amount of local renewable energy that can be developed on the island without risking back feeding events across the undersea cables to the mainland. This limit remains undefined, creating significant uncertainty and hindering the efficient advancement of local solar projects, which may serve as key "non-wire alternatives." In 2024, two major electric service disruptions occurred: a cable failure in May and a widespread outage during the Christmas Stroll weekend. These incidents underscore the urgent need for enhanced resiliency and sustainability measures to prevent future events of this magnitude, particularly as the Commonwealth begins exploring additional upgrades and expansions to promote electrification and grid modernization.

II. LEGAL FRAMEWORK

The Departments share jurisdiction over utility pole, conduit access, and double pole matters pursuant to G.L. c. 164, § 34B, G.L. c. 166, § 25A, the agencies' pole attachment, duct, conduit, and ROW complaint and enforcement regulations, 220 CMR 45.00 *et seq.*, and a Memorandum of Agreement entered into by the agencies to facilitate shared jurisdiction. The deployment of ROW or pole-mounted EVSE, along with other electric and grid updates in the Town of Nantucket, also must comply with An Act Promoting a Clean Energy Grid, Advancing Equity, and Protecting Ratepayers, St. 2024, c. 239, § 134, as well as local by-laws and policies.

² See Boston Edison Co. v. Town of Bedford, 444 Mass. 775, 776 (2005) ("[a]pproximately ninety per cent of the utility poles in Massachusetts are owned jointly by electric and telephone companies ...").

³ See Worcester Polytechnic Institute, Stimulating the Adoption of Solar PV on Nantucket, available online at <https://wp.wpi.edu/nantucket/projects/2017-projects/neo/>.

⁴ Nantucket Current, One Of The Two Undersea Cables That Provide Electricity To Nantucket Is Broken Down (May 4, 2024), available online at https://nantucketcurrent.com/news/one-of-the-two-undersea-cables-that-provide-electricity-to-nantucket-is-broken-down?utm_source=chatgpt.com; see also National Grid, Nantucket Peak Load, available online at <https://www.nationalgridus.com/media/pdfs/resi-ways-to-save/0416-natgrid-ma-hes-ngma-353598-nantucketfaqdocument-v6.pdf>.

III. UTILITY POLE AND CONDUIT WORK IN NANTUCKET

In the inquiry, the Departments have requested specific information regarding: (1) local assessments and prioritization of applications to conduct utility projects on public ROWs; (2) local communication with pole and conduit owners with respect to needs for larger and higher-priority projects; (3) local review of completed utility work for safety issues and remediation needed after utility work is completed; (4) the considerations and limitations for pole and conduit owners work involving trenching on public ROWs; (5) emergency, storm, and safety impacts on scheduling for routine ROW work; and (6) general limitations and considerations as the Departments seek to coordinate and facilitate clean energy projects.

In these regards, the Town notes that it prioritizes and fast-tracks critical network/grid infrastructure improvements, as well as municipal projects, which take precedence over private utility extensions and other routine projects and services. The Town has an open line of communication through its monthly utility coordination meeting with representatives from Verizon, Comcast, and National Grid, though the meetings are somewhat sporadically attended by the various utility companies. The Town also has a local bylaw, § 113-3, regulating removal, upgrades, and replacements of existing utility facilities that requires certain coordination with the Town.⁵

The Town emphasizes that it has had a generally positive experience with emergency response times despite Nantucket being an island community impacted by the challenges of getting crews, equipment, and resources to the island in a timely manner. Notably, and as pertinent here, the primary limitations with respect to scheduling, communication, and safety issues for the Town concerns the routine utility work and upgrades, during which response times and follow-through can be delayed and lacking. The Town believes the various entities may be overburdened, struggling to keep up with demand, and unable to prioritize important Town needs.

Specifically, there can be public safety concerns that arise when utility work is being done or after it is completed due to the relative lack of clarity with respect to who is responsible for following up or which parties are waiting on the other due to the shared nature of the utility poles. For example, the Department of Public Works (DPW) Director will often follow up with respect to a pending issue after utility work, and it appears unclear whether Verizon is waiting on National Grid, or National Grid is waiting on Verizon, and who ultimately will take responsibility for completing the task or following through.

Notably, the Town is not typically invited to review the quality or safety of any finished work on utility poles and conduits, but the DPW becomes involved when there is abandoned infrastructure and safety issues on public ROWs due to a lack of coordination or follow up among the responsible parties. The untimely response issues can and have led to public safety concerns which linger until the party responsible completes the work. Double poles are almost never removed in a timely manner and will remain while the Town is waiting on the parties to coordinate among themselves. It appears that one utility initiates the work, while the other utilities lag in undertaking their portion of the work on the poles, due to the joint ownership and responsibilities. Dangling and unsecured wires will also linger, causing public safety hazards following pole work. Abandoned boxes and wires are generally left on or near poles, leading to impassable sidewalks and similar safety

⁵ See Town of Nantucket Bylaws, Chapter 113, available at <https://ecode360.com/11471073#11471074>.

concerns. In this regard, therefore, the Town encourages transparency and communication on these safety and coordination issues as utility pole and conduit improvements are undertaken in the future.

Finally, the Town commends the State's and EDC's efforts to pursue grid modernization and utility system upgrades, but stresses the critical need for collaboration to address Nantucket's unique needs and challenges. Nantucket offers a valuable opportunity to pilot innovative solutions, such as Non-Wires Alternatives ("NWAs"),⁶ Virtual Power Plants ("VPPs"),⁷ and advanced demand-side management strategies. Given the substantial costs associated with traditional infrastructure upgrades, including a potential third undersea cable, leveraging Nantucket as a testing ground could yield insights and scalable solutions with broader applications across Massachusetts.

IV. THE DEPARTMENTS ALSO MUST TAKE INTO ACCOUNT EQUITY CONSIDERATIONS, DEMAND, AND RELIABILITY ISSUES FOR NANTUCKET IN THE MODERNIZATION AND ELECTRIFICATION OF THE GRID.

A. Peak Load Growth and Infrastructure Constraints

As noted, Nantucket's electricity demand continues to grow at an unprecedented rate and already exceeds the capacity of each undersea delivery cable from Cape Cod. As electrification accelerates under Massachusetts's decarbonization and electrification plans, there is a heightened risk that the current infrastructure will be unable to meet current and future demand. A failure of one of the two undersea cables during the peak season would leave the island without sufficient capacity to power essential services, posing a significant risk of prolonged outages and widespread disruption. To mitigate this potential catastrophe, the Town requests clarity on the State's and/or EDC's plans for deploying additional roll-on generators and/or other contingency measures during this process.

Additionally, given that internal forecasts and communications with National Grid may suggest that a third undersea cable may be required by 2033, the Town urges National Grid to outline a detailed timeline for planning, permitting, and installation as part of these utility and infrastructure system upgrades. When the Tesla BESS was proposed in 2018, the forecast for needing a third cable was projected as far out as 2044. The accelerated timeline highlights the rapid growth in electricity demand and the urgency of addressing these challenges. Recent failures underscore the vulnerability of current infrastructure, particularly during peak periods, making greater urgency and transparency essential. Considering the aging infrastructure, the Town also asks whether replacing the first cable, which is nearing 30 years old, with a higher capacity one is being evaluated as part of this planning process.

B. Electrification and Renewable Energy Integration

The Town also notes that current substation limitations significantly restrict local renewable energy deployment due to concerns about power back feeding to the mainland during low-demand periods. The Town,

⁶ Non-wires alternatives are electric utility system investments that can replace the need for specific transmission and distribution projects at lower total resource cost by reliably reducing transmission congestion or distribution system constraints at times of peak demand in specific grid areas. See NWA at National Grid, <https://www.nationalgridus.com/Business-Partners/Non-Wires-Alternatives/>.

⁷ Virtual power plants are a network of devices in homes and businesses that can be harnessed by utilities to add power, cut energy demand, or both. See WBUR, How Virtual Power Plants Help Reduce Peak Power Demand in New England, available at <https://www.wbur.org/news/2024/08/28/virtual-power-plants-eversource-massachusetts-batteries-ev-chargers/>.

therefore, urges the prioritization of essential upgrades, such as 3VO protection at the Candle Street substation, to unlock Nantucket’s renewable energy potential and ensure grid reliability as electrification continues to accelerate.

Additionally, the island faces a significant challenge related to its solar capacity limit. Current infrastructure constraints, including the “reverse power limit,” hinder Nantucket’s ability to effectively plan for and expand distributed generation (“DG”) projects. As such, the Town requests consideration and a clear assessment of this limit and the steps being taken to address it. Without such transparency, the Town is unable to adequately prepare for future DG capacity needs. Once this limit is reached, a comprehensive transmission study will be required to determine necessary upgrades, such as reverse power relays.

C. Cost Implications for Ratepayers

Current electricity prices on Nantucket are significantly higher than the national average.⁸ The anticipated cost of a third undersea cable, estimated at over \$200 million, also presents a significant economic burden for Nantucket ratepayers, who already finance the existing cables through a roughly 15% cable facility surcharge. The Town urges the active exploration of funding opportunities through federal and state programs for grid resiliency, such as Section 40101(d) of the Bipartisan Infrastructure Investment and Jobs Act, to help alleviate this financial strain, throughout its electrification and upgrade and expansion projects.

V. CONCLUSION

The Town thanks the Departments for this opportunity to provide comments regarding the future utility system upgrades and electrification of the grid. Nantucket’s grid is a vital part of the community’s resilience and sustainability, and its modernization must be addressed with urgency and equity. As the Town works to meet the Commonwealth’s ambitious decarbonization goals, the Town urges the state agencies and EDCs to prioritize the island’s unique challenges in planning and funding decisions to ensure a cleaner, more reliable energy future for Nantucket.

Thank you kindly for your attention to these critical issues.

Very truly yours,



Devan C. Braun

DCB/nal

cc: Town Manager
DPW Director
Energy Coordinator
Select Board

⁸ See note 4 *supra*.

EXHIBIT B





