



2024 Climate Act:

Proposed EFSB/DPU

Regulations Updates

September 8, 2025



Agenda

- 10:00 Opening
 - 10:00 Energy Facilities Siting Board Chair Remarks
- 10:20 Staff Presentation of Tentative Decision on Proposed Rulemaking, Proposed Regulations, Siting Board and Public Comments
 - 11:30 Mid-morning Break
 - 12:50 Lunch Break
 - 3:30 Mid-afternoon Break
- 4:55 Close



Important Dates

Milestone	Dates
Siting Board Meeting on Opening Rulemaking	Monday, September 8, 2025
Deadline for Siting Board to File Proposed Regulations with the Secretary of State	Friday, September 12, 2025
Initial Deadline for Written Comments	Friday, October 17, 2025
Public Comment Hearings	October 27 – November 5, 2025
Final Deadline for Written Comments	Friday, November 7, 2025



EFSB Staff Presentation



Major Siting and Permitting Provisions of the 2024 Climate Act

- Creates a new category of infrastructure: Clean Energy Infrastructure Facilities (CEIF)
- Expands Siting Board jurisdiction to include Large Clean Energy Storage Facilities (LCESF)
- Creates two Consolidated Permit programs
 - Large CEIF – Consolidated Permit issued by the Siting Board
 - Small CEIF – Local Consolidated Permit issued by municipality(ies)
- Establishes deadlines for deciding on an application; constructive approval if deadlines not met
- Establishes new requirements for CEIF applicants, including:
 - Pre-filing public outreach
 - Cumulative Impact Analysis (CIA)
- Expands Siting Board membership; establishes a new mandate, scope of review, and required findings
- Moves certain Department of Public Utilities siting jurisdiction to the Siting Board



Chapters of Proposed Regulations

Chapter of Draft Regulation	Title Summary
980 CMR 1.00 – EFSB revised	Adjudicatory Proceedings
980 CMR 2.00 – EFSB revised	Board Business
980 CMR 13.00 – EFSB new	Consolidated Permits
980 CMR 14.00 – EFSB new	De Novo Adjudication
980 CMR 15.00 – EFSB new	Cumulative Impacts Analysis and Site Suitability (forthcoming)
980 CMR 16.00 – EFSB new	Pre-filing Consultation and Engagement
980 CMR 17.00 – EFSB new	Constructive Approval
980 CMR 4.00, 5.00, 7.00, 8.00, 9.00, 11.00	Repeal of Unused Regulations
220 CMR 32.00 – DPU new	EFSB Application Fees (forthcoming)
220 CMR 34.00 – DPU new	Intervenor Support Grant Program (forthcoming)
225 CMR 29.00 – DOER new	Consolidated Local Permit (forthcoming)



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EFSB Tentative Decision



Procedural Regulations

- Revisions to 980 CMR 1.00 (Adjudicatory Rules)
- Revisions to 980 CMR 2.00 (Board Business)
- New Regulation for De Novo Adjudications – 980 CMR 14.00
- New Regulation for Constructive Approval – 980 CMR 17.00



980 CMR 1.00 (Adjudicatory Proceedings)

Comment Theme	Regulation Update or Response
Decommissioning plans should be required on a case-specific basis.	1.10 [Decommissioning Plans]: Decommissioning plans can now be required on a case-by-case basis.
The period for considering whether a project expansion constitutes segmentation should be shortened (<u>e.g.</u> , three years instead of five).	Regulations retain a five-year period to discourage project segmentation. MEPA regulations on project segmentation also reference a five-year period.
Presiding Officer should be able to require other means for distributing public notice in lieu of publishing in two newspapers (<u>e.g.</u> , one newspaper plus radio or NextDoor).	Regulations retain the Siting Board's long-standing requirement to publish in two newspapers.
Applicants should be required to post pre-filing documents, including waiver requests with respect to requirements of 980 CMR 16.00, online.	16.09(1)(a) [requirements for project webpages]: now requires applicants to post a waiver request, whether approved or disapproved.



980 CMR 1.00 (Adjudicatory Proceedings) – Other Key Updates

- 1.03(2)(b) [Filing Requirements]: Presiding Officer determines *whether* hard copies are necessary, rather than the number of hard copies.
- 1.04(5) [Public Comment Hearings]: Clarifies that an Applicant is responsible for the cost of audio-visual equipment and language interpretation services.



980 CMR 2.00 (Board Regulations)

Comment Theme	Regulation Update or Response
Broaden the Siting Board's scope of review. Consider an Applicant's efforts discuss with municipalities: avoidance, minimization, and mitigation of project impacts – <i>including</i> a community benefits agreement (rather than solely consider an applicant's efforts to discuss a CBA).	2.02(3) [Scope of Review]: Siting Board's scope of review now includes an applicant's reasonable efforts to discuss avoidance, minimization, and mitigation of impacts, <i>including</i> a CBP/CBA.
Not all projects may warrant a community benefits agreement (CBA).	Addressed by broadening the Siting Boards scope of review (see above).
The Board should hold a standing monthly meeting.	2.04(1) [Siting Board Meetings]: Now requires the Siting Board to schedule a standing monthly meeting.



980 CMR 2.00 (Board Regulations) – Other Key Updates

- 2.10 [Permitting Dashboard]: Provides that the Siting Board may add or remove additional data, metrics, or information to the dashboard at its discretion.



980 CMR 14.00 (De Novo Adjudications)

- **New Regulation for De Novo Adjudications – 980 CMR 14.00**
 - (1) for certain entities that object to the decision at the local level
 - (2) to adjudicate a consolidated local permit when the local government lacks resources to do so.
- Expedited process (6 months/12 months)
- Decision made by the Siting Board Director
- Appeal directly to the Supreme Judicial Court



980 CMR 14.00 (De Novo Adjudication)

Comment Theme	Regulation Update or Response
<i>Clarify overlaps and differences between Department of Energy Resources (DOER) and Siting Board regulations (Board comment)</i>	Staff are working closely with DOER to ensure consistency and clarity.
Improve specificity in using “applicant” and “petitioner.” (<u>e.g.</u> , a municipality may be a petitioner but not an applicant).	Improved the use of defined terms throughout the draft regulations.
When a Local Government (LG) requests a de novo review, the LG should be responsible for transferring the administrative record.	14.03(b) [Local Government de novo request]: Clarifies the LG is responsible for a statement regarding its resources, capacity, or staffing. The Applicant must still provide a copy of its Consolidated Local Permit application. [Note: new filing portal intended for both EFSB and Consolidated Local Permit (LG) use will facilitate transfer of administrative record.]
Argued that the 2024 Climate Act did not allow a 12 month de novo adjudication for a Local Government request.	14.05(1)(b) [Timing of a Decision]: Retains the twelve months time frame for a LG review. Siting Board staff require the same time to review a Local Consolidated Permit Application as the LG is initially afforded.



980 CMR 14.00 (De Novo Adjudications) – Other Key Updates

- 14.01 [Definitions]: Clarifies that a “Final Decision of a Local Government” includes denial by a Local Government of an application for a Consolidated Local Permit.
- 14.02(3)(a) – [Petitions from the Applicant or a substantially/ specifically affected Person]: The *petitioner* provides a copy of the Consolidated Local Permit Application and a link to an online portal containing the application.



980 CMR 17.00 (Constructive Approval)

- **New Regulation for Constructive Approval – 980 CMR 17.00**
 - If the Siting Board does not issue a final decision on an Application for a Consolidated Permit by the statutory deadline, the Application is constructively approved
 - 15 months for large clean energy infrastructure facilities
 - 12 months for small clean energy infrastructure facilities
 - Does not apply to non-clean energy infrastructure
 - Provides a process in anticipation of a constructive approval
 - Provides the content and form of a constructive approval permit
 - Constructive approval permit would include “common conditions” established by the Board
 - Establishes a mechanism for issuance of the constructive approval



Comment themes: 980 CMR 17.00 (Constructive Approval)

Comment Theme	Regulation Update or Response
<i>Expressed concern about the potential for applicants to procedurally stall an application with the intent of receiving constructive approval (Board and public comment).</i>	13.06(8) added a new sub-section to the EFSB Consolidated Permit Procedures regarding unexcused delays and related penalties.
Further streamline the constructive approval process so staff remain focused on preparing final decisions (rather than shift focus to constructive approval).	Regulations balance procedural clarity and the ability to provide a legally defensible consolidated permit with minimizing steps that might distract from the main proceeding.
Constructive approval should not include project-specific conditions subject to Siting Board deliberation.	Regulation no longer allows project-specific supplemental conditions in a Constructive Approval Permit.



980 CMR 17.00 (Constructive Approval) – Other Key Updates

- 17.01(2) [Scope]: Clarifies that 980 CMR 17.00 does not apply to de novo adjudications (980 CMR 14.00).
- 17.03(1)(c) [Common Conditions in a Constructive Approval Permit]: Requires that a Constructive Approval Permit include: Siting Board Common Conditions, DOER Common Conditions, and Permit Enforcement Agency Common Conditions. These categories of conditions are now aligned with 980 CMR 13.08. [Note: EFSB is working in coordination with DOER (and other agencies) to develop a single set of Common Conditions, that will cover all state and local permits issued by EFSB.]



Comments

Energy Facilities Siting
Board (EFSB)



Board Meeting – September 8, 2025

Proposed Regulations Updates

The meeting will begin/resume shortly

Technical Issues? Call or text 857-200-0065



EFSB Application



EFSB & DOER Applications

- **EFSB** to establish a "common standard application" for: (1) Consolidated Permits (all state and local permits); and (2) Consolidated State permits
 - Large Clean Energy Infrastructure Facilities ("CEIF") (§ 69T) [Consolidated Permit]
 - Small Clean Transmission and Distribution ("T&D") Facilities (§ 69U) [Consolidated Permit]
 - Small Clean Generation and Storage Facilities (§ 69V) [Consolidated State Permit]
- **DOER** to establish a "common standard application" for:
 - Small Clean Generation, Storage, and T&D Facilities for use by Local Government
- **DPU** regulations govern the **EFSB** application filing fees; DPU handles administrative/fiscal functions for EFSB/DPU Siting Division

Coordination

- Goal: Alignment between EFSB and DOER applications for the same types of infrastructure, and the same permits.



Consolidated Permitting for Clean Energy Infrastructure Facilities

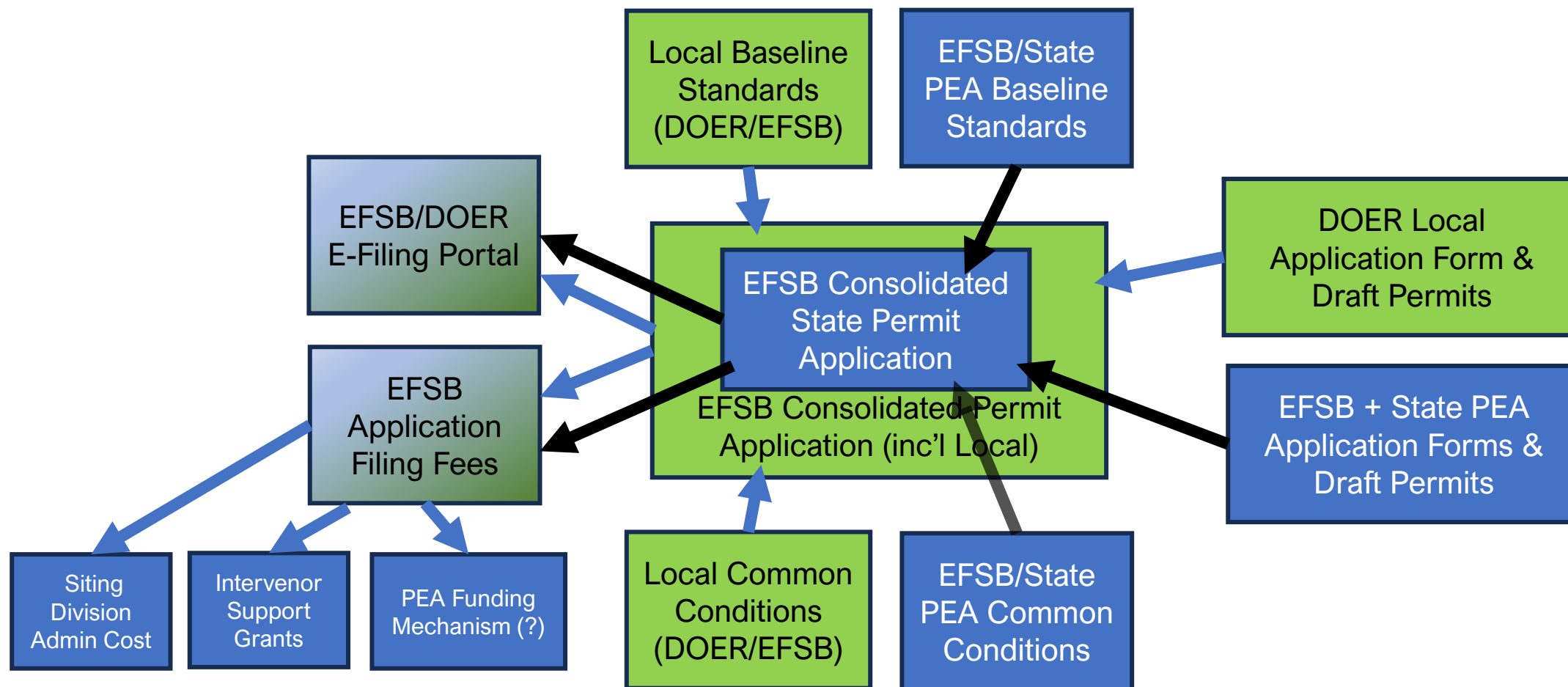
Facility Type/Description	Capacity/Size	Permitting Authority
Generation – Solar; Wind; Anaerobic Digester	≥ 25 MW (Large)	EFSB – Consolidated Permit & Pre-filing Process per § 69T + Zoning Exemption (if requested separately)
	< 25 MW (Small)	Local - Consolidated Local Permit & Pre-filing Process per c. 25A, § 21 ¹ EFSB – Consolidated State Permit per § 69V (EFSB opt-in by developer); otherwise, individual state permits; + Zoning Exemption (if requested separately)
Energy Storage System	≥ 100 MWh (Large)	EFSB – Consolidated Permit & Pre-filing per § 69T + Zoning Exemption (if requested separately)
	< 100 MWh (Small)	Local - Consolidated Local Permit & Pre-filing Process per c. 25A, § 21 ¹ EFSB – Consolidated State Permit per § 69V + Zoning (EFSB opt-in by developer); otherwise, individual state permits; + Zoning Exemption (if requested separately)
Transmission Infrastructure (and ancillary facilities) - Large - ≥ 69 kV and ≥ 1 mile (new corridor) - ≥ 115 kV and ≥ 10 miles (existing corridor) (except reconductoring at same voltage) - New transmission infrastructure (inc'l substations/structures) requiring zoning exemptions - Facilities needed to connect offshore wind to grid		EFSB – Consolidated Permit & Pre-filing Process per § 69T EFSB Zoning Exemptions may <u>also</u> be required
Transmission Infrastructure (and ancillary facilities) - Small - < 1 mile (new corridor) - < 10 miles (existing corridor) - Distribution-level projects meeting a size threshold TBD by DOER - Reconductoring/rebuild at same voltage - Substations/upgrades <u>not</u> requiring zoning exemptions		Local - Consolidated Local Permit & Pre-filing Process per c. 25A, § 21 ¹ - OR - EFSB – Consolidated Permit & Pre-filing Process per § 69U (EFSB opt-in by developer; EFSB pre-filing process applies)

1. The Pre-filing process will occur solely under DOER's Consolidated Local Permitting Guidelines and will not be subject to the EFSB Pre-filing process. Local government may transfer a Consolidated Local Permit application to the EFSB Director, if resources and staffing do not allow for local review per § 69W. A request for de novo adjudication of a Local Consolidated Permit decision may also be submitted to the EFSB Director, per § 69W, and would not require additional Pre-filing process.

Color Key: EFSB Responsibility; DOER Responsibility to Develop Standards



EFSB Applications: Conceptual Map





Application Completeness

- Application “completeness” determination by presiding officer is required within 30 days of filing. Completeness determination starts the mandatory review clock (or need for further information).
- Important aspects of the completeness determination:
 - EFSB would look for “substantial and material compliance” with all informational requirements appropriate for the permits sought.
 - Applicant must identify all relevant local, regional, state permits, authorizations, approvals that would otherwise be required.
 - Applicant will be instructed to identify conflicting standards, use more restrictive standards, if feasible; propose resolution of conflicts.
 - EFSB will seek state and local agency input on completeness determination.



980 CMR 13.00 (Consolidated Permit Application)

<i>Siting Board Comment Theme</i>	<i>Regulation Update or Response</i>
Help permitting agencies understand flow of Siting Board review and opportunity for requesting information	Staff will incorporate into updated guidance document
Adopt standards of other permitting agencies by reference into guidance. Require permitting agencies to provide updates to standards.	EFSB and DOER are compiling list of Baseline Standards that includes reference to other State PEA standards; flexibility needed to supplement as new standards are developed (or recognized as applicable)



980 CMR 13.00

(Consolidated Permit Application)

<i>Public Comment Theme</i>	<i>Regulation Update or Response</i>
"Construction" should specifically exclude activities to develop permit applications (<u>e.g.</u> , geotechnical analysis).	13.01(4) [Definitions]: Revised "construction" to exclude preliminary work in furtherance of permitting that does not impose significant adverse impacts.
Some comments appreciated the pre-filing engagement waiver process for its flexibility; others cautioned that the waiver is contrary to the intent of the 2024 Climate Act.	13.03(1)(e) [Application Requirements]: A CEIF application must include any waiver request and the Division of Public Participation's decision on the waiver.
Include zoning exemptions directly in a Consolidated Permit.	13.04 [Zoning Exemptions]: Zoning exemption requests still require a separate petition. PO may consolidate zoning and consolidated permit petitions into a single proceeding.
Narrow the application completeness determination process to not inadvertently extend statutory review limits.	Retains completeness determination process. Current process balances the need for thorough applications with administrative efficiency.
Argued not <i>all</i> projects should be required to analyze every topic identified in the application guidance document.	Agreed. Where a particular topic is not required or relevant to a CEIF application, an Applicant may provide the reason and note "n/a".



980 CMR 13.00 (Consolidated Permit Application) – Other Key Updates

- 13.01(4) [Definitions]: Relocated several definitions to 980 CMR 1.00.
- 13.03(1)(f)-(l) [Application Requirements]: Reorganized application requirements common to all CEIF applications under new divisions of subsection 13.03(1).
- 13.03(2) and (3) [Application Requirements]: Reorganized application requirements that only apply to certain categories of CEIF under new subsection headings to improve clarity:
 - “13.03(2) LCTDIF and SCTDIF requirements” and “13.03(3) LCEGF, LCESF, SCEGF, SCESF requirements.”
- 13.11(2) [Enforcement]: In ruling on an alleged violation, the Siting Board Director must issue a draft ruling, provide a comment period, and consider comments in the final ruling.



Comments

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Board (EFSB)



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EFSB Pre-filing Engagement Requirements



980 CMR 16.00 Pre-filing Consultation and Engagement Requirements

- 980 CMR 16.00 applies to LCEIF, SCEIF, and all jurisdictional Facilities
- Establishes pre-filing requirements for Applicants to ensure that project information reaches those who may be impacted by a project, and provides stakeholders an opportunity to influence project design
- Requires Applicant to consult with Key Stakeholders, MEPA Office and permitting agencies, hold at least two public meetings with the Community, use multiple channels of outreach, and create a project webpage
- Provides Applicants with flexibility to tailor pre-filing schedules to the project and community, does not specify timing or duration for completion of pre-filing requirements
- Balances the goal of providing project information to Key Stakeholders early during project development with the Applicant's need to do adequate due diligence



980 CMR 16.00 Pre-filing Consultation and Engagement Requirements

16.01: Purpose and Scope

16.02: Definitions

16.03: Rules of Applicability

16.04: Pre-filing Consultation and Engagement Requirements

16.05: Pre-filing Requirements for Consultation with DPP and OEJE

16.06: Pre-filing Requirements for Consultation with MEPA Office and Agency Consultation

16.07: Pre-filing Engagement Requirements for Meetings with Key Stakeholders and Public Meetings with the Community

16.08: Pre-filing Outreach Requirements for Public Meetings with the Community

16.09: Pre-filing Requirements for Project Webpage(s)

16.10: Pre-filing Notice (Notification of Intent to File Application) Requirements

16.11: Pre-filing Consultation and Engagement Documents to be Submitted with Application and Petition to Construct to the Board



16.03 Rules of Applicability

Section	Comment	Update to Regulation
16.03(1)	Any waiver received should be available on the Applicant's project webpage	<p>The Applicant should post documentation supporting the written waiver request on their project webpage. Waiver request must be filed in a timely manner to meet requirements of 16.04.</p> <p>16.09 has been updated to require the Applicant to post any waiver demonstrating good cause that was requested and approved or not approved by DPP on the Applicant's project webpage.</p>



16.04 Pre-filing Consultation and Engagement Requirements

Section	Comment	Update to Regulation
16.04 (1)(a)1, 16.04 (1)(a)2	All Applicants are not required to implement site suitability criteria and CIA tool, and conduct “alternatives analysis” of sites/routes under consideration.	Proposed regulation has been updated to reflect this.
16.04(1)(a)4	Given the number of meetings, require a more efficient way of capturing meeting notes.	Maintain notes from meetings with Key Stakeholders, Agency Consultation, and Community meetings that include date of the meeting, names of participants, key discussion points, and takeaways.
16.04 (1)(c)	Participation in the project email distribution list should be voluntary, and emails should be sent periodically.	Emails to be sent to the project email distribution list quarterly and should include a link for addresses to opt out.
16.04(1)(g)(4)	Identify the duration of the pre-filing comment period associated with the two public meetings while providing flexibility.	Pre-filing comment period will remain open from when first public meeting is announced until deadline to submit comments after the second public meeting. Applicant to provide at least two weeks after the second public meeting to receive written comments.
16.04(1)(h)	Modify the timeframe for filing the Pre-filing Notice to provide additional flexibility.	The Pre-filing Notice should be submitted no less than 45 days and no more than 90 days prior (<i>updated from 60 days</i>) to filing an Application with the Board.



16.04 Pre-filing Consultation and Engagement Requirements

Section	Comment	Update to Regulation
16.04(1)(h)	Define the DPP process for review if Applicant does not file the Application within 90 days of submitting the Pre-filing Notice.	If more than 90 days pass after second Pre-filing Notice, Applicant shall submit written communication to DPP about the reason for delay and an estimated timeline/date to resubmit notice. DPP staff to review documentation and provide a written assessment if additional outreach is needed. Applicant can meet with DPP staff to discuss any additional outreach.



16.05 Pre-filing Requirements for Consultation with DPP and OEJE

Section	Comment	Update to Regulation
16.05(1)	Clarify timing of the meeting with DPP and OEJE	<p>Applicant should meet with DPP and OEJE at the start of the Pre-filing Outreach Period. “For purposes of 980 CMR 16.00, the Pre-filing Outreach Period begins when the Applicant meets with DPP and OEJE. The Applicant can meet with stakeholders prior to the beginning of the Pre-filing Outreach Period.”</p> <p>This language has been added to the definition of Pre-filing Outreach Period.</p>
16.05(1)	DPP and OEJE should provide the Applicant with input on their list of Key Stakeholders	<p>For the meeting with DPP and OEJE, in addition to other Project details, the Applicant should also provide a list of Key Stakeholders and anticipated Project benefits and impacts.</p>



16.06 Pre-filing Requirements for Consultation with MEPA Office and Agency Consultation

Section	Comment	Update to Regulation
16.06	Applicants often meet with MEPA, permitting agencies, and stakeholders multiple times during the development process. Applicants should not be required to present all requirements in every meeting.	<p>Proposed regulations updated to clarify that requirements (information that needs to be provided) for consultation meetings are for the initial meeting only and for any subsequent meeting the Applicant may discuss specific issues of interest to the Applicant or permitting agency/Key Stakeholder.</p> <p>This update is reflected in both 16.06 and 16.07.</p>
16.06(1)(a)3 16.06(1)(a)4	Require Applicant to provide permitting agencies with the completed permit application that includes technical information and analyses, and copies of the draft permit approvals with recommended conditions during pre-filing.	<p>This requires further discussion.</p> <p>Proposed regulations currently require Applicant to, if available, present copies of relevant draft permit applications and draft permits.</p>
16.06(1)(a)6 16.06(1)(a)7	All projects are not required to do an alternatives analysis. The regulations should reflect that.	<p>Proposed regulation updated to require generation and storage projects to present a description of the site selection process used to select the proposed option. Statute only requires transmission projects to present the alternative analysis used in the selection of the preferred option.</p> <p>This update is reflected in 16.06, 16.07, and 16.09.</p>



16.07 Pre-filing Engagement Requirements for Meetings with Key Stakeholders and Public Meetings with the Community

Section	Comment	Update to Regulation
16.07	Received suggestions on requirements that enhance transparency and engagement	<p>Requirements for introductory meetings updated to include the following:</p> <ul style="list-style-type: none">• Present potential Project benefits and impacts on the Community, and location map(s) that delineates project boundaries, identifies Project components, and includes key landmarks and natural features within one mile of the Project boundary;• Share Project contact person(s) including email, phone, and mailing address;• Provide information on Project-specific issues or topics of interest to Key Stakeholders and the Community; and• Provide translation and interpretation according to the current Board Language Access Plan for public meetings with the Community and upon request for meetings with Key Stakeholders.



16.09 Pre-filing Requirements for Project Webpage(s)

Section	Comment	Update to Regulation
16.09	Some requirements listed to be posted on the project webpage will not be available at the start of Pre-filing Outreach Period. The regulation should account for this.	Applicant to include and update information as it becomes available during the Pre-filing Outreach Period.
16.09	Received suggestions on requirements that enhance transparency and support wider reach of Project information.	<p>Updates to requirements to be posted on the project webpage include:</p> <ul style="list-style-type: none">• Location map(s) that delineates project boundaries, identifies Project components, and includes key landmarks and natural features within one mile of the Project boundary;• Pre-filing Engagement Status Checklist and Pre-filing Engagement Completion Checklist submitted to DPP. The Applicant shall not post documents with personally identifiable information; and• Any waiver demonstrating good cause that was requested and approved or not approved by DPP.



16.10 Pre-filing Notice (Notification of Intent to File Application) Requirements

Section	Comment	Update to Regulation
16.10(1)	Provide more specific direction about who should receive the Pre-filing Notice.	The Applicant should submit the Pre-filing Notice to DPP, the Board, Local Government and state permitting agencies consulted, persons on the Project email distribution list, and relevant Key Stakeholders.
16.10(2)	Staff updated this section to allow Local Government and state permitting agencies to review and provide recommendations on draft permit applications to DPP.	The Applicant shall submit to relevant Local Government and state permitting agencies, copies of draft application and draft permit with recommended conditions for applicable state, regional and local permits and approvals that would otherwise be issued by each relevant state/regional/local permitting entity. Such draft applications and permits shall include technical and other materials required by the permitting agency's application and guidance materials, including mapping, jurisdictional delineations, evaluations, analyses and other requested information.



16.10 Pre-filing Notice (Notification of Intent to File Application) Requirements

Section	Comment	Update to Regulation
16.10(4)	Staff updated section on 'DPP Opinion'	<p>Updates to DPP Opinion</p> <ul style="list-style-type: none">• The Applicant shall submit the Pre-filing Engagement Completion Checklist to the Board and relevant Local Government and state permitting agencies.• Local Government and state permitting agencies may file their comments regarding the Applicant's pre-filing Agency Consultation and recommendations related to the draft permit application with DPP within 30 days.• DPP will incorporate feedback received from Local Government and state permitting agencies regarding their assessment of the Applicant's Pre-filing consultation, and sufficiency of necessary preparatory studies and analyses in their opinion to the Board. DPP will copy the Applicant on the DPP Opinion sent to the Board.



Comments



Updates on Cumulative Impact Analysis (CIA)

- EFSB Staff continue to draft regulation for release based on guidance from OEJE
- Comments received focused on:
 - *More guidance on identifying major future projects to include in CIA (Board comment)*
 - *Include cut-off thresholds for determination disproportional impacts (Board comment)*
 - CIA and site suitability criteria (SSC) processes need to be subject to further stakeholder review and input
 - Consider starting with a simple, statutorily compliant CIA methodology and expand later



Updates on 220 CMR 32.00 (Application Fees) and 220 CMR 34.00 (DPU and EFSB Intervenor Support Grant Program)

DPU and EFSB Staff continue to draft Application Fees regulation for release later this year

- **Proposed fees:**

- *Comments requested to consider fee that would help permitting agencies cover part of their costs for their roles in the Siting Board process*
- Will [support DPU Siting Division staff operations](#) with or without utility assessments
- Will support Intervenor Support Fund supplement with rebate
- Will support portions of existing permitting agency application fees
- Will vary based on facility type

- **Intervenor Support Grant Program regulations are being reviewed by the Gov's Office**

- DPU will issue Order opening rulemaking with proposed regulations attached on September 12
- EFSB and DPU to hold 4 joint public hearings on regulations. Boston public hearing on Nov 3 to focus on Intervenor Support Grant Program and Community Benefits Plans.

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