

APPENDIX B

GRANT APPLICATION FOR INTERVENOR SUPPORT GRANT PROGRAM¹

The Intervenor Support Grant Program (“Program”) was established by “An Act Promoting a Clean Energy Grid, Advancing Equity and Protecting Ratepayers” (i.e., the 2024 Climate Act). This Program is administered by the Division of Public Participation (“Division”) at the Department of Public Utilities (“Department”). The Program provides financial assistance to entities (including to federally-recognized, state-acknowledged or state-recognized Tribes) and Governmental Bodies who are presently or were historically unable to participate in Department or Energy Facilities Siting Board (“Board”) proceedings because of financial hardship, inadequate resources, and/or lack of technical expertise. The Program makes it easier for eligible Grant Applicants such as community organizations and smaller municipalities to represent their interests and be considered in decision-making.

Pursuant to 220 CMR 34.00, the Program provides financial assistance to eligible entities and establishes the process for Program implementation. Complete and submit this Grant Application to the Division to request a Grant award for intervention in a Department or Board proceeding.

In a Department proceeding, an entity seeking a grant (“Grant Applicant”) may submit a Grant Application upon the filing of a petition for review or a Department order opening an adjudicatory proceeding. In a Board proceeding, a Grant Applicant may submit a Grant Application upon the filing of the Notification of Intent to File Application (Pre-filing Notice) or a petition to construct by the project proponent. In both Department and Board proceedings, a Grant Applicant shall submit a Grant Application no later than the deadline to petition to intervene listed in the Proceeding notice.

The Division shall review the Grant Application for completeness within ten business days of receipt and will notify the Grant Applicant by email of any deficiencies which must be addressed by the end of the application window or by the date indicated by the Division. The Division will issue a written determination of Grant status and payment decisions to all Grant Applicants within 30 calendar days after the Grant Application deadline. The Director of the Division may make a conditional Grant award to a Grant Applicant. However, the Grant will not be disbursed until the Grant Applicant has been granted intervenor status in the proceeding. The Grant Applicant should concurrently consult regulations governing intervention in a Department (220 CMR 1.03) or Board (980 CMR 1.05) proceeding and file a timely petition to intervene.

Educational resources are available on the Division webpage to help entities new to the Department or Board engage effectively in proceedings. If you have questions, contact the Division at [email] and [phone number].

¹ The Division will not post Grant Applications or supporting materials to the Department’s website. Although the Division will not proactively post the application, the Department notes that Grant Applications and supporting materials remain subject to the Massachusetts Public Records Law. G.L. c. 4, § 7(26); G.L. c. 66, § 1; 950 CMR 32.00.

A. Applicant Information

1. Name of Entity or Working Name for Unincorporated Association of Three or More Individuals:
2. Mailing Address:
3. Contact Person
 - i. Name:
 - ii. Phone Number:
 - iii. Email Address:
 - iv. Preferred Contact Method:
4. Additional Contact Person (preferred)
 - i. Name:
 - ii. Phone Number:
 - iii. Email Address:
 - iv. Preferred Contact Method:

B. Proceeding Information

5. Docket Number:
6. Docket Name:
7. Have you submitted a petition to intervene in the proceeding?
 Yes
 No (If you check this box, move on to question 9.)
8. Has your petition to intervene in the proceeding been approved?
 Yes
 No
 Awaiting response

C. Eligibility Information

9. Indicate your eligibility status:
 Organization or entity that advocates on behalf of a relevant subset of residential customers defined geographically or based on specific shared interests
 Organization or entity that advocates on behalf of low- or moderate-income residential populations or residents of historically marginalized or overburdened and underserved communities, or residents of burdened areas as defined in 980 CMR 15.02

- Governmental body, regional planning agency, and federally recognized Tribe, state-acknowledged Tribe or state-recognized Tribes
 - An unincorporated association (three or more individuals) that may be specifically and substantially affected by a Proceeding
10. Explain how your organization is eligible under this category. Provide a brief description of your organization or unincorporated association and the nature of your work.
11. Are you representing a municipality with a population less than 7,500 applying for funding related to a proceeding for a Large Clean Energy Infrastructure Facility (LCEIF)² or Small Clean Energy Infrastructure Facility (SCEIF)³ within your boundaries?
- Yes. Please list the municipality(ies): _____ . (If you check this box, then you do not have to respond to questions 12 and 13.)
 - No
12. Have you previously intervened in a Department or Board Proceeding?
- Yes. Please provide the docket #s, case caption(s), and a brief description of your participation in the last 3 Proceedings.
 - No
13. Provide a narrative to demonstrate that participating in this proceeding presents a Significant Financial Hardship⁴ without receiving Grant funds. The narrative should include, if applicable, the number of staff, the current fiscal year total budget, the number of months of operating reserve available, unallocated funds or grants that may be available for interventions, and Form 990 for non-profit organizations with federal tax-exempt status.
- a. If you are applying as an unincorporated association of individuals, provide a self-attestation including the name and address of all persons in the group requesting funding, the number of additional volunteers/supporters if applicable, a narrative explaining the association's collective mission and activities, and a narrative to demonstrate the level of financial hardship.
14. Provide a narrative describing the position and nature of interest you represent in the Proceeding. For Board Proceedings, include a summary of questions and concerns raised during Pre-filing Consultation and Engagement, if applicable.

² LCEIF means Large Clean Energy Infrastructure Facilities as defined in M.G.L. c. 164, § 69G and 980 CMR 13.01(5).

³ SCEIF means Small Clean Energy Infrastructure Facilities as defined in M.G.L. c. 164, § 69G and 980 CMR 13.01(5).

⁴ Significant Financial Hardship is the inability of a Grant Applicant to intervene and participate in a proceeding absent an Intervenor Support Grant Award due to the Grant Applicant's lack of financial resources to cover the reasonable costs associated with intervention and participation, or, in the case of an unincorporated association, the financial resources available to the individual members of the association are small in comparison to the costs of intervening and meaningfully participating in the Proceeding.

15. Provide a statement describing how you will participate in the Proceeding including developing the evidentiary record with materials relevant to the scope of the Proceeding. Please address your planned impact on the Proceeding.
16. Provide a clearly stated, achievable, and reasonable plan outlining the breadth and scope of your anticipated participation in the Proceeding and describe how the Grant will be used. Please also address which components of the Proceeding you will be participating in, e.g., presenting evidence/testimony, cross-examining witnesses, filing briefs, presenting oral arguments, etc.
17. What unique perspective⁵ would you bring to the Proceeding that is not adequately addressed by other parties to the Proceeding?

D. Projected Costs

The Grant award for a Proceeding is limited to up to \$150,000 for each party and \$500,000 per proceeding. The Director of the Division has the discretion to increase both the Grant award to a Grantee and the aggregate amount awarded for a single Proceeding past these thresholds or provide a Grant in addition to the amount initially awarded to the Grantee if good cause is demonstrated by the Grantee or if new or novel issue have arisen in a proceeding since the initial Grant Application was approved. In making this determination, the Director may consider, among other factors, whether the Grant Applicant is offering testimony and analysis on one or more issues, whether the Proceeding is conducted in multiple phases, the number of evidentiary hearing days, whether the scope of the Proceeding substantially expanded beyond what was reasonably anticipated at the time of the original Grant Award, the nature and extent of a Grantee's use of any initial Grants in a Proceeding, and a complete accounting of the use of any initial Grant funds.

You may request compensation for reasonable legal fees, reasonable expert witness fees (including Community Experts),⁶ and other reasonable costs of preparation for and participation in a proceeding. Once the Grant Application is approved, up to twenty percent of the total Grant amount may be requested upfront before costs are incurred with a showing of good cause and Significant Financial Hardship. Grant payments can also be received as reimbursements as costs are incurred during the proceeding upon submission of required documentation. The Division will pay approved upfront payments or reimburse approved incurred expenses throughout the proceeding within 30 calendar days of receipt of a Grant Payment Request.

Up to ten percent of the Grant or a greater percentage as determined by the Director may be used for non-legal and non-expert administrative costs associated with participation in the

⁵ A unique perspective refers to an underrepresented perspective (e.g., traditional knowledge of Indigenous communities) in past and/or present Board and Department proceedings, and can include, but is not limited to, a Grant Applicant's lived experience, local knowledge, or direct experience as stated in formal expert testimony.

⁶ Members of an affected community, including residential ratepayers and residents or community groups, with knowledge or lived experience relevant to the Proceeding who will serve as subject matter experts on issues specific to their community.

proceeding. Administrative costs may include but not be limited to reasonable costs for communication and office operations (e.g., photocopying, calls), travel, meals directly related to participating in a proceeding, and costs associated with drafting the grant application, where a third party (e.g., a consultant) was hired to contribute to the application. Reasonable community engagement costs that support meaningful participation, such as hosting community meetings regarding the Proceeding, are a permissible administrative cost.

All Grantees must have a tax identification number and register with the Commonwealth of Massachusetts Comptroller's Office to receive the Grant award. An unincorporated association of individuals applying for an award may partner with a fiscal sponsor to receive the Grant award.

Ineligible use of Grant funds include, but are not limited to the purchase or lease of equipment, political lobbying, advertising or marketing costs to publicize the Grantee's view on a Proceeding, costs associated with seeking judicial review of the Department or Board's final decision in a Proceeding, and any other unlawful, unethical, or improper use, as determined by the Director.

18. Provide the total amount of funds sought:

19. Attach your proposed budget, including an itemized estimate of costs and fees of anticipated attorneys, technical experts, expert witnesses or Community Experts and all other costs related to preparation for or participation in the Proceeding.

20. Attach background information (e.g., qualifications, any previous experience participating in a Department/Board Proceeding, and resume) for attorneys, technical experts, expert witnesses and Community Experts that you plan to hire and the services each will provide.

21. If your Grant application is approved, will you seek:

- Advance payment before costs are incurred
- Reimbursement after costs are incurred

E. Reporting Requirement

22. Within 30 calendar days of completion of a Proceeding in which a Grantee has received Grant funds through the Program, the Grantee shall submit a report that identifies:

- (a) The specific and itemized use of the Grant during the Proceeding;
- (b) The significant contribution provided by the Grantee's participation; and
- (c) A demonstration that the Grantee's participation in the Proceeding and use of funding did not cause an undue delay.

If a Grantee appeals a Board or Department final decision, the Grantee shall have an additional 30 calendar days from the deadline for appeal to submit the report. Grant funds shall not be used to pursue an appeal of a Board or Department final decision.

23. Any unused funds shall be returned to the Department within 30 calendar days after the deadline for appeal or by Order of the Director. Costs associated with any ineligible uses of funds shall be refunded to the Department no later than 30 days after notification by the Director.

F. Signature by Authorized Representative

I am an authorized representative of _____ and all information provided in the Grant Application is true and correct. I agree to provide, upon request, additional information or documentation to the Division.

Name of signatory:

Title:

Date: